

SOUTH DOWNS LOCAL PLAN MAIN MODIFICATIONS FULL REPRESENTATIONS

01 FEBRUARY - 28 MARCH 2019



Respondent Reference:	R11
Organisation or Individual:	Highways England Ltd.
Agent Details:	N / A

[REDACTED]

From: Franklin, Richard [REDACTED]
Sent: 27 March 2019 12:45
To: PlanningPolicy
Cc: [REDACTED]
Subject: RE: #6791 South Downs Local Plan Examination: Main Modifications Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Consultation: South Downs Local Plan Examination: Main Modifications

Highways England ref: #6791

Dear South Downs Planning Policy Team,

Thank you for notifying Highways England of this consultation.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network. The strategic road network is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the strategic road network.

Having reviewed the information provided, we are satisfied that the modifications will not materially affect the safety, reliability and / or operation of the SRN (the tests set out in DfT C2/13, particularly paras 9 & 10, and DCLG NPPF, particularly para 109), and therefore we do not have any further comments.

Please continue to consult Highways England on the South Downs Local Plan as it progresses via our inbox: [REDACTED]

Regards,

Sent on behalf of Elizabeth Cleaver Assistant Spatial Planning Manager Area 4

Richard Franklin

Highways England | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED]
Web: <http://www.highways.gov.uk>

From: South Downs National Park Authority (do not reply) [mailto:do-not-reply@consult.southdowns.gov.uk]
Sent: 31 January 2019 15:53
To: [REDACTED]
Subject: #6791 South Downs Local Plan Examination: Main Modifications Consultation

Message from South Downs National Park Authority

Subject: South Downs Local Plan Examination: Main Modifications Consultation

South Downs Local Plan Examination

Town and Country Planning (Local Planning) (England) Regulations 2012

Notice of Public Consultation: South Downs Local Plan Main Modifications

Consultation period: 00:00 (midnight) Friday 01 February 2019 until 23:59 on Thursday 28 March 2019

Following a series of public hearings, the Inspector has invited the National Park Authority to consult on a schedule of main modifications. These changes have been considered or in some cases proposed by the Inspector with regard the soundness and legal compliance of the South Downs Local Plan. The schedule includes all the main changes made since the publication of the Pre-submission Local Plan in September 2017. It therefore includes the following stages of Main Modifications to the Plan:

- At submission: Schedule of Changes to Pre-submission SDLP (SDLP 01 in the core document library)
- Following submission: Main Modifications 01 November 2018 (SDNPA.3 in the core document library)
- Following examination hearings: Further modifications requested by the Inspector during or after the hearings (previously unpublished)

Full details are given on the [Main Modifications webpage](#). In summary, we have now published the following new documents:

- An amended inset Policies Map for Kingston-near-Lewes. This is to show a factual update to the proposed settlement boundary, to include within the boundary a recently permitted housing development at 'Audiburn'.
- A Habitat Regulations Assessment Statement (HRA Statement)
- A Sustainability Appraisal Addendum (SA Addendum)
- The schedule of Main Modifications following public hearings (January 2019)

In addition to the above, a modification was made at submission stage to the Overview Policies Maps, to reflect changes to the Mens SAC, Ebernoe Common SAC and Singleton & Cocking Tunnels SAC Habitat Regulations Assessment Buffers (which relates to Policy SD10: International Sites).

The Main Modifications are proposed without prejudice to the Inspector's final conclusion on the Local Plan.

Note that the Main Modifications should be read alongside the Pre-Submission South Downs Local Plan (reference SDLP 01 in the core document library), and the schedule of minor edits (see below).

Representations can now be made only on the soundness and legal compliance of the proposed Main Modifications, or the SA Addendum or HRA Addendum relating to these. Note that comments on any other aspects of the Local Plan will not be accepted.

All representations will be forwarded to the Inspector who will take account of them in preparing his report.

Public consultation on the main modifications starts on Friday 01 February 2019 and ends at 23:59 on Thursday 28 March 2019. Please see the [Main Modifications webpage](#) for details of how to comment.

Minor edits

The Authority has also prepared a separate schedule of minor edits, which are published for information only on the Main Modifications webpage. Note that the minor edits do not affect the soundness or legal compliance of the Local Plan. Therefore we cannot accept comments on these changes.

Kind Regards

South Downs Planning Policy Team

Tel No: 01730 814810 | South Downs Centre, North Street, Midhurst GU29 9DH

www.southdowns.gov.uk | facebook | SDNPA twitter | Ranger twitter | youtube

Email: planningpolicy@southdowns.gov.uk

Website (Local Plan): <https://www.southdowns.gov.uk/localplan>

Website (Neighbourhood Plans): <https://www.southdowns.gov.uk/planning/community-planning>



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Highways England Company Limited | General enquiries: [REDACTED] / [REDACTED]
[REDACTED]

<https://www.gov.uk/government/organisations/highways-england> | [REDACTED]

Registered in England and Wales no [REDACTED] / Registered Office: [REDACTED]
[REDACTED]

Consider the environment. Please don't print this e-mail unless you really need to.

Respondent Reference:	R30
Organisation or Individual:	Mr & Mrs T. Grieves
Agent Details:	Jonny Pickup, Town & Country Planning Solutions

[REDACTED]

From: Jonny Pickup [REDACTED]
Sent: 28 March 2019 08:23
To: PlanningPolicy
Subject: RE: South Downs Local Plan Examination: Main Modifications Consultation - Main Modification MM76

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern

Town & Country Planning Solutions are submitting representations on behalf of Mr & Mrs T Grieves at Audiburn, Ashcombe Lane, Kingston, East Sussex, BN7 3JL in relation to Main Modification MM76. Please find a copy of the representation form attached.

Please confirm receipt and I look forward to receiving updates on the progress of this.

Kind regards

Jonny Pickup MRICS
Associate – Development & Planning
Town & Country Planning Solutions

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]



This email is confidential and may contain legally privileged information. If you are not the intended recipient it may be unlawful for you to read, copy, distribute, disclose or otherwise make use of the information herein. If you have received this email in error please contact us immediately. Town & Country Planning Solutions will accept no liability for the mis-transmission, interference, or interception of any email and you are reminded that email is not a secure method of communication.

For further details of Town & Country Planning Solutions please visit our web site <https://townandcountryplanningsolutions.wordpress.com/>

From: South Downs National Park Authority (do not reply) <do-not-reply@consult.southdowns.gov.uk>
Sent: 31 January 2019 15:54
To: [REDACTED]
Subject: South Downs Local Plan Examination: Main Modifications Consultation

Message from South Downs National Park Authority

Subject: South Downs Local Plan Examination: Main Modifications Consultation

South Downs Local Plan Examination

Town and Country Planning (Local Planning) (England) Regulations 2012

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Kind Regards

South Downs Planning Policy Team

Tel No: 01730 814810 | South Downs Centre, North Street, Midhurst GU29 9DH

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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Name:

Organisation (if relevant): Town & Country Planning Solutions on behalf of; Mr & Mrs T Grieves at

Address: Town & Country Planning Solutions,

Post Code:

Email:

Tel:

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

x

(2) That the South Downs Local Plan has been adopted

x

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

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- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Town & Country Planning Solutions

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM76

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

x

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

x

(3) Not effective

x

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

x

No

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

At the Examination Hearing Session in relation to this proposed housing allocation, there was considerable evidence given on behalf of objectors, that not only is the site unsuitable, but also that the Planning Authority was unable to demonstrate that this site could physically accommodate 10-12 dwellings, as stated in draft Policy SD77. It would appear from the Inspector's 'Post Hearing Note' (INSP. 16) that having heard this evidence, there is recognition of *"uncertain deliverability of the full allocation with respect to site capacity and access"*.

Having reached such a provisional 'Post Hearing View', it is therefore illogical and inconsistent to propose a Main Modification (MM76) to delete the draft policy reference range relating to "10 to 12" residential dwellings and merely replacing this with "up to 12" residential dwellings, which amounts to no significant change to the draft Policy. If as is stated, the Inspector has concerns about 'uncertain deliverability' in relation to such fundamental aspects as 'site capacity and access', then clearly the Policy itself must be reviewed as to the quantum likely to be achieved, if any.

Proposed Strategic Policy SD26 (Supply of Homes) confirms that Kingston should provide eleven (11) additional dwellings to help meet the Plan's housing requirements. While the proposed Main Modifications provides flexibility as to the quantum of housing at Castelmere, 'up to 12' dwellings is unsound if, as seems likely, nothing like this amount could actually be achieved in practice. Given the site constraints and the fact that an existing dwelling takes up part of the allocated site, in practice a lower net increase figure of only 3 or 4 dwellings is likely to be able to be achieved and if this were to be the case, the housing allocation policy would be seriously flawed in overstating the site's true potential (if any).

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Given that there is no evidence that the proposed housing allocation for Kingston can actually be fulfilled on this site, all other potentially suitable alternative 'omission' housing sites at Kingston should be re-examined to ensure that no other more suitable sites could be brought forward during this plan period, in order to ensure that the housing allocation policy for Kingston can be found sound. Representations submitted on behalf of Mr & Mrs Grieves have previously made the case that previously developed brownfield land is available at the former Audiburn Riding Stables, that would be able to fulfill the 11 dwelling quota at Kingston on a single site.

(continue on a separate sheet if necessary)

Signature:



Date: 28th March 2019

[REDACTED]

From: Jonny Pickup [REDACTED]
Sent: 28 March 2019 08:29
To: Planning
Subject: RE: South Downs Local Plan Examination: Main Modifications Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern

Town & Country Planning Solutions are submitting representations on behalf of Mr & Mrs T Grieves at [REDACTED] in relation to the Kingston near Lewes Inset Map (Policy SD25), which is currently incorrect. Please find a copy of the representation form and proposed minor amendment to the Development Boundary attached.

Please confirm receipt and I look forward to receiving updates on the progress of this.

Kind regards

Jonny Pickup MRICS
Associate – Development & Planning
Town & Country Planning Solutions

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]



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For further details of Town & Country Planning Solutions please visit our web site
<https://townandcountryplanningsolutions.wordpress.com/>

From: South Downs National Park Authority (do not reply)
Sent: 31 January 2019 15:54
To: [REDACTED]
Subject: South Downs Local Plan Examination: Main Modifications Consultation

Message from South Downs National Park Authority

Subject: South Downs Local Plan Examination: Main Modifications Consultation

South Downs Local Plan Examination

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Kind Regards

South Downs Planning Policy Team

Tel No: 01730 814810 | South Downs Centre, North Street, Midhurst GU29 9DH

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Email: planningpolicy@southdowns.gov.uk

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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Name:

Organisation (if relevant): Town & Country Planning Solutions on behalf of; Mr & Mrs T Grieves

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

x

(2) That the South Downs Local Plan has been adopted

x

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Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
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- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Town & Country Planning Solutions

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

Kingston near
Lewes Inset Map
(Policy SD25)

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes ☐

No ☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☒

(3) Not effective

☒

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

At the Examination Hearing Session, representations were submitted in relation to the Kingston near Lewes Inset Map, with specific reference to the land at Audiburn, Ashcombe Lane which was due to be removed from the Kingston Development Boundary.

On 23rd November 2018 however, the South Downs National Park Authority granted full planning permission no. SDNP/18/05537/FUL for a replacement dwelling and subsequently, planning permission no. SDNP/18/04985/OUT was approved on 29th November 2019 for the demolition of the existing building and the erection of 4 dwellings at Audiburn. Both planning permissions showed the application site boundary as being the same as that of the Development Boundary shown on Inset Map 14 of the adopted Lewes Core Strategy. In light of these consents, at the Examination Hearing that took place on 11th December 2018, it was agreed that the Development Boundary around Audiburn as shown on the South Downs Submission Local Plan Draft Inset Map for Kingston near Lewes would be modified to reflect the current Development Boundary as shown on the currently adopted Inset Map 14.

However, the proposed modification to the Settlement Boundary around Audiburn is incorrect in that it does not conform with the existing Development Boundary or include all of the existing buildings on the development site, which will form part of the recent planning permission.

The currently adopted Development Boundary for this part of Kingston is contained in Appendix I, together with an amended version of the modified Inset Map to show the further modification needed to conform with the current adopted version.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see Appendix I and the separate proposed amendment to the Kingston Development Boundary submitted alongside the representation form.

(continue on a separate sheet if necessary)

Signature:

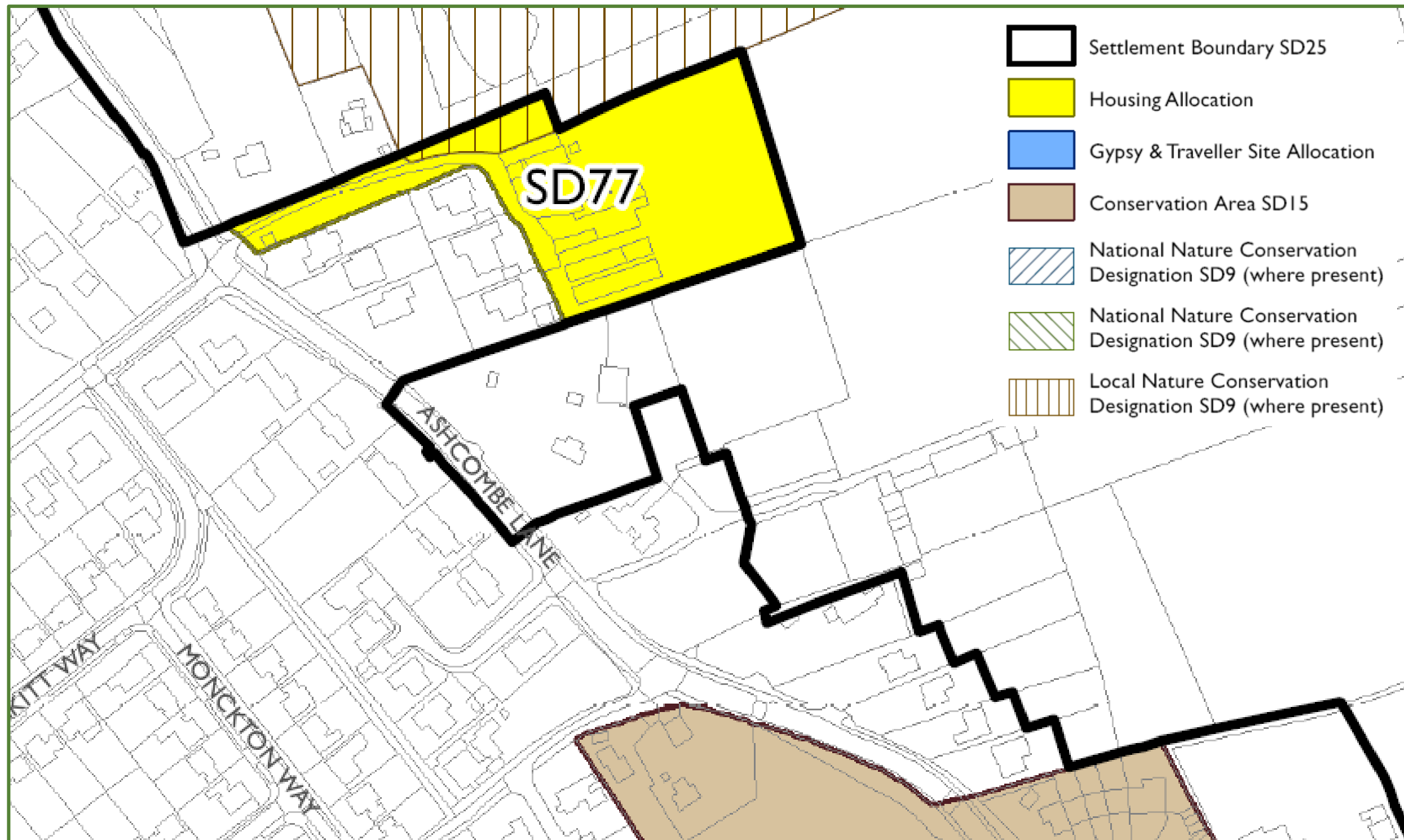


Date: 28th March 2019

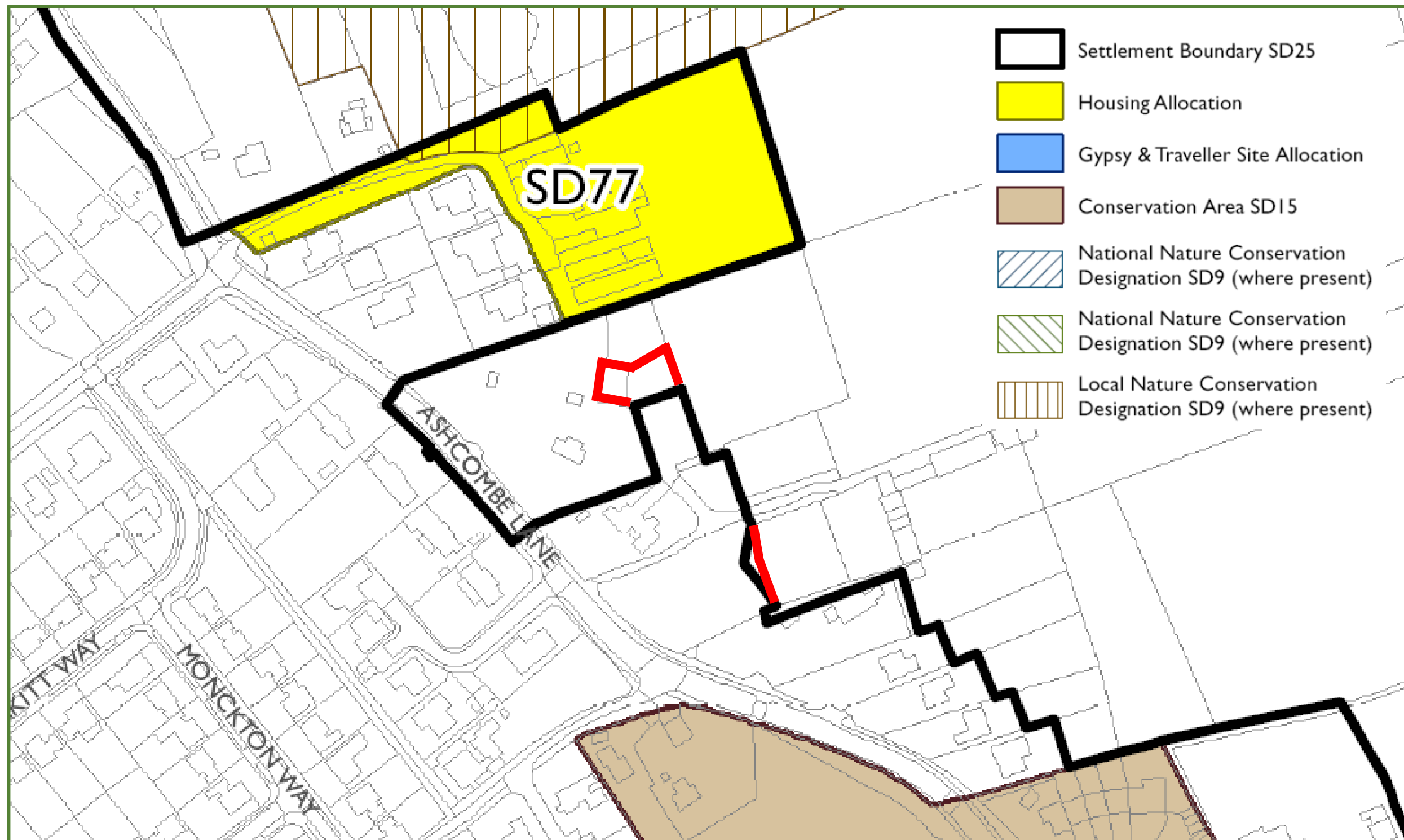
Adopted Inset Map 14 – Kingston (Lewes Core Strategy – May 2016)



Proposed Amendment to Kingston near Level Inset Map (February 2019) – Incorrect Boundary Line Around Audiburn



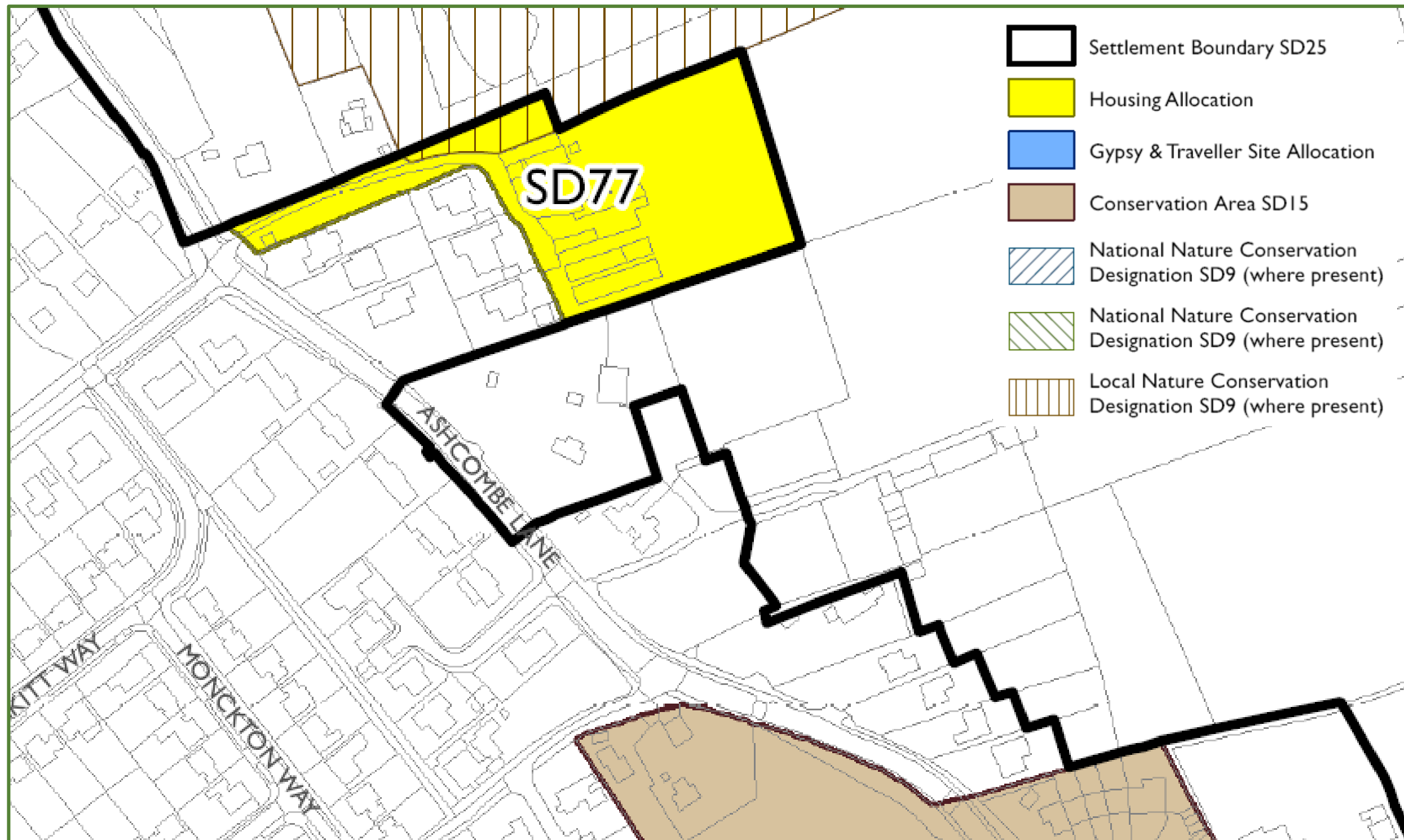
Proposed Amendment to Kingston near Level Inset Map (February 2019) – Proposed Amendment to Correct the Boundary



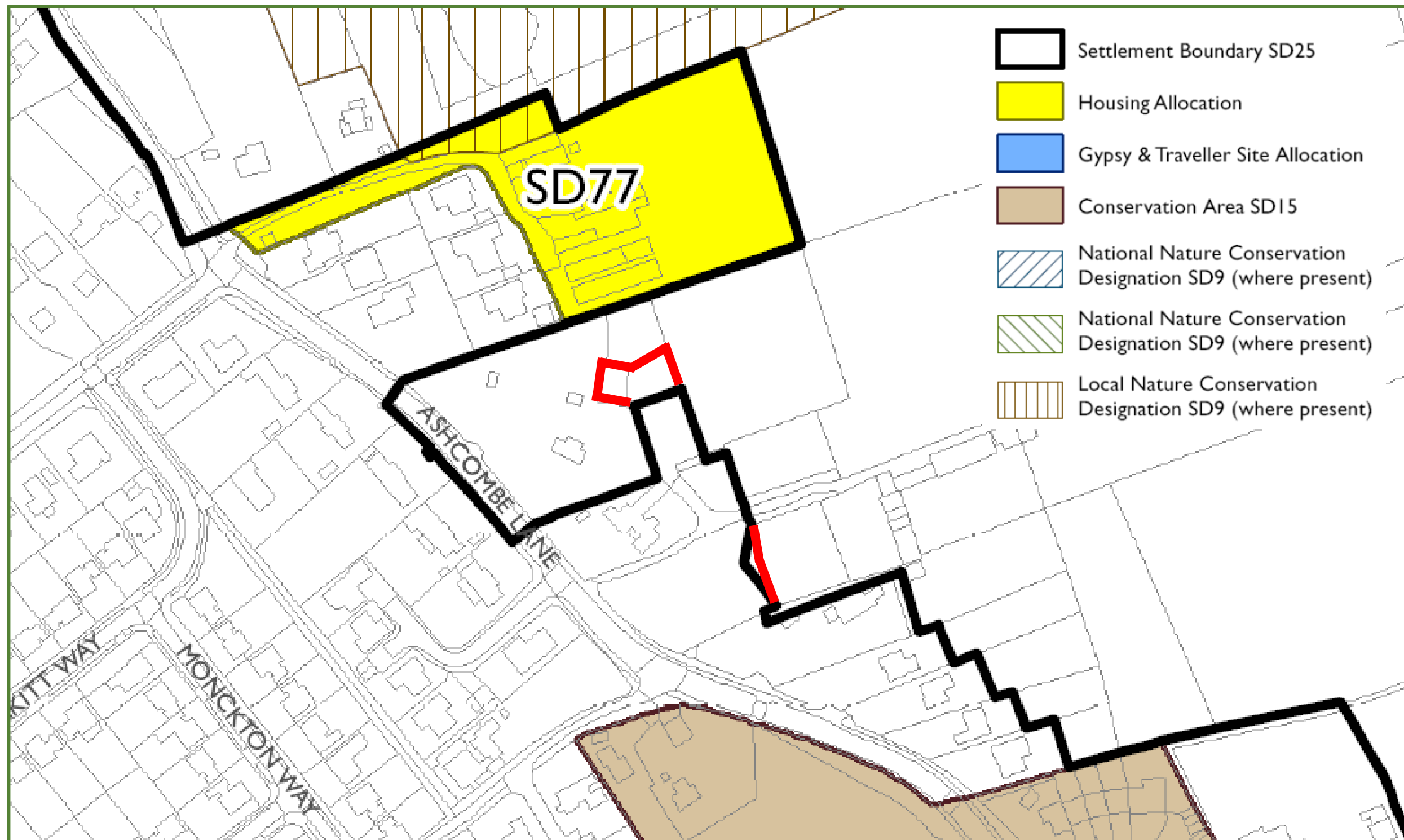
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Proposed Amendment to Kingston near Level Inset Map (February 2019) – Incorrect Boundary Line Around Audiburn



Proposed Amendment to Kingston near Level Inset Map (February 2019) – Proposed Amendment to Correct the Boundary



Respondent Reference:	R52
Organisation or Individual:	Pulens Lane Residents Action Group
Agent Details:	N / A

[REDACTED]

From: Nick Law
Sent: 28 March 2019 23:14
To: PlanningPolicy
Subject: Local Plan response

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir or Madam,

Please find attached representations form on the proposed Main Modifications.

Kind regards,

Nicholas Law on behalf of Pulens Lane Residents Action Group

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)
1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Dr..... Name: ...Nicholas Law.....

Organisation (if relevant): ...On behalf of Pulens Lane Residents Action Group.....

Address: [REDACTED]

..... [REDACTED] Post Code: [REDACTED]

Email: .. [REDACTED]

Tel: .. [REDACTED]

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Part B

Name or Organisation

Nicholas Law on behalf of Pulens Lane Residents Action Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM89

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

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(3) Not effective

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(4) Not consistent with national policy

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3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

This MM is contradictory, as improving local accessibility will damage site ecology due to trampling of wet woodland, as highlighted in our report (para 29). The Ecology points from that report are reiterated below:

26. This site is sensitive in ecological terms because of both the evidence put forward as part of previous Local Plan Inquiries, the conclusions of Local Plan Inspectors in respect of this site and, more recently, the Botanical Survey of the site undertaken by Hampshire Biodiversity Information Centre (HBIC) in July 2017 on behalf of South Downs National Park Authority.

27. The Inspector's Report on the Inquiry into the Deposit Draft of the East Hampshire District Local Plan was published in 1993. In his conclusions, when considering the site, the Inspector commented "the importance of preserving the river corridor in terms of landscape and its ecological value would be paramount". It is therefore clear that the Inspector had serious environmental and landscape concerns about the Pulens Lane site at that time.

28. When the site was again promoted as part of the East Hampshire Local Plan Review, East Hampshire District Council included the site as an allocation in the Deposit Draft Local Plan 1994. Mr Ron Allen of the Environmental Project Consulting Group (EPCG) prepared a Proof of Evidence setting out how the development of the site would be likely to seriously damage or destroy the important and fragile wet woodland habitat at the site and adjoining land. It states that the development of the site would have indirect effects on the woodland by way of disruption to springs supplying wetland within the woodland, on which its critical ecological character depends. The Local Plan Inspector agreed, commenting "I am concerned that housing development at this site would lead to degradation of the nature conservation interests by reason of greater public access, disturbance and damage... ..Notwithstanding the safeguarding of a riverside strip of land, development of this site for housing would erode the visual quality of the Rother valley landscape and harm conservation interests".

29. More recently, the SDNPA instructed HBIC to undertake Botanical Survey at the site (July 2017). This survey concluded "Even though site is not of sufficient quality to meet SINC criteria it does provide an important buffer between Petersfield and a substantial area of SINC habitats and adds wildlife value to the SINC along the River Rother valley. Any development on this site will reduce the buffer considerably and increase disturbance and damage to the SINC woodlands. **Areas of wet woodland are especially prone to damage due to the wet nature of the soil. Development so close to a river could also be significantly problematic from a hydrological point of view.** The landscape and geomorphological value of the fluvial terrace and its riser bank should also be considered".

30. In light of previous Inspector's comments that preserving landscape and ecological interests should be "paramount" and the subsequent evidence from both EPCG and the Council's own advisor on Ecological matters (HBIC) which sets out the ecological importance of the site and the damage to both the site and the SINC woodlands caused by any development, the allocation should be deleted.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The allocation should be deleted.

(continue on a separate sheet if necessary)

Part B

Name or Organisation

Nicholas Law on behalf of Pulens Lane Residents Action Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM90

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☒

(2) Not justified

☒

(3) Not effective

☒

(4) Not consistent with national policy

☒

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

The allocation does not address the lack of suitable site access, (which the Highway Authority has confirmed has not been demonstrated to be safe), landscape impact, damage to the setting of the listed building and ecology. These are considerable issues on their own and together make the site unsuitable for development.

We remain completely unclear about how this site can be refused planning permission in October 2016 for only five dwellings with (effectively) six reasons for refusal with all six reasons referring to the proposal being contrary to the National Park purposes and now proposed for 15 - 18 dwellings with none of the technical issues properly addressed.

It is our view that this happened as there was a desire to find some housing for the Local Plan but as Petersfield was excluded then sites on the edge of Petersfield but actually in Sheet were picked instead and if Petersfield had been appraised again then more sustainable and less constrained sites would have been found.

These points were all conveyed by the Residents Action Group at the Hearing and in their Position Statement and Report.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The allocation should be deleted.

(continue on a separate sheet if necessary)

Part B

Name or Organisation

Nicholas Law on behalf of Pulens Lane Residents Action Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MM1)

MM91

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

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(2) Not justified

☒

(3) Not effective

☒

(4) Not consistent with national policy

☒

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

10. The NPPF (2012) requires in the core planning principles that the planning system should be plan-led and provide a practical framework within which “decisions on planning applications can be made with a high degree of predictability and efficiency” (para. 17). There is also a requirement to “conserve and enhance” the natural environment, “Allocations of land for development should prefer land of lesser environmental value”, conserve heritage assets, and ensure safe and suitable access for all people (para. 17).

11. The access is not suitable for the development. The South Downs own evidence base accepts this as ‘The South Downs Local Plan: Site Allocations Highway Assessment’ is part of the evidence base (attached as appendix 5 of our objections). The site is considered under ‘HA40 – The Old Riding School, Sheet’ and states it is “suitable only for single vehicle access” and that “refuse wagons and emergency vehicles would have difficulty in negotiating into and out of the access” as they would cross onto the other carriageway. The track is 80m long with no opportunity to provide passing areas and the report states the traffic “is likely to result in congestion along the track, with opposing vehicles having to reverse back to allow passing. The situation could result in safety issues and may raise objections from the existing residents.”

12. The report points out that while the planning application suggested the track could be widened to 4.8m “it is difficult to identify from where this additional width can be gained” and goes on to advise only 3.2m is achievable. It confirms that even if 4.8m was possible “it is doubtful whether this could accommodate any safety strip for pedestrian use.” Therefore, pedestrians would be forced to walk along the trafficked area for the whole length of the track which doesn’t meet any sense of a safe access for all users, never mind those that are mobility impaired.

13. It is not understood how the site allocation proceeded past this stage against the Council’s own highway advice.

14. The ecological concerns have also not been addressed with the information (contained in Appendix 6) from Hampshire County Council Biodiversity Information Centre concluding that the site does “provide an important buffer between Petersfield and a substantial area of SINC habitats and adds wildlife value to the SINC along the River Rother valley.” Again, it is not clear how this has been, or can be, addressed and this should be of considerable importance in a National Park.

15. Our submission also sets out the concerns of a previous Local Plan Inspector that housing on this site would degrade the conservation interests.

16. Landscape concerns have not been addressed and housing would be damaging to the River Rother valley landscape.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The allocation should be deleted.

(continue on a separate sheet if necessary)

Signature:

A black rectangular box redacting the signature.

Date: 28/03/2019

Respondent Reference:	R71
Organisation or Individual:	Friends of Lewes Society
Agent Details:	N / A

[REDACTED]

From: ROBERT CHEESMAN
Sent: 26 February 2019 09:34
To: PlanningPolicy
Subject: MM 80 to South Downs Local Plan

Follow Up Flag: Follow up
Flag Status: Flagged

I'm attaching the representations (objections) of the Friends of Lewes Society to MM 80.

Robert Cheesman

Representations by Friends of Lewes Society on MM 80 proposed to the South Downs Local Plan.

The Friends of Lewes Society objects to the deletion of paragraph 5k of Policy SD 79. Whilst it recognises that this provision was not included in the Joint Core Strategy which this Local Plan will replace, it is a provision which was doubtless included as a result of further consideration being given to the possibility of development of the Old Mallig Farm site for housing. In particular the reference to the northern end of the field amplifies the provision contained in para 5f to prevent housing being sited in an area liable to flooding, (which was the case below this contour line in the floods of 2000), whilst the reference to the southern and western boundaries provides essential protection for the adjoining tranquil Mallig Deanery Conservation Area.

Notwithstanding the above comment, the Society still considers that the whole of policy SD 79 should be deleted on landscape grounds. In addition, recent consideration of an outline planning application to develop the site has shown that it will create a community remote from the town centre and by virtue of having the road access at the northern end of the site increase the time taken to access the site with greater resultant additional pollution and inconvenience than if an exit was at the southern end.

Respondent Reference:	R75
Organisation or Individual:	Dr. Geoff & Mrs Rosalind Prosser
Agent Details:	N / A



[REDACTED]

From: Geoff Prosser
Sent: 20 March 2019 11:13
To: PlanningPolicy
Subject: Loppers Ash site SD90

Follow Up Flag: Follow up
Flag Status: Flagged

We attach our comments in relation to 17.MM56-78-SD90 requested by the Planning Inspector. Please pass on these comments to the Inspector.

Geoff and Rosalind Prosser
[REDACTED]

Sent from [Mail](#) for Windows 10

LOPPERS ASH SITE SD90

We are residents in South Harting close to the proposed Loppers Ash Site SD 90. We understand from our parish council that there have been some changes made by the SDNPA around the issue of access to this site. The current proposal is:

17. MM56-58 - SD90 – Loppers Ash, South Harting

Para 1 - retain the original criterion 1(a) requiring a single access to the allocation site from New Lane. Reason – to minimise the number of entrances onto New Lane and protect the existing hedge bank.

We are concerned on a number of issues that make us question the ‘soundness’ of this proposal, and are moved to draw these to your attention for your consideration:

- A single access to the site will leave very little room between the building line and New Lane for both access to, and parking for, any but one property either side of the access. If however parking were to be provided on the east side of the properties this will be visible from the South Downs. This questions the feasibility of a single access.
- In effect the position of the access would result in a crossroad from the site to South Acre, crossing over a very narrow single lane (New Lane). Many pedestrians and dog walkers use this Lane as an access to the South Downs, as well as vehicles. This raises the question of safety.
- Due to the considerable difference in height from New Lane to the site, the access to the site would be steep and likely to be hazardous in bad weather.
- South Acre would become a rat run, as the junction from new lane to Elsted Road is difficult with poor sight lines. So vehicles leaving the site would travel through South Acre where the roads were only built for residential use.
- Unless adequate parking for visiting cars and delivery vehicles can be provided on site, the residential roads of South Acre would be the only option for parking. This would cause considerable problems of accessibility for residents and their visitors.

Respondent Reference:	R80
Organisation or Individual:	David Hambrook
Agent Details:	Emma Challenger, Strutt & Parker



[REDACTED]

From: Emma Challenger [REDACTED]
Sent: 27 March 2019 14:15
To: PlanningPolicy
Cc: [REDACTED]
Subject: Main Modifications Representations

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam

Please find attached our representations in relation to MM76, on behalf of our client, Mr David Hambrook.

I would be grateful for confirmation of safe receipt.

Many thanks
Emma

Emma Challenger BA(Hons) MA MRTPI

Senior Associate Director
Development & Planning
Strutt & Parker
[REDACTED]

Direct Line [REDACTED] | Mobile [REDACTED]



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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Mrs..... Name:Emma Challenger.....

Organisation (if relevant): Strutt & Parker OBO Mr David Hambrook

Address:

Email:

Tel:

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

X

(2) That the South Downs Local Plan has been adopted

X

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Strutt & Parker OBO Mr David Hambrook

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM76

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

X

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

X

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

We note the changes proposed to policy SD77 (Land at Castelmer Fruit Farm), in particular the amendment to the proposed site capacity from '10 to 12 dwellings' to 'up to 12 dwellings'. We note that this change has been made due to "uncertain deliverability of the full allocation with respect to site capacity and access".

We have previously commented on the unsuitability of the site access for increased traffic movements, and accept that a proportion of housing may be achievable at the site without increasing traffic movements at all. However, until the number of existing vehicle movements has been identified (through traffic survey), and agreed with the County Council's highways department, it remains unknown how many dwellings would be supported without alterations to the site access (both the bellmouth and the track leading to the site). For all we know, this could equate to only one or two additional dwellings at the site, which could be achieved as windfall development and not necessitating a specific site allocation. This uncertainty leaves a question mark over the site's deliverability and the contribution that it could make to the housing requirements for the Park Authority. No evidence has been provided to satisfy our concerns that an allocation is being made in Kingston that will not achieve the desired unit numbers and which could have a harmful visual impact in terms of highway engineering requirements needed to upgrade the access. The allocation is being made without certainty of deliverability, and is not justified by the evidence that has been submitted to date on this matter.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We request that further investigations are undertaken to establish the quantum of development that could realistically be achieved at the site, and that this is done in agreement with ESCC Highways.

Alternatively, given that the site's deliverability cannot be guaranteed, an alternative site in Kingston should be allocated.

(continue on a separate sheet if necessary)

Signature:



Date: 27th March 2019

Respondent Reference:	R92, R593
Organisation or Individual:	Steep in Need Charity [Reg No. 117200], Trustees of the Village Hall Memorial Trust
Agent Details:	Peter Cleveland, Henry Adams LLP.



[REDACTED]

From: Peter Cleveland
Sent: 28 March 2019 17:14
To: PlanningPolicy
Subject: Local Plan response

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir / Madam

Please find attached submissions in response the consultation on the main modifications of the Local Plan, on behalf of our clients Steep in Need Charity and the Trustees of the Village Hall Memorial Trust.

Kind regards,

Peter



Peter Cleveland

Head of Planning, Henry Adams
Planning



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[REDACTED] Company No. [REDACTED] VAT No. [REDACTED] [Privacy Policy](#)

South Downs Local Plan
Planning Policy
South Downs National Park Authority
South Downs Centre
North Street
Midhurst
West Sussex
GU29 9DH

Via email: planningpolicy@southdowns.gov.uk

Our Ref: PLAN 1207

28 March 2019

Dear Sir / Madam

Re: South Downs Local Plan Main Modifications (post-examination hearings)
Main Modification Reference: MM105
Proposed Allocation reference: SD93

This letter and attached Main Modifications form is submitted on behalf of the Trustees of the Steep in Need Charity and the Trustees of the Village Hall Memorial Trust. The Trustees of the above groups are in control of the proposed allocation site SD93: Land south of Church Road, Steep.

The Main Modifications propose that the following criteria be added to the draft policy wording:

f) A proportion of the site should be provided as public open space directly accessible from the village hall and car park.

On behalf of the Trustees, we confirm our support for the above policy criteria as it will ensure the delivery of publicly accessible open space within the village. This will form a key part of the overall design of the site and is therefore an important addition to the policy wording.

I trust that the enclosed and comments above are of assistance to you and the Inspector.

Kind regards.

Yours sincerely


Peter Cleveland MRTPI
Head of Planning
Henry Adams LLP

Henry Adams LLP


henryadams.co.uk

Town Planning ► Development Consultancy



PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)
1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Mr Name: Peter Cleveland

Organisation (if relevant): Henry Adams LLP

Address:

Post Code:

Email:

Tel:

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

Yes

(2) That the South Downs Local Plan has been adopted

Yes

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Henry Adams LLP obo of Steep in Need Charity and the Trustees
of the Village Hall Memorial Trust

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MMI05

Sustainability Appraisal Addendum
(paragraph or table number)

n/a

Habitat Regulations Assessment
Addendum
(paragraph or table number)

n/a

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes ☒

No ☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

N/A

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

Signature:

A black rectangular box redacting the signature.

Date: 28 March 2019

Respondent Reference:	R126
Organisation or Individual:	Cove Construction Ltd.
Agent Details:	James Cording, Turley Associates Ltd.



[REDACTED]

From: James Cording [REDACTED]
Sent: 28 March 2019 10:33
To: PlanningPolicy
Cc: [REDACTED]
Subject: South Downs Local Plan Main Modifications Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Policy Team,

On behalf of our client Cove Construction Ltd, please find attached our representations to the South Downs Local Plan Main Modifications consultation.

I would appreciate it if you could please confirm safe receipt of these representations.

I trust you will find these representations to be in order but should you have any questions please do not hesitate to contact me.

Kind Regards

.
James Cording
Planner

Turley

[REDACTED]
T [REDACTED]
M [REDACTED]
D [REDACTED]

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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Mr..... Name: James Cording.....

Organisation (if relevant): Turley on behalf of Cove Construction Ltd.....

Address: [REDACTED].....

[REDACTED].....

Email: [REDACTED].....

Tel: [REDACTED].....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

X

(2) That the South Downs Local Plan has been adopted

X

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- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Turley on behalf of Cove Construction Ltd

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM70 & MM71

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☒

(3) Not effective

☐

(4) Not consistent with national policy

☒

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

We continue to support the principle of allocating Land at Petersfield Road in Greatham for residential redevelopment as set out in Policy SD73 and as demonstrated by Cove's submission of a planning application for 46 dwellings (ref: SDNP/18/06111/FUL). However, we do not consider the two proposed Main Modifications, MM70 and MM71, to be sound.

Firstly, these Main Modifications have not been adequately justified. It is stated these are the result of new evidence in terms of landscape and design assessments but these have not been made readily available for review and critique. At this time it is considered the most substantial assessment of the landscape and design potential of the allocation is the work undertaken to support the current planning application on the site which is currently being determined. The detailed Landscape & Visual Appraisal as well as the Design & Access Statement take a landscape-led approach that responds to the site's circumstances and its location adjacent to the countryside. These documents make a thorough assessment of the context of Land at Petersfield Road in terms of its location, character and landscape setting as well as developing a clear understanding of the historical evolution of Greatham and its character ensuring an appreciation of what is unique about the site and Greatham. From this a number of key lessons have been learned which have then been incorporated into the proposed scheme. For example to ensure the proposed development merges into the surrounding countryside the overall envelope of built form was shrunk in comparison to earlier development iterations with a greater amount of open space fronting the countryside edge and Petersfield Road. Green corridors in the proposed development provide a connection to and views of the open countryside in keeping with the character of the local area.

Secondly, the proposed Main Modifications are not consistent with national policy as they do not adequately balance the need to make best and most efficient use of this brownfield site contrary to paragraph 17 of the NPPF (2012). The planning application currently being determined on the site is the result of substantial design work, analysis and consultation resulting in a layout that can comfortably accommodate 46 dwellings utilising the key development principles described in the previous paragraph. In considering the mix of dwellings a range of sizes from one to five bedrooms have been included to deliver on the ambition of the NPPF (2012) paragraph 50 of creating inclusive and mixed communities. The proposed dwellings are of various types ranging from detached and semi-detached to short terraces of three or four dwellings which are reminiscent of the terraces of worker cottages which can be found in Greatham. The proposed Main Modifications favour larger units as these will reduce the required build intensity but at the expense of providing smaller units that are much needed in Greatham for young people and smaller families contrary to paragraph 50.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order for Policy SD73 to be found sound we consider that MM70 and MM71 should be deleted and not progress to an adoptable version of the South Downs Plan. We also consider based on our work and assessment of Land at Petersfield Road, the site's capacity should be increased to 46 dwellings as a separate and new Main Modification in line with previous representations and our appearance at the relevant Examination Hearings.

(continue on a separate sheet if necessary)

Signature:



Date: 27/03/2018

Respondent Reference:	R136
Organisation or Individual:	Historic England
Agent Details:	N / A



[REDACTED]

From: Small, Martin [REDACTED]
Sent: 27 March 2019 11:06
To: PlanningPolicy
Subject: Main Modifications to the South Downs Local Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir or Madam,

Thank you for your e-mail of 31st January advising Historic England of the consultation on the Main Modifications to the South Downs Local Plan. Please find attached our comments.

Thank you.

Yours faithfully,

Martin Small

Martin Small BA(Hons) BPI DipCM MRTPI
Principal Adviser, Historic Environment Planning | South East
Planning Group

Direct Line: [REDACTED] | Mobile [REDACTED]

[REDACTED]
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[REDACTED]
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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)
1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...MR..... Name: ...MARTIN SMALL.....

Organisation (if relevant): ...HISTORIC ENGLAND.....

Address:
.....

Post Code:
.....

Email:
.....

Tel:
.....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

✓

(2) That the South Downs Local Plan has been adopted

✓

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

HISTORIC ENGLAND

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM34

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☒

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Historic England welcomes and supports the addition of the reference to Historic England's Farmstead Assessment Framework.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet if necessary)

Signature:

A black rectangular box redacting the signature.

Date: 27th March 2019

Part B

Name or Organisation

HISTORIC ENGLAND

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM35

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☒

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Historic England welcomes and supports the addition of the reference to Historic England's Farmstead Assessment Framework.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet if necessary)

Signature:

A black rectangular box redacting the signature.

Date: 27th March 2019

Respondent Reference:	R153
Organisation or Individual:	Sport England
Agent Details:	N / A



From: Laura Hutson
Sent: 18 March 2019 16:58
To: PlanningPolicy
Subject: SDNP Local Plan Main Modifications

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

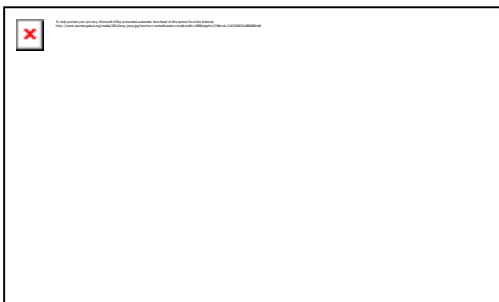
SDNP Local Plan Main Modifications

Thank you for consulting Sport England on the above named document. Please find herein our formal comments for your consideration.

Sport England has an established role within the planning system which includes providing advice and guidance on all relevant areas of national, regional and local policy as well as supporting local authorities in developing the evidence base for sport.

Sport England aims to ensure positive planning for sport, enabling the right facilities to be provided in the right places, based on robust and up-to-date assessments of need for all levels of sport and all sectors of the community. To achieve this our planning objectives are to seek to PROTECT sports facilities from loss as a result of redevelopment; to ENHANCE existing facilities through improving their quality, accessibility and management; and to PROVIDE new facilities that are fit for purpose to meet demands for participation now and in the future.

We work with the planning system to achieve these aims and objectives, seeking to ensure that they are reflected in local planning policies, and applied in development management. Please see our website for more advice: <http://www.sportengland.org/facilities-planning/planning-for-sport/>



[Planning for sport | Sport England](http://www.sportengland.org/facilities-planning/planning-for-sport/)

www.sportengland.org

The planning system plays a vital role in providing opportunities for sport and physical activity.

Playing Pitch Strategy

Sport England is very disappointed to note that the SDNP does not currently have a robust and up to date evidence base in place with regard to sport provision as it suggested when responding to the previous consultation.

The Local Plan should be informed by a robust and up to date assessment such as the Playing Pitch Strategy. The PPS should form part of the Local Plan evidence base. This document should also be used to inform questions around sporting infrastructure that is required (either in terms of updating or new provision) as well as protect existing sites where necessary. Sport England does not consider the SDNP Open Space Sports and Recreation Background Paper to form an appropriate part of its evidence base; this document is not a Playing Pitch Strategy carried out to Sport England guidance and furthermore not all of the districts mentioned within this document have taken the SDNP area into account (eg, Chichester) meaning that there is no evidence base for these areas whatsoever.

Sport England objects to the lack of a robust evidence base for sport within this Local Plan.

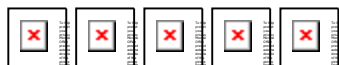
Thank you once again for consulting Sport England. Please do not hesitate to contact me should you have any queries.

Kind regards,

Laura

Laura Hutson MRTPI

Planning Manager



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Respondent Reference:	R158
Organisation or Individual:	Rupert Grey
Agent Details:	N / A

Allocation SD 90

Response to Main Modification

Rupert Grey, [REDACTED]



Single access to Allocation SD 90 was rejected by the SDNPA planning officers in 2016 on the grounds that it would damage the landscape and amenity value and character of a historic road. It conflicted directly with Policy SD 21 (para 2). The danger to pedestrians was also recognised.

The version of Allocation SD 90 which formed part of the Area Plan on which the Inspector is adjudicating avoided mentioning access at all.

Single access is now back on the table. The flaws it has now are the same as it had before:

New Lane is a narrow road which bears far more pedestrians than cars. It is in constant use by walkers. It is the only access to the South downs from the village of South Harting which is safe for pedestrians and dog-walkers to use.

Para 6.31 of Policy SD 21 states: *"where traffic levels would increased by more than 10% it must be demonstated that the changes would conserve /enhance the recreatiuoinal value of"* of the road. The level here is 100% plus.

It is obvious from the survey completed by the local residents in response to the Modification that the the access road – whether multiple or single – will:

- have a seriously detrimental impact on the nature and recreational use of New Lane.
- Will inevitably turn South Acre into a rat-run: it will become the dominant traffic route for residents in the new development. This road, which winds past unfenced gardens, is not designed for through traffic.
- Will add significantly to the existing parking problems in South Acre and in particular at the junctions of New Lane, South Acre and Elsted Road.

The Modification is exactly the kind of development which Policy 21 was designed to prevent.

The ostensible purpose of the modification is to preserve New Lane as an historic path and ensure its steep banks are protected in compliance with SD21. However, the impact of the modification on the landscape is as harmful as the original proposal: a wide road (twice as wide as new lane itself if it is 2-way), will run down the full length of the development on top of the bank, which will thus be hemmed in by 2 roads. It will be a strip of grass between tarmac.

The space between houses, already reduced by the need for a road , will have less space for parking. The overflow will go to South Acre and ultimately Tipper Lane and Elsted road.

I find it difficult to see how Allocation SD 90 can be implemented without conflicting directly with the existing policies adopted by the SDNPA, and with which it can be expected to comply. However access to SD 90 is configured it would have a massive adverse effect on a highly sensitive landscape and would substantially its enjoyment by those whose lives will be affected by this development.

March 27 2019

Respondent Reference:	R159
Organisation or Individual:	Upper Itchen Valley Society
Agent Details:	N / A



[REDACTED]

From: Alison Matthews [REDACTED]
Sent: 06 March 2019 12:22
To: PlanningPolicy
Subject: Local Plan MM3 and MM4

Follow Up Flag: Follow up
Flag Status: Flagged

This email is sent on behalf of the Upper Itchen Valley Society based in the Itchen Valley at the western end of the South Downs National Park.

The Society wishes to support the Main Modifications MM3 and MM4 as we consider that by including the reference to temporary events they render the Local Plan more sound.

Alison Matthews
Chairman

Respondent Reference:	R162
Organisation or Individual:	Winchester City Council
Agent Details:	N / A

[REDACTED]

From: [REDACTED]
Sent: 01 March 2019 13:46
To: PlanningPolicy
Subject: FW: WCC response to SDNP LP pre submission consultation.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Policy Team at South Downs National Park,

Thank you for consulting Winchester City Council on the Main Modifications proposed to the Pre-Submission South Downs Local Plan. Please find attached our comments.

Best wishes

Jill Lee

Jill Lee BA (hons) BTP MRTPI
Principal Planning Officer
Strategic Planning
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Direct Dial [REDACTED]



Winchester
City Council

winchester.gov.uk
visitwinchester.co.uk



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Planning Policy Team
South Downs Centre,
North Street,
Midhurst GU29 9DH

Direct Line: [REDACTED]
[REDACTED]

27 February 2019

Dear Sir/Madam

South Downs Local Plan Examination
Town and Country Planning (Local Planning) (England) Regulations 2012
Notice of Public Consultation: South Downs Local Plan Main Modifications.

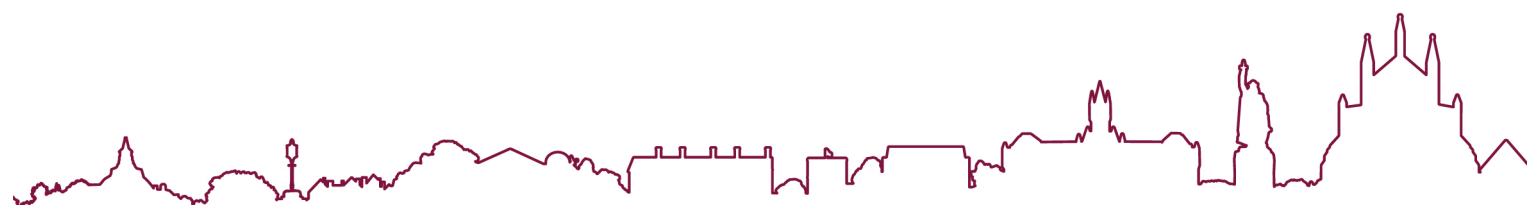
Thank you for consulting Winchester City Council on the Main Modifications proposed to the Pre-Submission South Downs Local Plan. The City Council is generally supportive of the Plan and has no objections or further comments to make in respect of the proposed Main Modifications.

I hope that this is helpful.

Yours faithfully



Jenny Nell - Head of Strategic Planning



Respondent Reference:	R195
Organisation or Individual:	South Downs Land Managers Group
Agent Details:	N / A

[REDACTED]

From: Alison Tingley
Sent: 27 March 2019 17:33
To: PlanningPolicy
Subject: Main Modifications consultation submission

Follow Up Flag: Follow up
Flag Status: Flagged

Please find attached a submission from the South Downs Land Managers. This has been agreed by the Executive Committee of the Group, on behalf of landowners, managers, farmers and foresters whom we represent.

Kind regards
Alison
Alison Tingley
Liaison Officer
South Downs Land Manager

[REDACTED]

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms Name:Alison Tingley

Organisation (if relevant):South Downs Land Managers

Address: [REDACTED]

..... Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

x

(2) That the South Downs Local Plan has been adopted

x

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- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

South Downs Land Managers

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM33

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☒

(3) Not effective

☐

(4) Not consistent with national policy

☒

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

The South Downs Land Managers (SDLM) represent some 450 farmers, landowners, managers and foresters operating within the South Downs National Park area. The following representations have been prepared for and agreed by the Executive Committee of the SDLM.

Landowners are an essential part of the NP community, who are vital in maintaining the natural capital of the area and providing ecosystem services. In order to continue to do this they have to be economically viable. In order to adapt to market forces, particularly in light of uncertainty over Brexit, and maintain their viability, many farms will need to develop alternative sources of income through diversification. In our opinion the current wording runs counter to the duty that National Park Authorities have to foster social and economic wellbeing of communities within the NP. The current wording limits the opportunities for diversification. This we believe will restrict economic well-being rather than fosters it, which we would argue is contrary to national policy and therefore makes this policy unsound.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Replace 'will be far more limited' with 'should also support landscape character'.

(continue on a separate sheet if necessary)

Signature:



Date: 26.3.2019

Name or Organisation

South Downs Land Managers

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM34

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

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☐

(2) Not justified

☒

(3) Not effective

☐

(4) Not consistent with national policy

☒

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

The South Downs Land Managers (SDLM) represent some 450 farmers, landowners, managers and foresters operating within the South Downs National Park area. The following representations have been prepared for and agreed by the Executive Committee of the SDLM.

The addition of 'in exceptional circumstances to the wording of this paragraph, in our opinion reduces development opportunities for landowners. This we would argue is contrary to the duty of the National Park Authority to foster social and economic well-being of local communities, of which farmers and landowners are a very important section of the community on whom the NPA relies on to enhance large swathes of the National Park, manage the natural capital of the area and deliver ecosystem services. If farmers are to carry out these essential services, they have to be economically viable. This reduction in their potential viability, particularly in light of uncertainty over Brexit, we believe is contrary to the NPA's duty.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We believe that the wording 'in exceptional circumstances' is unnecessary and should be deleted. Paragraph 7.201 has already said that farm diversification should make 'best possible use of existing, appropriate buildings'.

(continue on a separate sheet if necessary)

Signature:



Date: 26.3.2019

Respondent Reference:	R197
Organisation or Individual:	Kingston Parish Council
Agent Details:	N / A

[REDACTED]

From: Kingstonpc clerk [REDACTED]
Sent: 28 March 2019 19:14
To: PlanningPolicy
Subject: SDNPA Local Plan - consultation on Main Modifications - Response

Follow Up Flag: Follow up
Flag Status: Flagged

Please find attached the response from Kingston Parish Council (near Lewes) to the Pre-submission South Downs Local Plan Consultation
1 February 2019 - 28 March 2019.

Kind regards
Jeanne

Jeanne Peterson
Clerk to Kingston Parish Council

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

E: [REDACTED]
T: [REDACTED]

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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)
1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Ms Name: Jeanne Peterson, Clerk to Kingston Parish Council

Organisation (if relevant): Kingston Parish Council (KPC)

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

Yes

(2) That the South Downs Local Plan has been adopted

Yes

*Note that you will be notified by email rather than by letter if an email address is given.

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- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Kingston Parish Council

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MM1)

MM76

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☒

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☒

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Strategic Policy SD77 for the provision of housing at Castelmer Fruit Farm has been retained but the wording has been adjusted to read “Land at Castelmer Fruit Farm, Kingston near Lewes is allocated for the development of up to 12 residential dwellings (class C3 use). Planning permission will not be granted for any other uses”. Previously it read “Land at Castelmer Fruit Farm, Kingston near Lewes is allocated for the development of 10 to 12 residential dwellings (class C3 use). Planning permission will not be granted for any other uses.” This change has been requested by the Inspector due to “uncertain deliverability of the full allocation with respect to site capacity and access”.

Kingston Parish Council (KPC) submits that Strategic Policy SD77 is now fundamentally unsound since:

- 1. The Inspector has accepted that there is no certainty as to how many houses can be constructed on the site and so the modified Strategic Policy SD77 of the Plan provides no certainty that the objective set out in Strategic Policy SD26 of providing eleven houses can be met. KPC submits that this does not satisfy the test for soundness set out in the Planning Advisory Service’s Soundness Self-Assessment Checklist (March 2014) which requires that a Local Plan should “identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements”;**
- 2. The modified Plan provides no alternative policies to enable any shortfall against the requirements of Strategic Policy SD26 to be met;**
- 3. In the event that the full quota of eleven houses cannot be constructed on the site, the requirement for the number of affordable housing which must be provided will be reduced in line with Strategic Policy SD28 on Affordable Homes. The maximization of the provision of affordable housing was a key consideration for the SDNPA in setting the target of eleven houses and additional affordable housing is urgently required in Kingston. Under the modified Strategic Policy SD77 there is now no certainty as to how many new affordable homes will be built. Consequently the modified Strategic Policy SD77 no longer reflects the objectives of Strategic Policy SD28 which states that development proposals for new residential development will be permitted that maximise the delivery of affordable housing to meet local need.**

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

KPC submits that the modified Strategic Policy SD77 should be replaced by an alternative strategic policy for the provision of new houses which will ensure that the numerical requirement for new housing set out in Strategic Policy SD26 can be met. If no suitable site can be identified in the village to meet this requirement, the housing requirement in Strategic Policy SD26 should be removed and the Plan should contain no associated Strategic Policy for the provision of new houses.

Signature:



Date: 27th March 2019

Respondent Reference:	R221
Organisation or Individual:	Waverley Borough Council
Agent Details:	N / A



From: Matthew Ellis
Sent: 28 March 2019 16:11
To: PlanningPolicy
Cc: [REDACTED]
Subject: RE: South Downs Local Plan Examination: Main Modifications Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Policy Team

Thank you for giving Waverley Borough Council the opportunity to make representations on the main modifications to your Local Plan.

As you will be aware Waverley made representations on your pre-submission Local Plan on 21st November 2017.

MM14 and MM15 relate to joint working between us in dealing with development affecting the Wealden Heaths Phase II SPA which we previously expressed support for.

Waverley Borough Council is of the view that the other Main Modifications in themselves do not affect Waverley and therefore does not have any comments to make on them.

Yours faithfully

Matthew Ellis
Team Leader (Local Plans and Planning Policy)
Waverley Borough Council
[REDACTED]

www.waverley.gov.uk

From: PlanningPolicy [mailto:PlanningPolicy@southdowns.gov.uk]
Sent: Thursday 31 January 2019 16:09
Subject: South Downs Local Plan Examination: Main Modifications Consultation
South Downs Local Plan Examination

Town and Country Planning (Local Planning) (England) Regulations 2012

Notice of Public Consultation: South Downs Local Plan Main Modifications

Consultation period: 00:00 (midnight) Friday 01 February 2019 until 23:59 on Thursday 28 March 2019

Following a series of public hearings, the Inspector has invited the National Park Authority to consult on a schedule of main modifications. These changes have been considered or in some cases proposed by the Inspector with regard the soundness and legal compliance of the South Downs Local Plan. The schedule includes all the main changes made since the publication of the Pre-submission Local Plan in September 2017. It therefore includes the following stages of Main Modifications to the Plan:

- At submission: Schedule of Changes to Pre-submission SDLP (SDLP 01 in the core document library)
- Following submission: Main Modifications 01 November 2018 (SDNPA.3 in the core document library)
- Following examination hearings: Further modifications requested by the Inspector during or after the hearings (previously unpublished)

Full details are given on the [Main Modifications webpage](#). In summary, we have now published the following new documents:

- The schedule of Main Modifications following public hearings (January 2019)

- A Sustainability Appraisal Addendum (SA Addendum)
- A Habitat Regulations Assessment Statement (HRA Statement)
- An amended inset Policies Map for Kingston-near-Lewes. This is to show a factual update to the proposed settlement boundary, to include within the boundary a recently permitted housing development at 'Audiburn'.

In addition to the above, a modification was made at submission stage to the Overview Policies Maps, to reflect changes to the Mens SAC, Ebernoe Common SAC and Singleton & Cocking Tunnels SAC Habitat Regulations Assessment Buffers (which relates to Policy SD10: International Sites).

The Main Modifications are proposed without prejudice to the Inspector's final conclusion on the Local Plan.

Note that the Main Modifications should be read alongside the Pre-Submission South Downs Local Plan (reference SDLP 01 in the core document library), and the schedule of minor edits (see below).

Representations can now be made only on the soundness and legal compliance of the proposed Main Modifications, or the SA Addendum or HRA Addendum relating to these. Note that comments on any other aspects of the Local Plan will not be accepted.

All representations will be forwarded to the Inspector who will take account of them in preparing his report.

Public consultation on the main modifications starts on Friday 01 February 2019 and ends at 23:59 on Thursday 28 March 2019. Please see the Main Modifications webpage for details of how to comment.

Minor edits

The Authority has also prepared a separate schedule of minor edits, which are published for information only on the [Main Modifications webpage](#). Note that the minor edits do not affect the soundness or legal compliance of the Local Plan. Therefore we cannot accept comments on these changes.

Kind regards,

Planning Policy Team

Tel No: 01730 814810

South Downs Centre, North Street, Midhurst GU29 9DH

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Respondent Reference:	R225
Organisation or Individual:	The Dudman Group
Agent Details:	Karen Tipper, ECE Planning Ltd.



[REDACTED]

From: Karen Tipper [REDACTED]
Sent: 20 March 2019 14:35
To: PlanningPolicy
Cc: [REDACTED]
Subject: South Downs Local Plan Main Modifications - Strategic Site Policy SD56: Shoreham Cement Works

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Policy,
Please find attached our representations, on behalf of Mr Steve Dudman, in respect of the proposed Main Modifications to the South Downs Local Plan and in particular strategic site policy SD56: Shoreham Cement Works. We have copied Bank Solutions into this email, for reference.
Kind Regards
Karen Tipper MRTPI
Associate Director
ECE Planning
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Inspector Brian Sims
c/o Bank Solutions

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Inspector,

20 March 2019
Ref: KT/Let/P1399

**Main Modifications Consultation on Strategic Site Policy SD56:
Shoreham Cement Works**

We write on behalf of Mr Dudman regarding the South Downs National Park Authority's (SDNPA) consultation on the proposed Main Modifications to the emerging South Downs Local Plan, and in particular pursuant to *Strategic Site Policy SD56: Shoreham Cement Works*.

Introduction

Following the Examination in Public (EiP) hearing session held 11 December 2018, you invited the SDNPA in *INSP.16* to consider some variation in the wording of policy SD56 to introduce flexibility as to combination of uses, including residential where this might appropriately be linked to viability. The reason set out in *INSP.16* was that the "*policy as submitted may not be fully effective in delivering this strategic redevelopment site with the degree of prescription it imposes, with implications for the soundness of the Plan*". The SDNPA produced two alternative policy Options (Appendix A) which were shared with the sole landowner, Mr Dudman, on 21 December 2018.

These two alternative policy options prepared by the SDNPA, without prior discussion with Mr Dudman, set out a 'looser' approach to strategic policy SD56 (Option A) and alternatively a 'tighter' approach to strategic policy SD56 (Option B).

We provided commentary to the SDNPA in respect of both Options on 14 January 2019, setting out our views, and in particular our concerns regarding the practical implications that the suggested alternative wording would have to the overall site viability and deliverability.

As an alternative, we put forward a further alternative (Option C), based on the SDNPA Option B and which in our view allowed the SDNPA to maintain control of development within the National Park, whilst equally providing the necessary transparency, clarity and certainty for Mr Dudman and all other stakeholders and future development partners in this process, to deliver a comprehensive, sustainable and landscape-led development at this site. These aforementioned comments of 14 January 2019, including Option C, are appended to this representation (Appendix B).

Directors

Chris Barker MATP MRTPI Managing Director
Huw James MRTPI
Adam King RIBA

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Whilst some positive progress has been made in respect of the inclusion of 'residential' into the modified policy, we cannot support the Main Modification as currently drafted and remain concerned that the policy wording is flawed and will undermine the delivery of a mixed-use development at this strategic site. These flaws to the policy are set out in further detail below.

We strongly assert that in the absence of further amendments to this policy that the delivery of a successful mixed-use development, to allow for the environmentally-led restoration of the site, will be in jeopardy and will not be realised in this plan period.

These comments should be read in parallel with previous written representations and verbal representations at the EiP, relating to the requirement to ensure any development at this important strategic site is both viable and deliverable.

Main Modification to Strategic Site Policy SD56: Shoreham Cement Works (policy reproduced in full)

1. *Shoreham Cement Works, as identified on the Policies Map, is an area of significant opportunity for an exemplar sustainable mixed use development, which delivers a substantially enhanced landscape and uses that are compatible with the purposes of the National Park. To help achieve this the National Park Authority will prepare an Area Action Plan (AAP) with the overall aims of:*
 - a) *Enhancing the visual impact of the site from both the nearby and distant public viewpoints;*
 - b) *Conserving, enhancing and providing opportunities for understanding the biodiversity, geodiversity, historic significance and cultural heritage of the site;*
 - c) *Ensuring the delivery of Ecosystems Services; and*
 - d) *Ensuring that the design of any development is of the highest quality and appropriate to its setting within a National Park.*
2. *The National Park Authority would support development proposals for the following land uses where it is demonstrated they deliver the environmentally-led restoration of the site:*
 - a) *Sustainable tourism / visitor based recreation activities and leisure development directly related to the understanding and enjoyment of the National Park;*
 - b) *B2 and B8 business uses to support the local economy, with a focus on environmentally sustainable activities, supporting local communities and providing opportunities for entrepreneurship; and*
 - c) *~~Further types of development that would enable the environmentally-led restoration of the site,~~ Where necessary to enable appropriate development in accordance with the above land uses, new homes, including affordable homes, as a subordinate land use of the overall mix of uses,*

provided that the proposals can clearly demonstrate how they would deliver the key considerations set out in Part 1 of this policy, and

- a) Improves accessibility and helps to create sustainable patterns of travel;*
 - b) Provides renewable energy generation to serve any development on the site;*
 - c) Provides realistic proposals for the relocation of existing employment and storage uses that are not appropriate to a National Park setting; and*
 - d) Ensures that any adverse impacts (either alone or in combination) are avoided, or, if unavoidable, minimised through mitigation with any residual impacts being compensated for.*
- 3. The National Park Authority will resist more development than is necessary to secure and deliver the environmentally-led restoration of the site.*
- 4. The National Park Authority wants to see a comprehensive redevelopment of the whole site consistent with the AAP. However, if any planning applications come forward separately and prior to the adoption of the AAP, then they would have to clearly demonstrate how the proposals would accord with the key considerations set out above.*

Comment on Strategic Site Policy SD56: Shoreham Cement Works

We wish to focus our representations to Section 2a) –c) of this policy which we consider are the principal areas which remain unresolved between parties, and which were the focus of debate at the EiP hearing session.

In terms of the Main Modifications, we note that Section 2a) and Section 2b) have not been amended.

Section 2a) Visitor based leisure development

Whilst we consider the measurement of this policy to be somewhat nebulous, we do not wish to seek any changes to this section of policy SD56.

Section 2b) Employment development

We expressed at the EiP hearing session, our concern regarding the unqualified omission of B1-use class from this policy. This omission of any reference to B1-use class, or more broadly businesses uses, is of great concern to the viability and deliverability of a mixed-use scheme at this site.

The Sustainability Appraisal (SA) which supported the development of the South Downs Local Plan specifically considers the benefit of mixed-use development in preference to a residential-led development at the Cement Works in terms of sustainability implications.

Section 2.3 of the SA tested four options, with Option 2 and 3 focusing specifically on mixed-used development:

- *Option 2: “employment-led approach to the redevelopment of the site, focused on ‘B’ uses, with 80% B uses and 20% A, C1 and D uses”, and*

- *Option 3: “Leisure / tourism-led approach to redevelopment of the site, focused on ‘A’, ‘C1’ and ‘D’ uses, 80% A, C1 and D uses and 20% B uses”.*

In both of these mixed-use options tested through the SA, the SDNPA acknowledged a preference for employment-led uses. None of the tested options assessed specific sub-classes within the each broad Use Class, and on this basis, it remains unclear why the SDNPA has explicitly omitted B1 from the policy, when the Authority’s own SA considered B-use class, as a whole, to be acceptable in sustainability measures.

We have previously stated, and maintain our stance, that strategic policy SD56 should allow for all employment uses, and in particular allow for all Business Uses. Indeed, supporting text paragraph 8.30 of policy SD56 refers to:

[...] business uses to support the local economy provided that they are compatible with its sensitive location and the proposed uses meet the purposes of the National Park’.

There does not appear to be any justification from the SDNPA as to why sub-class B1 would be harmful to the statutory Purposes of the National Park, or indeed the Duty of the National Park to seek to foster economic and social well-being of the local communities within the National Park. Critically, we note there is no reference within this section of strategic policy SD56 to the Duty placed on the National Park to foster this economic and social well-being in pursuing the statutory Purposes.

We therefore maintain the importance of allowing flexibility to Section 2b and the need to include B-Use Class, as a whole. The inclusion of B1 within this part of policy SD56 would not, as has been asserted previously, prevent the SDNPA from maintaining control in respect of the quantum of development through the master-planning of this site, either as part of the Area Action Plan or a future planning application.

We believe that prescribing the exclusion of B1 uses is unsound. Reference to business uses would make the Plan sound in this respect and would be consistent with the SA. We consider that it would not be necessary to undertake further full consultation to give effect to this change (which we set out below).

Section 2c) Residential development

Firstly, we are pleased that this amended policy text has included reference to residential development. However, whilst this section now positively includes reference to new homes (including affordable homes) we fundamentally disagree with reference to the use of ‘subordinate land use’.

This phrase is not qualified within this policy or supporting text, and is not quantifiable in planning terms, such that it does not state how subordination will be measured; whether by overall footprint or by total gross internal area.

It is important to understand that a moderated and necessary level of residential development may in fact reduce the overall physical land take resulting from development, thereby assisting with meeting the primary objectives of the policy framework in delivering an environmentally-led restoration project.

We further note the SDNPA has removed as part of these Main Modifications reference to *“further types of development that would enable the environmentally-led restoration of the site”*.

We consider that this deletion may have been unintentional, as the omission of this phrase now restricts the delivery of any other use not specifically referenced within Section 2 (i.e. B2, B8, C3 and tourism). In this instance, the deletion of this phrase has in fact made the delivery of enabling development more restrictive than the original policy. Uses such as A1, A2, C2, or D uses, which the SA considered would be acceptable in sustainability terms as part of a mixed-use development, are now wholly excluded.

This exclusion further undermines the flexibility that has been sought to date, and which was discussed at the EiP hearing session.

We believe this phrase should be re-inserted into this policy to provide the flexibility that was originally intended and to make the Plan sound in this respect. Again, we consider that neither reinsertion of the previous greater flexibility nor the removal of the unclear and unjustified subordination restriction would require further full consultation for such changes to be given effect (which we set out below).

Therefore, we request that consideration is given to the proposed alternative wording to strategic policy SD56, which we have set out below.

2. *The National Park Authority would support development proposals for the following land uses where it is demonstrated they deliver the environmentally-led restoration of the site:*

- a) *Sustainable tourism / visitor based recreation activities and leisure development directly related to the understanding and enjoyment of the National Park;*
- b) *~~B2 and B8~~ Business uses to support the local economy, with a focus on environmentally sustainable activities, supporting local communities and providing opportunities for entrepreneurship; and*
- c) *Further types of development that would enable the environmentally-led restoration of the site, including where necessary to enable appropriate development in accordance with the above land uses, new homes (including affordable homes) as a subordinate land use of part of the overall mix of uses.*

Conclusion

In the absence of any change to the policy wording, we have to maintain our strong objection to the policy as set out within these Main Modifications.

We welcome the inclusion of 'residential' to the policy (Section 2c) however, this simply does not go far enough to alleviate other concerns regarding the viability and deliverability of development at this strategic site.

The restriction of residential to a 'subordinate land use'; the omission of B1-use class; together with the further constraint, albeit possibly unintentionally, in the deletion of 'further types of development' do not provide the degree of appropriate flexibility necessary to deliver a successful mixed-use development.

In the absence of these amendments, the delivery of a viable, environmentally led development at this strategic site will be placed in jeopardy.

We consider that the further amendments we have set out above could address the concerns as to soundness.

If you have any further queries or require further information please contact me on [REDACTED]

Yours sincerely

ECE Planning



Karen Tipper MRTPI
Associate Director

Appendix A.1 - SDNPA Alternative Strategic Site Policy SD56 – Option A

Strategic Site Policy SD56: Shoreham Cement Works

1. Shoreham Cement Works, as identified on the Policies Map, is an area of significant opportunity for an exemplar sustainable mixed use development, which delivers a substantially enhanced landscape and uses that are compatible with the purposes of the National Park. To help achieve this the National Park Authority will prepare an Area Action Plan (AAP) with the overall aims of:
 - a) Enhancing the visual impact of the site from both the nearby and distant public viewpoints;
 - b) Conserving, enhancing and providing opportunities for understanding the biodiversity, geodiversity, historic significance and cultural heritage of the site;
 - c) Ensuring the delivery of Ecosystems Services;
 - d) Ensuring that the design of any development is of the highest quality and appropriate to its setting within a National Park;
 - e) Improving accessibility and creating sustainable patterns of travel;
 - f) Providing renewable energy generation to serve any development on the site;
 - g) Providing realistic proposals for the relocation of existing employment and storage uses that are not appropriate to a National Park setting; and
 - h) Ensuring that any adverse impacts (either alone or in combination) are avoided, or, if unavoidable, minimised through mitigation with any residual impacts being compensated for.
2. The National Park Authority will resist more development than is necessary to secure and deliver the environmentally-led restoration of the site.
3. The National Park Authority wants to see a comprehensive redevelopment of the whole site consistent with the AAP. However, if any planning applications come forward separately and prior to the adoption of the AAP, then they would have to clearly demonstrate how the proposals would accord with the key considerations set out above.

Appendix A.2 - SDNPA Alternative Strategic Site Policy SD56 – Option B

Strategic Site Policy SD56: Shoreham Cement Works

1. Shoreham Cement Works, as identified on the Policies Map, is an area of significant opportunity for an exemplar sustainable mixed use development, which delivers a substantially enhanced landscape and uses that are compatible with the purposes of the National Park. To help achieve this the National Park Authority will prepare an Area Action Plan (AAP) with the overall aims of:
 - a) Enhancing the visual impact of the site from both the nearby and distant public viewpoints;
 - b) Conserving, enhancing and providing opportunities for understanding the biodiversity, geodiversity, historic significance and cultural heritage of the site;
 - c) Ensuring the delivery of Ecosystems Services; and
 - d) Ensuring that the design of any development is of the highest quality and appropriate to its setting within a National Park.
2. The National Park Authority would support development proposals for the following land uses where it is demonstrated they deliver the environmentally-led restoration of the site:
 - a) Sustainable tourism / visitor based recreation activities and leisure development directly related to the understanding and enjoyment of the National Park;
 - b) B2 and B8 business uses to support the local economy, with a focus on environmentally sustainable activities, supporting local communities and providing opportunities for entrepreneurship; and
 - c) Where necessary to enable development, new homes, including affordable homes, as a subordinate land use of the overall mix of uses,provided that the proposals can clearly demonstrate how they would deliver the key considerations set out in Part 1 of this policy, and
 - d) Improves accessibility and helps to create sustainable patterns of travel;
 - e) Provides renewable energy generation to serve any development on the site;
 - f) Provides realistic proposals for the relocation of existing employment and storage uses that are not appropriate to a National Park setting; and
 - g) Ensures that any adverse impacts (either alone or in combination) are avoided, or, if unavoidable, minimised through mitigation with any residual impacts being compensated for.
3. The National Park Authority will resist more development than is necessary to secure and deliver the environmentally-led restoration of the site.
4. The National Park Authority wants to see a comprehensive redevelopment of the whole site consistent with the AAP. However, if any planning applications come forward separately and prior to the adoption of the AAP, then they would have to clearly demonstrate how the proposals would accord with the key considerations set out above.

Appendix B - Landowner Comments to SDNPA



Kelly Porter
South Downs National Park Authority
South Downs Centre
North Street
Midhurst
GU29 9DH

14 January 2019
Ref: KT/Let/P1399

Dear Kelly,

RE: Shoreham Cement Works – Policy SD56 Policy Options

Thank you for sharing the proposed alternative Policy SD56 wording options, following recommendation from the Planning Inspector at the Examination in Public hearing session held 11 December 2018.

As you have explained within your email dated 21 December 2018, 'Option A' provides a 'looser' approach to development, whilst 'Option B' provides a 'tighter' approach to development opportunities at this site.

We welcome the opportunity to provide comments of these draft options, and we have set out below our considered views on both of these options. You will note that whilst we consider some positive progress has been made in respect of Option B now including reference to 'residential', we are concerned that the policy wording (within both Options) is flawed and may undermine the delivery of a mixed-use development at this strategic site.

Furthermore, we do not consider the importance of all employment generating uses, as part of the overall comprehensive masterplan for this site, has been grasped.

In this regard, we have included a proposed alternative policy wording which we consider would provide the transparency, clarity and certainty necessary for all stakeholders in this process, to deliver a comprehensive, sustainable and landscape-led development at this site.

These suggested alternative options to Policy SD56 have been issued by the SDNPA in the absence of any update to the supporting policy text, and in this regard the following comments should be considered solely on the principle of the alternative policy text put forward by the SDNPA.

These comments should also be read in parallel with previous comments relating to the broader requirement to ensure any development at this important strategic site is viable and deliverable.

Directors

Chris Barker MATP MRTPI Managing Director
Huw James MRTPI
Adam King RIBA

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Option A – The Looser Approach

This Option sets out criteria which future development is to accord with, and which is based on a less encumbered policy wording by removing previous references to specific land uses. We have reproduced, in full, the draft text below with our considered views expressed in red highlighted text.

1. *Shoreham Cement Works, as identified on the Policies Map, is an area of significant opportunity for an exemplar sustainable mixed use development, which delivers a substantially enhanced landscape and uses that are compatible with the purposes of the National Park. To help achieve this the National Park Authority will prepare an Area Action Plan (AAP) with the overall aims of:*

- a) *Enhancing the visual impact of the site from both the nearby and distant public viewpoints;*

Agreed; no comment.

- b) *Conserving, enhancing and providing opportunities for understanding the biodiversity, geodiversity, historic significance and cultural heritage of the site;*

The principle of this criterion is acceptable, subject to ensuring this requirement does not undermine the viability of the development, as a whole. For example, the structural integrity and financial ability to retain and convert existing buildings and structures is unknown at this stage.

Therefore, the requirement to conserve and enhance the cultural heritage at this site should not preclude the demolition of buildings and structures, where it would be the most viable approach to secure an appropriate form and quantum of development.

As such, it is recommended that the policy supporting text should set out that the historic and cultural heritage of this site will be tested through the application process and not be prescribed within the AAP.

- c) *Ensuring the delivery of Ecosystems Services;*

Agreed; no comment.

- d) *Ensuring that the design of any development is of the highest quality and appropriate to its setting within a National Park;*

Agreed; no comment.

- e) *Improving accessibility and creating sustainable patterns of travel;*

Agreed; no comment.

- f) Providing renewable energy generation to serve any development on the site;

Agreed; no comment.

- g) Providing realistic proposals for the relocation of existing employment and storage uses that are not appropriate to a National Park setting;

This criterion does not satisfy the statutory Duty placed on the National Park which is “to seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes”.

The wording of this criterion, as currently drafted, only seeks to maintain the status quo i.e. to relocate existing employment and storage uses. The National Park should, in accordance with their statutory duty, foster all new employment uses and opportunities which support the local economy and community.

Furthermore, the proposed relocation of existing uses relates to uses which are not appropriate to the setting of the National Park i.e. this indicates that uses which are considered to be inappropriate elsewhere within the National Park be relocated to this strategic site.

Instead, the National Park should encourage all employment uses compatible with the National Park purposes, and not simply relocate uses which are inappropriate elsewhere within the National Park.

- h) Ensuring that any adverse impacts (either alone or in combination) are avoided, or, if unavoidable, minimised through mitigation with any residual impacts being compensated for.

Similar to comments noted under b) above, the principle of this criterion is acceptable, subject to ensuring this requirement for residual impacts being compensated for, not undermining the viability of the development, as a whole.

As such, it is recommended that the policy supporting text should set out that this criterion will be tested through the application process.

2. The National Park Authority will resist more development than is necessary to secure and deliver the environmentally-led restoration of the site

Within earlier representations we have asserted that it is absolutely critical that the viability of any development at this site is properly understood to deliver a sustainably-led, high quality development.

In order to do so, it will be absolutely fundamental to ensure the viability of any form of development. In this regard, we consider that reference to 'resisting' development to be overly negative and should be removed.

Instead, and as previously asserted and mentioned at the recent EiP hearing session, we consider this policy criterion should be positively phrased to moderate all forms of development. In this regard, development would be moderated through the application process.

3. *The National Park Authority wants to see a comprehensive redevelopment of the whole site consistent with the AAP. However, if any planning applications come forward separately and prior to the adoption of the AAP, then they would have to clearly demonstrate how the proposals would accord with the key considerations set out above.*

The National Park has opted to pursue an AAP; however, there are alternative approaches to secure the vision and parameters for development, such as a Development Brief or Supplementary Planning Document and which we have suggested in previous representations to the National Park.

Notwithstanding these alternative approaches, the wording of this Criterion does allow for an application to come forward in advance of the completion of an AAP, subject to compliance with Criteria 1 and 2.

In this regard, we do not object to the principle of Criterion 3, however this is subject to the positive rewording and incorporation of comments noted above.

Option B – The Tighter Approach

This Option sets out criteria which future development is to accord with and has been amended to incorporate reference to residential development. We have reproduced, in full, the draft text below with our considered views expressed in red highlighted text.

1. *Shoreham Cement Works, as identified on the Policies Map, is an area of significant opportunity for an exemplar sustainable mixed use development, which delivers a substantially enhanced landscape and uses that are compatible with the purposes of the National Park. To help achieve this the National Park Authority will prepare an Area Action Plan (AAP) with the overall aims of:*
 - a) *Enhancing the visual impact of the site from both the nearby and distant public viewpoints;*

Agreed; no comment.

- b) Conserving, enhancing and providing opportunities for understanding the biodiversity, geodiversity, historic significance and cultural heritage of the site;

The principle of this criterion is acceptable, subject to ensuring this requirement does not undermine the viability of the development, as a whole. For example, the structural integrity and financial ability to retain and convert existing buildings and structures is unknown at this stage.

Therefore, the requirement to conserve and enhance the cultural heritage at this site should not preclude the demolition of buildings and structures where it would be the most viable approach to secure an appropriate form and quantum of development.

As such, it is recommended that the policy supporting text should set out that the historic and cultural heritage of this site will be tested through the application process and not be prescriptive within the AAP.

- c) Ensuring the delivery of Ecosystems Services; and

Agreed; no comment.

- d) Ensuring that the design of any development is of the highest quality and appropriate to its setting within a National Park.

Agreed; no comment.

2. The National Park Authority would support development proposals for the following land uses where it is demonstrated they deliver the environmentally-led restoration of the site:

- a) Sustainable tourism / visitor based recreation activities and leisure development directly related to the understanding and enjoyment of the National Park;
- b) B2 and B8 business uses to support the local economy, with a focus on environmentally sustainable activities, supporting local communities and providing opportunities for entrepreneurship; and

This criterion excludes B1, and indeed any other employment generating use, which has not been justified. In order to create a fully sustainable community together with supporting the local economy, it is absolutely necessary that all employment generating uses be accepted in principle, subject to the quantum and form of development being tested through the application process.

For example, B1 incubator units may be appropriate adjacent residential uses, rather than B2 and B8 uses. It is important that employment opportunities at this site are not stymied through an overly cautious and restrictive policy wording.

- c) *Where necessary to enable development, new homes, including affordable homes, as a subordinate land use of the overall mix of uses,*

In order that the site can be comprehensively and meticulously master-planned to deliver the aspirational uses desired by the SDNPA, it is absolutely essential that all parties involved are fully cognisant of the different Use-Classes that will need to come forward as part of this strategic site allocation.

Whilst this element now positively includes reference to new homes (including affordable homes) we fundamentally disagree with reference to the use of 'subordinate land use'. This is not quantifiable in planning terms i.e. does subordinate relate to the footprint or gross internal area?

It is important to understand that a moderated and necessary level of residential development may actually reduce the overall land take resulting from development, thereby assisting with meeting the primary objectives of the policy framework in delivering an environmentally-led restoration project.

In this regard, we recommend that this criterion be amended.

provided that the proposals can clearly demonstrate how they would deliver the key considerations set out in Part 1 of this policy, and

- d) *Improves accessibility and helps to create sustainable patterns of travel;*

Agreed; no comment.

- e) *Provides renewable energy generation to serve any development on the site;*

Agreed; no comment.

- f) *Provides realistic proposals for the relocation of existing employment and storage uses that are not appropriate to a National Park setting; and*

This criterion does not satisfy the statutory Duty placed on the National Park which is “to seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes”.

The wording of this criterion, as currently drafted, only seeks to maintain the status quo i.e. to relocate existing employment and storage uses. The National Park should, in accordance with their statutory duty, foster new employment and storage uses and opportunities.

Furthermore, the proposed relocation of existing uses relates to uses which are not appropriate to the setting of the National Park i.e. this phrase indicates that uses which are considered to be inappropriate elsewhere within the National Park be relocated to this strategic site.

Instead, the National Park should encourage new compatible uses with the National Park purposes to this strategic site, and not simply relocate uses which are inappropriate elsewhere within the National Park.

- g) Ensures that any adverse impacts (either alone or in combination) are avoided, or, if unavoidable, minimised through mitigation with any residual impacts being compensated for.*

Similar to comments noted under 1b) above, the principle of this criterion is acceptable, subject to ensuring this requirement for residual impacts being compensated for, not undermining the viability of the development, as a whole.

As such, it is recommended that the policy supporting text should set out that this criteria will be tested through the application process.

- 3. The National Park Authority will resist more development than is necessary to secure and deliver the environmentally-led restoration of the site.**

Within earlier representations we have asserted that it is absolutely critical that the viability of any development at this site is properly understood to deliver a sustainably-led, high quality development.

In order to do so, it will be absolutely fundamental to pump prime the initial phases to ensure the viability of any form of development. In this regard, we consider that reference to ‘resisting’ development to be overly negative and should be removed.

Instead, and as previously asserted and mentioned at the recent EiP hearing, we consider this policy criterion should be positively phrased to moderate all forms of development. In this regard, development would be moderated through the application process. Below is set out our recommended amended wording.

4. *The National Park Authority wants to see a comprehensive redevelopment of the whole site consistent with the AAP. However, if any planning applications come forward separately and prior to the adoption of the AAP, then they would have to clearly demonstrate how the proposals would accord with the key considerations set out above.*

The National Park has opted to pursue an AAP; however, there are alternative approaches to secure the vision and parameters for development, such as a Development Brief or Supplementary Planning Document and which we have suggested in previous representations to the National Park.

Notwithstanding these alternative approaches, the wording of this Criterion does allow for an application to come forward in advance of the completion of an AAP, subject to compliance with Criteria 1 and 2.

In this regard, we do not object to the principle of Criterion 3, however this is subject to the positive rewording and incorporation of comments noted above.

As mentioned at the start of this letter, we welcome the opportunity to comment on these suggested alternative policy wording Options, and indeed welcome the inclusion of 'residential' into Option B. However, there remain fundamental concerns that these options do not go far enough to provide the necessary clarity and comfort for all stakeholders in this process.

We have therefore set out below an alternative approach based on the National Park's Option B, which we consider provides the necessary transparency, clarity and certainty to deliver a comprehensive, sustainable and landscape-led development at this site.

Option C – Recommended Alternative Approach

1. *Shoreham Cement Works, as identified on the Policies Map, is an area of significant opportunity for an exemplar sustainable mixed use development, which delivers a substantially enhanced landscape and uses that are compatible with the purposes of the National Park. To help achieve this the National Park Authority will prepare an Area Action Plan (AAP) with the overall aims of:*
 - a) *Enhancing the visual impact of the site from both the nearby and distant public viewpoints;*

- b) *Conserving, enhancing and providing opportunities for understanding the biodiversity, geodiversity, historic significance and cultural heritage of the site; **[subject to comments noted earlier under Options A1(b) and B1(b)]***
 - c) *Ensuring the delivery of Ecosystems Services; and*
 - d) *Ensuring that the design of any development is of the highest quality and appropriate to its setting within a National Park.*
2. *The National Park Authority would support development proposals for the following land uses where it is demonstrated they deliver the environmentally-led restoration of the site:*
- a) *Sustainable tourism / visitor based recreation activities and leisure development directly related to the understanding and enjoyment of the National Park;*
 - b) ***All employment generating uses to support the local economy, with a focus on environmentally sustainable activities, supporting local communities and providing opportunities for entrepreneurship; and***
 - c) ***New homes, including affordable homes, to enable the delivery of an environmentally-led restoration and the creation of sustainable community.***
- provided that the proposals can clearly demonstrate how they would deliver the key considerations set out in Part 1 of this policy, and*
- d) *Improves accessibility and helps to create sustainable patterns of travel;*
 - e) *Provides renewable energy generation to serve any development on the site;*
 - f) ***Provides realistic proposals for the provision of new and relocated employment and storage uses appropriate to a National Park setting; and***
 - g) *Ensures that any adverse impacts (either alone or in combination) are avoided, or, if unavoidable, minimised through mitigation with any residual impacts being compensated for.*
3. ***The National Park Authority will moderate all types of development to secure an appropriate scale and quantum of development, and deliver the sustainably-led restoration of the site.***

4. *The National Park Authority wants to see a comprehensive redevelopment of the whole site consistent with the AAP. However, if any planning applications come forward separately and prior to the adoption of the AAP, then they would have to clearly demonstrate how the proposals would accord with the key considerations set out above.*

If you have any further queries or require further information please contact me on [REDACTED]

Yours sincerely
ECE Planning



Karen Tipper MRTPI
Associate Director

cc: Chris Banks, Programme Officer for Planning Inspector Brian Sims

Respondent Reference:	R242, R255, R329
Organisation or Individual:	Jill Manson, Gavin Watson, William Knight
Agent Details:	Andrew Elliott, Terence O'Rourke Ltd.



[REDACTED]

From: Andrew Elliott [REDACTED]
Sent: 28 March 2019 09:40
To: PlanningPolicy
Cc: [REDACTED]
Subject: S Downs LP Main Modifications - Response of the Stedham Sawmill Landowners

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam

I attach a response to the Main Modifications on behalf of the Stedham Sawmill Landowners.

It comprises a main written response and two supporting evidence appendices relating to employment site marketing and ecology strategy.

Could you confirm receipt of these comments?

Kind regards

Andrew

Andrew Elliott MRTPI
Technical Director

You can now follow us on:



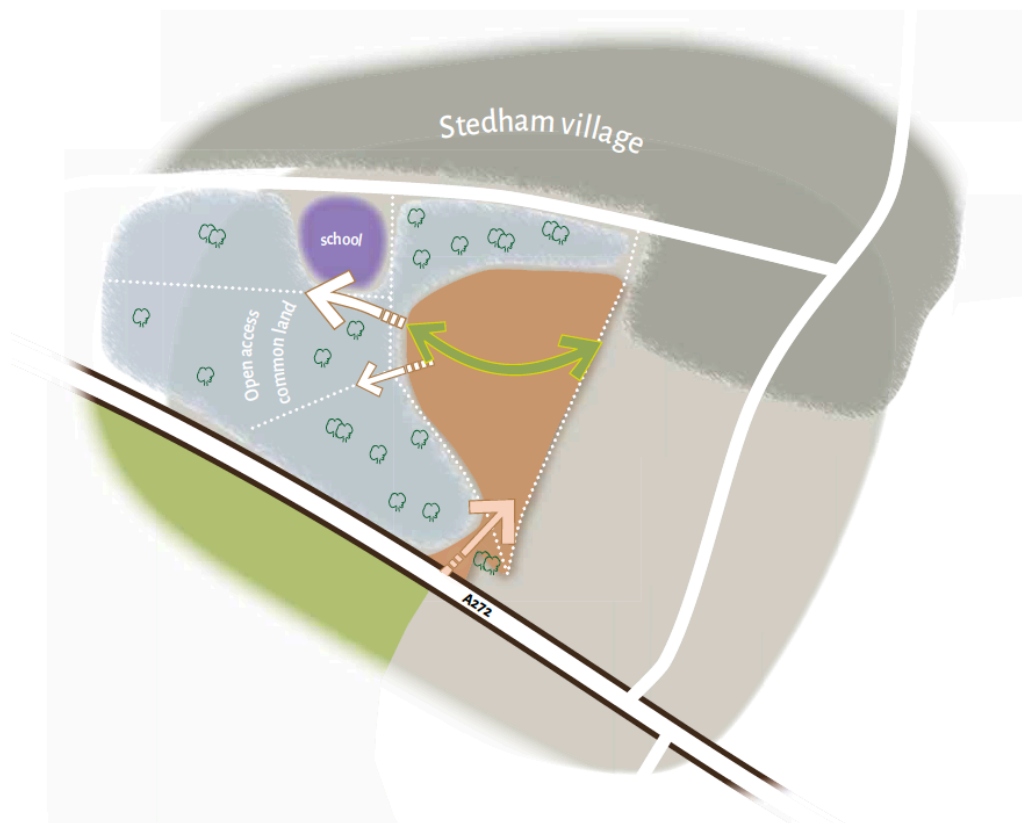
+think ●rchestrate resolve

TELEPHONE [REDACTED]

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MITIGATING OFF-SITE RECREATIONAL IMPACTS
OUTLINE ECOLOGY AND MITIGATION STRATEGY
STEDHAM SAWMILL SITE
THE STEDHAM SAWMILL LANDOWNERS
MARCH 2019



MITIGATING OFF-SITE RECREATIONAL IMPACTS
OUTLINE ECOLOGY AND MITIGATION STRATEGY
STEDHAM SAWMILL SITE

1. This strategy has been prepared following a site visit with Sussex Wildlife Trust (SWT)'s Conservation Officer and Senior Ecologist on 15 November 2018 and subsequent agreement on the content of a meeting note (see Appendix 1).
2. The Stedham Sawmills site is located close to Iping Common SSSI, which relates to Iping and Stedham Commons. SWT manage this site and have identified issues with current levels of public access potentially impacting on ground nesting birds and the ground flora being impacted in certain areas due to enrichment related to dog-fouling. Although the SSSI open access land is subject to restrictions under Countryside and Rights of Way Act 2000 (CROW) during the breeding season this is not effective in reducing impacts on ground nesting birds. At the present time evidence is not available to determine whether public visitor numbers or behaviours are adversely impacting on ground-nesting birds, however pressure on the Commons is similar to those experienced on many heathlands sites in Southern England.
3. An increase in housing in the local area might lead to an increase in recreational activity on the SSSI that could increase pressure on this designated site. Restricting access to the SSSI is not an option. Existing access gates to Stedham Common were agreed as part of the consultation exercise undertaken prior to the Commons being fenced. These are sited to ensure that all points of access present prior to the fencing being installed remain accessible to users of the commons.
4. The Stedham Sawmills allocation is located north of the A272; this road represents a barrier to pedestrians seeking to access the SSSI to the south. An area of wooded common land lies north of the A272 and immediately west of the site. The applicant does not own the common land but the network of paths (both public rights of way and informal) already provides a series of circular walks.
5. This common land is not designated SSSI, but is identified as open access land under CROW. The woodland was evaluated during a site visit with SWT and is considered to be species-poor W10 woodland with areas tending towards a W16 type where sandier soils are present. It was agreed that this area of common land was suitable for increased use by dog walkers and could serve to deflect some recreational pressure away from the SSSI. It could be particularly effective in providing a short daily walking loop for exercising dogs without people having to cross the A272 and enter the SSSI. The links through this land to existing facilities in the village such as the pub, garden centre café and primary school increase the likelihood of new residents of the Stedham Sawmills site using this area.
6. The current condition of the public rights of way through this common land was considered to be of sufficient quality to allow all year-round access, but this would need to be monitored. The SWT ecologist noted that there were opportunities for biodiversity enhancements on the common land through improved management that could be explored with the landowner.

7. 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 Sawmill site. The nature of the mitigation package would need to be agreed once full details of any scheme were available.

On-site design issues

8. It was agreed that the positioning of on-site open space within the Stedham Sawmills boundary close to the A272 may encourage access to the SSSI, and therefore be counterproductive in terms of mitigation. By placing a green route and associated open space in the northern and central part of the site it is better related to the existing facilities in the village and would naturally lead into the adjacent common land. Removing the existing perimeter security fencing would improve permeability.
9. The development area itself would be some distance from the SSSI as it is separated by a belt of mature oak, the old A272 and the A272. Careful consideration of the detailed design and layout of the development and green infrastructure elements is required, and is best reviewed together in detail rather than being predetermined at this point in time by arbitrary policy parameters.
10. SWT suggests detailed engagement at the planning application stage and prefers planning policy to address general principles rather than being overly prescriptive.

Delivering biodiversity gain

11. During a site visit the SWT ecologist noted the presence of a south-facing bank with sandy exposures in the northern part of the site, which with the removal of the *Leylandii* 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.
12. At this time 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.
13. SWT noted that habitat creation within the open spaces within the site should be driven by local soils and conditions on site rather than trying to meet prescriptive policies detailing habitat types.

Hydrological impacts

14. Hydrological impacts on the SSSI related to the allocation are considered unlikely due to the fact the site is much lower than the SSSI and the A272 is also at elevated level compared with the Stedham Sawmills site.

Ecology design strategy

15. Building on the feedback from a site visit undertaken with SWT in November 2018 some initial work on design strategy principles for the site has been undertaken, shaped by access, greenspace and mitigation considerations. This work focuses on the following elements (as discussed in earlier sections):

- Promoting and directing access through the development via a green corridor to common land to the west away from the SSSI to the south

- Landscaping the southern boundary of the site to screen views from the A272 and deter access towards the SSSI
 - Providing open spaces in the northern part of the site towards the school and village
 - Targeting areas of likely interest for biodiversity enhancement within the site.
 - Integrating biodiversity enhancements and mitigation within the design, both in built form and green and blue spaces / SuDS.
16. The principle of promoting access through the development site via a green corridor to land to the west is illustrated diagrammatically in Appendix 2. To be effective this strategy requires a comprehensive approach to the layout of the site for residential development and green space.
- Conclusion*
17. The positioning of on-site open space within the Stedham Sawmills boundary close to the A272 may encourage access to the SSSI, and therefore be counterproductive in terms of mitigation.
18. Following discussion with SWT, an alternative and more effective approach to the layout of the site is possible compared to that indicated in the emerging local plan policy document.
19. As indicated by SWT, detailed engagement at the planning application stage on site layout and mitigation principles is required. At this stage planning policy should address general principles of mitigation and biodiversity rather than being overly prescriptive about the type, nature and location of on-site provision.
20. In addition, 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 Sawmill site.

Appendix 1 – Meeting Note Agreed With Sussex Wildlife Trust

Final meeting notes – Stedham Common site visit

Jeff Picksley [REDACTED]

28/11/2018 4:07 PM

To: Price, Jess [REDACTED], Jill Manson [REDACTED], Andrew Elliott [REDACTED]

Dear Jess and Graeme,

Thank you for your comments on the draft meeting notes. Please find set out below an agreed list of the key points from the meeting below:

1. Access gates to Stedham Common were agreed as part of the consultation exercise undertaken prior to the Commons being fenced. These are sited to ensure that all points of access present prior to the fencing being installed remain accessible to users of the commons.
2. Public pressures on the Commons are potentially impacting of ground nesting birds and the ground flora is being impacted in certain areas due to enrichment related to dog-fouling. Although the site is subject to restrictions under CROW during the breeding season this is not effective in reducing impacts on ground nesting birds. At the present time evidence is not available to determine whether visitor numbers or behaviours are adversely impacting on ground-nesting birds, however pressure on the Commons is similar to those experienced on many heathlands sites in Southern England.
3. SWT would potentially be open to discussions relating to the funding of management operations on the Commons 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.
4. The wooded common land north of the A272 and immediately west of the site (registered common land), which is not designated SSSI, was considered to be species-poor W10 woodland with areas tending towards a W16 type where sandier soils are present. It was agreed that this area of common land was suitable for use by dog walkers and could serve to deflect some recreational pressure away from the SSSI. It could be particularly effective in providing a short daily walking loop for exercising dogs without people having to cross the A272 and enter the SSSI.
5. It was noted that the common land west of the site is not owned by the applicant but that the network of paths (both public rights of way and informal) already provide a series of circular walks. 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.
6. The current condition of the public rights of way was considered to be of sufficient quality to allow all year round access, but this would need to be monitored. The SWT ecologist noted that there were opportunities for biodiversity enhancements on the common land through improved management which could be explored with the landowner.
7. The on-site positioning of open space was discussed. It was agreed that positioning open space close to the A272 may encourage access to the SSSI, and therefore be counterproductive 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 common land. Removing the perimeter fencing would improve permeability. The development area itself would be some distance from the SSSI as it is separated by a belt of mature oak, the old A272 and the A272. The SWT ecologist noted the presence of a south-facing bank with sandy exposures in the northern part of the site, which with the removal of the Leylandii 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. At this time 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.

8. SWT noted that habitat creation within the open spaces within the site should be driven by local soils and conditions on site rather than trying to meet prescriptive policies detailing habitat types.
9. Careful consideration of the detailed design and layout of the development and green infrastructure elements is required, and is best reviewed together in detail rather than being predetermined by arbitrary policy parameters. SWT suggests detailed engagement at the planning application stage and prefers planning policy to address general principles rather than being overly prescriptive.
10. Hydrological impacts on the SSSI related to the allocation are considered unlikely due to the fact the site is much lower than the SSSI.

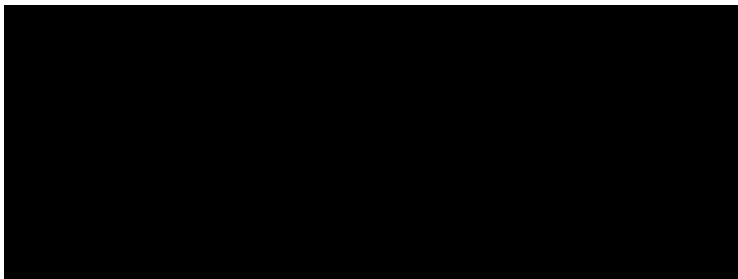
Kind regards

Jeff

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Jeff Picksley

Consultant



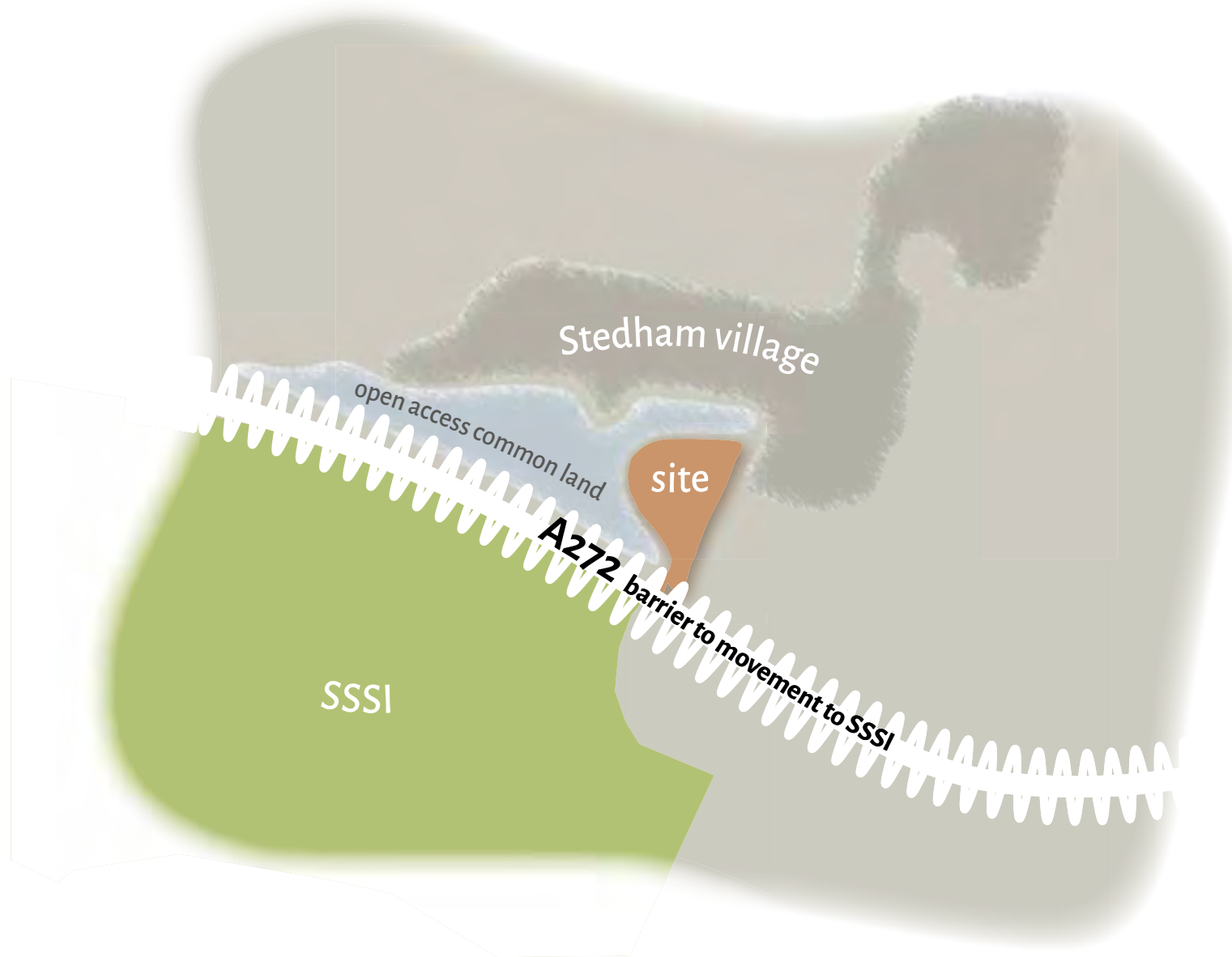
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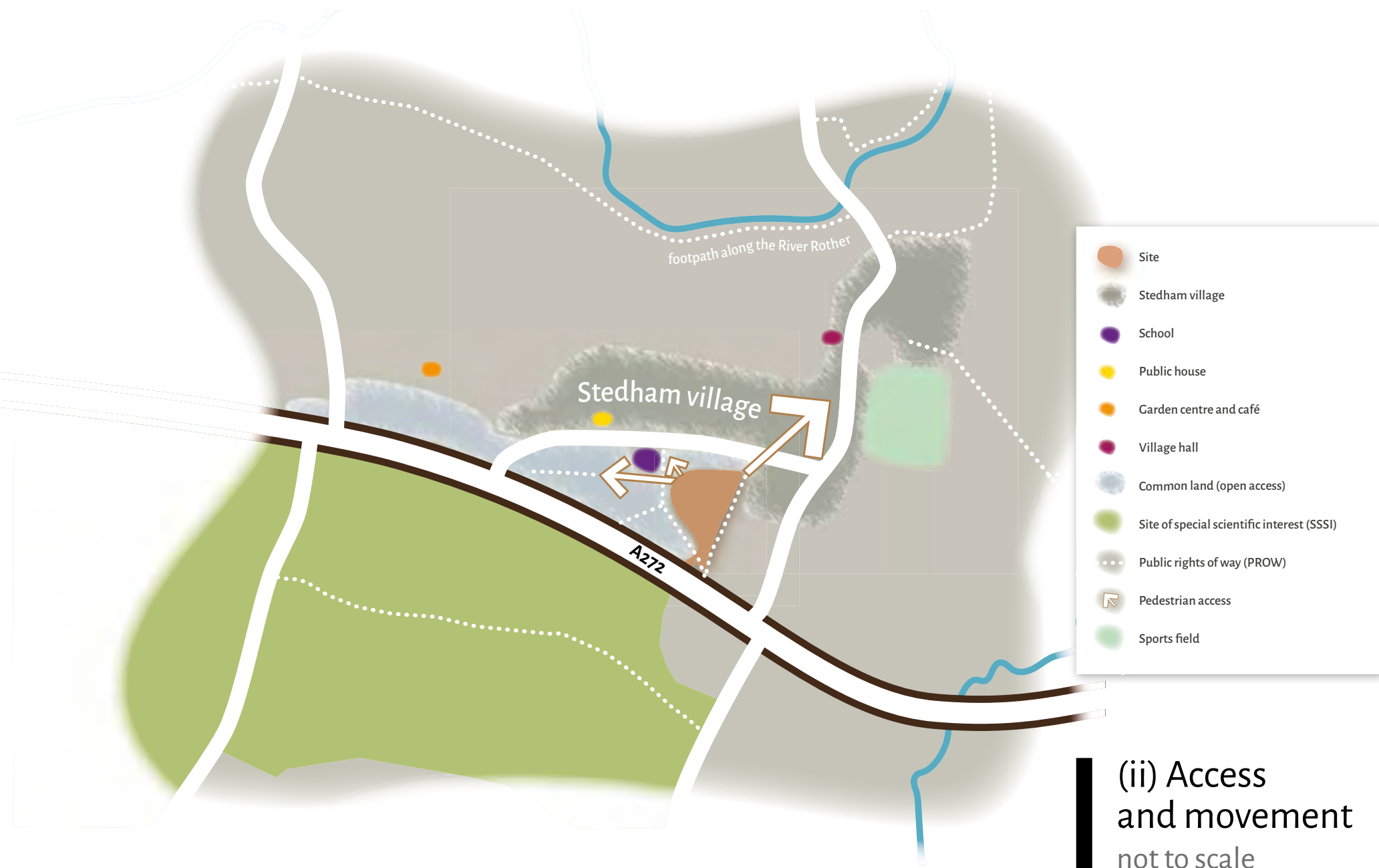
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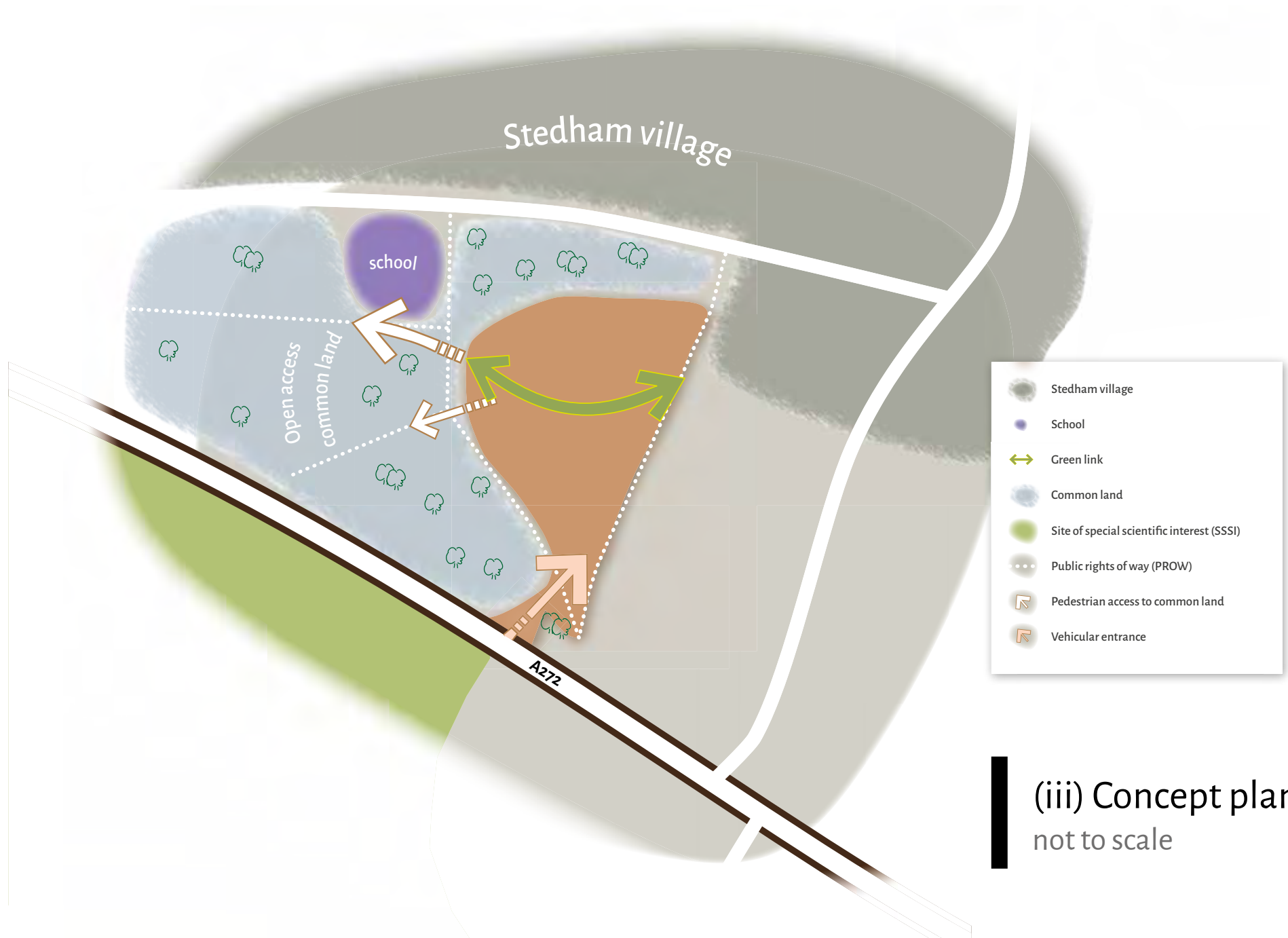
Appendix 2 – Concept Ecology Strategy

- (i) Strategic context diagram
- (ii) Access and movement
- (iii) Concept strategy diagram



(i) Strategic
context diagram
not to scale



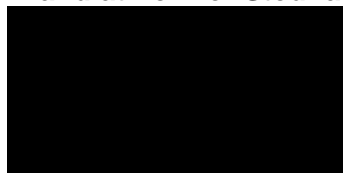


(iii) Concept plan
not to scale



Updated Marketing Report March 2019

Land at Former Stedham Sawmills Site



APPENDICES

- Appendix A - Lambert Smith Hampton / Hamptons International Credentials**
- Appendix B - Letter of Appointment and Marketing Evidence**
- Appendix C - Enquiry Schedules**
- Appendix D - Live-Work Market Assessment**

Updated Marketing Report March 2019

on behalf of

Ms J Manson & Mr W Knight

Prepared by Robin Dickens BSc Hons
Lambert Smith Hampton

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Tel: [REDACTED]
Fax: [REDACTED]

Date: March 2019
Ref: RCD/cec

OVERVIEW

Following our marketing reports dated 5th May 2017 and 29th August 2018 we have continued to market this development opportunity for a further 6 months, so for 30 months in total since our most recent appointment as marketing agents in July 2016. We have attached and updated the Enquiry Schedules recording the various interested parties that have contacted this practice since this date.

We have been asked to submit a brief summary to date of our marketing activity and the level of enquiry we have generated and received in arranging a disposal of the subject development site. This will include commentary on the number and nature of the enquiries, means of promotion and our assessment of the market response to this opportunity. This updated report has been prepared by reference to SDNPA's emerging local plan guidelines on such marketing activity.

Firstly, we confirm that Lambert Smith Hampton (and under our previous company, trading as Young & Butt) have acted for the landowners since 2007, when we were formally instructed to market the site and advise on the development potential of the land. The site had again been granted outline permission for B1 use, in July 2007 and this was renewed in 2010 and 2013. During this period up to July 2016, we experienced a limited level of real enquiry and our agency surveyors were encouraged by the owners that should any suitable requirements be identified in the market, we would notify them and introduce the potential site availability to the prospective applicants. No substantive requirements had been expressed nor pursued and therefore no serious interest in the land was progressed.

We have attached in Appendix A our credentials and experience in handling similar commercial development site disposals and marketing campaigns elsewhere in Sussex and Hampshire.

Historically we understand the initial planning permission for B1 use was granted in 1983, so over 35 years ago and subsequently there have been numerous interim re applications and renewals. The site currently enjoys outline planning permission for B1 light industrial development (up to 2746 sq m), granted in March 2017 for 5 years, with various reserved matters to be discharged prior to development being commenced and in particular conditions related to operating hours of use, noise emissions and acoustic containment because of its close proximity to Stedham village. The latest outline permission was again sought to provide the best chance of successfully marketing the site for B1.

In July 2016, we were formally re-engaged 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, within both a local and regional catchment. Thus, a comprehensive marketing campaign was started and is still ongoing, which has incorporated the following initiatives, internet/website promotion, placement of a For Sale board on the A272 main road frontage, advertising, mailing, telephone engagement with parties requesting the sales particulars and reporting the subsequent feedback to our clients at regular intervals. We attach in Appendix B, a copy of our formal letter of appointment, the current marketing particulars and evidence of our promotional campaign applying the SDNPA marketing guidelines, as appropriate to the subject site.

Although a single site initially when in Sawmill use, the site has been sub-divided in ownership (but not physically) since 1984. Our clients own the western part that benefits from the recently re granted B1 approval. The adjoining landowner to the east who manages his land for low rent/low return container storage and other transient uses, has engaged with our clients to promote the whole of the former Sawmill site for a joint development. However our marketing brief, to which this report primarily relates, was specific to the western part of the site with B1 approval (i.e. our clients' interest) with reference to the fact that the adjacent land may be available by separate negotiation. We are aware that both landowners are promoting the whole site jointly through the Local Plan process and recognise that this policy process is now advocating the comprehensive redevelopment of the site.

We attach in Appendix C, schedules of the direct enquires we have received from August 2016 to March 2019 (listed in two time periods) which number some 113, notably there from a diverse range of different businesses, or enquiries to investigate and explore the development options (for both residential and for B class employment uses) or simply interest of a general nature, where the party was unwilling to reveal the purpose of their enquiry. We attach a resume of the enquiries received, noting the date and nature of the interest or proposed use (where parties were willing to divulge this information) however due to GDPR (EU's General Data Protection Regulations 25th May 2018) you will appreciate we are unable to provide individual names.

Our analysis shows that 26% were from owner occupiers to either use the site for low density/open storage type activity or to build their own premises on part of the land, 12% from property agents (on behalf of developer clients) 26% from residential or commercial developers/architects and 36% were for general interest and/or were on an undisclosed basis.

Whilst we have spoken personally to a good number of the parties about the land, and report that there has been no meaningful interest or subsequent positive engagement, even from low density/open storage type activities, which is disappointing, bearing in mind the market resurgence post-recession, and the site having extant planning permission for light industrial use.

In respect of the sale price guide, we have indicated to prospective enquiries that the vendors are expecting to achieve a figure, at or around £1m for the land. However, we have suggested to certain parties who have engaged with us on a more serious basis, that as agents we are duty bound under our professional rules to record and report any offers to our clients. We encouraged the more serious enquiries to do so, suggesting that even if an offer was significantly below the guide price, to make a bid. Despite the extensive marketing period and initial interest shown from a high number of parties, no offers were received (either solicited or unsolicited).

REASONS FOR LACK OF SERIOUS INTEREST/OFFERS

Our explanation for this lack of further response from the prospective purchaser's perspective, following their initial enquiry, is a combination of factors which include:

The site is in a secondary rural location, distanced from customers and suppliers, away from a recognised and established commercial centre of activity, there is lack of amenities and limited access to public transport. In competition terms, there are better located commercial sites and premises in the wider area which occupiers would prefer and where take up has been successful over the last 5 years or so.

We also consider the adverse planning conditions restricting commercial activity, imposed because of the proximity to residences and the adjoining school in Stedham village, to have been a prohibitive factor, as a number of occupiers expressing interest were concerned about the limitation imposed on hours of operation (particularly in a semi-rural environment where often abnormal working times are employed, early starts etc.) and the likelihood of attracting complaints from neighbours on the grounds of excess noise and emissions. The planning decision notice has 26 conditions in total (including restrictive deliveries hours and restrictions on when plant, machinery and vehicles may operate on the site) and is limited to B1c use (notwithstanding any permitted development under the Town and Country Use Classes Order).

The dispersed nature of the employment catchment and associated longer commuting distances for staff, piecemeal demand in this area, non-motorway location and whilst adjacent to the A272, this is not a major trunk route (restricted HGV access) and entails long journey times to connect to the A3 or A24.

The anticipated slow pace of occupier demand inhibits speculative development and the viability of new employment space will be adversely affected by void periods, uncertainty on achieving the necessary rental levels, holding costs and the cost of installing the infrastructure, mains services, discharging planning conditions etc. Without the necessary demand, commercial developers are clearly reluctant to develop out the site, so the employment use is undeliverable.

Moreover, we contend that any commercial element of a mixed use development on the site would cause considerable uncertainty for the development as a whole and would likely to be a huge disincentive to a housing developer purchasing the residential part of the site.

We understand that whilst the Major Modifications to the SD92 Policy itself does not specify live work units to be developed on the site, the SDNPA officers have introduced supporting text to the Local Plan allocation to the effect that:-

9.220 '...There is also scope to take an innovative approach to providing business units and homes that are integrated and support the key sectors of farming, forestry and tourism. This could include live – work units and small workshops that are compatible and can be integrated with residential uses'.

We have been asked by the landowners for an informed opinion as to the merits of market demand and developer interest in promoting the site for 'live work space' accommodation. Our observations are attached in Appendix D.

In summary, our considered view as to the merits of marketing the site for 'live work accommodation' are that this concept would have very limited appeal to end users and purchasers in this type of location (arguably much more suited to denser urban areas) and demand, would be insufficient to attract developer or investor interest. The potential conflict in use, viability and higher build costs are other unfavourable issues. We do not believe this concept is deliverable.

As our market testing has demonstrated, no developer has been prepared to take the risk of developing out the scheme without prior commitment from a potential purchaser or tenant of a substantial proportion of the built space which could be accommodated on the land. There has been interest in possible housing development given the general demand for new housing, but this has not progressed due to planning difficulties.

To the best of our knowledge, there has been no meaningful speculative employment 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 sq m of employment space at Buckmore Business Park since 2013, remains largely undeveloped.

We conclude that our active marketing has generated a high level of interest from various sector uses but these initial enquiries were not progressed nor resulted in any offers coming forward. Having undertaken this open marketing campaign now for over 30 months, we are disappointed that more serious interest in the site for employment use has not improved since our previous marketing campaigns. There is disappointment generally with the market's lack of appetite to progress the initial enquiry further and we must conclude that there is no real prospect of attracting a business occupier or developer to acquire this site and to build out or seek an alternative to the consented scheme for commercial purposes.

APPENDIX A

LAMBERT SMITH HAMPTON / HAMPTONS INTERNATIONAL CREDENTIALS

LAMBERT SMITH HAMPTON / HAMPTONS INTERNATIONAL CREDENTIALS

LSH and Hamptons International are the United Kingdom and Ireland's largest commercial and residential property consultancy (a subsidiary of Countrywide Plc). We have a national network of offices across 44 locations and over 1,400 employees. Along the South Coast we have two offices at Fareham and Southampton with agency and valuation departments and a new homes division based at Winchester. We have an intuitive appreciation of the market dynamics and recently for the thirteenth consecutive year, have been awarded by the national Estate Gazette publication, the Most Active Agent in Hampshire and Dorset and in 2017 were ranked first by EGi the Most Active National Agent in the Industrial category and the Office category. During 2018 LSH's South Coast team transacted over 1.6 million sq ft of employment space in the region.

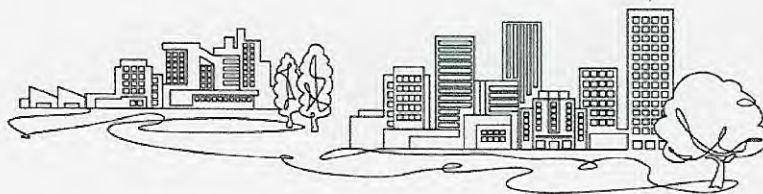
The principal author of this report, Robin Dickens has during the past 30 years, built up a comprehensive knowledge of the industrial and commercial property market in Hampshire and West Sussex, particularly in an agency and development advisory capacity. He has also participated directly in the local business community being an active member of the Shaping The Future Group (Development Committee), a Past President of the South East Hampshire Chamber of Commerce, a founder Director of the Segensworth Business Forum, a former contributor to the Land and Property Task Group of Hampshire Economic Partnership, former Governor at Highbury College (2003 – 2013) and is currently a Board member of the Land, Infrastructure and Property Panel of the Solent LEP.

Notably, the author has advised and been instructed to market by private clients / institutional landlords etc, many surplus industrial and office premises in Hampshire and West Sussex and has also acted on behalf of both local and corporate companies seeking new accommodation in the region. This has informed from first-hand experience an insight into the mind-set of a prospective occupier and the specific criteria they are looking for when selecting a new building or site. We have gained an in-depth knowledge of the dynamics of the local market and current and past projects have included the marketing of the both the Glenmore Business Park and Chichester Business Park at Tangmere, the former BAE Shipbuilding facility at the Naval Base in Portsmouth, and undertaken property acquisitions for companies such as EADS Airbus, Snecma Turbomeca, Angelica Windows, Scania, Babcock International, Scottish and Southern Plc, PETA, Inchcape, Hampshire Police, Hendy Ford etc.

LSH is a multi-disciplinary practice, having expertise in industrial, offices, retail, roadside and leisure property. Our surveyors deal with day-to-day agency and disposals, development appraisals, company acquisition, investment and funding advice, property.

APPENDIX B

LETTER OF APPOINTMENT & MARKETING EVIDENCE



**Lambert
Smith
Hampton**

www.lsh.co.uk

Acceptance of Terms of Engagement

The Estate Agents Act 1979 provides that an Estate Agent is required to confirm the basis of instructions accepted and the level of fees and disbursements which will become payable.

We are pleased to confirm the terms upon which instructions have been accepted and the level of fees and disbursements that have been agreed as set out below and in accordance with the enclosed Standard Terms of Engagement for Agency instructions.

Client	Ms Jill Manson and Mr William Knight, [REDACTED]
Property	Stedham Sawmills Site, [REDACTED]
Agreement	In the event of a successful completion of a sale of the above property, our fees on a sole agency basis, will be calculated on a base fee of £ [REDACTED] on any sale up to £ [REDACTED] plus an additional incentivised fee based on [REDACTED]% on any proceeds of sale over £ [REDACTED]. All fees, disbursements and marketing expenses are quoted exclusive of VAT which will be charged at the prevailing rate.

We require you to notify us in writing if you wish to alter the basis of your instructions to us.

In accordance with your instructions we will proceed on your behalf with the matters specified above. The costs incurred will be invoiced to you at appropriate intervals and are payable in addition to the fees referred to above, irrespective of our success or otherwise in disposing of the property.

Please let us have formal confirmation of your instructions by signing and returning to us one copy of this form. We have read and accept the proposal and the Agency Terms of Engagement (which together form the terms of appointment) in respect of the appointment of Lambert Smith Hampton as agent.

We confirm that in the event of the property being co-owned, I have authority to sign this document on behalf of all the owners. We will advise you if any aspect of the marketing information is incorrect or later becomes incorrect.

We confirm that we wish Lambert Smith Hampton to act on our behalf upon the terms as outlined above and contained within the Standard Terms of Engagement for Agency Instructions.

Signed	[REDACTED]
For and on behalf of	Ms J Manson and Mr W Knight
Date	15th July 2016



Freehold for Sale

Land

Development Opportunity

Land adjacent to Stedham Sawmills, [REDACTED]



- Approx. 1.5 Acres (0.61 Ha)
- Excellent access to A272
- Suitable for a variety of employment uses, subject to planning
- Viewing strictly by arrangement



Land adjacent to Stedham Sawmills, [REDACTED]

Location



The land is on the north side of the busy A272 to the south west of Stedham Village. Stedham is some 1.5 miles west of Midhurst which is on the junction of the A272 east to west cross country and the A286 Guildford to Chichester route. Petersfield is some 9 miles to the west.

Description

The site extends to a gross area of approximately 1.5 acres with access from the A272 shared with the adjoining property. In addition, the adjoining site, also of 1.5 acres, may also be available for sale subject to separate negotiations with the land owner.

Planning on the site was granted again in March 2017 for 5 years, for the development of 17 B1 light industrial units, together with associated parking (totalling 2,746 sq m) with various reserved matters to be discharged prior to development.

- Excellent access to A272
- Suitable for a variety of uses, subject to planning consent
- 3-phase electricity and mains water connections
- Connection to gas supply point on A272
- B1 Class employment uses considered

Accommodation

The site is triangular in shape and totals as follows:

Site Area	Acres	Hectares
Land West of Stedham Sawmills	1.5	0.61

VAT

All prices, premiums and rents etc. are quoted exclusive of VAT at the prevailing rate.

Legal Costs

Each party to be responsible for their own legal costs incurred in any transaction.

Terms

Available on a freehold basis.

Price

Upon application.

Viewing and Further Information

Viewing strictly by prior appointment with the sole agent:

Robin Dickens
Lambert Smith Hampton



November 2018

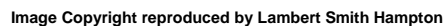
**Lambert
Smith
Hampton**

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- These particulars are given and any statement about the property is made without responsibility on the part of LSH or the seller or landlord and do not constitute the whole or any part of an offer or contract.
- Any description, dimension, distance or area given or any reference made to condition, working order or availability of services or facilities, fixtures or fittings, any guarantee or warranty or statutory or any other permission, approval or reference to suitability for use or occupation, photograph, plan, drawing, aspect or financial or investment information or tenancy and title details or any other information set out in these particulars or otherwise provided shall not be relied on as statements or representations of fact or at all and any prospective buyer or tenant must satisfy themselves by inspection or otherwise as to the accuracy of all information or suitability of the property.
- No employee of LSH has any authority to make or give any representation or warranty arising from these particulars or otherwise or enter into any contract whatsoever in relation to the property in respect of any prospective purchase or letting including in respect of any re-sale potential or value or at all.
- Price or rent may be subject to VAT and any prospective buyer or tenant must satisfy themselves concerning the correct VAT position.
- Except in respect of death or personal injury caused by the negligence of LSH or its employees or agents, LSH will not be liable, whether in negligence or otherwise howsoever, for any loss arising from the use of these particulars or any information provided in respect of the property save to the extent that any statement or information has been made or given fraudulently by LSH.
- In the case of new development or refurbishment prospective buyers or tenants should not rely on any artists' impressions or architects' drawings or specification or scope of works or amenities, infrastructure or services or information concerning views, character or appearance and timing concerning availability or occupation and prospective buyers or tenants must take legal advice to ensure that any expectations they may have are provided for direct with the seller or landlord and LSH shall have no liability whatsoever concerning any variation or discrepancy in connection with such matters.

Edham Sawmills, [REDACTED]



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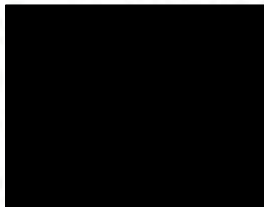
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For Sale

Land, Midhurst, GU29

Land at Stedham Sawmills



Reference	51682
Type	Land
Tenure	Freehold
Size	1.51 ac (0.610 ha)
Freehold:	Price on Application

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Location

Location map based on postcode therefore indicative. Where two markers may be shown (green and red), green arrow points to location.

Contact LSH Surveyor



Robin Dickens
Director – Industrial



FOCUS ON INDUSTRIAL

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Smith
Hampton**

Development land



Site adjacent to Stedham Sawmills, [REDACTED]

- Approx. 1.5 acres (0.61 Ha)
- Excellent access to A272
- Suitable for a variety of B1 employment uses, STP
- Freehold for sale
- 3 phase electricity and mains water connections
- Potential for 17 units totalling 2,746 sq m (29,558 sq ft)

Contact: Sole Agents [REDACTED]

Industrial/warehouse units



Portfield Industrial Estate, [REDACTED]

- Units C3 & C4: 3,357 – 7,074 sq ft (328.56 – 657.12 sq m)
- Unit D3/D4: 18,692 sq ft (1,736.5 sq m)
- Max. 5.9m eaves height
- LED lighting in warehouse
- Allocated car parking and D3/D4 has large secure yard
- Prominent Trade Counter potential

Contact: Robin Dickens or Guy Jackson [REDACTED]

New industrial/warehouse units ready for occupation

Merlin Park, [REDACTED]

- 8,000 – 50,000 sq ft (743 – 4,645 sq m)
- B1, B2 and B8 uses
- 9m minimum clear internal height
- Surface level loadings doors
- Allocated parking
- Prominent location



Contact: Robin Dickens or Guy Jackson [REDACTED] or CBRE [REDACTED]

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SOUTHAMPTON OFFICE

FAREHAM OFFICE

ALL ENQUIRIES

B1/B2/B8 DEVELOPMENT LAND
1.5 ACRES APPROX

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APPENDIX C
ENQUIRY SCHEDULES

Enquiry Schedule

Client: Ms J Manson & Mr W Knight

Project: Land at Stedham Sawmills [REDACTED]

Date: August 2016 - April 2017

Date	Name	Enquiry/Comments
Apr 17	Mr M O, Lilyford Homes	Interest in residential development
Apr 17	Mr A A, AA Homes & Housing Limited	Residential developer
Mar 17	Ms B B, Midhurst Rother College	General enquiry
Mar 17	Mr R B	Local resident
Mar 17	Ms K B	Local resident
Mar 17	Mr C H	Construction/development company
Mar 17	Mr J M, Fothergill Wyatt	Real estate agent
Mar 17	Mr B C	Development opportunity
Mar 17	Mr R G	General enquiry
Mar 17	Mr P S, Simpson Joinery	Joinery company wishing to expand
Feb 17	Ms F P, Anchor Systems	Owner occupier, small unit.
Feb 17	Mr R J, Black Dog Enterprise	Veterinary practice

Date	Name	Enquiry/Comments
Feb 17	Mr J S, JNJ Storage	Own occupation, self-storage operator from Pulborough
Feb 17	Mr P B, Breckon Limited Edition Prints	Part own occupation/part speculative development
Feb 17	Mr H S	Developer
Feb 17	Mr R H, Calver Bond Limited	Property consultant
Jan 17	Mr R P, Ascot Timber Buildings Ltd	Own business – outside showroom, storage of product and materials
Jan 17	Mr J S	General enquiry
Jan 17	Mr C M	Property agent on behalf of housebuilder
Jan 17	Mr B M, Epic Real Estate	Discussed development opportunity
Dec 16	Ms M W, Automatic Racing	Owner occupier
Nov 16	Mr G	General enquiry – unspecific use
Nov 16	Mr I W, Jacaranda Catering	Require 1.5 acres land to purchase with planning consent for B8 use
Nov 16	Mr M A, Southdowns Motorhome Centre	Local resident – relocate motorhome business, sales and vehicle parking
Nov 16	Mr S B, Middleton Plant Hire	Owner occupier, plant and equipment external storage.
Nov 16	Mr T D, Marchant-Lane	Property company based in Petworth
Oct 16	Mr D S, Amiga Homes	Housing developer
Oct 16	Mr O W	Family gift shops business to build own warehouse and land for expansion
Oct 16	Mr A H	General enquiry

Date	Name	Enquiry/Comments
Oct 16	Mr I W	Future development possibly.
Oct 16	Mr B & Mrs L Wright, Logs on Fire	Open storage
Oct 16	Ms K G, Tiger Hill Limited	Residential architects/ developer
Oct 16	Mr M B, Watersfield	General enquiry
Sep 16	Mr A M	Property agent
Sep 16	Mr J A, Arnold Associates	General enquiry

Enquiry Schedule

Client: Ms J Manson & Mr W Knight

Project: Land at Stedham Sawmills, [REDACTED]

Date: April 2017 to March 2019

Date	Name	Enquiry/Comments
28/04/17	Ms H C	Private individual – price enquiry
15/05/17	Mr R B LSH London	On behalf of developer clients – residential or commercial use
15/05/17	Ms K	Partner in heavy engineering business in Petersfield – planning conditions were regarded as a constraint
17/05/17	Bora DNB Tree Surgery	Local tree/landscaping business – only require ¼ acre plot
17/05/17	Mr P M	Private enquiry
18/05/17	Mr S, Spire Consultancy	On behalf of clients – both for occupier and development. No return communication.
25/05/17	Mr A B, MCR Property Group	Housing scheme interest
25/05/17	Mr M S, Castle Properties	Interest for small residential development
04/06/17	JDS Fencing & Manufacturing	Require smaller building and large open yard
13/06/17	English Woodlands Timber Limited	Similar basis – looking for external storage for machinery/timber.
18/06/17	Mr A W	Price enquiry
07/07/17	Mr M F, Evergreen Consulting	General interest, no specific motive.

Date	Name	Enquiry/Comments
29/08/17	Mr P C. Club Green limited	Investor looking for land in South East
07/09/17	Mr S B J	Overseas internet enquiry
07/09/17	Mr B, Velacot Farrell Limited – Tractor Dealers	Use for sales, display, workshop and open yard
21/09/17	Mr M B, Real Estate Advisory Service, Bristol	Various investors interested in land acquisition
26/09/17	Mr D M, Asset & Equity Limited	Believed to be for residential development
25/10/17	National Trust	Advised enquiry was “curiosity” always interested in rural open space
27/10/17	Mr O W	Previous enquiry, asked about any price movement
02/11/17	Mr N M, Foundation Property & Capital	Investor and developer
06/11/17	Mr A P	Residential scheme, seeking opportunities anywhere
06/11/17	Mr B W, Logs on Fire	Supply wood fuel for domestic purposes, outside storage.
06/11/17	Mr C C, C Squared Developments	Enquired for housing potential
06/11/17	Mr J O USA	Overseas internet request for information
07/11/17	Mr M S, Richmonds Limited	No record of any feedback
07/11/17	Mr B W	Private enquiry on price
14/11/18	Mr R P S	Believed to be for residential potential
20/11/17	Mr H S	Temporary use for a Forest School for young children, found alternative site.
29/11/17	Mr M W, Hazelwood Farm	Interest for agricultural use

Date	Name	Enquiry/Comments
29/11/17	Mr R J, The Horseback Consultancy Vets	Equine vets practice to develop new facility
07/12/17	Ms R W	Private enquiry
18/12//17	Mrs L B	Private individual, price?
23/12//17	Mr G F	General interest, not for business use
02/01/18	Mr J M	Housing developer
09/01/18	Mr M D of Garsden Pepper GU28 0PT	Local business to relocate to – unsure of best location.
09/01/18	Mr D S	Unspecified interest
09/01/18	Mr R H, Calver Bond Limited (developers)	On behalf of clients for either residential or commercial uses
10/01/18	Mr B K	Enquiry for personal reasons
19/01/18	Mr Y, Majestic Builders	Looking for residential land opportunities
19/01/18	Mr I E	General enquiry
24/01/18	Ms J B	Local resident we understood
29/01/18	Mr M S	Local resident from Midhurst interest
30/01/18	Mr W , Saunders Developments	Housing scheme
31/01/18	Mr J B, Hargreaves	Residential land buyer
05/02/18	Ms W M	Unspecified interest
05/02/18	Mrs R	Price enquiry

Date	Name	Enquiry/Comments
09/02/18	Mr C W	Owens property in Stedham, buy as investment to build house on.
12/02/18	Mr E K	Private enquiry on price
19/02/18	Mr J I, Guildford	Looking for a plot of scenic land to be used as a converted bus restaurant.
20/02/18	Ms L B	Enquired on subject site and adjacent land
23/02/18	Mr R C, Landacre Developments	For residential new development
28/02/18	Mr J W	Representing a unnamed local business
02/03/18	Mr R B, developer	Residential interest
22/03/18	Ms L B	Private enquiry on price
18/04/18	Mr B P, The Working Garden	Local businessman, only requires smaller plot
24/04/18	Mr S B, Vanderbilt Homes	Land buyer
24/04/18	Mr A H	Restaurant use – location unsuitable
21/05/18	Ms H I	Private enquiry
25/05/18	G A Limited	Residential development interest
30/07/18	Ms K B	General interest
01/08/18	Mr S B of Michael Jones & Co	Property agent
13/08/18	Mr R F	Residential land enquiry
13/08/18	Mr J G	Private

Date	Name	Enquiry/Comments
15/08/18	Ms L D-T	Dog grooming business
05/09/18	Ms S at Jackson Stops	Agent
18/09/18	Mr J L	Private interest
12/10/18	Mr B G	Non-specific general enquiry
23/10/18	Mr B G	Manufacturing company
31/10/18	Mr M	Private
07/11/18	Mr J R, Jonathan James Homes	Housing developer
9/11/18	Mr S S	Residential developer
23/01/19	Mr H A	Private
24/01/19	Mr C C, LSH	Oxford office on behalf of developer client
24/01/19	Mr J S	Did not want to divulge company name believed to be sui generis open storage use
05/02/19	Mr M Re	Private individual
09/02/19	Ms S H	General interest
11/02/19	Ms A R	Sculpture artist, low cost option required

APPENDIX D
LIVE-WORK MARKET ASSESSMENT

LIVE-WORK MARKET ASSESSMENT

We have been asked by the landowners for an informed opinion as to the merits of market demand and developer interest in promoting the site for 'live work space' accommodation and would offer the following observations:

- Marketability and take up is unproven and considered to have very limited appeal to buyers in such a location as Stedham (rated as semi-rural) and our experience in marketing the site over many years, is that no enquiries have been forthcoming for 'live work space' from either the development provider or from prospective occupiers.
- Our in-house research and discussions with other property agents reveals that live-work hybrid development is generally confined to large urban and cosmopolitan environments such as London, Manchester, Brighton for example, with mixed living and office/craft workshop space, but have failed to gain any market traction elsewhere and planning authorities have become disillusioned with the concept.
- The evidence base of delivering speculative 'live work space' is in reality non-existent to the best of our knowledge in the West Sussex marketplace, as projected demand and viability versus risk are considered too negative by developers and funders.
- The compatibility of even a light industrial or storage use integral to a residential unit (designed beneath or adjacent to) is regarded as undesirable and unpredictable in terms of nuisance, vehicle movements, parking, staff amenity, hours of use etc. to become a sustainable mixed community.
- This conflict is particularly relevant to the subject location where agricultural and outdoor activities involving machinery, have been the mainstay of the enquiries we have received. The nature of forestry and farming work as suggested by SDNPA, is not suited to be in close proximity to residential on grounds of for instance, Health and Safety legislation, the requirement for large open yards and inevitably the issue of noise suppression. As previously noted the current B1 consent is restrictive on deliveries hours and restrictions on when plant, machinery and vehicles may operate
- The significantly higher cost of construction to meet building and fire regulations would be prohibitive to the viability of the project resulting in over inflated prices to incoming buyers (we do not foresee there being any tenant interest as why would they not simply rent conventional commercial space).
- Having consulted with property valuers and financial institutions on this subject, they have no experience of this type of property and accordingly there will be resistance to mortgage lending on 'live work' accommodation.

- The office sector demand is similarly compromised as many businesses work from home already by converting part of the living space or having additional accommodation built so moving to purpose built, more expensive 'live work space' is unlikely.
- 'Live work' schemes we envisage would be very difficult to enforce, requiring internal inspection of how rooms are used, and would not prevent reversion to purely residential use.
- We are unconvinced that there are economic benefits of 'live work' development, the potential savings to businesses are relatively minor and reduced commuting time only applies to the homeowner not any employees compared to delivery traffic.
- In conclusion, we believe such development to be a flawed concept here, have no realistic prospect of stimulating developer interest as the poor take up (perceived and the lack of evidence of successful schemes elsewhere) and viability would render 'live work space' provision as too risky a venture.

In summary, our considered view as to the merits of marketing the site for 'live work accommodation' are that this concept would have very limited appeal to end users and purchasers in this type of location (arguably much more suited to denser urban areas) and demand, would be insufficient to attract developer or investor interest. The potential conflict in use, viability and higher build costs are other unfavourable issues. We do not believe this concept is deliverable.



PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Mr Name: Andrew Elliott

Organisation (if relevant): Terence O'Rourke Ltd on behalf of the Stedham Sawmill Landowners

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

Yes

(2) That the South Downs Local Plan has been adopted

Yes

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Terence O'Rourke Ltd on behalf of
the Stedham Sawmill Landowners

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MM1)

MM19, MM94,
MM95, MM99,
MM101, MM102
and MM103

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes ☐

No ☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☒

(2) Not justified

☒

(3) Not effective

☒

(4) Not consistent with national policy

☒

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Please see attached documents

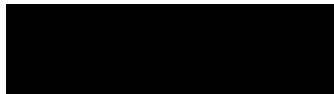
(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached documents

(continue on a separate sheet if necessary)

Signature:

A solid black rectangular box used to redact the signature.

Date: 28 March 2019



Stedham Sawmill Landowners

Representations to the South Downs Local Plan, Main Modifications Consultation, March 2019

Introduction

1. These representations have been prepared on behalf of the landowners of the Stedham Sawmill site, Ms Jill Manson, Mr William Knight and Mr Gavin Watson ('the Landowners').
2. The Landowners appeared at the recent hearings of the Local Plan examination. In the Landowners' statements to the hearings it was identified that Policy SD92 had been subject to numerous proposed changes by SDNPA following the production of the submission version plan, which had not been formally consulted upon. The Main Modifications consultation therefore provides the first opportunity for the Landowners (and all others with an interest in the site policy) to make representations on these numerous changes. Nevertheless, these comments should be read alongside the Landowners' statements to the Examination and the Stedham Sawmill Statement of Common Ground prepared by SDNPA and the Landowners.
3. This document provides the Landowners representations to:
 - MM19 (number of dwellings for Stedham)
 - MM94 and MM95 (modifications to the supporting text of Policy SD92)
 - MM99, MM101 and MM102 (Policy SD92 text modifications), and
 - MM103 (SD92 Policy map modifications).
4. Whilst the Landowners support the allocation of the site for development purposes, they continue to strongly object to the proposal for partial use of the site for employment purposes on the basis that this use is not deliverable, and alternatively identify potential for additional residential development. The need for additional new homes in the national park is a higher priority. The Landowners also propose an alternative approach to on-site biodiversity enhancement and mitigation following a site visit and discussion with the Sussex Wildlife Trust, who are responsible for the management of the SSSI. It has been identified that the policy proposal for 0.35ha of land for biodiversity protection and enhancement in the southern part of the site may be counter-productive in terms of an overall mitigation approach that seeks to avoid adverse impact on the Iping Common SSSI, which covers Stedham and Iping Commons.

MM19 (number of dwellings for Stedham) - object

5. The number of dwellings for this site should reflect its appropriate use for residential development and green infrastructure / biodiversity enhancement (only). In accordance with national policy, greater policy weight should be placed on the residential development opportunity offered by this under-utilised site, in principle, in view of the presence and extent of previously developed land, the scale of

development that has been previously approved in the location, and the landscape capacity of the site. The Landowners have confirmed the early availability of this site for development purposes through the Strategic Housing Land Availability Assessment, which identified that the site is suitable and achievable for housing.



6. Alternative SD92 policy wording is provided later in these representations.

MM94 and MM95 (supporting text to Policy SD92 related to ecological mitigation and biodiversity enhancement) - object

7. Whilst the Landowners support the need to find solutions that demonstrate that impacts on the SSSI land at Stedham and Iping Commons can be suitably mitigated, following an exploratory site visit and discussion with Sussex Wildlife Trust it is considered that the creation of on-site heathland habitat and keeping 0.35ha of the southern part of the site free of development is unlikely to be an effective mitigation strategy, and is unsound.
8. The attached Outline Ecology and Mitigation Strategy is the Landowners' alternative proposal, which substantiates the objection to the development free biodiversity enhancements area as proposed by MM95, MM99 and MM103.
9. As stated at the Examination hearings, 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 overly prescriptive. The MM95 wording requiring the southern portion of the site to be kept free of development is not justified and should not be added to the supporting text.

MM99, MM101 and MM102 (Policy SD92 text modifications) - object

10. As identified in the Landowners' statement to the Matter 11 Local Plan Examination hearing, Policy SD92 requires change because:
 - There is no reasonable prospect that the site will be 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. The employment element of the modified policy is not supported by evidence. It is not consistent with national policy because it is not deliverable.
 - The development quantum and the form and extent of biodiversity enhancement area put forward for the site by the Main Modifications are arbitrary. The modified policy is not justified and will not be effective.

Employment use of the site

11. MM99 proposes that the mixed-use development for this site provides approximately 1,500m² employment uses (class B1b and B1c business use). SDNPA planning officers alternatively suggest that there is potential to deliver live-work units at Stedham Sawmill (albeit that this is not part of the SD92 policy content as worded).



12. SDNPA's own Employment Land Review 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 (Examination document reference TSF30 site ref C8. Printed page references, 7, 10 – para 2.21 and Table 2.4, 11, 20 and 40).
13. The western half of the site has been allocated and available for employment purposes for many years, but despite successive outline planning permissions being granted for B1 business units in this location (akin to the B1b and B1c development proposed by MM99) there has been very limited market interest to deliver or occupy it. The land has had a B1 permission for most of the last 35 years, with ongoing marketing activity for nearly 12 years to the current date. But despite the best efforts of the Landowners to find a B1 buyer or developer, there has not been market interest to deliver it.
14. Attached to these representations is a Marketing Report prepared by national agent Lambert Smith Hampton (LSH) that demonstrates that there is no reasonable prospect of the site being used for employment purposes.
15. 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.
16. LSH was formally instructed to market the western part of 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 had been expressed nor pursued*".
17. LSH was formally re-engaged in July 2016 to recommence marketing of the western part of 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 for B1 use 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, it reports in the enclosed marketing report that "*there has been no meaningful interest or subsequent positive engagement*". No offers at any level have been received for the site (solicited or unsolicited).
18. The LSH report also provides a view that 'live-work' accommodation "*would have very limited appeal to end users and purchasers and in this type of location*" and "*demand would be insufficient to attract developer or investor interest*". "*The potential conflict in use, viability and higher build costs are other unfavourable issues*". LSH concludes that it does "*not believe this concept is deliverable*". NB – The live-work proposition put forward at para 9.220 (which SDNPA has not consulted upon as a Main Modification) is inconsistent with the proposed policy content put forward in MM99.
19. 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”.



20. 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.
21. The site policy approach on employment is confusing and has not involved any input from the Landowners. It is not supported by evidence of a deliverable development proposition and is therefore not justified. 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 overall site for residential purposes. Allocating part of the site for B1 use, and part for housing, is likely to constrain housing coming forward. LSH considers that *“any commercial element of a mixed-use development on the site would cause considerable uncertainty for the development as a whole and would be likely to be a huge disincentive to a housing developer purchasing the residential part of the site”*.
22. Reference to employment use of the site, including that now contained in MM99, should be deleted from the policy. NB - At the SD92 Local Plan Examination hearing, SDNPA officers confirmed to the Inspector that the loss of this employment allocation would not be material to the plan’s employment requirements or strategy.

Development quantum and the form and extent of biodiversity enhancement area

23. MM99 proposes that the site be allocated for up to 16 residential dwellings (replacing the former range of 16-20 dwellings) and that approximately 0.35ha of land in the southern part of the site be provided for biodiversity protection and enhancements.
24. The cap on the number of residential units at 16 is arbitrary and is not justified by evidence. Precise residential development unit numbers should be determined at planning application stage, and the artificial limit removed from policy to ensure that the most effective use is made of the site in accordance with national policy. 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. M99’s proposed cap on the number of residential units at 16 should not be included in Policy SD92, indeed the approach to determining an appropriate number of units for this site requires revision.
25. Attached to these representations is an Ecological and Mitigation Strategy report that outlines an alternative approach to on site green infrastructure and mitigation. This was informed by a preliminary site visit and discussion with Sussex Wildlife Trust in November 2018.
26. The Landowners’ ecological strategy finds that the SD92 policy approach to on site mitigation through the identification of approximately 0.35ha of land in the southern part of the site for biodiversity protection and enhancement is flawed. There is a risk that the scale and location of provision in the south of the site, as proposed by MM59 and the MM103 policy map, 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. The alternative strategy put forward by the Landowners will offer more effective mitigation.



27. MM99's proposed introduction of a 0.35ha area of land for biodiversity protection and enhancements is arbitrary / not justified and should not be included in SD92. The specification of firm mitigation measures and decisions on 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.

The Landowners' proposed alternative policy wording

28. 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.
29. In view of the extent of changes proposed by the Main Modifications, and the number and type of objections that the Landowners have to the content both to the Modifications and original policy, alternative SD92 policy wording is put forward below:

Allocation Policy SD92: Stedham Sawmill, Stedham

1. Land at Stedham Sawmill, Stedham is allocated for residential development (class C3 use) and green infrastructure including land for biodiversity enhancement. The quantum of residential development and the layout of the green spaces within the site will be informed by a detailed ecological strategy and mitigation plan which confirms that there would be no significant adverse impact of development on the adjacent SSSI at Iping and Stedham Commons.

2. Detailed proposals that meet the following additional site-specific requirements will be permitted:

- a) The most effective use of the land is made for new homes
- b) There is no harm to the amenity of existing public rights of way that border the site
- c) A publicly accessible and attractive pedestrian and cycle route is provided through the site, to provide linkage with the public right of way to School Lane to the north
- d) A direct pedestrian access is provided to common land to the immediate west of the site (north of the A272)
- e) The scheme is designed to look to the village to the north and opportunities to integrate with the existing community are maximised.
- f) The existing vehicular access to the south is improved in a way that conserves the rural look and feel of this part of the A272
- g) To provide all necessary vehicular parking on-site to avoid additional on street parking elsewhere; and
- h) Ensure run-off and drainage is managed to safeguard against any adverse impact on heathland to the south.

3. In order for the development to have an overall positive impact on the ability of the natural environment to contribute to ecosystem services, development proposals must address the following:

- a) Optimise available space for planting and habitat creation, including the retention of high value trees and the introduction of additional native trees
- b) Minimise hard surfaced areas on site; and
- c) New planting should be suitable for pollinating species.



30. The principal elements of change to the policy, which are proposed for soundness purposes, are:
- Deletion of the employment element of site allocation as this will not be deliverable
 - No inclusion of a 0.35ha area of land for biodiversity protection and enhancements. There is a lack of evidence to substantiate this specific proposal. The scale, nature and location of any on-site green infrastructure / biodiversity enhancement and mitigation provision should be confirmed at planning application stage following detailed surveys and discussions with SDNPA, Natural England, and the Sussex Wildlife Trust.
 - A statement is added that effective use of this site for new homes is required, to accord with national policy. The precise unit numbers are to be informed by a detailed ecological strategy and mitigation plan, and future discussion at planning application stage.

MM103 (SD92 Policy map) - object

31. The area of biodiversity enhancements area as shown on the MM103 plan is arbitrary. No evidence has been put forward by SDNPA, such as masterplanning or survey work, to substantiate the location or effective function of the biodiversity enhancements area.
32. As evidenced by the attached outline ecology and mitigation strategy, keeping approximately 0.35 ha of land in the southern part of the site free of development could be counter-productive in terms of effective mitigation approach to avoid significant adverse impact of development on the adjacent Iping Common SSSI.
33. MM103 should not therefore be taken forward. The site allocation plan as included in the September 2017 Pre-Submission Local Plan (Examination document reference SDLP 01) should remain unchanged, with the whole of the site being allocated for development purposes and the arrangement of new homes and green space being determined at a later stage following further detailed studies and discussion.

Attachments to the representations:

- Outline Ecology and Mitigation Strategy
- Marketing Report

Respondent Reference:	R243
Organisation or Individual:	Martin Hendry
Agent Details:	N / A



[REDACTED]

From: Martin Hendry
Sent: 22 March 2019 16:37
To: PlanningPolicy
Subject: Representation and Comment on MM3 and MM4

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Policy Team

I appeared at the Local Plan Hearing and you already have all my details.

Please would you pass on to the Inspector my strong support for MM3 and MM4 in principle, subject only to the following comment.

In the interests of consistency, in Line 4 of MM3 the word 'adverse' ought also to be deleted, i.e., in addition to the replacement of 'serious' by 'significant'.

I consider this change essential in order to bring the wording of the newly elevated local plan policy properly into line with 'more commonly accepted planning terminology'. The revised wording would then reflect the definition of EIA development used in the Directive and UK Regulations, which are almost always associated with cases of major development. Left as proposed the modification would lead to confusion.

Many thanks.

Martin Hendry BA(Hons) MRTPI MCIHT

[REDACTED]

Sent from iCloud

Respondent Reference:	R251
Organisation or Individual:	Land at Pulens Lane, Sheet Landowners
Agent Details:	Luke Smith, Troy Hayes Planning + Design Ltd.



[REDACTED]

From: Luke Smith [REDACTED]
Sent: 28 March 2019 21:17
To: PlanningPolicy
Cc: [REDACTED]
Subject: SDLP Main Modifications Consultation - TP+D for land owners at Pulens Lane

Follow Up Flag: Follow up
Flag Status: Flagged

Dear South Downs Policy Team

Troy Planning + Design has been instructed by the Land Owners at Pulens Lane to submit comments in respect of MM89 and MM90 as part of the Local Plan Main Modifications consultation. I attach our completed copy of the Comment Form.

Kind Regards

Luke Smith
BA (Hons), MSc, MRTPI
Senior Planner
TROY PLANNING + DESIGN

E: [REDACTED]
O: [REDACTED]
W: www.troyplanning.com
A: [REDACTED]



[Neighbourhood Planning Newsletter - Read and Subscribe](#)

Troy Planning + Design is the trading name for:

UK: Troy Hayes Planning Limited [REDACTED] Company Registration [REDACTED]

USA: Troy Planning and Design LLC [REDACTED] Business Registration [REDACTED]

NL: Troy Planning and Design B.V. [REDACTED] Establishment number (Vestigingsnummer) [REDACTED]

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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Mr..... Name: ...Luke Smith.....

Organisation (if relevant): ...Troy Planning + Design.....

Address: ..[REDACTED].....

..... Post Code: ...[REDACTED].....

Email: [REDACTED].....

Tel: [REDACTED].....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

Yes

(2) That the South Downs Local Plan has been adopted

Yes

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Troy Planning + Design Obo Landowners at Pulens Lane

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MM1)

MM89 + MM90

Sustainability Appraisal Addendum
(paragraph or table number)

N/A

Habitat Regulations Assessment
Addendum
(paragraph or table number)

N/A

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes ☒

No ☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Troy Planning + Design (Troy Hayes Planning Limited) is instructed by the landowners at Pulens Lane, Sheet to submit comments in response to the Main Modifications Consultation. Comments are made in response to the "Main Modifications LP Change Final" only.

We consider that the South Downs National Park Authority's proposed modifications MM89 and MM90 are not required to make the strategic allocation Policy SD89 sound.

Modifications are being proposed by the Authority in relation to the background information set out between pages 353 and 355 of the Local Plan, including amendments to paragraphs 9.195, 9.196, Footnote 124c and 9.199. We do not wish to make any comments in relation to paragraphs 9.195, Footnote 124c or 9.199.

The proposed amendments to policy SD89: Land at Pulens Lane, Sheet are given at paragraphs 1 and 2a, as follows:

Land at Pulens Lane, Sheet is allocated for the development of ~~30 and 32~~ 15 to 18 residential dwellings (class C3 use) and publicly accessible open space. Planning permission will not be granted for any other uses. ~~The National Park Authority will prepare a Development Brief to assist the delivery of the site.~~

[...]

The National Park Authority has prepared a Development Brief to assist the delivery of the site. Development proposals in broad conformity with the Development Brief will be permitted.

The amendment to the housing allocation number is reflected by the proposed modification to paragraph 9.196 (MM).

Our clients continue to support the South Downs National Park Authority in the preparation and promotion of the Local Plan and the allocation of the Pulens Lane site under Policy SD89. Our concern remains that the representations and evidence given, both in writing and verbally at the Local Plan Hearings, are not reflected by the proposed modifications, in respect of:

- the indicative figure for development capacity at the site; and
- the justification for the positioning of the proposed settlement boundary.

We maintain that there was no need for the Authority to propose a modification to the housing capacity of the site and that the site has adequate capacity to accommodate a higher housing figure than that set out in the Authority's proposed modification. The capacity work we have

undertaken is summarised within the Week 2 Position Statement for Matters 7, 10 and 11 so we do not repeat this here.

We maintain that the positioning of the proposed settlement boundary has the potential to unduly restrict development option testing through the masterplanning process with no apparent connection between the settlement boundary methodology, the requirements of Allocation Policy SD89 and known on-site constraints, including ecology.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Our clients remain supportive in principle of the South Downs Local Plan in relation to its housing requirement for Sheet (31 dwellings) under Policy SD26, which is deliverable through the Pulens Lane site allocation under policy SD89.

We maintain that the site has the development capacity to accommodate up to 32 dwellings with the final capacity figure to be confirmed through a detailed masterplanning exercise in consultation with the South Downs National Park Authority.

Whilst we maintain that the site can accommodate up to 32 dwellings, if the Inspector considers the Authority's proposed modification to have merit, it is respectfully requested that the Inspector considers a modification to paragraph 9.196 and paragraph 1 of the policy to reflect a figure (range) of 18 – 32 residential dwellings subject to detailed masterplanning. Such a modification should include reference, under Paragraph 2a of the policy, to the detailed masterplanning work to be undertaken, which will confirm the most appropriate housing capacity through this process.

(continue on a separate sheet if necessary)

Signature:



Date: 27.03.2019

Respondent Reference:	R270
Organisation or Individual:	Country Land & Business Association [CLA] - South East
Agent Details:	N / A



[REDACTED]

From: Tim Bamford
Sent: 28 March 2019 16:23
To: Planning
Subject: CLA Response to SDNP Local Plan

Dear Sir / Madam

Please find a response to the modifications on behalf of the Country Land and Business Association.

With Kind Regards
Tim

Tim Bamford
Rural Surveyor

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

T: [REDACTED] M: [REDACTED]
F: [REDACTED] E: [REDACTED]



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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Mr Name: Tim Bamford

Organisation (if relevant): Country Land and Business Association

Address:

Post Code:

Email:

Tel:

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

x

(2) That the South Downs Local Plan has been adopted

x

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Country Land and Business Association

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM33

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☒

(3) Not effective

☒

(4) Not consistent with national policy

☒

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☐

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4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

The ability to diversify a business is an essential part of modern rural business success. This success directly leads to the ability of farmers and land managers to continue productivity and proactively managing the landscape that forms the South Downs National Park. Without a profitable business, this management would be at risk and there is a real threat that without this management, the landscape would suffer.

This policy wording seeks to limit the ability to diversify and maintain successful businesses, which not only defies national planning policy but also risks the key principle of a national park to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Replace “farm diversification should make the best possible use of existing, appropriate buildings while supporting landscape character. In instances where the reuse of existing buildings would cause harm to a heritage asset, a new building may be preferable. no such buildings are available, the opportunities for new development will be far more limited”

With

“Farm diversification should be supported and where possible make the best use of existing appropriate buildings to support and enhance landscape character. New buildings should similarly support and enhance the landscape character”

(continue on a separate sheet if necessary)

Signature:



Date: 28/3/19

Part B

Name or Organisation

Country Land and Business Association

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM34

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☒

(3) Not effective

☒

(4) Not consistent with national policy

☒

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Whilst a generalisation, it is not unduly unfair to suggest successful businesses and new ventures often require additional buildings. The policy refers to “exceptional circumstances,” which by its very nature suggests needs for new buildings are limited, occasional or rare. I would suggest this is incorrect.

The wording previously put forward seeks to, or will lead to, a limiting of natural business growth, which defies the National Park purpose to foster the economic growth.

It should be amended accordingly.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Replace, “if, in exceptional circumstances, new buildings are deemed necessary to support the agricultural or forestry operation, they should generally be in close proximity to existing buildings and respond to the context of an agricultural farmstead., in accordance with Historic England’s Farmstead Assessment Framework.”

With

If new buildings are necessary to support the agricultural or forestry operation, where possible they should be sited in close proximity to existing buildings and respond to the context of an agricultural farmstead, in accordance with Historic England’s Farmstead Assessment Framework

(continue on a separate sheet if necessary)

Signature:



Date: 28/3/19

Respondent Reference:	R273
Organisation or Individual:	Liss Parish Council
Agent Details:	N / A



[REDACTED]
[REDACTED]
From: [REDACTED]
Sent: 13 March 2019 09:19
To: PlanningPolicy
Subject: South Downs Local Plan – Main Modifications Consultation - Submission

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs

I am the Clerk of the Liss Parish Council Planning Committee. Following consideration of the South Downs Local Plan Main Modifications, the Liss Parish Council Planning Committee has instructed me to submit the following comments to you on the Main Modifications.

"LPC welcomes the stronger policies concerning countryside protection and the inclusion of measures for mitigation and long-term management."

Yours faithfully

Frances Cook
Assistant Parish Clerk
Liss Parish Council

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Tel: [REDACTED]

Respondent Reference:	R334
Organisation or Individual:	Updated Findon Neighbourhood Plan Working Group
Agent Details:	N / A



[REDACTED]

From: David Hutchison
Sent: 29 March 2019 13:02
To: PlanningPolicy
Subject: Comments on MM19_MM69 Local Plan Inspection Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Please find attached the comments from the Updated Findon Neighbourhood Plan Working Group on MM19 and MM69.

The same comments were submitted yesterday on the SDNPA format form but the synchronisation of that form with iMac 'pages' application resulted in a poor and disjointed layout.

I have therefore re formatted the comments on the two attached pdfs which use the same headings and format as the SDNPA on line form. They are now more coherent and more easily readable. It would probably help yourselves and the Inspector if they were issued as the attached pdf files.

Thank you.

David

David Hutchison
Acting Lead UNPWG

David Hutchison Acting Lead Updated Findon Neighbourhood Plan Working Group
of

1. Representation on **MM19**

2. The UFNP Working Group consider that the document is not sound because it is:

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. The UFNP Working Group consider that the document complies with the legal/procedural requirements for preparing a development plan.

4. The document is not sound because it is:

Not justified:

The housing provision is derived from the capacity of the two allocated sites, not from the identified local housing need in the AIRS 2015 Local Housing Needs Survey. The 2015 Local Plan Preferred Options Consultation put forward the housing provision as 20 dwellings, based on that local needs housing survey and assessment. There is no justification in the Pre Submission Local Plan, or the Evidence Base, or the MM for the increase in housing provision based on any new assessment of local housing need. Although the MM housing provision is a slight reduction from that in the Pre Submission Plan, it is still a very significant increase on the local housing need survey and assessment which informed the 2015 Preferred Options Consultation. The MM is based on the assessed capacity of the allocated sites, not on local housing need with no justification or evidence offered that a very significant increase in local or National Park housing need has arisen since 2015.

Not effective:

The overarching objectives and strategic policies of the LP seek to conserve and enhance the landscape and restrict new housing development to that which is necessary to deliver sustainable development in the National Park and to meet local and National Park housing

need. Establishing the housing provision by an assessment of the capacity of allocated sites will deliver a 50% increase in the housing provision over that needed to meet local housing need and support sustainable development. As a consequence the overarching objectives and strategic policies in the LP are not effectively supported by deriving the housing provision from allocation site capacity assessment rather than local housing need. The MM reduction in housing provision will still deliver 8 more dwellings over that required to meet local housing need.

Not consistent with national policy:

The assessed capacity for the allocation sites relates directly to the density applied. Guidance on density in the NPPF, although seeking to encourage the efficient use of land through higher density, also highlights that consideration should be given to the desirability of maintaining an area's prevailing character and setting, including residential gardens, particularly in designated areas like AONBs and National Parks where the conservation and enhancement of the landscape has the highest priority.

The two allocated sites in the LP are both in areas where the prevailing character is low density housing with large gardens located at the settlement edge which adjoins open downland. The prevailing density in these areas is between 7 and 10 dwellings/hectare.

Para 123 in the 2018 NPPF does make clear that only where there is a shortage of land to meet housing needs does priority need to be given to deliver higher densities than those that prevail in the area and to seek the more efficient use of land. This not the case in Findon, there is no shortage of land to meet local or National Park housing needs. The UNP has even identified available, alternative sites that are less landscape sensitive and that can meet local housing need.

If the two housing site allocations in the LP were to be at the prevailing densities of the surrounding areas, this would result in a housing provision of 12 -15 dwellings which approaches the housing provision based on the 2015 assessment local housing need, of 20 dwellings, embodied in the 2015 Preferred Options Consultation document. The allocation of a third site in Findon for 5-8 dwellings would allow the prevailing character and setting of the areas adjoining the two allocation sites of Findon to be maintained in line with NPPF guidance on density and the priority to conserve and enhance landscape character in National Parks, while meeting the housing provision based on local housing need.

The MM housing provision and its direct link to the densities at two housing site allocations, is therefore not consistent with NPPF policy which seeks to allow consideration and weight to be given to the desirability of maintaining an area's prevailing character and setting when there is not a shortage of land to meet housing needs.

5. Proposed change to MM19

Strike through 28, replace with 20



28 March 2019

David Hutchison Acting Lead Updated Findon Neighbourhood Plan Working Group
of



1. Representation on **MM69**
2. The UFNP Working Group consider that the document is not sound because it is:
 - (2) Not justified
 - (3) Not effective
 - (4) Not consistent with national policy
3. The UFNP Working Group consider that the document complies with the legal/procedural requirements for preparing a development plan.
4. The document is not sound because it is:

Not justified:

The MM slight reduction in dwelling numbers on a site area of 0.7 hectares still delivers a density of up to 26 dwellings/hectare. The prevailing density in Stable Lane which adjoins site SD71 at the open downland settlement edge is 7/9 dwellings/hectare. There is no justification in either the Pre Submission local plan, the Evidence Base or the MM for a density up to three times higher than the prevailing density which primarily sets the prevailing character and setting of this area of Findon, in particular when the density has derived from an assessment of the physical capacity of the site, not the local housing need and there is not a shortage of land available in Findon to meet the local housing need. (NPPF). The MM provides no justification for a significant departure from the NPPF guidance related to the circumstances when consideration of the desirability of maintaining the prevailing character and setting of an area are appropriate, these circumstances being met in Findon.

Not effective:

The overarching objectives and strategic policies of the LP seek to conserve and enhance the landscape and restrict new housing development to that which is required to support

sustainable development and is necessary to meet local and National Park housing needs. Promoting a density that is very significantly higher than the prevailing density and character of this area at the open downland settlement edge has the consequence that the overarching objectives and strategic policies in the LP are not effectively supported by a housing allocation policy that will deliver up to 18 dwellings.

Not consistent with national policy:

The MM reduction still delivers between 10 and 12 more dwellings at SD71 than would result if the prevailing density of the area was applied. The assessed capacity for this allocation site derives from the density applied. Guidance on density in the NPPF, although seeking to encourage the efficient use of land through higher density, also highlights that consideration should be given to the desirability of maintaining an area's prevailing character and setting, including residential gardens, particularly in designated areas with special protection where the priority is to conserve and enhance the landscape.

Site SD71 is in an area where the prevailing character is low density housing with large gardens located at the settlement edge which adjoins open downland. The prevailing density is between 7 and 10 dwellings/hectare.

Para 123 in the NPPF (2018) does make it clear that only where there is a shortage of land to meet housing needs does priority need to be given to deliver higher densities than those that prevail in or characterise an area. This is not the case in Findon. If this housing site allocation in the LP were to be at the prevailing density of the surrounding areas, this would result in 6 to 8 dwellings. **The MM is not therefore consistent with the application of NPPF guidance.**

The NPPF, Localism Act and Neighbourhood Planning Regulations seek to give local communities an opportunity to have a proper say on where new housing should be located. Findon has prepared an Updated Neighbourhood Plan which includes different, replacement housing allocation sites to the two allocation sites in the Local Plan. The Updated Neighbourhood Plan has reached submission stage for Reg 16 consultation and appointment of an independent Examiner.

The MM does not consider the consequences of potential over provision of housing in Findon when a Local Plan and an Updated Neighbourhood Plan allocate different sites for new housing, if the two Plans are not held to be 'in conflict'.

The MM is therefore not consistent with national policy.

5. Proposed change to MM69

The number of dwellings should be reduced to 6 - 8, or the policy should be struck through.

28 March 2019

Respondent Reference:	R362
Organisation or Individual:	Cheriton Parish Council
Agent Details:	N / A



[REDACTED]

From: [REDACTED]
Sent: 22 March 2019 13:31
To: PlanningPolicy
Subject: South Downs Local Plan – Main Modifications Main Modifications Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs

Please find the attached Representations Forms in respect of the above Consultation.

Kind regards,

L Line
Cheriton Parish Council

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Cllr..... Name: Lorraine Line.....

Organisation (if relevant): Cheriton Parish Council.....

Address:

..... Post Code:

Email

Tel:

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

Yes

(2) That the South Downs Local Plan has been adopted

Yes

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Cheriton Parish Council

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM3

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes ☒

No ☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Comments

MM3 and MM4

Cheriton Parish Council would like to express full support for modifications MM3 and MM4 and consider them an important and significant change to Core Policy: SD3 Major Development, particularly in light of the current Planning Application, SDNP/18/06249/FUL, which the Parish Council regards as constituting development.

The application seeks a permanent change of use of 503 hectares of land from agriculture to mixed agriculture allowing large temporary events to be staged in a unique SDNP landscape; including the Boomtown music festival event.

The Parish Council would therefore ask, that modifications MM3 and MM4 are considered as part of the decision-making process that leads to determination of the current application SDNP/18/06249/FUL.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet if necessary)

Signature:



Date: 22.03.19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Cllr..... Name: Lorraine Line.....

Organisation (if relevant): Cheriton Parish Council.....

Address:

..... Post Code:

Email

Tel:

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

Yes

(2) That the South Downs Local Plan has been adopted

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Part B

Name or Organisation

Cheriton Parish Council

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM4

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes ☒

No ☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Comments

MM3 and MM4

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Signature:



Date: 22.03.19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Cllr..... Name: Lorraine Line.....

Organisation (if relevant): Cheriton Parish Council.....

Address:

[Redacted Address]

..... Post Code:

[Redacted Post Code]

Email

[Redacted Email]

Tel:

[Redacted Telephone]

.....

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(2) That the South Downs Local Plan has been adopted

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Part B

Name or Organisation

Cheriton Parish Council

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM32

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes ☒

No ☐

If No, do you consider it is unsound because it is:

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(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

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MM32, 33, 34 and 35

Cheriton Parish Council fully support MM32 to MM35, and in respect of MM32 would urge the NPA to take it in consideration when determining the outcome of SDNP/18/06249/FUL, which seeks a permanent change of use of 503 hectares of land from agriculture to mixed agriculture allowing large temporary events to be staged in a unique SDNP landscape.

It is the Parish Council's view that the proposed diversification would cause significant harm to both the environment and wildlife in the affected area.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet if necessary)

Signature:



Date: 22.03.19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Cllr..... Name: Lorraine Line.....

Organisation (if relevant): Cheriton Parish Council.....

Address:

..... Post Code:

Email

Tel:

Do you wish to be notified at the email / address stated above* of any of the following:

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(2) That the South Downs Local Plan has been adopted

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Part B

Name or Organisation

Cheriton Parish Council

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM33

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

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2. Do you consider the document is Sound?

Yes ☒

No ☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

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Signature: 

Date: 22.03.19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Cllr..... Name: Lorraine Line.....

Organisation (if relevant): Cheriton Parish Council.....

Address: [REDACTED]

..... Post Code: [REDACTED]

Email [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

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Yes

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Part B

Name or Organisation

Cheriton Parish Council

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM34

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

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2. Do you consider the document is Sound?

Yes ☒

No ☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

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(continue on a separate sheet if necessary)

Signature:



Date: 22.03.19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Cllr..... Name: Lorraine Line.....

Organisation (if relevant): Cheriton Parish Council.....

Address:

..... Post Code:

Email

Tel:

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Part B

Name or Organisation

Cheriton Parish Council

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM35

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

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2. Do you consider the document is Sound?

Yes ☒

No ☐

If No, do you consider it is unsound because it is:

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(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

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Signature:



Date: 22.03.19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Cllr..... Name: Lorraine Line.....

Organisation (if relevant): Cheriton Parish Council.....

Address:

..... Post Code:

Email

Tel:

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(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

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Part B

Name or Organisation

Cheriton Parish Council

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM4I

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes ☐

No ☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM41

Cheriton Parish Council note that MM41 includes a definition of employment as the B uses only. Importantly this includes for B8 storage and distribution, which the Parish Council considers can give rise to a growth in traffic movements of a type and size (long and heavy goods vehicles) that will have a detrimental impact upon narrow roads with verges, historic buildings, tranquillity, and the environment, particularly in respect of road 'run off', which in the Parish of Cheriton has the potential to harm the River Itchen an SAC and SSSI.

The Parish Council would therefore ask that Core Policy SD35 include modification to the effect that where an increase in traffic is considered likely as a result of an associated increase in employment a CIL is used in order to fund mitigation measures against the adverse impacts of traffic.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet if necessary)

Signature:



Date: 22.03.19

Respondent Reference:	R372
Organisation or Individual:	David Pain
Agent Details:	N / A

From: David Pain
Sent: 06 March 2019 12:14
To: PlanningPolicy
Subject: Re: South Downs Local Plan Examination: Main Modifications Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

As I made representations as R372 and appeared at the first Hearing on 13 November 2018, having previously submitted my Position Statement in which I used the Boomtown music festival to illustrate my points, I am delighted that Mr Sims, the Inspector, was convinced that core policy SD3: Major Development should be changed to make the Local Plan sound. Accordingly, I support fully MM3 and MM4.

I consider that these two modifications will assist the NPA's current consideration of planning application SDNP/18/06249/FUL, which was submitted soon after the Hearings finished and which seeks the permanent change of use of 503 hectares of agricultural land at Matterley Estate for large-scale events including the Boomtown music festival.

Kind regards,
David Pain

From: [PlanningPolicy](#)

Sent: Thursday, January 31, 2019 4:08 PM

Subject: South Downs Local Plan Examination: Main Modifications Consultation

South Downs Local Plan Examination

Town and Country Planning (Local Planning) (England) Regulations 2012

Notice of Public Consultation: South Downs Local Plan Main Modifications

Consultation period: 00:00 (midnight) Friday 01 February 2019 until 23:59 on Thursday 28 March 2019

Following a series of public hearings, the Inspector has invited the National Park Authority to consult on a schedule of main modifications. These changes have been considered or in some cases proposed by the Inspector with regard the soundness and legal compliance of the South Downs Local Plan. The schedule includes all the main changes made since the publication of the Pre-submission Local Plan in September 2017. It therefore includes the following stages of Main Modifications to the Plan:

- At submission: Schedule of Changes to Pre-submission SDLP (SDLP 01 in the core document library)
- Following submission: Main Modifications 01 November 2018 (SDNPA.3 in the core document library)
- Following examination hearings: Further modifications requested by the Inspector during or after the hearings (previously unpublished)

Full details are given on the [Main Modifications webpage](#). In summary, we have now published the following new documents:

- The schedule of Main Modifications following public hearings (January 2019)
- A Sustainability Appraisal Addendum (SA Addendum)
- A Habitat Regulations Assessment Statement (HRA Statement)
- An amended inset Policies Map for Kingston-near-Lewes. This is to show a factual update to the proposed settlement boundary, to include within the boundary a recently permitted housing development at 'Audiburn'.

In addition to the above, a modification was made at submission stage to the Overview Policies Maps, to reflect changes to the Mens SAC, Ebernoe Common SAC and Singleton & Cocking Tunnels SAC Habitat Regulations Assessment Buffers (which relates to Policy SD10: International Sites).

The Main Modifications are proposed without prejudice to the Inspector's final conclusion on the Local Plan.

Note that the Main Modifications should be read alongside the Pre-Submission South Downs Local Plan (reference SDLP 01 in the core document library), and the schedule of minor edits (see below).

Representations can now be made only on the soundness and legal compliance of the proposed Main Modifications, or the SA Addendum or HRA Addendum relating to these. Note that comments on any other aspects of the Local Plan will not be accepted.

All representations will be forwarded to the Inspector who will take account of them in preparing his report.

Public consultation on the main modifications starts on Friday 01 February 2019 and ends at 23:59 on Thursday 28 March 2019. Please see the Main Modifications webpage for details of how to comment.

Minor edits

The Authority has also prepared a separate schedule of minor edits, which are published for information only on the [Main Modifications webpage](#). Note that the minor edits do not affect the soundness or legal compliance of the Local Plan. Therefore we cannot accept comments on these changes.

Kind regards,

Planning Policy Team

Tel No: 01730 814810

South Downs Centre, North Street, Midhurst GU29 9DH

www.southdowns.gov.uk | facebook | SDNPA twitter | Ranger twitter | youtube

 **Please consider the environment before printing**

Email: planningpolicy@southdowns.gov.uk

Website (Local Plan): <https://www.southdowns.gov.uk/localplan>

Website (Neighbourhood Plans): <https://www.southdowns.gov.uk/planning/community-planning>



South Downs Dark Skies Festival – 15 February to 3 March 2019

Hear talks, get moonstruck, have fun and join star parties taking place across the of the South Downs National Park

Find out more at www.southdowns.gov.uk/dark-skies-festival/

This email is confidential, may be legally privileged and/or contain personal views that are not the Authority's. If you are not the intended recipient, please notify us and delete the message from your system

immediately. Under Data Protection and Freedom of Information legislation contents may be disclosed and the Authority reserves the right to monitor sent and received emails.



Virus-free. www.avg.com

Respondent Reference:	R382
Organisation or Individual:	Mr & Mrs A. Forbes
Agent Details:	Jonny Pickup, Town & Country Planning Solutions

[REDACTED]

From: Jonny Pickup
Sent: 28 March 2019 09:37
To: Planning
Subject: South Downs Local Plan Examination: Main Modifications Consultation - Main Modification MM76

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern

Town & Country Planning Solutions are submitting representations on behalf of Mr & Mrs A Forbes of [REDACTED] in relation to Main Modification MM76. Please find a copy of the representation form attached.

Please confirm receipt and I look forward to receiving updates on the progress of this.

Kind regards

Jonny Pickup MRICS
Associate – Development & Planning
Town & Country Planning Solutions

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]



This email is confidential and may contain legally privileged information. If you are not the intended recipient it may be unlawful for you to read, copy, distribute, disclose or otherwise make use of the information herein. If you have received this email in error please contact us immediately. Town & Country Planning Solutions will accept no liability for the mis-transmission, interference, or interception of any email and you are reminded that email is not a secure method of communication.

For further details of Town & Country Planning Solutions please visit our web site
<https://townandcountryplanningsolutions.wordpress.com/>

From: South Downs National Park Authority (do not reply) <do-not-reply@consult.southdowns.gov.uk>
Sent: 31 January 2019 15:54
To: [REDACTED]
Subject: South Downs Local Plan Examination: Main Modifications Consultation

Message from South Downs National Park Authority

Subject: South Downs Local Plan Examination: Main Modifications Consultation

South Downs Local Plan Examination

Town and Country Planning (Local Planning) (England) Regulations 2012

Notice of Public Consultation: South Downs Local Plan Main Modifications

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Full details are given on the [Main Modifications webpage](#). In summary, we have now published the following new documents:

- An amended inset Policies Map for Kingston-near-Lewes. This is to show a factual update to the proposed settlement boundary, to include within the boundary a recently permitted housing development at 'Audiburn'.
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Kind Regards

South Downs Planning Policy Team

Tel No: 01730 814810 | South Downs Centre, North Street, Midhurst GU29 9DH

www.southdowns.gov.uk | facebook | SDNPA twitter | Ranger twitter | youtube

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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Name:

Organisation (if relevant): Town & Country Planning Solutions on behalf of; Mr & Mrs A Forbes of

.....

Address:
.....

Post Code:

Email:

Tel:

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

X

(2) That the South Downs Local Plan has been adopted

X

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

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- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required

- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Town & Country Planning Solutions

1. To which part of the Local Plan does this representation relate?

Main
Modification
reference
(e.g. MM1)

MM76

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☒

(3) Not effective

☒

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes ☒

No ☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Mrs Forbes attended the Examination Hearing on 11th December 2018 to express her (and her husband's) concerns about this ill-considered and unjustified proposed housing allocation. At the Examination Hearing Session in relation to this proposed housing allocation, there was considerable evidence given on behalf of objectors, that not only is the site unsuitable, but also that the Planning Authority was unable to demonstrate that this site could physically accommodate 10-12 dwellings, as stated in draft Policy SD77. It would appear from the Inspector's 'Post Hearing Note' (INSP. 16) that there is recognition of "*uncertain deliverability of the full allocation with respect to site capacity and access*".

Having reached such a provisional 'Post Hearing View', it is therefore illogical and inconsistent to propose a Main Modification (MM76) to delete the draft policy reference range relating to "10 to 12" residential dwellings and merely replacing this with "up to 12" residential dwellings, which amounts to no significant change to the draft Policy. If as is stated, the Inspector has concerns about 'uncertain deliverability' in relation to such fundamental aspects as 'site capacity and access', then clearly the Policy itself must be reviewed as to the quantum likely to be achieved, if any.

Proposed Strategic Policy SD26 (Supply of Homes) confirms that Kingston should provide eleven (11) additional dwellings to help meet the Plan's housing requirements. While the proposed Main Modifications provides flexibility as to the quantum of housing at Castelmor, 'up to 12' dwellings is unsound if, as seems likely, nothing like this amount could actually be achieved in practice. Given the significant site constraints and the fact that an existing dwelling takes up much of the allocated site, if in practice only a lower net increase figure of only 3 or 4 dwellings could be achieved, then the housing allocation policy would be seriously flawed in overstating the site's true potential (if any).

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Given that there is no evidence that the proposed housing allocation for Kingston can actually be fulfilled on this site, other alternative 'omission' housing sites at Kingston should be considered and assessed to ensure that there are no other more suitable sites could be brought forward during this plan period, in order to ensure that the housing allocation policy for Kingston can be found sound.

(continue on a separate sheet if necessary)

Signature:



Date: 28.03.19

Respondent Reference:	R383
Organisation or Individual:	Dr. Henry Alexander
Agent Details:	N / A



[REDACTED]

From: Henry Alexander [REDACTED]
Sent: 28 March 2019 22:43
To: PlanningPolicy
Subject: Local Plan response

Follow Up Flag: Follow up
Flag Status: Flagged

Attached my response to the local plan
Kind regards

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Dr..... Name: Henry Alexander.....

Organisation (if relevant): [REDACTED].....

Address: [REDACTED].....

..... Post Code: [REDACTED].....

Email: [REDACTED].....

Tel: [REDACTED].....

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☒

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Part B

Name or Organisation

Castelmer

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM76

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☒

(3) Not effective

☒

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☒

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

The number of dwellings proposed on the Castelmer site has been changed from '10 - 12' to 'up to 12'.

The inspector's reason for this change is the 'uncertain deliverability of the full allocation with respect to site capacity and access'.

This makes the policy unsound as there is no certainty that the original allocation of 11 houses can be delivered on this one site.

I would argue that given the inspector's uncertainty about the deliverability of the Castelmer site, the exact number of dwellings that could be delivered by this site is decided by further expert advice and that SDNPA should reconsider the other 'omission sites' to fulfill the proposed allocation in Kingston village.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I think the policy for the Castelmer site should be removed. I would like to see further expert advice sought as to how many dwellings could be supported by the site with respect to capacity and in particular safe access. In the meantime other 'omission' sites within Kingston village should be reconsidered.

(continue on a separate sheet if necessary)

Signature:



Date: 27/03/19

Respondent Reference:	R396
Organisation or Individual:	Environment Agency
Agent Details:	N / A

[REDACTED]

From: Oxley, Marguerite [REDACTED]
Sent: 25 March 2019 10:11
To: PlanningPolicy
Subject: South Downs Local Plan Main Modifications - Response from the Environment Agency

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Policy Team

Thank you for consulting the Environment Agency on the main modification to the South Downs National Park Local Plan.

Please find attached our response.

Kind regards

Marguerite Oxley

Marguerite Oxley | Technical Specialist | Sustainable Places | Solent and South Downs Area |
Environment Planning and Engagement | Environment Agency | [REDACTED] | [REDACTED] |
[REDACTED] | [REDACTED] | [REDACTED]

Tel external: [REDACTED] | Tel internal: [REDACTED] | Mobile:- [REDACTED] |
Email :- [REDACTED] (or [REDACTED])

our Commitment:
Sustainable Places will prioritise and drive forward environmental outcomes from our work with local authorities and partners across the Solent and South Downs Area

We have moved to GOV.UK. Our website is now available at: www.gov.uk/environment-agency.

We offer a cost recovery service for bespoke pre-application advice. For more information go to: gov.uk or [email us](#)

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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Mrs Name: Marguerite Oxley

Organisation (if relevant): Environment Agency

Address:

[Redacted Address]

Post Code:

[Redacted Post Code]

Email:

[Redacted Email]

Tel:

[Redacted Telephone]

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☒

(2) That the South Downs Local Plan has been adopted

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Part B

Name or Organisation

Environment Agency

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

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2. Do you consider the document is Sound?

Yes

☒

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

We can confirm that the Main Modifications and Minor Edits have included and satisfied all of the comments that we made in our Pre-Submission response dated between 10th and 15th November 2017 and subsequently agreed through the Environment Agency / South Downs National Park Authority Position Statement signed 20th March 2018.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet if necessary)

Signature:



Date: 25/3/2019

Respondent Reference:	R397
Organisation or Individual:	European Property Ventures Ltd. [East Sussex]
Agent Details:	Katherine Else, Claremont Planning Consultancy Ltd.



[REDACTED]

From: Thomas Ryan [REDACTED]
Sent: 28 March 2019 17:30
To: PlanningPolicy
Subject: Main Modifications Consultation Response - European Property Ventures (East Sussex)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam

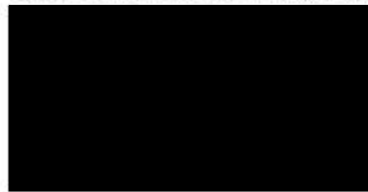
Please find attached consultation response pertaining to the Main Modifications of the SNDP emerging Local Plan, submitted on behalf of European Property Ventures.

Many Thanks

Tom Ryan BA (Hons.) MSc
Planning Consultant
Direct Line: [REDACTED]



Claremont Planning Consultancy



claremontplanning.com



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Claremont Planning Consultancy Ltd is registered in England under Registration No [REDACTED]

The company's registered office address is: [REDACTED]
[REDACTED]

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Miss Name: Katherine Else

Organisation (if relevant): Claremont Planning

Address:

..... Post Code:

Email:

Tel:

Do you wish to be notified at the email / address stated above* of any of the following:

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X

(2) That the South Downs Local Plan has been adopted

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Part B

Name or Organisation

Claremont Planning on behalf of European Property Ventures
(East Sussex)

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM3/MM4

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

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2. Do you consider the document is Sound?

Yes

☐

No

X

If No, do you consider it is unsound because it is:

(1) Not positively prepared

X

(2) Not justified

(3) Not effective

X

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

X

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

It is acknowledged that the sensitive nature of the Park results in its particular exposure to detrimental impacts from development. As per national requirements, major development must be limited within the Park unless the benefits of the proposal outweigh its potential impacts. Whilst MM3 is a welcome modification that provides greater clarity as to how this stipulate will be implemented through the Plan, it remains inappropriate to deem the entire area of the National Park is equally sensitive to major development and therefore remain applicable to the test of what constitutes major development. It has been previously made clear that areas of the National Park towards edges of major urban areas cannot demonstrate equitable landscape value as found in areas deeper within the designated area of the Park. This approach is not justified and whilst this a consequence of the designation of the Park in 2002, it remains a significant constraint for those settlements that fall directly at the boundary of the South Downs National Park. Without due consideration of areas of the Park that cannot demonstrate high landscape, biological or recreational value, the test of major development should not be as stringently implemented as it is done so in the wider area of the Park that has a clear and established substantial value that warrants restrictive policy protections.

As it stands, the Plan does not demonstrate a sound or justified approach given that it is unable provide an appropriate or logical approach in identifying areas of the Park that are able to accommodate a greater extent of development that is able to meet the needs of the Park area itself, but also arising cross-boundary need. European Property Ventures (East Sussex) own land at Lower Hoddern Farm, Peacehaven that is a suitable location to achieve sustainable growth. Development on this site would constitute major development and in the current policy context, would not be deemed acceptable, although the site does not demonstrate the value qualities that are awarded stringent development controls as applied within the wider Park area.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The stipulation in regards to the test of what constitutes major development within the National Park should be implemented in a nuanced fashion, which takes into account the spatial characteristics and variations between different areas of the National Park. This includes the intrinsic value of the landscape, environmental, biology and recreation value of the Park at a certain location. This is particularly apparent towards the fringes of the Park itself, which are significantly influenced by external factors and environments that fall outside of the designated of the Park. The fringes of Park towards edges of settlements and major urban areas are significantly impacted by the built from of the urban fringe and these urbanizing features will substantially lessen the landscape and other valuable assets that are recognised as intrinsic characteristics of the wider area of the Park. Given that the Plan does not recognise this, this limits the ability of the Plan to establish appropriate preferable directions of growth to be achieve within the Park that will not result in significant or material harm to the Park itself.

A modification which will enhance the Plan's ability to secure sustainable growth and development is to amend the approach it takes to the test of major development. Whilst this test is vital in conserving the valuable assets of the Park elsewhere in the designated area, it is inappropriate to require this within areas of the Park that are unable to demonstrate these valuable assets and characteristics. Claremont Planning therefore

recommend that MM4 should be amended to be take into account a more nuanced approach this is more effective in achieving sustainable levels of development that does not impact on the wider Park:

“The purpose of this policy is to set out how the National Park Authority will determine what constitutes major development and, if an application is deemed to constitute major development, how that application will be considered. It should be noted that this policy applies to all development proposals that require planning permission including temporary events should they be deemed to constitute development, but development proposals, where it can be demonstrated that the Park is of a lower landscape value, will be considered and assessed on a case by case basis.”

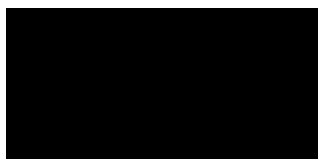
This amendment, whilst retaining the preference to conserve the Park as far as possible through the test of major development, includes an element of nuance that allows for a greater degree of consideration for development proposals that are within areas of the Park that are unable to demonstrate equitable value. This includes areas of the Park at settlement edges and therefore are strongly influenced by the urbansing effect of built form that is located at the boundary of the National Park. Without this amendments, the Plan will be unable to make due consideration of suitable sites and will fail to be effective in securing appropriate directions of growth to meet the needs of both the Park, but also the constrained Local Authorities that are adjacent to the Park.

It is acknowledged that the South Downs National Park Authority has a unique position in terms of national requirement, but it nevertheless has a responsibility in identifying sensible and appropriate directions of growth. Without this recognition the Plan is cannot provide adequate justification of the levels of growth that have been established within it and its spatial strategy cannot be deemed as sound.

This amendment is commended to the Inspector and Claremont Planning, on behalf of European Property Ventures (East Sussex), respectfully request that this amendment is minded by the Inspector to be included within the other modifications made to ensure that a sound Plan can be adopted by the LPA.

(continue on a separate sheet if necessary)

Signature:

A black rectangular box used to redact the signature.

Date: 28 March 2019

Respondent Reference:	R398
Organisation or Individual:	Fiona Mostyn
Agent Details:	N / A

[REDACTED]

From: FIONA MOSTYN
Sent: 28 March 2019 16:11
To: PlanningPolicy
Subject: SDNPA Local Plan response

Follow Up Flag: Follow up
Flag Status: Flagged

Please find attached my response to the Main Modifications requested by the Inspector.

I should be grateful if you would confirm receipt.

Regards,

Fiona Mostyn

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Mrs..... Name: Fiona Mostyn.....

Organisation (if relevant):

Address: [REDACTED]

..... Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

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(2) That the South Downs Local Plan has been adopted

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Part B

Name or Organisation

Mrs Fiona Mostyn

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

Policy MM76

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

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2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☒

(3) Not effective

☒

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☒

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Regarding the policy for the provision of housing at Castelmer Fruit Farm, Kingston, Lewes.

Following the hearing at the AMEX stadium, Brighton the inspector has requested the policy wording to change from "Land at Castelmer Fruit Farm, Kingston near Lewes is allocated for the development of 10 to 12 residential dwellings" to now read as "Land at Castelmer Fruit Farm, Kingston near Lewes is allocated for the development of up to 12 residential dwellings."

The Inspector has stated that this change is requested due to "uncertain deliverability of the full allocation with respect to site capacity and access."

To now state that the land is suitable for up to 12 dwellings makes no sense at all. The suitability of the site and the full impact of building any number of houses on it has yet to be assessed and proven suitable in line with objectives of the plan.

At the hearing lots of evidence was provided as to why the site was unsuitable and will not meet the requirements of the plan due to access issues and the environmental impact. These should be fully assessed so that the number of houses that can be safely built on the site can be determined.

The plan states the objective of building 11 houses in Kingston. The definition of up to 12 dwellings doesn't guarantee this objective especially as stated that there is "uncertain deliverability of the full allocation with respect to site capacity and access."

I am also very concerned that even since the Inspector has now requested the removal of the intention to provide publicly accessible woodland at this late stage (MM77), (as it has been realised that the woodland is not even within the site allocation boundary) that 9.136 of SD77 has been modified to say

"Opportunities should be sought ~~There is a potential~~ to provide a suitable off-site link to existing Public Rights of Way to the north and east of the allocation site."

As discussed at the hearing all access into the site is via a private road. It is still not clear to me who will own and maintain which areas of the woodland going forward. Opening access to the woodland to non-residents of the proposed site would be an infringement of the privacy of residents living adjacent to the site.

The current proposed wording of the plan seems to in no way to address how the very relevant concerns for safety, accessibility, environmental impact on residents as well as wildlife which have been raised during the consultation period by residents and by the inspector himself will be met to deliver this development in line with the objectives of the plan.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy for Castelmer should be removed as it is fundamentally unsound and cannot be certain to deliver the Plan's objective of 11 houses in Kingston. If the 11 houses really are to be provided in Kingston then other 'omission' sites that can provide this number should be reconsidered.

(continue on a separate sheet if necessary)

Signature:

A black rectangular box redacting the signature.

Date: 28/03/19

Respondent Reference:	R425
Organisation or Individual:	Andrew Swayne
Agent Details:	N / A



[REDACTED]

From: Andrew Swayne
Sent: 27 February 2019 10:48
To: Planning
Cc: [REDACTED]
[REDACTED]

Subject: SDNPA local plan viability feedback - re energy and water

Follow Up Flag: Follow up
Flag Status: Flagged

Please see attached

--

Andrew Swayne
Group Risk Manager, Head of Internal Audit
South Downs Partnership Member
Greater Brighton Economic Board Member
AWBP Chair

--

Email: [REDACTED]
[REDACTED]

Ricardo plc
[REDACTED]

A Division of Ricardo plc www.ricardo.com

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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Mr..... Name: ...Andrew Swayne.....

Organisation (if relevant): Personal, but in context of being Member of: South Downs Partnership, Greater Brighton Infrastructure Panel, Greater Brighton Economic Board, Chair Adur and Worthing Business Partnership

Address: [REDACTED] . Post Code: [REDACTED]

Email: .. [REDACTED]

Tel: [REDACTED]

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(2) That the South Downs Local Plan has been adopted

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Part B

Name or Organisation

As Part A

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM45

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☒

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

The water efficiency targets are below those being proposed by Southern water and being discussed at the Greater Brighton Infrastructure Panel when presented to the Greater Brighton Economic Board on 29 January.

The targets should be 100 liters by 2040 and 80 liters by 2050

It is essential that planning policy support this approach and does not undermine it.

By implication the Park has supported this via its active involvement in Greater Brighton

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See above

(continue on a separate sheet if necessary)

Signature:



Date: 27/2/19

Respondent Reference:	R491
Organisation or Individual:	Lindsay Alexander
Agent Details:	N / A

[REDACTED]

From: Lindsay Alexander [REDACTED]
Sent: 27 March 2019 22:54
To: PlanningPolicy
Cc: [REDACTED]
Subject: Local Plan Response

Follow Up Flag: Follow up
Flag Status: Flagged

Please find attached my response to the Main Modifications requested by the Inspector.

I should be grateful if you would confirm receipt.

Regards,

Lindsay Alexander

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Mrs..... Name: Lindsay Alexander.....

Organisation (if relevant):

Address:
.....

Post Code:
.....

Email:
.....

Tel:
.....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

X

(2) That the South Downs Local Plan has been adopted

X

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

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- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Mrs Lindsay Alexander

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

Policy MM76

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☒

(3) Not effective

☒

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☒

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

The policy for the provision of housing at Castelmer Fruit Farm has been retained (Page 25 of main mods), but the wording has been adjusted at the Inspectors request to read "Land at Castelmer Fruit Farm, Kingston near Lewes is allocated **for the development of up to 12 residential dwellings** (class C3 use). Planning permission will not be granted for any other uses". Previously it read "Land at Castelmer Fruit Farm, Kingston near Lewes is allocated for **the development of 10 to 12 residential dwellings** (class C3 use). Planning permission will not be granted for any other uses."

The Inspector has stated that this change is requested due to "uncertain deliverability of the full allocation with respect to site capacity and access."

The Inspector has therefore acknowledged that there is no certainty that any houses can be constructed on the Castelmer site, because of the issues relating to the site capacity and access. Furthermore, even if some houses can be provided, the number could be less than the Plan objective of providing 11 houses in Kingston. The modification MM76 requested by the Inspector does nothing to resolve the capacity and access issues. It makes the policy for the site fundamentally unsound, as the Inspector has accepted that the identified Plan requirement may not be deliverable either fully or in part.

This site has never been appropriately assessed to determine the whether the 10-12 houses proposed by SDNPA could be delivered, either in terms of the capacity of the site or the access to it. The site was included in the draft Plan at a very late stage and was rushed through without the appropriate diligence and consideration, as I have raised in my submissions during previous stages of the consultation. This is illustrated by the need for the Inspector to now request the removal of the intention to provide publically accessible woodland at this late stage (MM77), as it has been realised that the woodland is not even within the site allocation boundary! The numerous issues of deliverability and access that have been raised during the Plan consultation process have still not been resolved, despite the various representations made by the SDNPA and the landowners.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy for Castelmer should be removed as it is fundamentally unsound and cannot be certain to deliver the Plan's objective of 11 houses in Kingston. If the 11 houses really are to be provided in Kingston then other 'omission' sites that can provide this number should be reconsidered.

(continue on a separate sheet if necessary)

Signature:

[Redacted Signature]

Date: 25/03/19

Respondent Reference:	R501
Organisation or Individual:	Coldwaltham Meadow Conservation Group
Agent Details:	N / A



From: Jim and Chris Glover
Sent: 26 February 2019 16:07
To: PlanningPolicy
Subject: Local Plan Response

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam

Please find our comments attached on Main Modifications 6, 8, 19, 52, 53, 55, 56, 57, 58 and 60. The first page of each comment has been intentionally left blank.

We have attached our comments on the HRA and the SA in a separate email.

Yours faithfully,

Christine Skinner

Secretary, Coldwaltham Meadow Conservation Group

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED].....

Post Code: [REDACTED].....

Email: [REDACTED].....

Tel: [REDACTED].....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

yes

(2) That the South Downs Local Plan has been adopted

yes

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- All representations are publicly available and can be viewed on request
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Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM6

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐ /

(3) Not effective

☐ /

(4) Not consistent with national policy

☐ /

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM6

MM6 is a requirement that “*Prior to determination, up to date ecological information should be provided which demonstrates that development proposals...*”, yet the National Park Authority did not do this prior to allocating sites in the Local Plan. This is demonstrated by the fact that the Preliminary Ecological Assessment/NVC survey of Allocation Policy SD64 was not commissioned by the National Park until June 2018.

Elsewhere, (in our Position Statement, submitted at the Hearing), we have refuted the conclusions of the PEA, for although up to date, it is spurious, superficial and overtly biased in favour of development.

In summary:

- The Desktop Study is cursory, and selectively represents the data obtained;
- The Phase 1 habitat survey missed 18 plant species recorded by other botanists;
- The methodology for the Phase 2 NVC survey is questionable, as is the extrapolation of quadrat data to the whole meadow;
- Assertions are often unwarranted, simplistic and illogical. They often lack objectivity and coherence;
- The report concludes that “*this development would not impact on the nearby Waltham Brooks/Arun Valley site*”, yet the negative impacts of increased urbanisation and recreational pressure on the integrity of the adjacent Natura 2000 site were not considered;
- There are no references to the Habitats Regulation in this report.

The failure to use up to date information is also a feature of the HRA, which selectively quotes from an outdated, unrepresentative and inadequate visitor survey as a basis for recreational impact assessment. Although SDNPA claims that “*The HRA report has been updated to clarify the extent to which the 2012 visitor survey has been relied upon; this was very little and was provided for context.*” (SDNPA Summary of issues, p.378), we can find no evidence that any other more recent survey was used to evaluate impact pathways of recreational pressure on designated sites.

Policy SD64 was allocated in the Local Plan without the benefit of up to date information about the biodiversity of the site and the negative impacts that recreational pressure generated by SD64 would have on the adjacent designated sites. Policy SD64 will compromise the integrity of the adjacent designated sites and a supporting habitat for the Barbastelle bats of the Mens SAC. It will be impossible for a developer to produce accurate up to date ecological information that would demonstrate otherwise.

.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan as it cannot be modified to make it sound

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

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(2) That the South Downs Local Plan has been adopted

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Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM8

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

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MM8

We support the insertion of the text “***b) Protect and support recovery of rare, notable and priority species***”, but with regard to Local Plan Allocation Policy SD64, we note that the actions of The Barlavington Estate in dumping c2000 metric tonnes of manure on the 20-acre site of SD64, in January 2019, is in conflict with this. As indicated in our comment on MM52, the meadow is functionally linked as a supporting habitat for the Barbastelle bats of The Mens SAC, a rare and protected species. Spreading this excessive amount of manure on the meadow will encourage the growth of grass species within the sward at the expense of wild flower growth, which had previously been encouraged by ten years’ worth of HLS agreement grant. The Barlavington Estate is fully aware of the implications of this damaging act, as evidenced by the terms of the former HLS agreement and the Meadow Management Plan for SD64 previously agreed with the SDNP.

Such enrichment of SD64 is in also conflict with SD9 (1), referred to in MM8, for the impoverished flora which will result from the spreading of manure on the meadow will result in diminished insect populations. This in turn will impede the population recovery of Barbastelle bats in the area.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan as it cannot be modified to make it sound

(continue on a separate sheet if necessary)

Signature:

A black rectangular box redacting the signature.

Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED].....

Post Code: [REDACTED].....

Email: [REDACTED].....

Tel: [REDACTED].....

Do you wish to be notified at the email / address stated above* of any of the following:

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Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM19

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM19

As we have stated in our previous representations to the Local Plan, we do not consider that any houses should be built on SD64, a greenfield site outside the current settlement boundary of the village, described by the SDNPA as “*an incursion into the open countryside*” (*Assessment of Site Allocations against Major Development Considerations – Technical Report, (Envision 2015 and update 2017)*). These houses are to be built within 130m of the Arun Valley SAC/SPA/Ramsar site, which will compromise the integrity of the designated site. This is in conflict with Local Plan Policies SD9 and SD10. No other site has all three designations, which means that it should be the most protected site in the National Park.

As we have also stated elsewhere, the proposed 25-30 houses for SD64 (not 28 as specified in MM19) is a disproportionate allocation representing a 12% increase in size of the village. As referred to in our position statement on Matter 4d during the Local Plan examination, Coldwaltham has been given five times more housing than its fair share. This will alter the rural character of the village, for the meadow also has a settlement separation function from the village of Watersfield. As such, this constitutes a major development, as defined by SDNPA in *Assessment of Site Allocations against Major Development Considerations – Technical Report, (Envision 2015 and update 2017)*. Such developments are only supposed to occur if they are in the national interest, and there is no evidence to support that this is the case in Coldwaltham. The village has a Site Facilities Assessment of only 2.5; it does not have enough facilities and services to sustain the new development.

The allocation of 30 houses and a shop is not justified in terms of supporting the local economy of the village, for there are very few employment opportunities in Coldwaltham. There is also no evidence of anything other than a minor amount of local housing need for Coldwaltham.

As we have previously stated, there is land available for development elsewhere within the village that is not subjected to the environmental constraints outlined above. Small groups of housing on these alternative sites would be acceptable to our Group and to the Parish Council.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan as it cannot be modified to make it sound

(continue on a separate sheet if necessary)

Signature:

A black rectangular box redacting the signature.

Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

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Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM52

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM52

Policy SD64 is not an appropriate location for housing in the National Park by reason of its close proximity (130m) to the Arun Valley SAC/SPA/Ramsar Site and because of the existing biodiversity value of the site itself. Currently, the meadow serves as a vital green buffer zone, preventing existing urban and recreational pressures associated with the village of Coldwaltham, from impacting upon the designated site referred to above. 25-30 new dwellings, located in the meadow, will serve to exacerbate these pressures and will compromise the integrity of the Arun Valley SAC/SPA/Ramsar Site.

It is therefore not possible for SD64 to “*maximise existing habitats and species*”. The development and residual open space cannot be “*designed around existing biodiversity value*” because c35% of the meadow habitat will be lost to direct development and new hedgerows, and the remaining 15% will be compromised by recreational pressure associated with the development. This will inevitably significantly affect the wildlife that lives in the meadow, or uses it as a commuting route to and from the Arun Valley SAC/SPA/Ramsar Site or The Mens SAC. The undeveloped area will be too small to support wildlife requirements and the recreational pressure and artificial lighting associated with the development will deter them from foraging, resting and commuting through it.

This is of particular relevance to Barbastelle bats, for SD64 is located in a meadow that is also functionally-linked as a Supporting Habitat for the Barbastelle bats of The Mens SAC. This species is particularly sensitive to artificial light (see *Sussex Bats SAC Protocol, NE, 2018*, *Barbastelle Bats in the South Downs National Park, Whitby & Shereston, 2016* and *Greenaway, F. (2008) Barbastelle Bats in the Sussex Weald 1997-2008*). SD64 will prevent Barabastelles from foraging in the meadow and commuting through it. In this respect, the implications for this protected species have not been considered from the outset, when allocating Policy SD64; this is in conflict with Local Plan Policy SD9 (1) and (1a) (as outlined in MM7 and MM8) in addition to SD10, 1 and 1(a), as outlined in MM12.

SD64 is located just 130m from the Waltham Brooks SSSI boundary, which is part of the Arun Valley SAC/SPA/Ramsar Site, and the recreational pressure engendered by this development will have likely significant adverse negative impacts on the wildlife and grazing livestock of the adjacent SSSI. The “possible solutions”, featured in the Local Plan for Policy SD64 (and in the HRA), designed to mitigate this recreational pressure are undeliverable, because they are ineffective:

- Dogs already cause disturbance to wildlife and livestock on Waltham Brooks SSSI and dog fouling is already an issue.
- Take the Lead leaflets and signs are already deployed, with no discernible effect.
- The proposed “Dog Ambassadors” cannot prevent dog walkers from using public rights of way and cannot enforce that dogs should be on leads. They will not be able to influence the behaviour of unaccompanied dogs.

To suggest that issuing yet more leaflets and signage would avoid any future negative effects is illogical and unjustified.

Policy SD64 is also an inappropriate location for development because it is the only flower-rich hay meadow in this part of the National Park. 97% of the UK’s flower-rich meadows have

disappeared from the UK countryside since the 1930s and pursuant to the First Purpose of the National Park, this meadow should be protected from development.

Policy SD64 cannot therefore deliver a *“net gain in biodiversity at a local level”*. Policy SD64 is also in conflict with SD9 (2), as outlined in MM11, for the meadow is covered by the Houghton to Coldwaltham BOA.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan as it cannot be modified to make it sound

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

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(2) That the South Downs Local Plan has been adopted

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Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM53

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM53

Despite the deletions outlined in MM53, Policy SD64 will nonetheless increase the impact of recreational pressure upon the meadow and neighbouring designated land. The new footpath specified in Policy SD64 will provide local dog walkers from the adjacent village of Watersfield with a circular walk passing through Waltham Brooks SSSI and the proposed shop will also attract those who wish to combine shopping with dog walking through the SSSI.

As outlined in our response to MM52, this increase in recreational pressure, which is in addition to that generated by the new homes, will have significant likely adverse effects upon biodiversity within the meadow and the neighbouring Arun Valley SAC/SPA/Ramsar Site. The “possible solutions”, featured in the Local Plan for Policy SD64 (and in the HRA), designed to mitigate this recreational pressure are undeliverable, because they are ineffective:

- Dogs already cause disturbance to wildlife and livestock on Waltham Brooks SSSI and dog fouling is already an issue.
- Take the Lead leaflets and signs are already deployed, with no discernible effect.
- The proposed “Dog Ambassadors” cannot prevent dog walkers from using public rights of way and cannot enforce that dogs should be on leads. They will not be able to influence the behaviour of unaccompanied dogs.

To suggest that issuing yet more leaflets and signage would avoid any future negative effects is illogical and unjustified.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan. There are other developable areas in Coldwaltham that could be considered that do not have the environmental constraints associated with SD64.

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

yes

(2) That the South Downs Local Plan has been adopted

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- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM55

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM55

As stated in our response to MM53, it will not be possible for any developer to demonstrate that proposals for SD64 will not have significant adverse effects on both Waltham Brooks and the Amberley Brooks SSSI (both sites being part of the Arun Valley SAC/SPA/Ramsar Site). This is because the “possible solutions” listed in 4.11.2 of the SDNPA HRA, designed to mitigate the effect of recreational pressure upon the above designated sites, are not deliverable.

The “possible solutions”, featured in the Local Plan for Policy SD64 (and in the HRA), designed to mitigate this recreational pressure are undeliverable, because they are ineffective:

- Dogs already cause disturbance to wildlife and livestock on Waltham Brooks SSSI and dog fouling is already an issue.
- Take the Lead leaflets and signs are already deployed, with no discernible effect.
- The proposed “Dog Ambassadors” cannot prevent dog walkers from using public rights of way and cannot enforce that dogs should be on leads. They will not be able to influence the behaviour of unaccompanied dogs.

To suggest that issuing yet more leaflets and signage would avoid any future negative effects is illogical and unjustified.

The so-called “10-year Management Burden Survey” proposed in the HRA to assess whether significant effects have occurred, cannot by definition assess “*likely*” significant effects; by the time a ten-year monitoring programme had finished the damage would have been done, and be permanent. It is not appropriate for the National Park to pass this requirement on to a developer, when the National Park has failed to demonstrate that there is no likely significant adverse effect on the designated sites by allocating SD64; indeed, the original version of the SDNPA SA indicated that there would be a likely adverse effect on the biodiversity of the Arun Valley SAC/SPA/Ramsar Site.

With regard to assessing adverse effects on the integrity of The Mens SAC, the meadow has already been recognised by NE and the National Park as a functionally-linked supporting habitat for the Barbastelle bats of The Mens SAC. As discussed in our comment to MM52, Policy SD64 will impede the Barbastelle bat population of The Mens SAC from expanding along the Arun Valley, for the artificial lighting associated with the development, together with the loss of foraging habitat, will deter the bats from foraging in or commuting through the meadow. SD64 therefore lacks coherence with Local Plan Policy SD10, (1a).

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan. There are other developable areas in Coldwaltham that could be considered that do not have the environmental constraints associated with SD64.

(continue on a separate sheet if necessary)

Signature:

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Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

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Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM56

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM56

Although this is a new MM, requested by the Inspector, it is very similar in content to MM52. Our comment for MM52 is therefore also appropriate here:

Policy SD64 is not an appropriate location for housing in the National Park by reason of its close proximity to the Arun Valley SAC/SPA/Ramsar Site. Currently, the meadow serves as a vital green buffer zone, preventing existing urban and recreational pressures associated with the village of Coldwaltham, from impacting upon the designated site referred to above. 25-30 new dwellings, located in the meadow, will serve to exacerbate these pressures and will compromise the integrity of the Arun Valley SAC/SPA/Ramsar Site.

It is therefore not possible for SD64 to “*maximise existing habitats and species*”. The development and residual open space cannot be “*designed around existing biodiversity value*” because c35% of habitat will be lost to direct development and new hedgerows, and the remaining 15% will be compromised by recreational pressure associated with the development. This will inevitably significantly affect the wildlife that lives in the meadow, or uses it as a commuting route to and from the Arun Valley SAC/SPA/Ramsar Site. The undeveloped area will be too small to support wildlife requirements and the recreational pressure and artificial lighting associated with the development will deter them from foraging, resting and commuting through it.

This is of particular relevance to Barbastelle bats, for SD64 is located in a meadow that is also functionally-linked as a Supporting Habitat for the Barbastelle bats of The Mens SAC. This species is particularly sensitive to artificial light (see *Sussex Bats SAC Protocol, NE, 2018*, *Barbastelle Bats in the South Downs National Park, Whitby & Sherston, 2016* and *Greenaway, F. (2008) Barbastelle Bats in the Sussex Weald 1997-2008*). SD64 will prevent Barabastelles from foraging in the meadow and commuting through it. In this respect, the implications for this protected species have not been considered from the outset, when allocating Policy SD64; this is in conflict with Local Plan Policy SD10, 1(a).

SD64 is located just 130m from the Waltham Brooks SSSI boundary, which is part of the Arun Valley SAC/SPA/Ramsar Site, and the recreational pressure engendered by this development will have adverse negative impacts on the wildlife and grazing livestock of the adjacent SSSI. The “possible solutions”, featured in the Local Plan for Policy SD64 (and in the HRA), designed to mitigate this recreational pressure are undeliverable, because they are ineffective:

- Dogs already cause disturbance to wildlife and livestock on Waltham Brooks SSSI and dog fouling is already an issue.
- Take the Lead leaflets and signs are already deployed, with no discernible effect.
- The proposed “Dog Ambassadors” cannot prevent dog walkers from using public rights of way and cannot enforce that dogs should be on leads. They will not be able to influence the behaviour of unaccompanied dogs.

To suggest that issuing yet more leaflets and signage would avoid any future negative effects is illogical and unjustified.

Policy SD64 is also an inappropriate location for development because it is the only flower-rich hay meadow in this part of the National Park. 97% of the UK’s flower-rich meadows have

disappeared from the UK countryside since the 1930s and pursuant to the First Purpose of the National Park, this meadow should be protected from development.

Policy SD64 cannot deliver a “*net gain in biodiversity at a local level*”. It should be withdrawn from the Local Plan because it cannot be modified to make it sound.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan. There are other developable areas in Coldwaltham that could be considered that do not have the environmental constraints associated with SD64.

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address:
[Redacted Address]

Post Code:
[Redacted Post Code]

Email:
[Redacted Email]

Tel:
[Redacted Telephone]

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Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM57

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐ /

(3) Not effective

☐ /

(4) Not consistent with national policy

☐ /

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

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MM57

The residual area of the allocation will not provide an alternative for dog walkers wishing to use the designated sites in the Arun Valley; it is highly likely that the area will be used as a dog latrine. Dog fouling is already a local issue and based on this, it is inevitable that the residual area will also become fouled. This will be to the detriment of the floristic component in the grass sward. Dog faeces fertilise grasses, and the enriched growth will smother the wild flowers. Dog fouling also presents public health problems, including the potential for transmitting toxocarosis to children using the site.

Those wishing to take dogs for a scenic walk of any length would not regard the residual area as an alternative to walking in the highly attractive designated sites. The new footpath specified in Policy SD64 will provide local dog walkers from the adjacent village of Watersfield with a far more attractive, circular walk passing through Waltham Brooks SSSI and the proposed shop will also attract those who wish to combine shopping with dog walking through the SSSI.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan. There are other developable areas in Coldwaltham that could be considered that do not have the environmental constraints associated with SD64.

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

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Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM58

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐ /

(3) Not effective

☐ /

(4) Not consistent with national policy

☐ /

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

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MM58

The intention to provide adequate car parking within SD64 may avoid additional street parking in existing residential areas, but it will still increase the impact of recreational pressure upon the meadow and neighbouring designated land. The new footpath specified in Policy SD64 will provide local dog walkers from the adjacent village of Watersfield with a circular walk passing through Waltham Brooks SSSI and the proposed shop will also attract those who wish to combine shopping with dog walking through the SSSI.

As outlined in our response to MM52, this increase in recreational pressure, which is in addition to that generated by the new homes, will have significant likely adverse effects upon biodiversity within the meadow and the neighbouring Arun Valley SAC/SPA/Ramsar Site. The “possible solutions”, featured in the Local Plan for Policy SD64 (and in the HRA), designed to mitigate this recreational pressure are undeliverable, because they are ineffective:

- Dogs already cause disturbance to wildlife and livestock on Waltham Brooks SSSI and dog fouling is already an issue.
- Take the Lead leaflets and signs are already deployed, with no discernible effect.
- The proposed “Dog Ambassadors” cannot prevent dog walkers from using public rights of way and cannot enforce that dogs should be on leads. They will not be able to influence the behaviour of unaccompanied dogs.

To suggest that issuing yet more leaflets and signage would avoid any future negative effects is illogical and unjustified. They will not prevent recreational pressure from impacting upon the wildlife of the area and this impact pathway cannot be said to have been screened out.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan. There are other developable areas in Coldwaltham that could be considered that do not have the environmental constraints associated with SD64.

(continue on a separate sheet if necessary)

Signature:

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Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

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Name or Organisation

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reference
(e.g. MMI)

MM60

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

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2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

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(3) Not effective

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(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

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MM60

The Development Brief for Policy SD64 lacks coherence with the Outline Meadow Management Plan produced by The Barlavington Estate and The National Park.

Scale, Form and Massing

The vast majority of houses built in Coldwaltham over the last 70 years has consisted of predominantly single-storey buildings with low-pitched roofs on lower ground. The requirement in the Development Brief, for a mix of two-storey dwellings with steep-pitched roofs, will therefore ensure that Policy SD64 will be highly visible in the landscape. Although the neighbouring Brookview Estate consists of two-storey houses, these are built on lower ground, and the most recent council houses of Brookview South are built on land 15m lower than the top of the meadow. SD64 is 3m higher than the adjacent land on which the adjacent single-storey dwellings of Brookland Way are built.

The construction of 30 two-storey houses, with high steep-pitched roofs, on the highest and most prominent meadow in Coldwaltham will be visible for miles around; it will be prominent in the landscape when viewed from across the valley from the South Downs Way or from Amberley village. The development will also be highly visible to local residents and to those using the A29. Their sequential views of the South Downs will be blocked by a ribbon development that almost connects Coldwaltham to Watersfield, punctuated by a field gap of only 150 metres. Although there is a proposal for tree planting/screening within the Development Brief, the native tree species specified in the Brief will not grow tall enough to adequately screen this development from long views.

The assertion by the National Park that SD64 will be 'read' as an extension of Coldwaltham village from long views, is to ignore the fact that SD64 represents the creeping approach of suburbia into the rural landscape of this part of the National Park; it will also drastically alter the rural character of the village.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan. There are other developable areas in Coldwaltham that could be considered that do not have the environmental constraints associated with SD64.

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

[REDACTED]

From: Jim and Chris Glover
Sent: 26 February 2019 16:17
To: PlanningPolicy
Subject: Local Plan Response

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam

Please find attached our comments on the HRA, concerning Main Modifications 6, 12, 19, and 55. We have also attached our comment on the SA, concerning Main Modification 57, paras 5.14 and 5.15. The first page of all these comments has been intentionally left blank.

Yours faithfully,

Christine Skinner

Secretary, Coldwaltham Meadow Conservation Group

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

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Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

MM6

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM6 is a requirement that *“Prior to determination, up to date ecological information should be provided which demonstrates...”*, yet the HRA selectively quotes from an outdated, unrepresentative and inadequate visitor survey as a basis for recreational impact assessment.

Although SDNPA claims that *“The HRA report has been updated to clarify the extent to which the 2012 visitor survey has been relied upon; this was very little and was provided for context.”* (SDNPA Summary of issues, p.378), we can find no evidence that any other more recent survey was used to evaluate impact pathways of recreational pressure on designated sites.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan. There are other developable areas in Coldwaltham that could be considered that do not have the environmental constraints associated with SD64.

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

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Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

MM12

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

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MM12

The HRA is deeply flawed in its assessment of the impact pathways for Policy SD64 upon The Mens SAC.

Policy SD64 is sited within a meadow that has been identified as being functionally-linked as a supporting foraging habitat for the Barbastelle bats of The Mens SAC. We have commented elsewhere that disturbance from artificial lighting associated with Policy SD64 will prevent these bats from foraging in the insect-rich meadow and commuting through it to and from the Arun Valley. Policy SD64 represents a land-take of 25% of this foraging habitat, with a further c10% of foraging habitat loss to new hedgerow planting (source: SDNPA Development Brief for Policy SD64). It is therefore impossible that Policy SD64 will ensure that “...*key features (foraging habitats and commuting routes) are retained, in addition to a suitable buffer against disturbance.*” (SDNPA LP, SD10, para 1).

The HRA attempts to downplay the importance of the flower-rich hay meadow (Policy SD64) as a supporting Habitat for the Barbastelle bats of The Mens by selectively misquoting reference material concerning the ecology of Barbastelles, and their foraging areas:

1. Foraging Habitat

The HRA cites a bats.org.uk information sheet in asserting that “*Barbastelle bats are thought to generally forage along linear features in pastoral landscapes including deciduous woodland, wet meadows and waterbodies.*” (HRA 7.2.16). The bats.org.uk information sheet actually states “*It is thought that they [Barbastelles] prefer pastoral landscapes with deciduous woodland, wet meadows and waterbodies.*” There is no mention of ‘linear features’ here.

The HRA has fabricated a reference to ‘linear features’ here to infer that Policy SD64 will not impact upon the supporting habitat for Barbastelles because new hedgerows will have been planted. This ignores the fact that Barbastelles do not rely upon linear features for commuting purposes; they will commute through meadows as well as forage in them. The HRA also ignores that artificial lighting will deter Barbastelles from doing either, despite new hedgerows being planted, on the unproven assumption that the impact of artificial light upon Barbastelle foraging habitat can be “designed out”.

2. Foraging Area

The HRA also asserts, citing Greenaway, F. (2008) *Barbastelle bats in the Sussex Weald 1997-2008* (cited as a footnote to p.58) that:

“*Barbastelles of the Mens SAC forage to the east of the SAC, principally on the floodplain of the river from close to Horsham in the north to Parham in the south.*” (HRA 7.2.13)

This suggests that Barbastelle bats do not forage at Coldwaltham. However, a location has been omitted from the quote; what it actually says is “...*from Horsham in the north to Greatham and Parham in the south.*”

Greatham is just across the floodplain from Coldwaltham and Policy SD64 is further north than Greatham; it is clearly within the foraging range determined by Greenaway.

These distorted references in the HRA do not screen out impact pathways of SD64 upon a functionally-linked supporting habitat for the Mens SAC. They do not justify Policy SD64; they undermine the credibility of the National Park. Policy SD64 is not coherent with the National Park's Main Purposes, or with the Precautionary Principle. It is not coherent with Policy SD10 and the use of such manipulated texts is wholly inappropriate for a National Park Authority.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan. There are other developable areas in Coldwaltham that could be considered that do not have the environmental constraints associated with SD64.

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

yes

(2) That the South Downs Local Plan has been adopted

yes

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

MM19

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☐ No

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

 /

(3) Not effective

 /

(4) Not consistent with national policy

 /

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☐ No

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4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM19

As we have stated elsewhere, the quantum of 28 houses specified in MM19 represents the range of 25-30 houses specified in Policy SD64. The HRA should therefore, in accordance with the Precautionary Principle, take the upper limit of 30 dwellings into account when determining the recreational pressure that will be engendered upon the designated sites of the Arun Valley SAC/SPA/Ramsar Site and The Mens SAC. Instead, we have a document that attempts to downplay the significance of allocating Policy SD64 so close to the most important designated site within the National Park (no other site has all three designations) by using the phrases “*such a small number of dwellings*” and “*since the number of dwellings is so small*”, along with the outrageous statement that:

“the small number of houses proposed (28 dwellings) inherently limits the potential scale of visitor increase considerably even from a site situated within 100m of Waltham Brooks”. (HRA 4.11.8)

This is not a justification for Policy SD64. The potential scale of visitor increase would be limited still further if the houses weren’t built at all. Building houses so close to the designated sites is guaranteed to increase recreational pressure upon them.

Further manipulation of numbers is demonstrated by the HRA’s assertion that Policy SD64 represents a 12% increase in the number of dwellings within Coldwaltham parish: it is actually an increase of 12% of the number of houses within the village. This figure is then recast as being just 1% of all the houses within 5km of Waltham Brooks SSSI. Despite this, the fact remains that Policy SD64 is located not just within 5km of the designated site, it is located within c100m of it. If any dwellings within 5km are considered to have potential for adverse effects, then dwellings within 100m must be even more likely to generate them.

In using the quantum of 28 houses, and ‘smoothing’ the average number of dogs per household down from 1.3 to 1.0, the HRA is attempting to downplay the potential impact of dogs visiting the Arun Valley SAC/SPA/Ramsar Site. This is also illustrated by the assertion in the HRA that “*not all dog owning residents will necessarily walk their dogs in the SSSI.*” Again, this is against the Precautionary Principle. Policy SD64 will encourage new and existing dog walkers to frequent Waltham Brooks SSSI. The new footpath specified by Policy SD64 will provide local dog walkers with a new circular walk passing through the SSSI and the proposed shop will also attract those who may choose to combine shopping with dog walking through the SSSI.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan. There are other developable areas in Coldwaltham that could be considered that do not have the environmental constraints associated with SD64.

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

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(2) That the South Downs Local Plan has been adopted

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Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

MM55

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☐

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4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM55

It will not be possible for any developer to demonstrate that proposals for SD64 will not have significant adverse effects on both Waltham Brooks and the Amberley Brooks SSSI because the “possible solutions” listed in 4.11.2 of the SDNPA HRA, designed to mitigate the effect of recreational pressure upon the designated sites, are not deliverable.

The “possible solutions”, featured in the HRA, designed to mitigate this recreational pressure are undeliverable, because they are ineffective:

- Dogs already cause disturbance to wildlife and livestock on Waltham Brooks SSSI and dog fouling is already an issue.
- Take the Lead leaflets and signs are already deployed, with no discernible effect.
- The proposed “Dog Ambassadors” cannot prevent dog walkers from using public rights of way and cannot enforce that dogs should be on leads. They will not be able to influence the behaviour of unaccompanied dogs.

To suggest that issuing yet more leaflets and signage would avoid any future negative effects is illogical and unjustified.

The so-called “10-year Management Burden Survey” proposed in the HRA 4.11.2 to assess whether significant effects have occurred, cannot by definition assess “*likely*” significant effects; by the time a ten-year monitoring programme had finished the damage would have been done, and be permanent. No amount of payment would compensate or in any way mitigate for this, or for the damage that would continue to occur, for there is no effective management solution that will screen out the likely adverse effects of recreational pressure on the integrity of the designated sites.

In assessing the impact pathways of recreational pressure upon the Arun Valley SAC/SPA/Ramsar Site, the HRA ignores the fact that winter assemblages of waterfowl, for which the SPA is designated, commute between all units of the designated site; it fails to recognise that disturbance to wintering wildfowl on Waltham Brooks SSSI will impact on birds that also use other parts of the SPA. In this context, it is misleading to refer (in 4.11.7 of the HRA) to Amberley Wildbrooks as a “key part” of the SPA, for Waltham Brooks is a key part too. Any 10-year management burden programme, would therefore have to monitor effects across the whole SAC/SPA/Ramsar Site.

The HRA also fails to address the adverse impacts of wildlife predation by cats; a standard 400m building exclusion zone is imposed around other SPAs in the region, primarily for the purpose of reducing the impacts of cat predating nesting birds and small mammals, both of which are in abundance on Waltham Brooks SSSI. There are protected species such as harvest mice, water voles and nightingales nesting on the reserve, which are all vulnerable to predation by cats.

With regard to assessing adverse effects on the integrity of The Mens SAC, the meadow has already been recognised by NE and the National Park as a functionally-linked supporting habitat for the Barbastelle bats of The Mens SAC. Policy SD64 will impede the Barbastelle bat population of The Mens SAC from expanding along the Arun Valley, for the artificial lighting associated with the development, together with the loss of c35% of foraging habitat, will deter

the bats from foraging in or commuting through the meadow. Despite the assertion in Appendix 4, Agenda Item 12 to the HRA, it is unrealistic to expect that the new housing and shop associated with Policy SD64 will not impact upon the Dark Sky Zone E1, even if a “*preferred lights off curfew*” is specified for Policy SD64. Lighting curfews have to be policed to ensure adherence and will be ignored if they are not.

It is not appropriate for the National Park to pass requirement MM55 on to a developer, when the HRA has failed to demonstrate that there is no likely significant adverse effect on the designated sites by allocating SD64; indeed, the original version of the SDNPA SA indicated that there would be a likely adverse effect on the biodiversity of the Arun Valley SAC/SPA/Ramsar Site.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan because it cannot be modified to make it sound. There are other developable areas in Coldwaltham that could be considered that do not have the environmental constraints associated with SD64.

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Ms..... Name:Christine Skinner.....

Organisation (if relevant): Coldwaltham Meadow Conservation Group.....

Address: [REDACTED]

Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

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Part B

Name or Organisation

Coldwaltham Meadow Conservation Group

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

Sustainability Appraisal Addendum
(paragraph or table number)

MM57, Paras
5.14 and 5.15

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM57, paras 5.14 and 5.15

Retaining and enhancing biodiversity value

1. MM57 is assessed in the SA as “*a modification that has the potential to further limit potential negative effects on biodiversity from development at this location.*” (Para 5.14)

2. As we have commented elsewhere, the retention of c15% of Policy SD64’s meadow habitat for open space cannot possibly compensate for the loss of c35% meadow habitat to land-take and the planting of new hedgerows. However enhanced, retaining this residual area as open space cannot be considered as a means of retaining and enhancing the biodiversity value of the site.

3. Despite the assertion in the SA that MM57 “*changes the focus of the open space from a recreation and landscape-led open space to an area which ‘retains and enhances’ this space for biodiversity*”, the focus is still recreation-led. The residual area is intended for recreational use by the new residents, and those who visit the development. The recreational pressures on this residual area will also compromise the biodiversity value of the site.

4. Our main concern regarding recreational pressure is that dogs exercising in the residual area, and cats from the new housing, will disturb and predate those few wildlife species that remain on the site of Policy SD64. It is also highly likely that the residual area will be used as a dog latrine. Dog fouling is already a local issue and based on this, it is inevitable that the residual area will also become fouled, to the detriment of the floristic component in the grass sward. Dog faeces fertilise grasses, and the enriched growth will be at the expense of the wild flowers, which will be unable to compete with the vigorous growth of the grasses. Dog fouling also presents public health problems, including the potential for transmitting toxocarosis to children using the site.

An alternative to designated sites

5. The residual area of the allocation will provide an additional amenity, rather than an alternative, for dog walkers wishing to use the designated sites in the Arun Valley. Those wishing to take dogs for a scenic walk of any length would not regard the residual area as an alternative to walking in the highly attractive Arun Valley SAC/SPA Ramsar Site. Indeed, the new footpath specified in Policy SD64 will provide local dog walkers from the adjacent village of Watersfield with a far more attractive, circular walk passing through Waltham Brooks SSSI. The proposed shop will also attract those who wish to combine shopping with dog walking through the SSSI, in which case, the use of the residual area of open space as a dog latrine is even more likely.

6. The assessment that “*The change is significant given that the proposed allocation is located within an area of significant ecological sensitivity, with Waltham Brooks SSSI and the Arun Valley SPA and Ramsar site present locally*” is simply a failure to recognise that the residual open space will not provide a deliverable or effective solution for screening out the impact of recreational pressure generated by Policy SD64 upon the adjacent designated site. MM57 is the promotion of recreation at the expense of biodiversity conservation; it is against both the Precautionary and the Sandford Principles.

7. Policy SD64 should be withdrawn from the Local Plan precisely because it is located within an area of significant ecological sensitivity and as such also violates the First Purpose of the National Park. It should be withdrawn because it cannot be modified to make it sound.

Health and Wellbeing

8. The assessment of MM57 that “*the modification is unlikely to limit potential positive effects in relation to the ‘Health and Wellbeing’ SA theme*”. (SA Para 5.15) does not consider the ‘Health and Wellbeing’ of existing local residents, who will have been deprived of a cherished visual and aural local amenity, a link with our rural past. 97% of the UK’s flower-rich hay meadows have disappeared from the UK countryside since the 1930s and this meadow is going the same way. It is the only flower-rich hay meadow in the Arun Valley.

9. Policy SD64 is outside the current settlement boundary of Coldwaltham and is one of only two meadows that separate the village from neighbouring Watersfield. Local residents are deeply concerned that Policy SD64 is a ribbon development, representing the ‘thin end of the wedge’ that will result in a merging of two rural villages into a small town. The rural character of our village will be irrevocably altered.

10. Policy SD64 will also deprive local residents of their glorious views of the South Downs, which will inevitably impact upon their health and wellbeing. The comment from the National Park Authority that “*There is no conflict between on the one hand encouraging new homes to front the A29 while at the same time wanting to retain views south through the development site to the South Downs scarp (which could be viewed through the access road) ...these objectives are not mutually exclusive*” (SDNPA Coldwaltham Development Brief Responses 5 & 12, Nov 18), is confirmation that our views of the National Park will be compromised by SD64. The suggestion that it will be possible to view the scarp slope of the South Downs in all its beauty by seeing through or around 30 houses, or by viewing it from the access road into the development, and that this will be made acceptable by good design is derisory and a cause of deep distress. This demonstrates a cavalier disregard for the health and wellbeing of existing residents the National Park and is a dereliction of its First and Second Purposes.

11. The loss of views and impact upon the landscape of SD64 is not inevitable; it can be completely avoided by locating development elsewhere on alternative, more appropriate sites that have come forward in the village.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SD64 should be withdrawn from the Local Plan because it cannot be modified to make it sound.

(continue on a separate sheet if necessary)

Signature:



Date: 26.02.2019

Respondent Reference:	R569
Organisation or Individual:	The Goodwood Estate Company Ltd.
Agent Details:	Haydn Morris, HMPC Ltd.



[REDACTED]
[REDACTED]
From: Haydn Morris iMac [REDACTED]
Sent: 28 March 2019 12:32
To: PlanningPolicy
Subject: South Downs Local Plan – Main Modifications

Follow Up Flag: Follow up
Flag Status: Flagged

Sirs

Please find attached further representations to the Local Plan submitted on behalf of the Goodwood Estates Limited.

Regards

Haydn Morris

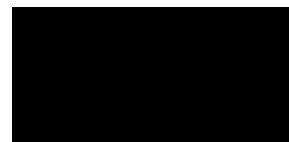
Haydn Morris BA(Hons) Dip TP MRTPI
Director
Mobile : [REDACTED]
Office : [REDACTED]

HMPC Limited

Registered Office: [REDACTED] UK Registered Company
Number: [REDACTED]

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HMPC Ltd



Office: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]

VAT Reg No: [REDACTED]

South Downs Local Plan
Planning Policy
South Downs National Park Authority
South Downs Centre
North Street
Midhurst
West Sussex
GU29 9DH

27th March 2019

Dear Sir or Madam

The Goodwood Estate Limited

Representations to the

South Downs Local Plan, Main Modifications Consultation, March 2019

This representation is submitted on behalf of the Goodwood Estate Company Ltd in respect of the proposed main modifications to the emerging local plan

1 Introduction

During November 2017 the Goodwood Estate Ltd submitted representations to the Pre-Submission Local plan. Through those representations the Estate welcomed the local plan as a means of providing certainty for meeting development needs balanced with the key objectives of conserving and enhancing the landscape and scenic beauty of the area. The Estate is pleased to be working positively with the National Park Authority to foster those aims and objectives, to ensure the Estate is sustained in a manner that allows it to continue stewarding the landscape it has created over past centuries, and contribute positively to the National Park.

The Estate believes however, that while the objectives of National Park designation are sound, the management of those aims as set out in the Local Plan, whilst laudable, are not truly balanced in positive planning terms. There is an absence of reality at times in policy objectives, which while understandable, face obstacles of delivery if market reality, business and community needs are unduly constrained; there is a very real risk that the matters the local plan seeks to protect could be lost or damaged by unrealistic policies that are unresponsive to need.

It is accepted that much of the landscape character and beauty of the National Park is a consequence of the past stewardship of landed estates. We believe that our concerns, set out in these and our previous representations, are shared by many. At a time of considerable uncertainty for the rural economy, a situation unlikely to improve for the foreseeable future, those estates, alongside other land owners and land managers, are looking to the Local Plan to provide certainty for investment decisions. Planning policy is required to be flexible to allow rural business to be fleet of foot and able to respond quickly to market

changes. We do not have confidence that sufficient flexibility exists in the original draft local plan and the current modifications do not improve that situation.

We believe some policies, while well-meaning and understandable have not in all cases been thoroughly thought through. Policy SD3 is a clear example (described further below). Introduced we understand in response to specific developments that have been detrimental to Park objectives, or to control the evolution of such development to ensure it does not become detrimental, is using a single development example to influence a policy position. If applied unchecked or without clarification, its application could have serious implications for rural diversification, that often arises through initial temporary activities. The modification should be removed, or if deemed an essential addition to planning control that is not offered by existing policy (a situation which we question most strongly) the supporting text should provide clear development parameters to guide both investment and control. As currently drafted the policy could have very significant consequences for much of what Goodwood, and other estates do, or may wish to do in the future as the market changes.

The plan must be responsive to the different circumstances and context of individual developments; the policy modifications is too blunt a tool. Clarification of application through supporting text could use examples to illustrate where such developments are likely to be offered greater support – say in less environmentally sensitive areas or on urban edges, and the types of activity that are most likely to be resisted. The current draft will be difficult to enforce and interpret as the nature of temporary events is diverse and providing any degree of consistency is difficult to comprehend. The accepted definition of major development and temporary events set out in regulation should be the starting point, with the plan imposing further restrictions only in those areas of the Park where additional restrictions are fully justified and demonstrable.

As previously stated, the local plan does not require comprehensive change but some careful ‘tweaks’ to ensure a proper planning balance, as advocated through the NPPF is achieved.

The Estate believes strongly that the modifications fail to ensure the local plan is sound and requests that these proposed changes are subject to further public examination. We say this because the plan, if modified in the manner proposed through modifications, will continue to be:

- inconsistent with national policy, failing to meet the legal and procedural requirements of the NPPF as upheld by the courts;
- is therefore not positively prepared, justified or consistent with national policy; and
- will not be effective in sustaining land-owning estates, vital contributors to the Park’s well-being.

The modifications proposed continue to promote inflexible and unduly restrictive strategic policies that bring into question the sustainable deliverability of the National Park vision of:

- a thriving, living landscape
- people connected to places
- a sustainable future

The Estate requests the Local Plan makes clear the opportunity to deviate from policy where there is a proven need to do so, whilst demonstrating compliance with the plan’s overarching objective of conserving and enhancing the landscape, communities, environment and heritage of the National Park. As stated previously, the very elements of the National Park that have led to its designation have evolved over many hundreds of years through the stewardship and commercial approach of the landed estates and communities that make up the park. That evolution must be maintained by a planning framework that embraces the needs of those bodies, but imposes appropriate management to control and guide estate and community activity for the wider benefit of all.

The Estate remains of the view that many of the plan’s policies are negative in outlook, designed specifically to stop, rather than, manage the Park’s evolution. The need for businesses, communities and estates to adapt and allow for ‘broadly compatible’ activities is supported but this is must be ‘spelt out’ positively through the plan. Neither the original submission local plan nor the main modifications recently published, shift the policy direction of travel to one that offers a positive planning framework for appropriate and sustainable development as envisaged by the NPPF.

The National Park is a living landscape of countryside and communities and it must be allowed to be sustained through appropriate development balanced with restrictions. Presently, the plan with its main modifications remains out of balance with the NPPFs approach to sustainability and brings into question the deliverability of the plan's proposed development and protection policies.

2 *Areas of continuing concern*

Representation was raised in respect of the following policies and supporting paragraphs of the local plan:

- The Spatial Strategy and Level and distribution of housing growth (paras 3.114 -3.128)
- Core Policy SD1: Sustainable Development (including Strategic Policy SD26: Supply of Homes)
- Core Policy SD3: Major Development (in so far as not compliant with Government Guidance)
- Strategic Policy SD4: Landscape Character
- Strategic Policy SD6: Safeguarding Views (in so far as weighting not offered to varying views and individual development)
- Strategic Policy SD7: Relative Tranquility (to be applied equally to National Park boundary and buffer areas)
- Strategic Policy SD12: Historic Environment (to be applied equally to National Park boundary and buffer areas)
- Strategic Policy SD19: Transport and Accessibility (backward looking policy; should look to future changes in public movement and improving existing settlement locations to be more sustainable)
- Strategic Policy SD25: Development Strategy (list of settlements should not be finite and policy applied flexibly to all settlements where appropriate development can be justified – criteria 2 and 3 require refinement in respect of Whole Estate Plans)
- Strategic Policies SD27 and SD28: Mix of homes and Affordable Homes (to be compliant with national guidance)
- Development Management Policy SD30 and Policy SD31: Replacement Dwellings and Extensions to existing dwellings, and provision of annexes and outbuildings (provision should be made for policy exceptions in appropriate circumstances)
- Strategic Policy SD34: Sustaining the Local Economy (need to reflect role and importance of landed estates)
- Strategic Policy SD35: Employment Land (need to reflect role and importance of landed estates) also paragraphs 7.177 – 7.183
- Development Management Policies SD39 and SD40: Agriculture and Forestry (in so far as it may constrain Estate activity and changing agriculture and forestry practice)
- Development Management Policy SD41: Conversion of Redundant Agricultural or Forestry Buildings (provision should be made for replacement property where the existing unit is no longer fit for purpose)
- Development Management Policy SD53: Adverts (clarification required on temporary adverts for events)

The Estate requests previous representations to these sections of the Local Plan be taken forward as amended by the following comments made in response to the proposed Main Modifications.

a) Spatial Strategy and Growth

The Spatial Strategy and Level and distribution of housing growth (paras 3.114 -3.128)

Core Policy SD1: Sustainable Development (including Strategic Policy SD26: Supply of Homes)

Core Policy SD3: Major Development (in so far as not compliant with Government Guidance)

Strategic Policy SD25: Development Strategy (list of settlements should not be finite and policy applied flexibly to all settlements where appropriate development can be justified – criteria 2 and 3 require refinement in respect of Whole Estate Plans)

Strategic Policies SD27 and SD28: Mix of homes and Affordable Homes (to be compliant with national guidance)

The Estate has a long held view the park has a greater capacity to accept development than is provided through local plan. The plan should embrace growth positively if it is to achieve the goal of conserving and enhancing the landscape and scenic beauty of the area. Should the National Park not be allowed to evolve effectively with a correct balance of environmental, economic and social needs met, the very elements that brought the park into being will be lost. It is all too easy to suggest the park is a desirable place to preserve and it should be maintained without change. However, this is to look at the park with a sense of nostalgia, a place of comfort and enjoyment that will always remain, but failing to accept that it is a living and working place, that to survive safe and unchanged, as many may wish, must be allowed to evolve in a sustainable manner. At present the local plan is too restrictive, understandably so to be politically acceptable, but consequently fails to make appropriate provision for the future needs of its community. This concern was raised through representation but the proposed main modifications do not respond positively, if at all.

No modifications are proposed to paragraphs 3.114 -3.128, the proposed change to Policy SD26 remains too precise, and policy SD25 remains finite, excluding smaller settlements that would benefit from an appropriate scale of development. There is no allowance within the plan for the individual merit of sites and developments to be considered, in direct conflict with NPPF requirements. This issue carries through in policy SD1(3) where it states:

“When determining any planning application, the Authority will consider the cumulative impacts of development”.

It cannot be right, under planning law and guidance, to infer that a site, suitable for development and with no adverse material planning considerations applicable, should not come forward because cumulatively a development target may have been met. If a site is suitable for development, is deliverable and does not give rise to harm to National Park objectives, it should be permitted to proceed. If a site is deemed to have characteristics suggesting it should not be developed for reason of protecting the National Park, that restriction should be justified and identified through the local plan.

Policies SD27 and SD28 should more closely follow national guidance, and affordable housing policies should make provision for innovative approaches, such as the establishment of Community Land Trusts (paragraph 7.54 should be amplified to provide greater clarity of the value and delivery of such initiatives – including the role and needs of landowners in that process), to address the very acute need for local housing at an affordable rent or cost.

Objectively assessed need

Through representations the Estate raised concern the authority’s calculation of Objectively Assessed Housing Need (OAN) planned for a significantly lower level of housing provision, justified on grounds of adverse harm to the landscape and National Park objectives. The desire for a lower housing approach is understood, but to set this desire above proven need is unacceptable. Setting a preferred housing target unnecessarily low, is clearly for political rather than sound planning reasons. Consequently, many of the problems the plan sets out to resolve, such as the provision of local housing for local people, to support local employment and reduce unnecessary travel, remain due in considerable part to the lack of delivery of affordable housing.

It is laudable the local plan sets affordable housing as a clear objective, a long-held issue of concern for local communities, but without an appropriate level of market development to support such provision, or appropriate mechanisms in place to allow major landowners, such as Estates, to bring forward suitable sites, it is an objective that will prove increasingly difficult to deliver. It may be an aspiration of paragraph

7.65 to exclude 'hope value' from viability calculations, but it is a very real aspiration of most landowners and cannot naively be dismissed; what incentive is there otherwise for a landowner to bring forward land? The Estate can envisage land coming forward for affordable housing at a reduced value if it is part of a balanced development portfolio for example (Whole Estate Plans commented on below) but struggles to see how land will be delivered on smaller, individual sites.

The Estate continues to believe the methodology used to determine an appropriate level of housing provision, is erroneous and potentially open to challenge. The methodology lacks rigour and the soundness of the local plan must be in question. We ask that the authority, guided by the Inspector, revisits the OAN to ensure a rigorous approach has been applied.

The Estate brought forward a range of sites through Housing and Economic Development Needs Assessments, which can make a modest contribution to local housing needs without harm to the National Park. The sites, which are surplus to the Estate's requirements and lie outside of its future evolutionary needs, have each been assessed in planning terms, not only against Estate objectives, but also those of the National Park and National Policy. These sites have not been considered on merit, we suggest for reason of an unduly liberal application of landscape concerns, without appropriate testing. Consequently, the local plan sets aside a considerable number of sustainable development opportunities without good reason and this must question the soundness of the local plan.

The NPPF footnote (number 6, page 6), allows authorities in areas of special control (including National Parks) to restrict the overall scale, type or distribution of development in the plan area providing it has a strong reason to do so. The designation of a national park for protection and enhancement of the landscape and scenic beauty is part of that decision-making process, but it does not mean it must provide a lower target, per se, or that it can choose any figure with which it is politically comfortable. The regulations require the authority to apply a rigorous methodology to site selection, commencing from a point of site identification to meet the full OAN and then apply constraints in accordance with Footnote 6: it is the manner in which this exception has been applied that is unsound. Unfortunately, the authority in this case has adopted a 'bottom up capacity approach,' first selecting a level of development with which it is politically comfortable and then finding sufficient sites to meet that figure. It has not identified sufficient sustainable sites to meet the fully OAN and then applied a filter of landscape protection/ national park objectives to dismiss some of the sites to justify a reduction in the overall level of provision. It has also failed to demonstrate how the shortfall in OAN will be delivered. In National Parks as everywhere else, the NPPF requires LPAs to meet OAN, unless and only to the extent that other policies prevent it being met. In our view, there has been no analysis of the extent to which OAN can be met in the National Park before constraints are applied, and no rigorous assessment for the exclusion of many suitable development sites.

Whole Estate Plans (paragraphs 7.15 – 7.16)

The Estate has been in discussion with the authority for some considerable time with regard the preparation and status of Whole Estate Plans (WEP). The recognition of the role of estates in the conservation of the landscape is welcomed and therefore, as a concept, such plans are supported. The fact these will be given weight in planning decisions through the local plan is welcomed, but we remain of the view, WEPs should be given formal recognition as part of the development plan – as an adjunct to the local plan and akin to neighbourhood plans. We say this because although a WEP might be endorsed by the authority, it still does not have any formal recognition within the planning process. There is consequently, a lack of certainty and deliverability linked to a WEP that is endorsed but not formally adopted. This is particularly important given the estate may be seeking to balance the viability of a series of developments across its landholding, but finds that one element is opposed and cannot be delivered (for example due to a subjective or political objection) – a matter very important in the consideration of affordable housing or exception sites.

Paragraphs 7.15 and 7.16 should be amplified to provide greater weight to WEP in planning decisions, with clarity that a WEP once endorsed by the authority carries weight through the local plan. Development principles established in the WEP are adopted and supported by the local plan. This will ensure that any development application submitted in compliance with an endorsed WEP, should be considered only on the individual merit of the proposal, in a manner similar to any local plan allocation.

b) Landscape and character

Strategic Policy SD4: Landscape Character

Strategic Policy SD6: Safeguarding Views (in so far as weighting not offered to varying views and individual development)

Strategic Policy SD7: Relative Tranquility (to be applied equally to National Park boundary and buffer areas)

No substantive changes are made to these policies through the main modifications, and the Estate, in general supports the approach of landscape protection and enhancement. Indeed, the Estate has embarked on a major landscape exercise, of which the authority has knowledge, to restore despoiled areas of landscape within its ownership, including heritage features, but also to enhance the transition between the dominant urban character of Chichester and its environs, and the landscape character of the South Downs. The Estate straddles the boundary between the two and is concerned at the adverse impact on the national Park should the outward expansion of Chichester towards the Park continue unchecked. Were this to happen, many of the objectives of the National Park would be brought under threat, in particular the views into and out from the National Park on this southern boundary, and important features such as historic views to Chichester Cathedral, which we believe should be formally safeguarded in policies in this local plan and that emerging for Chichester District.

The Estate is preparing an extensive proposal of woodland planting and other landscape works to enhance its land around the national park boundary (initial works will commence this year). It will be most helpful if the local plan not only has policies covering Landscape Character protection, safeguarding of views (these should be defined in the local plan as firm policy zones, not simply referenced in another document) and a desire to maintain tranquility, but should promote a positive enhancement along all of its boundaries such that any adverse effect of inappropriate development on or close to the boundary is mitigated, and offers the National Park Authority sound reason for opposing inappropriate development in such areas.

c) Heritage

Strategic Policy SD12: Historic Environment (to be applied equally to National Park boundary and buffer areas)

The Estate requests the Local Plan applies a suitable policy approach to heritage interests in areas adjoining the national park boundary as may be applied to landscape character, as stated above. No modification is proposed to address this concern. The modification to paragraph 5.122 is welcome, and the Estate is very happy to engage with the authority over the future of its heritage assets. However, engagement should not be limited to buildings and structures under threat, but should also apply in the case of new or alternative, beneficial use of assets that have out lived their original purposes. Paragraph 5.120 is too prescriptive requiring great weight to be afforded to preservation and restoration to optimal condition, where such standards are not qualified and fails to clarify that in many cases, re-use and alteration, may be an appropriate and optimum response.

d) Accessibility

Strategic Policy SD19: Transport and Accessibility (backward looking policy; should look to future changes in public movement and improving existing settlement locations to be more sustainable)

No significant modifications are proposed to the plan's section on accessibility to reflect trends in public travel behaviour. This is regrettable. The plan should be forward looking with policies of sufficient flexibility to accommodate modal shifts.

Promotion of improved accessibility is supported and the Estate will work with the authority to examine routes where this complements Estate initiatives and where they will not compromise the efficient Estate operations.

e) Economics

Strategic Policy SD34: Sustaining the Local Economy (need to reflect role and importance of landed estates)

Strategic Policy SD35: Employment Land (need to reflect role and importance of landed estates) also paragraphs 7.177 – 7.183

Core Policy SD3: Major Development

The Estate supports policies that seek to sustain the local economy. However, it believes the plan continues to potentially place unnecessary obstacles in the way of achieving that objective. Many large estates, Goodwood included, are reliant on the temporary use of their land for public and private events. Goodwood in particular hosts major events within its historic park, events that are crucial to the economic sustainability of the estate and contribute significantly to the regional and National economies. Should these events be unduly restricted by well-intended, yet misplaced or misinterpreted planning policy, irrevocable harm will arise with far reaching effects on the National Park.

As introduced above, the Estate is concerned by the proposed modification (highlighted in **bold type**) to Core Policy SD3: Major Development. Point 1 of the policy states:

- 1 *In determining what constitutes major development the National Park Authority will consider whether the development, **including temporary events should they be deemed to constitute development**, by reason of its scale, character or nature, has the potential to have a serious significant adverse impact on the natural beauty, wildlife or cultural heritage of, or recreational opportunities provided by, the National Park. The potential for significant adverse impact on the National Park will include the consideration of both the impact of cumulative development and the individual characteristics of each proposal and its context.*

It is acknowledged that an unreasonable number of ill-managed events, in locations not best suited to accommodating such activity, could give rise to issues conflicting with some National Park objectives, such as conserving and enhancing the natural beauty, wildlife and cultural heritage of the area, but accord with others including public opportunities for understanding and enjoying the special qualities of the National Park, and enhancing the economic and social well-being of the local communities within the National Park.

The policy definition is inappropriate and, as defined, difficult for landowners and event operators to interpret with any level of certainty. Large events by their individual nature will be difficult to compare and the plan must provide key guidance as to the likely circumstance when a proposed event might constitute inappropriate development.

Planning statute clarifies what constitutes “Major Development” and temporary events. This should be acknowledged within the local plan, and not left, as is inferred by the current drafting of Policy SD3, to the National Park Authority to determine. Temporary events cannot be ‘deemed’ to be development, it either is development according to the planning acts, or it is not. Supporting text to the policy should clarify what is meant by both major and temporary developments and set out parameters to guide the public when such events may give rise to planning issues.

The plan should confirm that existing and well established (annual) events will not be subject to the policy consideration and will be enabled to evolve within clear limits. The inclusion within Whole Estate Plans (suitably tied to the local plan) of provisions for temporary events will provide much needed clarity and control for Estates that must plan events many years in advance. Goodwood acknowledges that events must be very well managed and be respectful of the countryside within which they take place. However, as currently drafted the imprecise nature of the policy could easily rule out many beneficial events if applied with sound guidance.

f) Development Management

Development Management Policy SD30 and Policy SD31: Replacement Dwellings and Extensions to existing dwellings, and provision of annexes and outbuildings (provision should be made for policy exceptions in appropriate circumstances)

Development Management Policies SD39 and SD40: Agriculture and Forestry (in so far as it may constrain Estate activity and changing agriculture and forestry practice)

Development Management Policy SD41: Conversion of Redundant Agricultural or Forestry Buildings (provision should be made for replacement property where the existing unit is no longer fit for purpose)

Development Management Policy SD53: Adverts (clarification required on temporary adverts for events)

In a similar manner to the implication of the proposed modification to policy SD3, the Estate recognizes the purpose of Policies SD30, 31, 39, 40, 41 and 53, but believes in un-modified form places an unnecessary restriction on future development opportunities. The policy should contain flexibility to step outside of the policy parameters when justified, as no two sites are the same and neither are the circumstances for promoting the development. The individual merit of proposals, a key element of planning principles, must be given some weight in Development Management policies. It is accepted that policy is designed to restrict the worst excesses of development in this sensitive area, but there are many examples where, on individual merit, proposals may still result in positive improvements and a lack of harm even if falling outside of policy limits. The policy and or the supporting text should provide such flexibility.

Policy SD39 does introduce the concept of 'exceptional circumstances' but no guidance is offered as to what might constitute such circumstance arising. We suggest interpretation will be left to subjective assessment and that will not provide confidence in the planning system.

The cascade approach (point g) in Policy SD41 is a welcome amendment and will assist in bringing many redundant farm buildings into beneficial use. However, it is unclear how this is to be applied, one assumes on a site by site basis, and how the categories are dismissed. For example if a building is suitable for 'affordable housing' how consideration for use by agricultural workers or farm diversity is considered and rejected. As currently drafted it is open to misuse by both developers and decision makers.

3 Conclusion

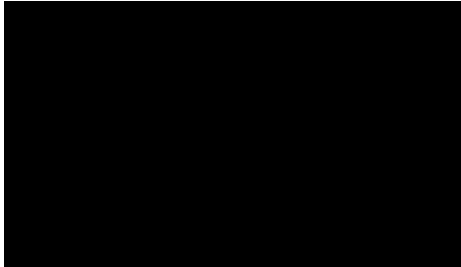
The Goodwood Estate is supportive of the Local Plan and its objectives. It remains however concerned that the current draft, even with modifications, does not go far enough to address the very real concerns raised through the original representations and the continuing economic uncertainty for rural areas. The policies and supporting paragraphs continue to offer a lack of clarity with regard to how policy should be interpreted and applied, and there remain opportunities to intentionally or unintentionally frustrate much needed growth within the plan area; growth which is essential to sustain the National Park.

Further modifications to the document as outlined above will ensure that the local plan contains sufficient guidance and flexibility to allow it to respond positively to future growth needs of the local community while continuing to protect the integrity of the National Park and the reasons for its designation.

We request the authority and Inspector to consider carefully our suggested further comments and we will be happy to discuss these further at examination.

I trust this representation is clear and helpful to the development of the local plan. Please do not hesitate to contact me should you have any further queries about the representation. The Estate will be willing to meet officers to discuss their concerns more fully should this be appropriate, as part of the on-going dialogue and working relationship, and to reduce the need for further examination.

Yours sincerely,



Haydn Morris
Director

Respondent Reference:	R570
Organisation or Individual:	Whaleback Ltd.
Agent Details:	N / A

From: Richard Dollamore
Sent: 07 February 2019 11:40
To: PlanningPolicy
Subject: Main Modifications Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Policy

Please see our response attached.

I have also noticed that the Word document for the consultation response has the embedded title “Havant Borough Local Development Framework”, which is carried over to the PDF when it is saved. This means that the tab of the PDF when viewing it in Acrobat has this as the title. The title can be easily changed in the document properties.

The screenshot shows the 'Info' pane in Microsoft Office. At the top, it says '2019 02 MMs-comment-form WHALEBACK' with a breadcrumb 'Documents > Whaleback > SDNPA Policy'. Below this are buttons for 'Upload', 'Share', 'Copy path', and 'Open file location'. The main area is divided into three sections: 'Protect Document' (Control what types of changes people can make to this document), 'Inspect Document' (Before publishing this file, be aware that it contains: Document properties, author's name and related dates; Content that people with disabilities are unable to read), and 'Manage Document' (Today, 11:25 (autorecovery); Today, 11:15 (autorecovery)). On the right, the 'Properties' section shows: Size (56.2KB), Pages (5), Words (1490), Total Editing Time (30 Minutes), Title (Havant Borough Local Development Framework), Tags (Add a tag), and Comments (Add comments). Below this is 'Related Dates' (Last Modified: Today, 11:32; Created: Today, 11:05; Last Printed: Today, 11:32) and 'Related People' (Author: robyns, Add an author).

Many thanks

Richard

Richard Dollamore

WHALEBACK

T [REDACTED]

M [REDACTED]

W www.whaleback.co.uk

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Mr..... Name: Richard Dollamore.....

Organisation (if relevant): WHALEBACK LTD

Address:

[Redacted Address]

Email:

[Redacted Email]

Tel:

[Redacted Telephone]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan



(2) That the South Downs Local Plan has been adopted



*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

WHALEBACK LTD

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MMI

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☒

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☒

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

The Plan is not consistent with National Policy with regards to sustainable development.

The implementation of the following policies would require some applicants to reduce the amount of development on their sites, which is not consistent with the three strands of sustainable development and is not justified to deliver the policy objectives:

- Development Management Policy SD30: Replacement Dwellings; and
- Development Management Policy SD31: Extensions to existing dwellings, and provision of annexes and outbuildings

The strategy is not considered to be the most appropriate when considered against the alternatives.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Main Modifications version of Policy SD30 states:

a) The structure, constituting all new and existing development, does not result in a net increase of more than approximately 30% compared with the gross internal area of the existing dwelling; and

The term 'existing dwelling' for the purposes of this policy refers to the residential unit that existed on 18 December 2002 or, if built after that date, as originally built.

If a 100sqm house was built in 2000 and extended by 50 sqm in 2003 the policy suggests that the replacement dwelling could only be about 130 sqm. The 20 sqm of the previous extension would be lost. Given the cost of accommodation in the area, the likelihood of anybody choosing to lose sqm for the privilege of replacing a dwelling is very low. This means that the SDNPA Policy has effectively prevented such development from happening. This is considered to be unreasonably restrictive and will put a significant brake on the development economy of the area. In addition, it means that buildings of poor quality that would benefit from redevelopment (but which were extended after 2002) will be held in limbo for the period of the plan.

In addition, the supporting text to the policy states:

Where outbuildings were utilised for ancillary domestic purposes on ~~01 April 2011~~ 18 December 2002, and where the number of outbuildings would be rationalised to improve the appearance of the site, the GIA of the outbuildings may be considered in the assessment of whether the proposed extension is materially larger than the existing dwelling.

Reference to "materially larger" appears to have been carried over from a previous version of the Plan.

Planning decisions which have been made recently (and have attributed weight to SD30) appear not to have differentiated between the planning definitions of incidental and ancillary accommodation.

However, if the Policy wording is interpreted to the letter then this means that landscape benefits that may derive from the rationalisation of incidental (and post 2002 extended) accommodation would not be delivered.

If incidental accommodation is effectively excluded from calculations then it sets up an obvious problem. If an applicant is demolishing a house and a garage, and building a new house and a garage then the policy suggests that the new house and garage can only be of a sqm that is about 30% more than the existing house, with the garage excluded from calculations. E.g.:

Existing House:	100 sqm
Existing Garage:	40 sqm
Total:	140 sqm

Policy SD30 suggests new total can only be about 30% larger than existing house:

New house:	130 sqm
New garage:	no sqm available

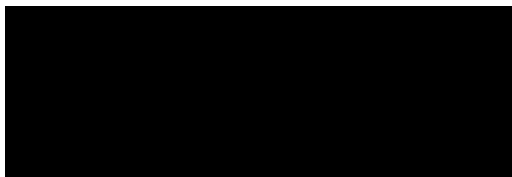
This means that existing structures like garages, rather than being rationalised and considered as a whole, would be left in place, regardless of their quality. It also suggests that applicants should seek to achieve their garaging and other incidental functions through permitted development. This would take the planning authority out of the equation and would cause ancillary structures to abide by the lower (and locally uncharacteristic) design requirements of the PD rules.

It makes more sense for the 30% enlargement allowance to apply to development that was built prior to 2002 but for later development (including extensions and incidental accommodation) to be replaceable on a like-for-like basis. If this is not the case then the policy does not function and it causes applicants to rely on permitted development.

The same would also apply to Policy SD31.

(continue on a separate sheet if necessary)

Signature:



Date: 07/02/2019

Respondent Reference:	R571
Organisation or Individual:	New Alresford Town Council
Agent Details:	N / A

[REDACTED]
[REDACTED]
From: Neighbourhood
Sent: 14 February 2019 13:33
To: PlanningPolicy
Subject: FW: Proposed Main Modifications to the SDNP Local Plan

Follow Up Flag: Follow up
Flag Status: Flagged

From: [REDACTED]
Sent: 04 February 2019 17:09
To: PlanningPolicy
Subject: Proposed Main Modifications to the SDNP Local Plan

I am very happy with the modifications and hope they will be found sound. I would like to be informed when the Plan is adopted.

Margot Power, [REDACTED] Councillor, New Alresford Town Council, Winchester City Councillor for Alresford & Itchen Valley

Respondent Reference:	R572
Organisation or Individual:	Dr. John R. Silvester
Agent Details:	N / A

[REDACTED]

From: John Silvester [REDACTED]
Sent: 06 March 2019 11:38
To: PlanningPolicy
Subject: Local Plan response

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

Please find attached my Local Plan response form.

I wish to support Main Modifications MM3 and MM4. The submitted Local Plan was not sound because core policy SD3: Major Development did not include temporary events, e.g. Boomtown.

Yours sincerely,

John Silvester

--

Dr John R Silvester

[REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Dr..... Name: John Silvester.....

Organisation (if relevant):

Address: [REDACTED]

..... Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

No

(2) That the South Downs Local Plan has been adopted

No

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Dr John Silvester

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM3 and MM4

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes ☐ Yes ☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐ Yes

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I wish to support MM3 and MM4. The submitted Local Plan was not sound because core policy SD3: Major Development did not include temporary events, e.g. Boomtown.

(continue on a separate sheet if necessary)

Signature:



Date: 06/03/19

Respondent Reference:	R573
Organisation or Individual:	Michael J. Beer
Agent Details:	N / A

[REDACTED]

From: michaeljbeer [REDACTED]
Sent: 06 March 2019 14:37
To: PlanningPolicy
Subject: SDNPA.....LOCAL PLAN CONSULTATION

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir,

I wish to support the Main Modifications MM3 and MM4 as I consider they make the Local Plan more sound. This would enable considerable essential benefits when temporary applications are being considered.

Yours sincerely,
Michael j Beer

[REDACTED]

Respondent Reference:	R574
Organisation or Individual:	Georgina Saunders
Agent Details:	N / A



[REDACTED]

From: Georgina Saunders [REDACTED]
Sent: 08 March 2019 16:54
To: PlanningPolicy
Subject: LOCAL PLAN RESPONSE

Follow Up Flag: Follow up
Flag Status: Flagged

I wish to support the Main Modifications MM3 and MM4 as I consider they make the Local Plan more sound.

The submitted Local Plan was not sound because core policy SD3: Major Development did not include temporary events, e.g. the Boomtown music festival at Matterley Estate, near Winchester.

Respondent Reference:	R575
Organisation or Individual:	Beauworth Parish Meeting
Agent Details:	N / A

[REDACTED]

From: Neil Saunders [REDACTED]
Sent: 08 March 2019 15:31
To: PlanningPolicy
Subject: Local Plan Response

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam

I wish to support the Main Modifications MM3 and MM4 as I consider they make the Local Plan more sound.

The submitted Local Plan was not sound because core policy SD3: Major Development did not include temporary events, e.g. the Boomtown music festival at Matterley Estate, near Winchester.

Yours sincerely,

Neil Saunders

Neil Saunders
(Chairman of Beauworth Parish Meeting)
Tel. [REDACTED]
[REDACTED]

Respondent Reference:	R576
Organisation or Individual:	Alexandra Lofts
Agent Details:	N / A



[REDACTED]

From: Alexandra Lofts
Sent: 08 March 2019 17:03
To: PlanningPolicy
Subject: South Downs National Park - Local Plan - Main Modifications

Follow Up Flag: Follow up
Flag Status: Flagged

I wish to support the Main Modifications MM3 and MM4 as I consider they make the Local Plan more sound.

The submitted Local Plan was not sound because core policy SD3: Major Development did not include temporary events, e.g. the Boomtown music festival at Matterley Estate, near Winchester. This event in particular is not suitable for a national park and is contrary to the parks objectives.

Alexandra Lofts Sent from mobile

Get [Outlook for Android](#)

Respondent Reference:	R577
Organisation or Individual:	Beauworth Parish Meeting
Agent Details:	N / A

[REDACTED]

From: A Whetman [REDACTED]
Sent: 08 March 2019 18:05
To: PlanningPolicy
Subject: Local plan response

Follow Up Flag: Follow up
Flag Status: Flagged

I think the local plan would be much improved if the modifications MM3 and MM4 were adopted.

At present SD3 does not regard the music festival Boomtown at the natural amphitheater at Cheesefoot Head, as a major development although it causes major disruption, as it is only temporary. It is totally contrary to my concept of a National Park.

A Whetman Beauworth Parish
[REDACTED]

Respondent Reference:	R578
Organisation or Individual:	Emily Fisher
Agent Details:	N / A

[REDACTED]

From: Emily Fisher [REDACTED]
Sent: 08 March 2019 18:14
To: PlanningPolicy
Subject: SD local plan response.

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

I wish to support the Main Modifications MM3 and MM4 as I consider they make the Local Plan more sound.

The submitted Local Plan was not sound because core policy SD3: Major Development did not include temporary events, e.g. the Boomtown music festival at Matterley Estate, near Winchester.

Emily Fisher
[REDACTED]

Respondent Reference:	R579
Organisation or Individual:	Elizabeth Whetman
Agent Details:	N / A



[REDACTED]

From: A Whetman
Sent: 08 March 2019 18:46
To: PlanningPolicy
Subject: Local plan response

Follow Up Flag: Follow up
Flag Status: Flagged

I would like to see within the Local Plan for the South Downs National Park that the MM3 and MM4 are included so that it does include temporary events such as Boomtown at Matterley Estate.

Elizabeth Whetman
[REDACTED]

Respondent Reference:	R580
Organisation or Individual:	Caroline Stanley
Agent Details:	N / A



[REDACTED]

From: Caroline Stanley
Sent: 08 March 2019 18:49
To: PlanningPolicy
Subject: Local Plan response

Follow Up Flag: Follow up
Flag Status: Flagged

I wish to support the main modifications MM3 and MM4 as I consider they make the Local plan more sound.

The submitted Local plan was not sound because the core policy SD3: Major development did not include temporary events, e.g. the Boomtown music festival at Matterley Estate , near Winchester.

Caroline Stanley

Respondent Reference:	R581
Organisation or Individual:	Anthony McWhirter
Agent Details:	N / A

[REDACTED]

From: Anthony McWhirter
Sent: 11 March 2019 09:27
To: PlanningPolicy
Subject: Local Plan Response

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

I refer to the Government Inspector's consideration of the Local Plan and I wish to support the Main Modifications MM3 and MM4 as I consider they make the Local Plan more sound and fit for its purpose.

The submitted Local Plan was not sound because core policy SD3: Major Development failed to include temporary events, such as the Boomtown music festival at Matterley Estate, near Winchester. This is obviously wrong.

Yours faithfully,
Anthony McWhirter.

My address is [REDACTED]

Respondent Reference:	R582
Organisation or Individual:	Ian Cholerton
Agent Details:	N / A

[REDACTED]

From: Cholerton, Ian [REDACTED]
Sent: 11 March 2019 13:58
To: PlanningPolicy
Subject: South Downs National Park: Local Plan Examination - Main Modifications
Consultation :Local Plan Response

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs

With reference to the above I wish to support the Main Modifications MM3 and MM4 as I consider they make the Local Plan more realistic.

The submitted Local Plan was not robust because core policy SD3: Major Development did not include temporary events, e.g. the Boomtown music festival at Matterley Estate, near Winchester.

Ian Cholerton
[REDACTED]

Respondent Reference:	R583
Organisation or Individual:	Robin & June Bartholomew
Agent Details:	N / A



[REDACTED]

From: Robin Bartholomew [REDACTED]
Sent: 12 March 2019 17:47
To: PlanningPolicy
Subject: SDNP Local Plan Examination: Main Modifications Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

I write to support the Main Modifications MM3 and MM4.

These make the Local Plan more acceptable. The Local Plan already submitted was not appropriate because the core policy SD3 Major Development excluded the temporary events like Boomtown at Matterley Estate, Winchester.

Yours faithfully,

Robin & June Bartholomew
[REDACTED]

Respondent Reference:	R584
Organisation or Individual:	Speer Dade Planning Consultants
Agent Details:	N / A

[REDACTED]

From: Speer Dade Planning Consultants [REDACTED]
Sent: 13 March 2019 11:09
To: PlanningPolicy
Subject: main modification representation

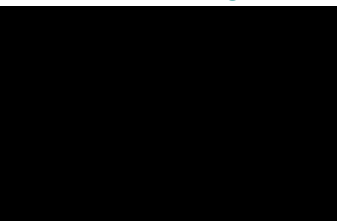
Follow Up Flag: Follow up
Flag Status: Flagged

Please see the attached representation form.

If you have questions, please contact me.

Roy Speer

SPEER DADE Planning Consultants
Chartered Planning & Development Surveyors



www.speerdade.co.uk

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Name: ROY SPEER

Organisation (if relevant): SPEER DADE PLANNING CONSULTANTS

Address: [REDACTED]

..... Post Code: [REDACTED]

Email: [REDACTED]

Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

X

(2) That the South Downs Local Plan has been adopted

X

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

SPEER DADE PLANNING CONSULTANTS

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM37

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☒

(4) Not consistent with national policy

☒

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Government policy in the NPPF does not contain a hierarchy of preferred uses for the re-use of buildings, including for the re-use of rural buildings. Paragraph 79 does not prioritise types of housing.

MM37 does not reflect government policy, is unduly prescriptive, would result in wasted effort at the planning application stage in having to demonstrate uses are not viable and could inhibit desirable schemes coming forward, especially for those at the lower end of the hierarchy.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy should be re-worded as follows:

g) The building is converted to an appropriate use.

(continue on a separate sheet if necessary)

Signature:



Date: 13 March 2019

Respondent Reference:	R585
Organisation or Individual:	Graham Tarbuck
Agent Details:	N / A

[REDACTED]

From: Graham Tarbuck [REDACTED]
Sent: 14 March 2019 10:06
To: PlanningPolicy
Subject: SDNP/18/06249/FUL

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs

Ref: SDNP/18/06249/FUL

I draw your attention to two proposed Main Modifications to the Local Plan, MM3 and MM4, proposed by Inspector Brian Simms.

These were requested because the Local Plan, as submitted, was deemed unsound.

Both MM3 and MM4 have a significant bearing on the above application for Matterley Estate and having this knowledge, prior to considering the application, any decision taken by SDNPA would be unsound.

Accordingly, the current application should not be determined until after the Inspector has completed and published his report on the South Downs Local Plan.

I understand that comments on this application are acceptable up to the end of today, 14th March.

Graham Tarbuck

[REDACTED]

Respondent Reference:	R586
Organisation or Individual:	Michael Curtis
Agent Details:	N / A



[REDACTED]

From: Michael Curtis [REDACTED]
Sent: 16 March 2019 11:07
To: PlanningPolicy
Subject: Local plan response

Follow Up Flag: Follow up
Flag Status: Flagged

Sir

I wish to support the Main Modifications MM3 and MM4 as I consider they make the local plan more sound.

The local plan was not sound because core policy SD3 : Major development did not include temporary events e.g. the Boomtown music festival at Matterley Estate, near Winchester.

Regards

Michael Curtis

[REDACTED]

Respondent Reference:	R587
Organisation or Individual:	David Templeman
Agent Details:	N / A

[REDACTED]

From: David Templeman
Sent: 19 March 2019 12:31
To: PlanningPolicy
Cc: Bramdean & Hinton Ampner Parish Council; Matthew Morton; Barbara Holyome
Subject: Local Plan Response.

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir,

Local Plan Response

I support the Main Modifications MM3 and MM4 as I consider they make the Local Plan more sound.

The submitted Local Plan was not sound because core policy SD3: Major Development did not include temporary events, e.g. the Boomtown music festival at Matterley Estate, near Winchester.

Many thanks,

Yours sincerely,

David Templeman,
[REDACTED]

Respondent Reference:	R588
Organisation or Individual:	Surrey County Council
Agent Details:	N / A

[REDACTED]

From: Kathryn Dunmore [REDACTED]
Sent: 28 March 2019 16:07
To: PlanningPolicy
Subject: South Downs Local Plan Examination: Main Modifications Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear South Downs,

Thank you for consulting Surrey County Council as the Minerals and Waste Planning Authority.

We have no comments on the South Downs Local Plan Main Modifications.

Kind regards,

Kathryn Dunmore
Minerals and Waste Planning Policy
Surrey County Council

Email: [REDACTED]

* * * * *

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<http://www.surreycc.gov.uk>

* * * * *

Respondent Reference:	R589
Organisation or Individual:	R.S. Hill & Sons
Agent Details:	Nayan Gandhi, RPS Group Plc.

[REDACTED]

From: Nayan Gandhi [REDACTED]
Sent: 28 March 2019 16:09
To: PlanningPolicy
Subject: Representations to Main Modifications to the South Downs Local Plan, RS Hill & Sons

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

Please find attached our representations to the main modifications consultation for the South Downs Local Plan on behalf of RS Hill and Sons. Please do not hesitate to contact with any queries.

Regards,

Nayan

Nayan Gandhi
Principal Planner
RPS | Consulting UK & Ireland

[REDACTED]

[REDACTED]

[REDACTED]

T [REDACTED]

D [REDACTED] M [REDACTED]

E [REDACTED]

rpsgroup.com



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RPS Group Plc, company number: [REDACTED] (England). Registered office: [REDACTED]

RPS Group Plc web link: <http://www.rpsgroup.com>

Our ref: PPS1122

Date: 28 March 2019

South Downs Local Plan - Planning Policy
South Downs National Park Authority
South Downs Centre
North Street, Midhurst
West Sussex
GU29 9DH

Sent to: planningpolicy@southdowns.gov.uk

Dear Sir/Madam,

Representations to the South Downs Local Plan Main Modifications Consultation

I write to you on behalf of RS Hill & Sons, who own and operate the West Tisted Manor Estate farm in [REDACTED] which is located within the South Downs National Park. It is a farm estate comprising of a consolidation of a number of smaller former farmsteads, and is about 1,100ha in area. The farm estate has evolved over the years to reflect market changes and farming practices, and a number of the former farm complexes are redundant. Recently, RS Hill & Sons has sought to diversify by re-using these buildings, with the explicit purpose of offsetting farming risks, including variable income issues, potential impacts arising from the UK's impending departure from the European Union and changes to Direct Payment, the UK's farming related subsidies (as proposed via the Agricultural Bill considered by Parliament). It is noted that the latter two will disproportionately affect medium sized farms such as West Tisted Manor Estate, which will see income drops of over £40k from 2021 and £26k for each year thereafter from Direct Payment changes. Without diversification, it is almost certain that the scale of farming will change, and this is highly likely to affect jobs. RPS suspects there are many other farm estates which are in a similar situation.

Representations

RPS has prepared these representations to South Downs Local Plan Main Modifications (MM), which are proposed to address concerns raised by the Inspector in considering the soundness of the Local Plan. Plans are considered sound where they comply with NPPF Paragraph 35 in that they are positively prepared, justified, effective and consistent with national policy. The following comments should be read in conjunction with the enclosed requisite representations forms.

Policy SD40: Farm and Forestry Diversification

RPS supports the change in Part 1(a)(ii) which clarifies that the diversification activities should be judged on planning matters, such as environmental impact as now proposed, instead of income stream, which both raises concerns about confidentiality of such information but also that this approach has little bearing on planning matters. This is because income streams are variable and based on the type of crop grown or animal reared, and thus farms which produce higher valued products would have had a unfair/better opportunity to establish diversification operations than farms which may be more in need of such diversification by because they produce lower value products and outputs, unable in planning terms to access diversification opportunities. The policy as previously proposed would not be effective positively prepared or justified in that regard.

Indeed, changes to Paragraphs 7.200 changes appears to better reflect the purpose which is diversification to support the farm estate. This can take the form of a variety of uses, and a non-exhaustive list can be found in Paragraph 7.203.

RS Hill & Sons notes that diversification at West Tisted Manor Estate has primarily been in the form of owning open market housing, which has tremendously helped the farm estate weather market changes as well as other financial constraints and risks of farming (including the closure of their dairy operation in 2015, only a short few years after investing heavily in improving its viability). This form of farm diversification is not recognised.

It is therefore not justified and effective, and can be considered ~~sound~~ with this change.

Policy SD41: Conversion of Redundant Agricultural or Forestry Buildings

RPS supports the changes to Parts 1(c) and (g) in principle. However, RPS objects to the requirement that introduced by the change in Part 1(c) that any building must be ~~worthy~~ of conversion with regard to its character, scale. This change is related to MM36. This does not appear to be consistent with the NPPF Paragraphs 79 and 83, which do not set specific tests that the rural building that would be converted must be up to a specified size, or of a particular character, for there to be a sustainable reason for its re-use for business or open market housing purposes. It also appears to conflict with the reference in Part 1(e) related to non-traditional buildings, so it is not ~~justified~~. Some buildings may not be of a ~~character or scale~~ to be compliant with Part 1(c) but are equally worthy of re-use and which Part(e) of the policy already reflects as being possibly supported. Indeed, many rural buildings exist today which date from many different periods or are of different styles, and their sustainable re-use may be acceptable. This is broadly reflected in the Local Plan Paragraph 7.207.

As such, to make the Main Modification consistent with the NPPF and be effective, and therefore ~~sound~~ RPS proposes that the words ~~character~~ and ~~scale~~ are removed from the proposed MM in Part 1(c), and so that any building ~~worthy~~ of retention with regard to its current condition ~~is~~ the only test.

RPS supposes the change to Part 1(g) as proposed by MM37. This change better balances the allowances in NPPF Paragraphs 79 and 83 with the statutory purposes of the National Park. It also recognises that that some uses may not be viable and that ultimately, open market residential may be the only viable or suitable use. Indeed, this is reflected in the proposed changes to Local Plan Paragraph 7.213 which refers to ~~unachievable~~ and ~~suitability~~

In this regard, we would request that the policy is changed to state *“the building is converted to the most viable and suitable use according to the following cascade...”* This would make it ~~justified~~ and consistent internally with the other Local Plan policies, against which suitability of the conversion will be considered.

RPS objects to part of the change to Paragraph 7.213 (MM39), where it states at the end *“Residential conversion is more likely to require a high degree of change and intervention to the detriment of agricultural character, and there are often conflicts with the potential desire for a more domestic character by occupiers and the likelihood of outdoor paraphernalia, so conversion to open market housing is often likely to be inappropriate.”* It seems inconsistent and not ~~justified~~ to introduce a policy that accepts the principle of a use in the main policy (~~open market housing~~ under Part 1(g)) but at the same time states it would often be inappropriate in the supporting paragraphs that explains that policy in more detail. It is also inconsistent with NPPF Paragraph 79, which clearly sets out the test for allowing residential uses in existing rural buildings as being where there is an immediate enhancement to its setting. It is noted that other policies of the Local Plan will address design considerations, which will address concerns regarding interventions and impact on the landscape, etc, so again the reference in this paragraph is not needed.

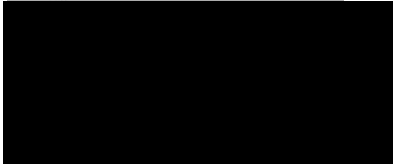
RPS would expect the reference to open market housing being inappropriate be removed, as it would be acceptable in principle where it meets the policy tests (the cascade of uses listed in proposed policy Part 1(g)).

Our ref: PPS1122

RPS notes that the change to Paragraph 7.213 is not listed in either the Main Modifications Schedule or the Schedule of Minor Edits.

We trust that these policy changes will be made to ensure that the Local Plan is considered sound and can be moved towards adoption. We would be happy to further explain our comments above should this be required.

Yours sincerely,
for RPS Consulting Services Ltd



Nayan Gandhi
Principal Planner



Encl. Completed Representation Forms

cc: RS Hill & Sons, West Tisted Manor Estate

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Mr..... Name:Nayan Gandhi.....

Organisation (if relevant): ...RPS Group plc, on behalf of RS Hill & Sons.....

Address: ...[REDACTED]

..... Post Code: ...[REDACTED]

Email: ...[REDACTED]

Tel: ...[REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

Y

(2) That the South Downs Local Plan has been adopted

Y

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

RPS Group plc, on behalf of RS Hill and Sons

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

36

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

N

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

X

(3) Not effective

☐

(4) Not consistent with national policy

X

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

X

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Please see enclosed letter.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See cover letter - Removal of words 'character and scale in Part I(c) so it reads as follows:

"The original building is worthy of conversion with regard to its ~~character, scale and~~ condition, without the need for substantial reconstruction, significant extensions or ancillary buildings."

(continue on a separate sheet if necessary)

Signature:



Date: 28/03/19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Mr..... Name:Nayan Gandhi.....

Organisation (if relevant): ...RPS Group plc, on behalf of RS Hill & Sons.....

Address: ...[REDACTED].....

..... Post Code: ...[REDACTED].....

Email: ...[REDACTED].....

Tel: ...[REDACTED].....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

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- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

RPS Group plc, on behalf of RS Hill and Sons

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

37

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

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2. Do you consider the document is Sound?

Yes

☐

No

N

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

X

(3) Not effective

☐

(4) Not consistent with national policy

X

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

X

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Please see enclosed letter.

(continue on a separate sheet if necessary)

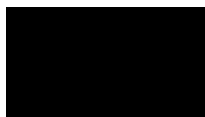
5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See cover letter – Addition of the words ‘and suitable’ in Part I(g) so it reads as follows:

“the building is converted to the most viable and suitable use according to the following cascade...”

(continue on a separate sheet if necessary)

Signature:



Date: 28/03/19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...Mr..... Name:Nayan Gandhi.....

Organisation (if relevant): ...RPS Group plc, on behalf of RS Hill & Sons.....

Address: ...[REDACTED].....

..... Post Code: ...[REDACTED].....

Email: ...[REDACTED].....

Tel: ...[REDACTED].....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

Y

(2) That the South Downs Local Plan has been adopted

Y

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- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

RPS Group plc, on behalf of RS Hill and Sons

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

39

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

N

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

X

(3) Not effective

☐

(4) Not consistent with national policy

X

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

X

No

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Please see enclosed letter.

(continue on a separate sheet if necessary)

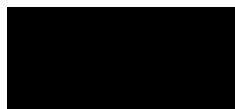
5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See cover letter – Removal of the following from Paragraph 7.213:

~~“Residential conversion is more likely to require a high degree of change and intervention to the detriment of agricultural character, and there are often conflicts with the potential desire for a more domestic character by occupiers and the likelihood of outdoor paraphernalia, so conversion to open market housing is often likely to be inappropriate.”~~

(continue on a separate sheet if necessary)

Signature:



Date: 28/03/19

Respondent Reference:	R590
Organisation or Individual:	Colin Harris
Agent Details:	N / A

28 MAR 2019

**PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN
CONSULTATION****Representations form for public consultation (Regulation
19)****1 February 2019 – 28 March 2019****Part A****Contact Details**Title: MR Name: COLIN HARRISOrganisation (if relevant): /Address: [REDACTED]Post Code: [REDACTED]Email: [REDACTED]Tel: [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan



(2) That the South Downs Local Plan has been adopted



*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

COLIN HARRIS

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MM1)

MM1

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☒

Generally.

No

☒

Not with regard to allowing Residential
Conversions relating to Redundant Agricultural
Buildings, (denied in earlier presentations,
other than to house agricultural
workers.)

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

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4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

The recent amendment made within Section 7h 'Agriculture and Forestry', is 'unsound' with regard to Policy SD41, 'Conversion of Redundant Agricultural and Forestry Buildings'. In the paragraph headed 'Succession Housing', Sect. 7.215a. (relating to Criterion (g) of Policy SD41, identifying suitable uses for converted Agricultural and Forestry buildings, stating that residential conversion could be permissible for: iii. Affordable Housing and v. Open Market Housing.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

When considered against the previously presented paragraph 7.215, (now omitted in its entirety), it stated that "housing development was therefore unlikely to meet the criteria in Policy SD41 and elsewhere in the Local Plan, except where less harmful uses have been demonstrated not to be viable. Reflecting back to the relevant section, presented in in the SDNPA (Preferred Options) Local Plan 2015, the relevant sections relating to this, were quite clear, regarding the unsuitability for conversions, for residential use, (other than for housing agricultural workers. I believe both Affordable Housing and Open Market housing should be excluded from Policy SD41, and should be replaced with the previously proposed additional policy, (SD43) for New and Existing Community Facilities.

(continue on a separate sheet if necessary)

Signature: 

Date: 28/3/19.

Respondent Reference:	R591
Organisation or Individual:	Sussex Wildlife Trust
Agent Details:	N / A



[REDACTED]

From: conservation [REDACTED]
Sent: 28 March 2019 10:44
To: PlanningPolicy
Subject: South Downs Local Plan Main Modifications Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Policy Team

Please find attached the Sussex Wildlife Trust's response to the South Downs Local Plan Main Modifications consultation.

Kind regards

Jess Price
Conservation Officer

www.sussexwildlifetrust.org.uk



Sussex
Wildlife Trust

Sussex Wildlife Trust is a company limited by guarantee under the Companies Act. Registered in England, Company No. [REDACTED] Registered Charity No. [REDACTED] VAT Registration No. [REDACTED] Registered Office: [REDACTED]
[REDACTED]

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title: Ms Name: Jessica Price

Organisation (if relevant): Sussex Wildlife Trust (SWT)

Address:
.....

..... Post Code:
.....

Email:
.....

Tel:
.....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

X

(2) That the South Downs Local Plan has been adopted

X

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Sussex Wildlife Trust

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MM1)

MM6-MM10

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☒

No

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If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

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4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

SWT supports the modifications to SD9 contained within MM6-MM10. We are really pleased to see the requirement for up to date ecological information and net gains to biodiversity. This will help ensure that development that occurs in the park contributes positively to the Authority's aspirations under purpose one. It also 'futureproofs' the policy in terms of the Government's commitments to mandatory net gains and the changes in policy in the updated NPPF.

SWT also supports the reference to the mitigation hierarchy as avoiding negative impacts through good design is key to meeting the objectives of the local plan and the purposes of the National Park.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

None

(continue on a separate sheet if necessary)

Signature:



Date: 27/3/19

Part B

Name or Organisation

Sussex Wildlife Trust

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MMI I

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☒

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

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4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Whilst SWT supports the reasoning for this modification and believes that an amendment is necessary, it does not make complete sense to us as it is written. MMII is currently worded as:

‘e) Outside of designated sites:

i. Development proposals should identify and incorporate opportunities to conserve, restore and recreate priority habitats and ecological networks. Development proposals should take opportunities to contribute and deliver on their aims and objectives where possible.’

It is not clear to SWT what the ‘their’ is in terms of the aims and objectives that need to be delivered by development proposals. We assume this refers to relevant biodiversity strategies, but this needs to be made clear.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We believe this is just a matter of ‘sense-checking’ the final sentence of e)i. in relation to the removal of all references to BOAs in this section of the policy. We suggest something along the lines of:

‘e) Outside of designated sites:

i. Development proposals should identify and incorporate opportunities to conserve, restore and recreate priority habitats and ecological networks. Development proposals should take opportunities to contribute and deliver on their aims and objectives of relevant biodiversity strategies where possible.’

(continue on a separate sheet if necessary)

Signature:



Date: 27/3/19

Part B

Name or Organisation

Sussex Wildlife Trust

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MMI4-MMI5

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☒

No

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If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

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No

☐

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4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

SWT has been concerned about the lack of a strategic approach from relevant authorities to the protection of the Wealden Heaths Phase II SPA. We are therefore pleased to see modifications that commit the SDNPA to working with relevant authorities in developing a more strategic approach, including the 400m zone.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

None

(continue on a separate sheet if necessary)

Signature:



Date: 27/3/19

Part B

Name or Organisation

Sussex Wildlife Trust

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM18

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☒

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

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No

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4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

SWT supports this modifications as it brings the plan in line with the revised NPPF and provides clarity to developers as to how ancient woodland should be treated within development proposals.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

None

(continue on a separate sheet if necessary)

Signature:



Date: 27/3/19

Part B

Name or Organisation

Sussex Wildlife Trust

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM38

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☒

No

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If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

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Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

SWT strongly supports this modification. It makes it clear to developers what is required of them and should reduce the risk of conversions being held up due to a lack of appropriate information on protected species being provided. This modification is in line with the ODPM circular 06/05 on Biodiversity and Geological Conservation.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

None

(continue on a separate sheet if necessary)

Signature:

A black rectangular box redacting the signature.

Date: 27/3/19

Part B

Name or Organisation

Sussex Wildlife Trust

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM46

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☒

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

(2) Not justified

(3) Not effective

(4) Not consistent with national policy

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

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Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

SWT is concerned about the deliverability of a sustainable development at this location that includes residential homes. In particular the lack of sustainable transport options and the reliance on an already congested road makes the effectiveness of this modification questionable. However, given that the Inspector has recommended the modification, SWT will support it providing that it includes the wording in relation to the delivery of the environmentally-led restoration of the site. SWT would not support the modification without this part of the policy as we do not see that it would be in line with the purposes of the National Park.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

None

(continue on a separate sheet if necessary)

Signature:



Date: 27/3/19

Part B

Name or Organisation

Sussex Wildlife Trust

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM51

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☒

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

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Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

SWT objects to the modification in relation to the removal of criteria 1c) as we do not consider that this is a duplication of 2a. Criteria 2a says that development proposals must: 'Protect and enhance trees within the site where possible, and where trees are lost, provide at least the equivalent in new tree planting on site'. In contrast 1c states that Existing mature trees and hedgerows are to be retained. It is clear that these two criteria are different in their meaning and extent. In particular criteria 1c includes hedgerows, not just trees and the criteria requires that they are retained not 'protected and enhanced where possible'. It is therefore not appropriate to say that the change is due to duplication.

If the SDNPA's evidence base suggests that the existing mature trees and hedgerows should be retained as part of any proposed development then this should remain in the policy.

(continue on a separate sheet if necessary)

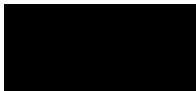
5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

SWT does not believe it is duplication to retain both criteria, however if the SDNPA wish to remove criteria 1c then criteria 2a should be amended as follows:

'a) Protect and enhance trees and hedgerows within the site. If loss of trees/hedgerow is unavoidable, ~~where possible, and where trees are lost,~~ provide at least the equivalent in new tree/hedgerow planting on site'

(continue on a separate sheet if necessary)

Signature:



Date: 27/3/19

Part B

Name or Organisation

Sussex Wildlife Trust

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM52-MM60

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☒

No

☐

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

SWT is very disappointed to see that allocation SD64 remains within the local plan. We still do not believe that the site is viable in terms of the mix and amount of affordable housing needed locally. However, given that the Inspector has not indicated that he believes the allocation is unsound, we will accept this provided that modifications MM52-MM60 are adopted. It is of key importance that the remaining open space is managed for biodiversity to act as a buffer to the adjacent designated sites.

We note that whilst MM56 within the schedule of main modifications is what was agreed at the examination, this has not been reflected in the tracked-changes version of the local plan available on the SDNPA's website. The word 'existing' is still in criteria b¹ and should be removed.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

None

(continue on a separate sheet if necessary)

Signature:



Date: 27/3/19

Part B

Name or Organisation

Sussex Wildlife Trust

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM94-MM103

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☐

(3) Not effective

☒

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☒

No

☐

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4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

SWT supports the modifications in terms of protection of Iping Common SSSI and opportunities for heathland creation.

We are concerned that the allocation is prescriptive in terms of where the different elements of the development are situated. SWT would be concerned about any increase in recreational disturbance on the SSSI and believe that the best way approach is to avoid impacts through good design. Ideally any proposal from this site would encourage people onto the public footpaths to the west of the site and towards the rest of the village rather than south towards Iping and Stedham Commons. Additionally, the development design and in particular, placement of biodiversity enhancements should be based on up to date ecological information in order to avoid adverse impacts and make the most of opportunities for enhancements. However, given that we didn't discuss this allocation at the examination, SWT will not suggest amendments.

We do note that paragraph 9.219 has been amended to refer to the 'Stedham Common and Iping Common Sites of Special Scientific Interest (SSSI)'. It should be noted that the name of the designated site is 'Iping Common SSSI'. Whilst this designation covers Stedham Common, for whatever reason this is not included in the official name. This should be amended to avoid confusion. This is also an issue in criteria 2a of the policy (MM101)

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Paragraph 9.219 and criteria 2a should be amended to refer to 'Iping Common Site of Special Scientific Interest' only. If the SDNPA feels that further clarification is needed, SWT suggests the following:

'Iping Common SSSI, which comprises of both Iping and Steadham Commons'

(continue on a separate sheet if necessary)

Signature:



Date: 27/3/19

Respondent Reference:	R592
Organisation or Individual:	Mr & Mrs Cartwright
Agent Details:	Andy Partridge, Southern Planning Practice Ltd.



[REDACTED]

From: Andy [REDACTED]
Sent: 28 March 2019 18:40
To: PlanningPolicy
Cc: [REDACTED]
Subject: Objections on Main Modifications

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

Please find attached objections to MM24 on behalf of my clients, Mr and Mrs Cartwright.

Regards

Andy Partridge
Director BSc (Hons), DIP UP, MRTPI

Southern Planning Practice Ltd

Registered Office: [REDACTED]

Registered in England and Wales No. [REDACTED]

Tel. [REDACTED]

Fax. [REDACTED]

Mob. [REDACTED]

www.southernplanning.co.uk

ATTENTION: Southern Planning Practice Ltd has taken every reasonable precaution to ensure that any attachment to this email has been swept for viruses, but we cannot accept any liability for loss or damage sustained as a result of software viruses and would advise that you carry out your own virus checks before opening any attachment. Please also note that emails may be falsified; in circumstances where the content of this email is important you should not rely on its integrity without checking it by telephone or fax.



Objections by Mr and Mrs Cartwright on MM24.

1. MM24 involves moving the '*baseline*' date¹ for working out how the 30% increase will be applied. The change is significant because it moves the date back by eight years or so. As it was, the original '*baseline*' date was also retrospective - that proposed 1 April 2011, almost eight years back from the present date.
2. The publication of the pre-submission plan in September 2017 will have had an influence on home buyers with plans or expectations to replace an existing dwelling or extend it. It would not have been unreasonable for them to have made a decision to purchase a property in the light of emerging policy. I am aware that many clients of the Practice sought and took the Practice's advice on the emerging extension/ replacement dwelling policy once it became clear that a new policy would apply and succeed extant Local Plan policies. The introduction of a 30% uplift in floor area and the '*baseline*' date were significant issues especially where pre-existing development plans for parts of the National Park area did not have any specific policies for extensions and replacement dwellings or where there were policies, those had different limits (eg 50% in East Hampshire), and different or no '*baseline*' dates.
3. It came as a shock when the proposed Main Modifications (MM) were included as part of the Local Plan submission for Examination as, until 28 April 2018, there had been no inkling that the SDNPA was intending to modify how policies SD30 and SD31 would be applied. The SDNPA's change to the date emerged at the very last minute and had not been the subject of any consultation.
4. As a result of the change to the '*baseline*' date, clients have found themselves in the invidious position of having purchased a dwelling, devised a scheme for a 30% enlargement/ replacement based on the '*baseline*' date of 1 April 2011 only to find that an extension constructed between 2002 and 2011 has kyboshed their dream home. There are numerous examples of where the planning authority has refused planning permission on the basis of

¹ The date on which the existing floor area of the dwelling is applied.

SOUTHERN PLANNING PRACTICE LTD

Registered Office: [REDACTED]

Tel: [REDACTED] Fax: [REDACTED] E-mail: [REDACTED] Website: www.southernplanning.co.uk

Registered in England and Wales No. [REDACTED]



emerging policies SD30 and 31, as proposed to be modified, despite the modifications carrying very little weight at the time those decisions were made, including the objectors – See SDNP/18/03543/HOUS. Therefore, changes proposed to the baseline date is inequitable and unjust.

5. The date of the 1 April 2011 was originally proposed by the SDNPA because that was the date the SDNP came into being as the planning authority. That was the most obvious date on which to start the policy from. It struck a balance between areas with or without such policies. The MM date of the 18 December 2002 is the date on which the then Countryside Agency signed a Designation Order for the SDNP and soon after submitted the Order to the Secretary of State for the Environment. Thereafter, there followed statutory consultation, objections, representations, public inquiry (November 2003 to March 2005), delay to await the legal challenge to the New Forest NP and eventually on 31 March 2006 the Inquiry report was published. This was followed by a re-opening of the Inquiry in February 2008 and its closing on 4 July 2008. Subsequently a Designation Order was signed on 12 November 2009 leading to the South Downs National Park Authority (Establishment) Order 2010 and the SDNPA coming into being on 1 April 2011. This timeline is important because, whilst the Designation Order submitted in December 2002 meant that the future SDNP became a material planning consideration for planning policy and planning decisions, it did not bring any material change to planning policy there and then.
6. The point is simply this, the Countryside Agency's Order of 18 December 2002 did not actually establish the SDNP; it was the start of a process that took nearly 8.5 years to come to fruition. In that period the SDNP could have taken a variety of forms or even have been abandoned. The submission of the Order in 2002 is thus of little significance except to be seen as some form of starting point in the genesis of the present SDNP. The justification for the '*baseline*' date of 18 December 2002 has no greater significance than any other date in the genesis of the SDNP. Why not '*count back*' to Sir Arthur, Hobhouse's 1947 *Report of the National Parks Committee* that recommended the designation of a SDNP or even the Council for the Preservation of Rural England's proposal in 1929?

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7. It is appreciated that the application of policies SD30 and SD31 has to start somewhere but that should start with the coming into being of the SDNPA on 1 April 2011. That is both a fair and reasonable date for the policy to be applied from. Setting the date back to 2002 is unwarranted because that is wishful thinking that the SDNPA would come into being when due process and statutory procedures remained to be followed and an outcome reached.

8. As said above, people made property purchase decisions in the light of the emerging policy. Since the SDNPA came into being there have been numerous planning decisions made in respect of replacement dwellings and extensions to dwellings. Focussing on the Harting area there have been six proposals where replacement dwellings have been permitted in the period 2013 - 2018. Details of those are set out in the table below.

Address and appn reference	Existing gross internal area	Permitted gross internal area	Comments
<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> (SDNP/16/02307 and 17/06497)	143m2	289.3m2	The replacement house plus basement is 102% bigger with open countryside on three sides.
<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> (SDNP/16/01365 and 17/04471)	178.7m2	478m2	The new house plus basement is 167% bigger than the one it replaced and stands in isolation in the countryside
<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> (SDNP/15/05634)	156m2	268m2	The two storey house is 72% larger than the bungalow it replaced
<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> (SDNP/14/02931)	191.3m2	540m2	The replacement two storey house is 182% larger than the two bungalows it replaced.

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<div style="background-color: black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 50px; height: 20px; margin-bottom: 5px;"></div> <div>(SDNP/13/05455)</div>	114.2m2	276m2	This two storey house is 141.7% larger than the bungalow it replaced
<div style="background-color: black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 150px; height: 20px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 50px; height: 20px; margin-bottom: 5px;"></div> <div>(SDNP/13/03472)</div>	72.4m2	219m2	This two storey house is 202.8% larger than the bungalow it replaced.

9. What the above table shows is, that with the SDNPA in existence from 1 April 2011 and with the same national landscape policy in force, larger replacement dwellings, four out of five being houses replacing bungalows, have been the norm in the Harting locality. It would be inequitable for property owners in the Harting area or indeed the objectors to now find themselves in a negative planning policy position with an extension or replacement dwelling when these examples postdate the coming into being of the SDNPA. The existence of these permissions, and many others of a similar ilk, were very clearly acceptable for National Park purposes; had they not been they would not have been granted.
10. The granting of permission for these six proposals post 1 April 2011 challenges the credibility of having a '*baseline*' date and even more so moving the '*baseline*' date to 2002. Why should that be set back before the SDNPA came into being and in flagrant disregard of the most recent planning history. It is unfair, inequitable and lacks a sound basis.
11. It is the case that there were 29 and 24 representations made during the Pre-submission consultation to policies SD30 and 31 respectively that are to be considered as part of the Examination. Those figures could have been greater had the submitted emerging policies incorporated the MMs. Indeed, it is asserted that the number of representations would have been far higher had the '*baseline*' date been set at 18 December 2002 in the Pre-submission plan itself. The cynic would suggest that the way the change came about is an underhand means of avoiding a fair and full debate.
12. The SDNPA's has tried to overcome the lack of consultation by "retrospectively" consulting the public on the change. However, many people do not closely follow the Local Plan



Examination given its complexity and therefore the proposed changes will have been lost on those that have not engaged in the process. In other words, the consultation is of limited value because there are fewer people engaging with it.

13. There is no evidence or trail to explain where the change has come from, what the planning justification for it is or whether it has been subject to the proper scrutiny of the Sustainability Appraisal. In the absence of any reasoned justification for the change to the '*baseline*' date, the gross inequity for homeowners basing their purchase on the original '*baseline*' date, and the inadequacy of retrospective consultation, the change in the '*baseline*' date is invidious and unreasonable and run against the rule of natural justice and fair play. The "baseline" date should be amended back to the original date of 1 April 2011.

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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)

1 February 2019 – 28 March 2019

Part A

Contact Details

Title:Mr..... Name: Andy Partridge.....

Organisation (if relevant): Southern Planning Practice Ltd.....

Address: ... [REDACTED]

..... Post Code: ... [REDACTED]

Email: ... [REDACTED]

Tel: ... [REDACTED]

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

X

(2) That the South Downs Local Plan has been adopted

X

*Note that you will be notified by email rather than by letter if an email address is given.

Important Information:

- Please provide your name and full address. 'In confidence' representations cannot be accepted. Personal data will be redacted before any publication of the representations
- Please complete Part A and then Part B for each representation made. Please copy or download additional copies of Part B as required
- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

Mr and Mrs Cartwright

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM24

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

☒

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

☒

(3) Not effective

☐

(4) Not consistent with national policy

☐

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

☐

No

☒

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

See attached sheets.

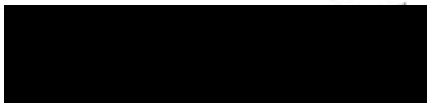
(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The date should be changed from 18 December 2002 back to 1 April 2011.

(continue on a separate sheet if necessary)

Signature:

A black rectangular box redacting the signature.

Date: 28.3.19

Respondent Reference:	R594
Organisation or Individual:	Genesis Town Planning Ltd.
Agent Details:	N / A

[REDACTED]

From: Kris Mitra [REDACTED]
Sent: 27 March 2019 16:38
To: PlanningPolicy
Subject: South Downs Local Plan Main Modifications - Representations

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam

Please find attached representations in connection with the above.

Please acknowledge safe receipt of this email.

Kind regards
Kris Mitra MA MRTPI
Managing Director
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Tel: [REDACTED]

[REDACTED]

Web: www.genesistp.co.uk



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PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)
1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...MR..... Name:KRIS MITRA.....

Organisation (if relevant): ...GENESIS TOWN PLANNING LTD.....

Address: ..[REDACTED].....

.....[REDACTED]..... Post Code:[REDACTED].....

Email: ..[REDACTED].....

Tel:[REDACTED].....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

YES

(2) That the South Downs Local Plan has been adopted

YES

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Part B

Name or Organisation

GENESIS TOWN PLANNING LTD

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM22/MM23/
MM25

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

X

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

X

(3) Not effective

X

(4) Not consistent with national policy

X

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

X

No

☐

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4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

The proposed main modifications in relation to Policies SD30 and SD31 are overly restrictive and fail to have regard to the individual circumstances of each development proposal. The insertion of the word "approximately" only serves to create more ambiguity in the interpretation of policies designed to restrict the growth and expansion of existing housing without any clear reasoned justification for doing so. The retention of the stock of small houses in the SDNP is commended, but this should not apply to existing larger dwellings or those which are not affordable for local needs. Original representations made in respect of these policies recommended identifying what constituted a small dwelling to which a % restriction could be applied. It is unreasonable to exercise such significant constraint over all dwellings of whatever size, particularly where individual family needs (growth and expansion) essentially will be restricted by the policy wording. While it is noted that personal circumstances such as needs arising from disability or accommodation of elderly relatives are allowed for in the policy, this still discriminates against ordinary family needs and those wishing to alter and extend their homes to meet their growing family requirements. In essence the policy is prejudicial against those households and will force families to move away rather than remaining in their extended homes. There simply is no justification to impose an arbitrary 30% limit on the extension or replacement of houses in the national park.

Such an approach directly conflicts with the core objectives of the Framework (paragraph 8), in particular the social objectives. The imposition of such a restriction would fail to ensure that there is sufficient number and range of homes available to meet the needs of present and future generations. In addition, the restrictive nature of the policies would conflict with the objectives of paragraph 79 (e).

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

If the 30% figure is to be retained within Policies SD30 and SD31 then it is imperative that the floor area size of dwellings to which this restriction will apply is identified. "Small dwellings" would therefore need to be identified within the policy wording and we would suggest that this should comprise the following:

A "small dwelling" is defined as one consisting of a floor area less than 90 square metres (gross external floor area) with a curtilage no greater than 450 square metres that existed on 18 December 2002 or if built after that date, as originally built." Without such explanatory text the policies are meaningless and constrictive in their form.

The following deleted wording should be reinstated into the policies "A larger proposal may be may be permitted where it can be clearly demonstrated that there will be no harmful intrusive impact in the landscape and that there is an enhancement in the appearance of the host dwelling and the existing site."

(continue on a separate sheet if necessary)

Signature

Date:

28/3/19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)
1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...MR..... Name:KRIS MITRA.....

Organisation (if relevant): ...GENESIS TOWN PLANNING LTD.....

Address: ..[REDACTED].....

.....[REDACTED]..... Post Code:[REDACTED].....

Email: ..[REDACTED].....

Tel:[REDACTED].....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

YES

(2) That the South Downs Local Plan has been adopted

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- All representations are publicly available and can be viewed on request
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Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

GENESIS TOWN PLANNING LTD

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM36

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

X

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

X

(3) Not effective

X

(4) Not consistent with national policy

X

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

X

No

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

Proposed modification MM36 is ambiguous in its construction and fails to provide appropriate clarity on the fundamental purpose of the policy. We would draw your attention to paragraph 79 of the Framework which sets out the appropriate criteria in relation to the re-use of rural buildings. Firstly, the Framework does not restrict the re-use of buildings to those solely in use for agriculture or forestry. Within the rural area there will be a range of buildings which are non-designated heritage assets and capable of re-use. The policy needs to take account of these buildings and be worded more flexibly to have regard to non-agricultural buildings which are also positive buildings. Furthermore, the Framework does not restrict the re-use of buildings that are only of heritage significance but acknowledges that the re-use of redundant and disused buildings that enhance the immediate setting should also be allowed for. The policy heading should be amended to remove sole reference to agricultural or forestry buildings. Failure to do this would mean that non-agricultural/forestry buildings would fall to be determined under the advice set out within the Framework only, since there would be no policy to cover such buildings within the SDNPLP.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Amend MM36 to read "The original building is structurally sound, is not derelict and would represent the optimal viable use of a heritage asset or a non-designated heritage asset, a redundant or disused building, and is capable of conversion without the need for substantial reconstruction, significant extensions or ancillary buildings."

We would advise that the heading to Policy SD4I should read: "Development Management Policy SD4I: Conversion of Redundant Rural Buildings"

(continue on a separate sheet if necessary)

Date: 28/3/19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)
1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...MR..... Name:KRIS MITRA.....

Organisation (if relevant): ...GENESIS TOWN PLANNING LTD.....

Address: ..[REDACTED].....

.....[REDACTED]..... Post Code:[REDACTED].....

Email: ..[REDACTED].....

Tel:[REDACTED].....

Do you wish to be notified at the email / address stated above* of any of the following:

(1) That the Local Plan Inspector's Report has been published making recommendations on the South Downs Local Plan

YES

(2) That the South Downs Local Plan has been adopted

YES

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- All representations are publicly available and can be viewed on request
- Please make your responses before the deadline of 23:59, 28 March 2019

Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

GENESIS TOWN PLANNING LTD

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM37

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

X

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

X

(3) Not effective

X

(4) Not consistent with national policy

X

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

X

No

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM37 confers a cascade approach to the conversion of agricultural or forestry buildings. This approach is not consistent with the Framework and applies excessive requirements on landowners and developers over the re-use of rural buildings. The approach advocated within the policy takes no account of the cost of conversion of rural buildings, which are in most cases designated and non-designated heritage assets. Furthermore, the requirement to address each category within the policy places landowners/developers with the onerous task of demonstrating the viability of each category within the policy. Paragraph 79 of the Framework does not exercise this degree of control or testing, but instead recognises that all options are suitable without providing a preference for any one specific category. This is in line with the principles of sustainable development and the effective re-use of existing buildings in the countryside. To suggest that the conversion of redundant buildings is a cost effective means of providing both affordable housing and farm workers accommodation demonstrates a significant lack of knowledge and expertise on the part of the SDNP. There has evidently been no assessment of BCIS data to estimate the conversion costs associated with rural buildings (and more importantly heritage assets). In the vast majority of cases the cost of conversion of redundant rural buildings will be circa £2,500/square metre, substantially more than the average cost of £1200/square metre for the construction of new purpose built dwellings. It is evident that the vast majority of properties provided through conversion will not be affordable and there will be potential harm and impact on the integrity of designated and non-designated heritage assets through this policy approach. Indeed we would go so far as to advocate that part 1 of the policy would not be consistent with part 2 of the policy, particularly in relation the the need to conserve and enhance the architectural and historic significance and setting of heritage assets.

While any development proposal could demonstrate that the categories within the cascade cannot be delivered on cost grounds alone, we fail to see why such an approach is needed in the light of the requirements of the Framework. It is onerous and unnecessary and places an undue burden on applicants/landowners/developers.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Amend MM37 to accord with the requirements set out in Framework, in particular paragraph 79 (a) to (c). Remove the reference to the cascade and its individual components. Remove reference to agricultural and forestry buildings throughout the policy

(continue on a separate sheet if necessary)

Date: 28/3/19

PRE-SUBMISSION SOUTH DOWNS LOCAL PLAN CONSULTATION

Representations form for public consultation (Regulation 19)
1 February 2019 – 28 March 2019

Part A

Contact Details

Title: ...MR..... Name:KRIS MITRA.....

Organisation (if relevant): ...GENESIS TOWN PLANNING LTD.....

Address:
.....

..... Post Code:
.....

Email:
.....

Tel:
.....

Do you wish to be notified at the email / address stated above* of any of the following:

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(2) That the South Downs Local Plan has been adopted

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Please note all representations made will be forwarded to the Inspector.

Part B

Name or Organisation

GENESIS TOWN PLANNING LTD

1. To which part of the Local Plan does this representation relate?

Main Modification
reference
(e.g. MMI)

MM39/MM40

Sustainability Appraisal Addendum
(paragraph or table number)

Habitat Regulations Assessment
Addendum
(paragraph or table number)

For information about legal/procedural requirements and whether the local plan is sound, please see paragraph 182 of the NPPF and Planning Practice Guidance on Local Plans.

2. Do you consider the document is Sound?

Yes

☐

No

X

If No, do you consider it is unsound because it is:

(1) Not positively prepared

☐

(2) Not justified

X

(3) Not effective

X

(4) Not consistent with national policy

X

3. Do you consider the document complies with the legal/procedural requirements for preparing a development plan?

Yes

X

No

Continues over page

4. Please give details in the box below of why you consider the document is not legally compliant, or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the document, please also use this box to set out your comments.

MM39 & MM40 favour the cascade approach which we consider should be deleted from the policy as a whole in so far as it is inconsistent with the Framework and places unacceptable onerous requirements on landowners/developers. There are no special circumstances to justify this approach and no regard has been paid to the practicality of delivering rural farm worker housing/affordable housing through this approach, having regard to the cost of converting rural buildings. It is simply not sensible, practical or achievable and demonstrates a fundamental lack of understanding of the development process by the SDNPA. It is also inappropriate to restrict the application of conversion schemes to agricultural and forestry buildings when the Framework makes no such distinction or restriction. There is no justification for open market housing to be a 'last resort' and substantiated by a spurious argument that this type of development is likely to have a greater degree of change and intervention when compared to housing for agricultural workers or affordable housing and therefore "likely to be inappropriate". That is simply an illogical and unjustified argument to make. The requirements overall are onerous and unnecessary and places undue burden on landowners and developers.

(continue on a separate sheet if necessary)

5. What change(s) do you consider necessary to make the document legally compliant or sound? It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the references in MM39 & MM40 and adopt a sensible, practical and meaningful approach to the conversion of buildings in the rural area in accordance with the requirements of the Framework.

(continue on a separate sheet if necessary)

Date: 28/3/19