



Report to the South Downs National Park Authority

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an Inspector appointed by the Secretary of State

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the South Downs Local Plan 2014-2033

The Plan was submitted for examination on 27 April 2018

The examination hearings were held between 13 November and 12 December 2018

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Abbreviations

AAP	Area Action Plan
AFWG	Ashdown Forest Working Group
AMR	Annual Monitoring Report
CA	Conservation Area
dpa	dwellings per annum
dph	dwellings per hectare
DtC	Duty to Co-operate
ELR	Employment Land Review
ha	hectare
HEDNA	Housing and Economic Development Needs Assessment
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
JCS	Joint Core Strategy
LGS	Local Green Space
LPA	Local Planning Authority
MM	Main Modification
NDP	Neighbourhood Development Plan
NPA	National Park Authority
NPPF	National Planning Policy Framework
OAN	Objectively Assessed Need
OBR	Office of Budget Responsibility
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SDILCA	South Downs Integrated Landscape Character Assessment
SDLP – the Plan	South Downs Local Plan 2014-2033
SDNPA	South Downs National Park Authority
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SoCG	Statement of Common Ground
SPA	Special Protection Area
sqm	square metres
SSSI	Site of Special Scientific Interest

Summary

This Report concludes that the South Downs Local Plan 2014-2033 [SDLP - the Plan] provides an appropriate basis for the planning of the National Park, provided that a number of Main Modifications [MMs] are made to it. The South Downs National Park Authority [SDNPA] has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

A Schedule of Proposed Main Modifications was prepared by the NPA and was subject to Sustainability Appraisal, Habitats Regulations Assessment and to public consultation over an eight-week period. I have recommended their inclusion in the Plan after considering all the representations made in response to the public consultation. I have amended the MM Schedule where necessary but none of these amendments affects the essential soundness of the Plan.

The Main Modifications are summarised as follows:

- Addition to Core Policy SD3 and its supporting text to ensure consideration of temporary events in the SDNPA as major development where judged to be potentially harmful (**MMs3-5**),
- Alterations to Policies SD30 and SD31 to qualify the size limit on replacement dwellings or extensions to existing dwellings (**MMs21-25**),
- Changes to the Allocation Policies for certain individual sites to vary the amount of development allocated and the criteria for development, in order to safeguard environmental interests and support delivery (**MMs46-47, MMs 49-71, MMs75-107**),
- Other alterations and updates for effectiveness or in compliance with national policy and the updated Habitats Regulations Assessment, including to Policy SD9 regarding Biodiversity. (**MMs1-2, MMs6-20, MMs26-40, MMs42-45, MM48, MMs72-74**).

Preamble

Introduction

1. This Report contains my assessment of the South Downs Local Plan 2014-2033 (SDLP - the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the preparation of the Plan has complied with the Duty to Co-operate [DtC]. It then considers whether the Plan is sound and whether it is compliant with all legal requirements. The National Planning Policy Framework 2012 (paragraph 182) makes it clear that, in order to be sound, the Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised National Planning Policy Framework (NPPF) was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 whereby, for the purpose of examining this Plan, the policies in the 2012 Framework will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, any reference in this report are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF. In some instances, the 2018 NPPF is relevant to the future compliance of certain provisions of the Plan with national policy.
3. The starting point for the Examination is the assumption that the SDNPA, as local planning authority [LPA], has submitted what it considers to be a sound Plan. The South Downs Local Plan 2014-2033, submitted in April 2018 is the basis for my Examination. It is the same document as was published for consultation between 26 September and 21 November 2017. On submission, the Plan was accompanied by a schedule of changes to the pre-submission version. These changes had not been subject to public consultation and were treated as proposed modifications for consideration in the Examination.

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the SDNPA requested that I recommend any Main Modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My Report explains why the recommended MMs, all of which relate to matters that were discussed at the Hearings or considered in writing during the Examination, are necessary. The MMs are referenced in bold text [**MM**] within the Report and are set out in full in the **Appendix**.
5. Following the Examination Hearings, the SDNPA prepared a Schedule of Proposed MMs and undertook a Sustainability Appraisal [SA] of the MMs. The MMs, the updated SA and an updated Habitats Regulations Assessment (HRA) were subject to public consultation for eight weeks. I have taken account of the consultation responses in coming to my conclusions in this Report and, in this light, I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the

content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the Report. The NPA may wish to make further minor changes to ensure the internal consistency of the Plan document.

Policies Map

6. The SDNPA, as LPA, must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the LPA is required to provide a Submission Policies Map showing the changes to the adopted Policies Map that would result from the proposals in the submitted Plan. In this case, the Submission Policies Map comprises the set of plans identified under Refs PM1-18. Individual site allocation boundaries are also delineated on town strategy maps and as part of the individual site allocation policies within the Plan document itself and some of these are subject to consequential or corrective changes.
7. The Policies Map is not defined in statute as a development plan document and so I do not have the power to recommend MMs to it. However, a number of the published MMs to the policies of the Plan require further corresponding changes to be made to the Policies Map as distinct from the strategy and site allocation plans, which form part of the Plan itself. These further changes to the Policies Map were published for consultation alongside the MMs.
8. When the Plan is adopted, in order to comply with the relevant legislation and give effect to the its policies, the NPA will need to update the adopted Policies Map to include all the changes proposed and the further changes published alongside the MMs.

Matters of Legal Compliance

Public Consultation and Relationship of the SDNP with Neighbourhood Development Plans

9. It is appropriate that the public consultation process is effective, timely, transparent and consistent. In the preparation of the SDLP, this is particularly important in settlements not subject to an emerging or made neighbourhood development plan (NDP), where local residents may sense a lack of involvement. In South Harting, Coldwaltham and Kingston near Lewes, for example, housing allocations and boundary changes varied between the Regulation 18 Preferred Options and Regulation 19 Pre-submission consultations. However, the plan preparation process is inherently iterative and public consultation included a series of meetings with Parish Councils and local workshops in line with the published Statement of Community Involvement (SCI). It is to be expected that potential development sites will have emerged and site and settlement boundaries will have been refined between the different stages of consultation.

10. In areas subject to emerging or made neighbourhood plans, for example in Findon, the judgements of the SDNPA on the settlements and sites selected for development allocations are in some instances at odds with local views, despite the engagement and consultation that took place. Such judgements are necessarily subjective and the mere fact that opinions differ is not in itself any reason to find the SDLP unsound. Under current legislation, it is for the local NDP to be consistent with the SDLP. It is for this Examination and Report to focus upon the legal compliance and soundness of the submitted SDLP.
11. Comments made on several policies of the Submission SDLP by one Representor, with a request to appear at the Hearings, were omitted in error from the database of representations submitted for examination and, as a result, the Representor was not invited to appear. The error was only discovered by the NPA when that Representor made further comments upon the MMs. The NPA immediately undertook a fresh check to confirm that no other Representations had been similarly omitted. In this Report, I take into account all of the representations originally missed, together with the related comments duly made during the MM consultation, giving them equal weight to oral submissions, as is customary. In correspondence, the Representor concerned confirmed that this arrangement was acceptable and did not press the right to be heard orally. I am satisfied that all points of view expressed in those representations have been properly considered and that there has been no practical disadvantage to the Representor concerned.
12. Otherwise, there is no evidence that the SDNPA failed to comply with any of the requirements of its SCI or of the Regulations, as properly applied to the preparation of the Plan over several years and iterations and with respect to its examination. Moreover, I am satisfied that all matters of the legal compliance and soundness of the Plan have been aired orally or in writing in line with the Regulations during the Examination.
13. Furthermore, by way of the eight-week consultation on the MMs and the post-submission evidence provided during the Examination, including the SA of the MMs and updated HRA, full public consultation regarding the legal compliance and soundness of the Plan was assured in practical terms. The MM consultation was equivalent to that which was conducted, under Regulations 19, 20 and 22(3), in connection with the original submission of the Plan.

Habitats Regulations Assessment

14. During the Examination, the NPA provided an updated Habitats Regulations Assessment Report, dated July 2018, incorporating Appropriate Assessments to ensure its compliance with recent case law. This was made public for comment during the Examination. Of particular concern was the judgment in the case of *People Over Wind v Coillte Teoranta (C-323/17)* in the European Court of Justice (ECJ) wherein it is held that mitigation measures must not be considered at the screening stage, so that it is no longer acceptable to rule out likely significant effects based on incorporated avoidance, mitigation and compensation measures.
15. The HRA assesses likely environmental effects on some 21 designated European protected sites in or around the SDNP, including Special Areas of Conservation

(SACs) for wild flora and fauna, Special Protection Areas (SPAs) for wild birds and Ramsar sites comprising wetlands.

16. The updated HRA includes Appropriate Assessments with respect to Recreational Pressure, Air Quality and Loss of Functionally-linked Habitat, as well as an In-Combination Assessments.
17. Following those Appropriate Assessments, the HRA makes a number of precautionary recommendations, which are taken into account in the Plan as now recommended to be modified. These are for part of the Arun Valley SPA with regard to recreational pressure, for the River Itchen SAC with regard to hydrology and for several sites regarding linked bat habitats. In connection with the Ashdown Forest SAC and SPA, with respect to air quality, the HRA notes benefit arising from the formation of the Ashdown Forest Working Group (AFWG) of neighbouring local authorities to work cooperatively with regard to air quality.
18. In the latter connection, the updated HRA deals with consultation comments on the original version and addresses the findings of the judgment in the case of *Wealden DC v SCLG, Lewes DC, SDNPA and Natural England 2017] EWHC 351 (Admin)*, wherein it was held that the HRA on the Lewes District Joint Core Strategy had failed to undertake a proper in-combination assessment of air quality impact on Ashdown Forest SAC and SPA due to emissions from road traffic beyond the area covered by the Plan concerned.
19. The updated HRA is widely supported by the contributing authorities to the AFWG as well as by Natural England, as evident from Statements of Common Ground (SoCGs). There is ongoing dialogue with the SDNPA and other parties regarding the methodology for predicting the effects on air quality of road traffic associated with development allocated by the Plan in combination with other plans or projects.
20. That is due to continuing local disagreement regarding the accuracy of predictive techniques that should be used. However, there are no outstanding objections from any party on air quality grounds. It has been argued that the level of likely additional air pollution by oxides of nitrogen from small scale traffic increases due to development in the SDNP might potentially still be significant, especially as recommended maximum levels are already exceeded. However, in this aspect of Appropriate Assessment, the HRA utilises accepted methodology to predict nitrogen emissions and deposition levels due to the SDLP in combination with other contributors, calculating that these would result in a maximum dose that is only about a quarter of the nitrogen dosage likely to retard improvement in species richness that might otherwise be observed in the Ashdown Forest heathland. Other parameters, such as the percentage grass cover, would only be affected to a modest extent and the affected area is a very small part of the total heathland in Ashdown Forest.
21. On consideration of a bespoke or first principles model, as distinct from established modelling techniques, the SDNPA adopted a standard method which is widely used, leaves no reasonable scientific doubt and produces all the necessary data to form a view over effects on integrity. There is no reason why the output of this model would be less robust than a more complex model.

22. On consideration of the available evidence and on balance the HRA, as revised following the *People Over Wind* judgment, is legally compliant.

Assessment of Compliance with the Duty to Co-operate

23. Section 20(5)(c) of the 2004 Act requires that I consider whether the SDNPA complied with any duty imposed on it by section 33A in respect of the preparation of the Plan. This requires constructive, active and on-going engagement with local authorities and other prescribed bodies with respect to strategic matters affecting more than one planning area. It is necessary for the NPA to demonstrate that the Plan, on submission, is compliant with this Duty to Co-operate (DtC).
24. The SDNP is unique among National Parks in respect of its high population density and the degree of development pressure upon it, with substantial need and demand for new housing and employment development to be balanced against their potentially significant planning impacts. The Park spans across the administrative areas of twelve District Councils. This requires partnership working between the SDNPA, as local planning authority for the National Park, with those twelve District Councils who are responsible for other functions of housing, transport and education, as well as planning and development management for that part of their areas outside the SDNP.
25. The NPA submitted evidence in connection with the DtC by way of a Duty to Co-operate Statement. This demonstrates that, throughout the preparation of the Plan, the NPA engaged with all other authorities and prescribed bodies, as applicable. These included its twelve partnership local authorities as well as Natural England, the Environment Agency and a range of other organisations via the South Downs Partnership.
26. The initial preparation and adoption of joint local plans between the SDNPA and several other LPAs is evidence of early cross-boundary co-operation, with adopted policies carried forward subject to evidence base updates and the landscape-led approach of the SDLP. Ongoing co-operation is also evident from the composition of the SDNPA Planning Committee and Members Working Group, incorporating appointees from other local authorities.
27. Co-operation has led to the identification of key strategic, cross-boundary issues covering conservation, biodiversity, new affordable and market homes, tourism, local economic development and sustainable transport. Actions and outcomes of co-operation which have influenced the preparation of the SDLP are recorded in detail. These relate to joint landscape character, marine, dark skies and other studies concerning the conservation of natural beauty, joint working on Habitats Regulations Assessment, tourism and transport strategies.
28. By far the greatest single aspect of new development required and proposed in the SDNP is the provision for the delivery of new affordable and market homes and accommodation for gypsies and travellers. Joint working led to the completion of Statements of Common Ground with the partnership authorities

together undertaking, in effect, to accommodate any unmet housing need from the SDNP.

29. There can be no guarantee that this undertaking will be delivered in practice, given the planning constraints on several other authorities in meeting their own housing requirements. Moreover, the Plan devolves a significant level of responsibility to local Neighbourhood Development Plans to deliver much of its housing need.
30. However, I am satisfied overall that, where necessary, the SDNPA has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met. Evidence and justification for the numerical housing need, requirement and capacity of the SDNP are separate issues of soundness for Matter 4 below.

Assessment of Soundness

Main Matters and Issues

31. Taking account of all the representations, the written evidence and the discussions that took place at the Examination Hearings, I have identified nine main Matters upon which the soundness of the Plan depends. Under these headings my Report deals with the main issues of soundness rather than responding to every point raised by Representors. The matters and issues considered do not always follow the order or headings in which they were discussed during the Hearings. In particular, issues relating to individual settlements and sites are considered under Matter 2 Strategy, Matter 4 Housing, Matter 5 Employment or Matter 6 Strategic Sites, as appropriate. Reference is only made to those policies and individual allocated sites where matters of soundness arise.

Matter 1 – Vision and Objectives

Is the Plan prepared on the basis of an appropriate Vision and appropriate Objectives, with reference to established legislation and guidance governing National Parks?

32. The SDLP is the first comprehensive local plan covering, in a single document, the whole of the designated National Park area, spanning three counties, twelve local authority areas, and four housing market areas (HMAs) and extending from Winchester to Eastbourne.
33. The statutory purposes of National Parks are set out in the National Parks and Access to the Countryside Act 1949, as amended by the Environment Act 1995. These purposes are to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. The Plan is not fully effective in stating this primary legislative background. **MM1** is

therefore necessary to add a reference to this legislation in paragraph 1.10 of the Introduction.

34. The UK Government Vision and Circular for English National Parks and the Broads 2010 highlighted a renewed focus on achieving National Park purposes, including leading the way in adapting to and mitigating climate change, as well as inspiring behavioural change in support of a healthy natural environment. The NPPF requires great weight to be given to conserving the landscape, scenic beauty, wildlife and cultural heritage of National Parks, which have the highest status of protection.
35. In pursuing the statutory purposes, a National Park Authority (NPA) has a duty under Section 11A of the Environment Act to seek to foster the economic and social well-being of the local communities within the National Park. Where there is a conflict between the statutory purposes, the established Sandford Principle requires the first purpose of conservation and enhancement to be given priority, following the recommendation of the National Parks Review Committee to that effect in 1974.
36. The Vision of the Plan for the SDNP by 2050 evolved via the Special Qualities of the SDNP Report 2011, the State of the SDNP Report 2012 and the Partnership Management Plan 2014-2019, together with wide stakeholder and public consultation. It closely reflects the statutory purposes of National Parks, with reference to landscape conservation and enhancement, public understanding and enjoyment and community well-being, with farming, forestry, tourism and other business contributing to and benefitting from the unique identity and special qualities of the Park.
37. The nine stated Objectives of the Plan enumerate the several aspects of the Vision as a link to the detailed policies of the Plan. Objective 6 makes specific reference to adaption to and mitigation against the effects of climate change, whilst Objective 8 includes the express aims to support local jobs and affordable homes. Objective 4 promulgates the sustainable use of eco-system services, defined as the benefits society receives from the natural environment.
38. I have considered whether the Vision of the Plan should expressly provide for a net gain in biodiversity, for future compliance with national policy set out in the updated NPPF of 2019, or recognise a link between cultural heritage and historic environment. However, these are matters which properly flow from the stated Vision and Objectives in the formulation of the detailed policies of the Plan. These include Strategic Policy SD9 covering Biodiversity and Geodiversity, considered under Matter 8, and Strategic Policy SD12 on Historic Environment.
39. The link between cultural heritage and historic environment is affirmed by way of Footnote 15 to Objective 2, which defines cultural heritage as encompassing the historic environment and paragraph 5.105 of the supporting text to Policy SD12, which expands upon that relationship in terms of heritage assets.
40. The essential question of whether the Plan is positively prepared to meet its stated objective to protect the special character of the landscape further depends on the detailed provisions of the policies contained within the several themed chapters of the Plan, many of which are considered in connection with Matters 3 to 9 below.

41. However, the overarching Vision and Objectives of the Plan are appropriate with reference to relevant legislation, guidance and national policy and, in this respect, the Plan is sound as submitted.

Matter 2 - Strategy

Is the Development Strategy for the SDNP and its towns and villages, including settlement boundaries and Local Green Spaces, the most appropriate based on robust evidence?

Approach to the Distribution of Development

42. It is established that all parts of the designated area of a National Park are accorded equally the highest level of landscape protection, with no one area being more important than any other. This follows from the consideration given to the initial establishment of the SDNP boundary in the Park Designation Inquiry in 2005 and was borne out with respect to the New Forest National Park in the examination and approval by the Secretary of State of the Navitus Bay Wind Park in 2015. Moreover, there is no express requirement upon National Park Authorities to allocate sites for development in their areas.
43. At the same time, there is no preclusion of new development in a National Park. Furthermore, it is consistent with the statutory socio-economic duty of any NPA that allocations are made for the development of affordable and market housing, employment and tourism where this fosters the well-being of local communities within the Park but always provided that the Sandford Principle is applied.
44. Accordingly, there is no requirement on the SDNPA to adopt a precautionary approach to the allocation of development, seeking to avoid any harm whatsoever to its landscape. The NPA is entitled to make informed, balanced judgements on the capacity of the landscape to accept development in the Park, whilst according priority to the first purpose of the SDNP to conserve and enhance its natural beauty, wildlife and cultural heritage, in the event of a conflict with the second purpose of promoting public understanding and enjoyment of its special qualities.
45. Consideration by the NPA on the approach to be taken to the distribution of development across the SDNP was informed by the Strategic Housing Land Availability Assessment updated in 2016 (SHLAA), the Settlement Facilities Assessment, Settlement Boundaries Review and the South Downs Integrated Landscape Character Assessment (SDILCA).
46. This evidence, combined with public consultation on issues and options for development, led to the detailed consideration within the Sustainability Appraisal of five reasonable alternative options for the distribution of development. These were based on a range of housing numbers and took account of the protection afforded to the whole of the SDNP landscape and the potential effects of each optional strategic approach on the landscape and other environmental and cultural interests.

47. The highest level of development was considered under Dispersed High Option 1 for over 6,000 new homes distributed over a wide range of settlements and the lowest under Medium Options 3 to 5 for some 2578 homes, either concentrated at the five main towns of Petersfield, Lewes, Midhurst, Liss and Petworth or distributed over a range of settlements or areas with sustainable transport infrastructure. The latter two Dispersed Medium options emerged as performing best against sensitive environmental receptors. The SA concludes that any higher level of dispersed growth could not be absorbed without significant harm to the landscape.
48. The Settlement Facilities Assessment, Settlement Boundary Review and SDILCA were then used to determine which towns and villages would be appropriate locations for development to meet local housing and employment needs. This was based upon considerations including sustainability, planning constraints, historic character, infill opportunities and availability of sites identified in the SHLAA as having development potential.
49. Some of the judgements made in this process were necessarily subjective, in particular regarding the availability of settlement facilities, which can alter over time. However, that is only one of several aspects of the evidence base informing the strategy. On balance overall, I am satisfied that the judgements made were properly informed by robust and proportionate evidence, that the SA considered reasonable alternative strategies and that the process leading to the development strategy set out in Policy SD25 was rigorous.
50. I recognise that sites with development potential can be identified at locations, other than in the settlements identified in Policy SD25. These might include lands at the fringes of the Park, sustainably located close to existing substantial settlements, including those outside the Park boundary. I accept that such sites, if developed, would enjoy a potentially sustainable and beneficial functional relationship with the nearby established urban areas. Even so, I am further satisfied that, given the properly landscape-led Vision and Objectives of the Plan, the dispersal of new development in line with the chosen strategy is appropriate.
51. For the same reason, I consider that the Plan pays due regard to the prospect of the redevelopment of previously developed land outside settlements. This is subject to criterion 2d of Policy SD25, exceptionally permitting such redevelopment for appropriate uses which conserve and enhance the special qualities of the Park. Notwithstanding the core principle of national policy to encourage the redevelopment of previously developed land, I consider this provision to be sufficient and appropriate in the landscape-led National Park context.
52. The evolution of the strategy of the Plan was evidently not informed initially by objective assessments of housing and employment development needs by way of the Strategic Housing Market Assessment (SHMA) or the later Housing and Economic Development Needs Assessment (HEDNA) and it remains to review the numerical aspects of housing and employment need and land supply respectively within Matters 4 and 5 below. Subject, however, to evidence that the strategy of the Plan is supported by the amount of its development requirements and the location and nature of its allocated sites, I consider that

the approach of the Plan to the distribution of new development between the towns and villages of the SDNP is based on appropriate evidence and that the Plan is sound in this respect.

Definition of Settlement Boundaries

53. Settlement boundaries are defined for settlements nominated by Strategic Policy SD25 as able to accommodate some growth as a spatial planning tool to direct development to the most sustainable locations, protect the SDNP landscape and prevent coalescence of settlements.
54. All such settlements, with or without prior settlement boundaries in extant Local Plans, were subject the Settlement Boundary Review of 2017. This drew upon the SDILCA, Urban Surveys, Conservation Area Appraisals and Village and Town Design Statements and applied a range of principles to the establishment of each settlement boundary. These excluded, for example, houses in large plots, large gardens, sports grounds, woodland, wildlife sites, farmyards and allotments and other green spaces at the settlement edge, where not specifically allocated for development necessary to the Plan Strategy.
55. The landscape-led approach of the Plan, consistent with the purpose of the SDNP to conserve the landscape, amounts to robust justification for this rigorous approach.
56. In most settlements, the Review resulted in a range of detailed reductions or expansions to existing boundaries, even where no sites were specifically allocated for development.
57. In the case of Owslebury and Slindon, new boundaries were defined, where none had previously been established.
58. In addition to the overall boundary review, settlement limits are necessarily redefined to encompass allocated sites. The soundness of many of these allocations is assessed in connection with Matter 4 below, for example in Kingston near Lewes, Selborne and South Harting.
59. The review and consultation process was iterative and there is no substantive evidence that any boundary ultimately proposed following the Review is illogical or unjustified in terms of the principles applied.
60. I conclude overall that the Plan is justified and sound with respect to the definition of settlement boundaries.

Designation of Local Green Spaces

61. Development Management Policy SD47 of the Plan designates a large number of Local Green Spaces (LGSs) of local value for protection in line with national policy. The NPPF at paragraphs 76-78 and the PPG set out guidance for the designation of LGSs subject to protection from development comparable with that accorded Green Belts. That is provided they are demonstrably special to a local community, for example due to their beauty, recreational value or tranquillity, are reasonably close to the community they serve and are

consistent with local planning of sustainable development. LGSs are identified in the Local Green Spaces in the SDNP Report of 2017.

62. Taking as an example LGS12, Burlands Field (or Culverscroft) adjacent to Selborne, the LGS Report notes that this area is identified for protection in the Village Design Statement with access along a public right of way bisecting the site, which is demonstrably special in its beauty, recreational value and tranquillity. The land in question comprises an open space on entry to the village from the north on the B3006 with a wooded, downland backdrop and there is nothing to contradict the findings of the LGS Report. Moreover, the designation of the LGS is consistent with local planning of sustainable development in that the identified development need for Selborne is met within the settlement boundary, including as extended by a housing allocation, considered below. There is nothing to indicate that the other designated LGSs are not similarly appropriate.
63. I conclude that the provisions of the Plan for Local Green Spaces are justified and sound, save that those for Seaford and Stedham are now taken forward in their respective NDPs, making the table to Policy SD47 out of date. This rectified by **MM44**.

Conclusion on Strategy

64. I conclude that the overarching Development Strategy for the SDNP and its towns and villages, including settlement boundaries and Local Green Spaces, is appropriately landscape-led and justified by robust evidence, such that the Plan is sound in this regard, subject to further consideration below of the soundness of its development management and site allocation policies.

Matter 3 – Core Policies

Do the three Core Policies SD1-3 of the Plan make appropriately justified and effective provision respectively for Sustainable Development, Ecosystem Services and Major Development, consistent with national policy?

Policy SD1 – Sustainable Development

65. Core Policy SD1, in criteria 1 and 2, properly establishes within the Plan the central requirement of national policy to promote sustainable development balanced with the Sandford Principle that greater weight be given to the first purpose of conservation and enhancement in case of conflict with the second purpose of understanding and enjoyment but paying also due regard to the duty to foster economic and social well-being. Criterion 3, read with text paragraph 4.7, rightly commits the NPA to considering the cumulative impacts of a proposal with other developments, albeit that would be a natural consideration of the merits of an application in any event.
66. Criterion 4 provides for a judgment as to whether, exceptionally, the benefits of a proposal demonstrably outweigh the great weight attached to National Park interests and there is substantial compliance with other relevant Policies of the development plan.

67. The latter criterion reflects the statutory basis for the determination of planning applications set down in Section 38(6) of the 2004 Act, requiring compliance with the development plan, of which the SDLP will form a part, unless material considerations are judged to indicate otherwise.
68. This balanced approach does nothing to dilute the great weight accorded to protecting the SDNP by the NPPF nor depart from the qualified exception from the presumption in favour of sustainable development accorded National Parks by Footnote 9 of the NPPF should the Plan become out of date. Policy SD1 is justified and consistent with national policy, as submitted.

Policy SD2 – Ecosystem Services

69. Core Policy SD2 sets out innovative provisions that seek to ensure that development in the SDNP has a positive impact on the ability of the natural environment to contribute goods and services through a range of opportunities including conservation of water resources, mitigation of climate change, sustainable food production, pollution control and by providing access to natural and cultural resources contributing the special qualities of the SDNP.
70. The Policy requires all development proposals to be supported by a statement setting out how they would affect ecosystem services. The supporting text at paragraph 4.14 makes clear that such statements should be proportionate to the development impact, so that this policy requirement is not unduly onerous.
71. The wider supporting text provides extensive explanation of the concept of ecosystem services in four main, interrelated aspects. These are the support offered by flora and fauna, such as the micro-organisms essential to healthy soils, food production, regulation by natural drainage and cultural enjoyment of the varied landscape. In thus fostering the natural environment of the SDNP, Core Policy SD2 is consistent with its statutory purposes as well as with the protective provisions of national policy.
72. However, in one respect Policy SD2 is ineffective, namely that criterion g, simply to conserve and enhance soils, is vague in its terms. For Policy SD2 to be sound, **MM2** is necessary to introduce into criterion g reference to the sustainable use of the best and most versatile agricultural land, consistent with the provision of national policy in this regard.

Policy SD3 – Major Development

73. Core Policy SD3, in criterion 2, brings forward into the Plan the provision of the NPPF that proposals for major developments in a National Park should be refused other than in exceptional circumstances and where it can be demonstrated that they are in the public interest. That is on consideration of need, cost and scope of alternatives, any detriment to the environment, landscape and recreation and the extent to which such detriment could be mitigated.
74. Whilst criterion 2 repeats national policy, that is appropriate in the context of this Plan, specific to the SDNP, when coupled with criterion 1 which sets down the basis for determination of what constitutes major development. That is related to potential serious adverse and cumulative impact upon National Park

purposes. Where exceptional circumstances to justify allowing major development are deemed to exist, criterion 3 requires all opportunities to be sought to conserve and enhance special qualities and lists factors against which to measure its sustainability.

75. Core Policy SD3 thus affords considerable scope for judgement as to what may constitute major development. However, there is nothing in planning guidance or case law to define what constitutes major development in a National Park. Moreover, in the revised NPPF 2019, Footnote 55 merely states that whether a proposal constitutes major development is a matter for the decision maker as to whether it would cause significant adverse impact on National Park purposes. In its approach and criteria therefore, Core Policy SD3 is essentially consistent with current national policy and effective with respect to proposals for permanent development.
76. However, notwithstanding that the NPA is content with the wording as submitted, there are two respects in which Policy SD3 is unsound, in my view. First, Core Policy SD3 and its supporting text fail to acknowledge that temporary events, such as music festivals, for example, can have a significant adverse impact on environmental interests and National Park purposes. For Core Policy SD3 to be fully effective, it should apply expressly to such temporary events, in order that they will be assessed in terms of whether they constitute major development, in the same manner as permanent development. Second, criterion 1 refers to 'serious' rather than 'significant' adverse impacts. This is inconsistent with the planning terminology of the NPPF. Criterion 1 should therefore be amended to substitute 'significant' for 'serious' impacts, for ongoing consistency with national policy.
77. With the two necessary changes in place by way of **MMs3-4**, Core Policy SD3 and its supporting text are effective, consistent with national policy and sound.
78. Two further changes are required in relation to policy SD3. Paragraph 4.24 of the submitted supporting text states that all the sites allocated by the Plan have been assessed against major development considerations in a separate Technical Report referenced in Footnote 27 and also in paragraph 9.7 on Sites and Settlements. The Plan thus relies on a Report has now been withdrawn. Reliance can more properly be placed upon the criteria of Core Policy SD3 to determine whether permanent or temporary proposals would amount to major development for exceptional approval. For the Plan to be sound in this regard, text paragraphs 4.24 and Footnote 27 should be deleted by **MM5** and paragraph 9.7 should be deleted by **MM48**.

Overall Conclusion on the Core Policies

79. With MMs identified above, I conclude that the three Core Policies SD1-3 of the Plan make appropriately justified and effective provision respectively for Sustainable Development, Ecosystem Services and Major Development, consistent with national policy.

Matter 4 – Housing Need and Supply

Is the approach of the Plan with respect to the objectively assessed need (OAN) for housing within the SDNP consistent with national policy?

80. The provision of new housing accounts for the largest proportion of development need within the SDNP. By virtue of the exception provided by Footnote 9 to the applicable NPPF of 2012, the presumption of paragraph 14 to grant permission for sustainable development where relevant policies are out of date does not apply in the SDNP, even if the NPA cannot demonstrate a five-year supply of deliverable housing sites, in terms of paragraph 49.
81. However, the requirement of paragraph 47 to identify the full OAN for market and affordable housing in the housing market area still applies. It is accordingly necessary for the NPA to have first determined the OAN before assessing the development capacity of the SDNP to meet identified market and affordable housing needs and then establishing where and how any unmet need will be met outside the SDNP.
82. In qualitative terms, however, the evidence base, in particular the SDNP Housing and Economic Needs Assessment (HEDNA) of September 2017, and the provisions of the Plan itself, are expressly predicated upon the SDNP not meeting its OAN for housing. That is an approach which would lead to a finding of unsoundness unless, in quantitative terms, it is evident that a robust figure of OAN has first been established and secondly the capacity of the SDNP to accommodate any or all of that need in terms of its landscape-led statutory purposes has been rigorously measured.
83. Therefore, the approach of the Plan with respect to the OAN for housing is only consistent with national policy subject to quantitative assessment of its evidence base and provisions in terms of the issues set out below.

Are the OAN figures of 447 dwellings per annum (dpa) (8,493 total) and 293dpa affordable homes, established by the HEDNA, justified by robust evidence drawn from appropriate housing market areas (HMAs)?

84. The HEDNA of 2017 takes forward and updates the results of the earlier Strategic Housing Market Assessment (SHMA) of 2015, which estimated the total housing OAN for the SDNP to be between 416 and 454dpa and the affordable housing need to be 294dpa.
85. It is difficult to establish an appropriate basis for assessing housing needs, as there is no single, defined HMA coincident with the designated boundary of the SDNP, which spans parts of the four separate HMAs of Central Hampshire, Coastal Sussex, Eastbourne and Northern West Sussex. Nor does the SDNP boundary coincide with that of any local authority. Therefore, the HEDNA uses the partial component OANs for the portions of each of the four HMAs within the Park boundary related to population figures, adjusted to be consistent with SDNP population data.
86. The HEDNA then produces a fresh demographic-led projection, starting with the 2014 Government household formation rates, resulting in an OAN for the Park of 447dpa, equivalent to 8,493 dwellings for the 19 year Plan period. This is

derived from consideration of five- and ten-year trend-based scenarios as well as nil-migration and current population scenarios. The latter two scenarios produce much lower figures than the earlier SHMA, the 5-year trend scenario approximately the same, whilst the 10-year trend scenario results in the highest figure of 447dpa.

87. Before concluding on the OAN figure to be adopted, the HEDNA considered whether that figure should be increased to reflect future economic-led growth or market signals, such as land and house prices and affordability.
88. The HEDNA shows that economic activity rates derived by established forecasting houses, including Experian, as well as the Office of Budget Responsibility (OBR), would indicate an uplift in the OAN to between 541 and 620dpa, depending on assumed future economic activity rates, at least 21% above the demographic predictions. The higher figure is derived from nationwide OBR predictions, whereas the lower figure is based on Experian rates. These are, more applicable at local level to small areas and settlements, and bears out the range calculated in the earlier SHMA of 458 to 566dpa. On balance, the figure of 541dpa for an economic-led OAN would be the more realistic.
89. Crucially, however, whilst such statistics would apply in the absence of the designation of the area as a National Park, in practical terms this approach is not appropriate in the SDNP context. That is in the light of its socio-economic duty to foster the wellbeing of local communities, with emphasis on local business and affordable housing, pursuant to its statutory purposes related to natural beauty, wildlife, cultural heritage and special qualities. The latter consideration might even suggest that the affordable housing need of 293dpa should be taken as the OAN for the Park but that would clearly be unfeasible in terms of delivering affordable housing in isolation, other than exceptionally.
90. Practically, however, the largely rural SDNP is functionally related to the surrounding areas within neighbouring Districts, where the greater proportion of their administrative areas include major settlements, where housing need is more likely to be driven by economic growth. At the same time, the very potential of the SDNP for housing and employment development is clearly restricted by its statutory purpose and primary policy objective of landscape conservation.
91. Furthermore, the housing market of the Park is characterised by notably high property prices and an older population compared with the urban areas close to its boundaries, where a younger population seeks homes that are more affordable and therefore potentially contribute to the workforce of the Park by in-commuting.
92. This situation is borne out in the assessments within the HEDNA of market signals and affordable housing need. The HEDNA demonstrates that land values in the wider South Downs area, including the local authority areas outside the SDNP boundary, are more than 100% above national levels and 15% above regional levels and that median house prices are nearly twice the England and Wales average. The HEDNA uses the accepted methodology of the PPG to determine the affordable housing need of the SDNP to be 293dpa, equivalent to

the SHMA figure. These results indicate a cost premium for living in the SDNP and significant affordability pressure that would justify an uplift in OAN outside the context of a National Park.

93. In the terminology of its conclusions, the HEDNA appears to conflate the two separate matters of OAN and the practical housing requirement and supply of the Plan by presuming that the development capacity of the Park will be limited by its statutory purposes. I do not consider that such an assumption is any basis for setting the OAN figure. Indeed, the SDNPA would be well advised to ensure in future five-yearly reviews that potential confusion between need and supply is expressly avoided.
94. However, despite my misgiving about any prejudged assumption of development capacity, I am persuaded that, due to the specific planning status and economic circumstances of the SDNP to which I refer above, the highest of the demographic-led predicted OAN values of 447dpa is therefore to be preferred, net of any uplift for market signals, economic growth predictions or affordability.
95. I conclude that the OAN figures of 447 dwellings per annum (dpa) (8,493 total) and 293dpa affordable homes, established by the HEDNA, represent genuine objective need assessments appropriate to the circumstance of the SDNP unlimited by policy matters of development capacity or environmental constraints and supported by robust evidence drawn from appropriate HMAs

Are the landscape-led assessment of development capacity, the housing requirement of 250dpa (4,750 total) set by the Plan and the choice of housing sites for allocation justified and are adequate arrangements in place for the unmet housing need of the SDNP to be accommodated by neighbouring authorities?

Capacity and Supply

96. The determination of the capacity of the SDNP and the choice of sites for allocation are interrelated matters which involved an iterative process including the issues and options stage of Plan preparation, public engagement and necessarily subjective professional judgements by the NPA. These judgements were informed in particular by the SHLAA, the HRA, the SDILCA and the SA.
97. I accept, for the reasons set out in the foregoing sections of this Report, that the development land supplies of the Plan are properly landscape-led and I am satisfied that the NPA undertook a thorough assessment of potential housing sites to meet the OAN for market and affordable housing in the Park as far as possible. Adopted strategic sites from extant Local Plans have been brought forward, together with sites identified in the SHLAA, whilst Neighbourhood Development Plans have identified sites locally.
98. In order to provide communities with a reasonable measure of planning certainty, the NPA rightly established approximate housing provision levels by settlement, in accordance with its adopted dispersed medium Strategy and as ultimately set out by Strategic Policy SD26.

99. Sites were selected with reference to a range of factors, including their likely viability and potential to deliver affordable housing, giving priority where possible to the redevelopment of previously developed land within settlement boundaries and those in a sustainable location, as well as considering environmental impact and, importantly, the degree to which these could be mitigated.
100. I am satisfied that this process was well-informed, rigorous and comprehensive such that it will have exhaustively identified for allocation all known sites that would meet both the landscape-led principles of the Plan and its chosen Strategy. Some of the choices made by the NPA remain controversial and many are reviewed in connection with certain individual sites later in this Report. However, there is no substantive evidence that these judgements, to which the NPA was entitled, were unreasonable. That is notwithstanding that less than one fifth of the potential sites identified by the SHLAA were ultimately allocated.
101. The landscape-led assessment identified potential new housing development capacity from allocations in the SDLP of 1,133 dwellings after a 10% precautionary discount and another 1,543 units from those Neighbourhood Development Plans (NDPs) to which local site selection was devolved. To arrive at a figure of actual total capacity during the Plan period, 761 house completions achieved since the start of the Plan period in 2014 and 898 units from extant permissions were added. Based on figures informed by the Annual Monitoring Report (AMR) and dated April 2018, a further amount of 633 units was also added in recognition of anticipated windfall contributions from small sites. This was reasonably based on historic completions of sites of 1 to 4 dwellings less a precautionary 25% discount. Adding these component figures, the practical housing development capacity for the 19-year Plan period is 4,988 dwellings or 264dpa. This was rounded to a Plan requirement of 250dpa, or a total of 4,750 dwellings, in recognition of the increased planning constraint since the SDNP was designated.
102. Although this 'bottom-up' approach conflates requirement and supply assessments in a manner that would not be acceptable in a District not subject to National Park legislation and policy, it is justified in this case where the OAN has been properly assessed and unmet need quantified.

Neighbourhood Plans

103. Reliance upon NDPs to identify housing sites supports Localism but depletes the direct control of the NPA to ensure adequate land supplies. However, of the 52 NDP areas across the SDNP, 21 NDPs are made and the NPA closely monitors the delivery of housing across the Park as a whole against the prospect that further development plan documents could be prepared to meet any shortfall in due course.

Unmet Need

104. In complying with the Duty to Co-operate, as assessed above, the NPA has completed Statements of Common Ground with neighbouring authorities to seek to accommodate, as far as possible, the balance of housing need that cannot be met within the Park. Figures dated April 2018, set out in the DtC statement for each authority area within the Park, indicate that, in all cases except Chichester

and Lewes, the level of unmet need within the Park is either already met by adopted local plans or is a very small proportion of the total unmet need of the authority concerned.

105. In the case of Chichester it is agreed that the Council will assess its ability to accommodate a SDNP unmet need of 44dpa in its Local Plan Review but in Lewes it has been established, via the examination and adoption of the Joint Core Strategy, that an unmet SDNP need of 45dpa cannot be met.
106. However, there is no statutory or policy obligation upon the SDNPA to provide for its entire OAN, given there is robust evidence that the development capacity of the Park falls demonstrably below it. I consider that the arrangements for the unmet need to be accommodated have progressed as far as can reasonably be expected, consistent with the NPPF and regard them as adequate for the purposes of this Plan.

Conclusion

107. Overall, I conclude that the requirement of 4,750 dwellings (250dpa) set by Strategic Policy 26 of the Plan, the choice of housing sites for allocation and the arrangements for the unmet housing need of the SDNP to be accommodated by partner authorities are justified by robust evidence and sound.

Is there robust evidence that the supply of housing land from permitted and allocated sites will be delivered to an appropriate trajectory within the Plan period to meet the requirement of 250dpa?

Existing Housing Supply

108. The housing supply of the SDNP is characterise by historically high build-out rates, despite some evidence that certain sites may remain only partially completed due to viability issues.
109. There is no reason to question the evidence of the AMR, indicating an existing supply from unimplemented permissions at April 2018 of some 898 units, given these elements of the supply are subject to a precautionary 10 to 20% discount.
110. To this is added completions of 761 dwellings since the start of the Plan period, making an existing supply of 1,659 units on April 2018 figures.

Individual Sites Allocated for Housing

SD58 – Former Allotments Alfriston

111. Allocation Policy SD58 is not effective and is therefore unsound in making no provision for flood storage compensation where the development of the former allotments depends on land-raising within Flood Zone 3 of high risk. This is a recommendation of the Final Strategic Flood Risk Assessment (SFRA) Report. The appropriate additional development criterion is added by **MM49**.
112. As submitted, the allocation is also not effective due to an error in the site boundary, as depicted within Allocation Policy SD58. In the further interest of soundness this is corrected by **MM50**.

SD60 – Land at Clements Close, Binsted

113. The land at Clements Close lies south of Binsted with vehicle access via an existing cul-de-sac. However, the development criteria of Allocation Policy SD60, as submitted, are not fully effective by reason of the omission of any requirement for a pedestrian link to nearby Footpath 28. To be sound, the Policy requires an additional development criterion to be added to provide for this link.
114. In addition, criterion 1c of Policy SD60, to retain trees, confusingly duplicates criterion 2a to protect and enhance trees within the site. To be effective and sound in this regard, criterion 1c needs to be deleted.
115. Both these necessary changes are implemented by **MM51** to Allocation Policy SD60.

SD63 - Land south of A272 at Hinton Marsh, Cheriton

116. This site is allocated for 12 to 15 dwellings close to the River Itchen Site of Special Scientific Interest (SSSI) and SAC. These protective designations are directly related to the chalk stream, which is widely recognised, as noted in paragraph 3.17 of the Plan, as among the finest of such watercourses in the world. It is evident that the Itchen is subject to dedicated ongoing local efforts to preserve and enhance the water quality and ecology of the stream. It is also clear that, on no account, should new built development be allowed to compromise the SSSI and SAC.
117. This critical planning constraint is clearly acknowledged within the development criteria of Allocation Policy SD63, where it is also noted that the site is subject to groundwater flooding, requiring the provision of sustainable surface water drainage to any development. Lack of local piped foul water sewerage also requires the provision of on-site foul water treatment. The criteria further provide for the inclusion of public access and open space, whereas the land is currently undeveloped and enclosed. Plainly, the nearby SSSI and SAC are highly vulnerable to the potential effects of new development, including recreational pressure. However, taken together, the development criteria of the Policy impose an appropriate range of constraints and measures to prevent such effects.
118. The legally compliant HRA Appropriate Assessment of the River Itchen SAC addresses these matters and concludes that standard building practice, properly applied in the development and proposed use of the site, will not result in harm to the SAC in terms of pollution or increase in water flow by way of run-off. The concern as to the soundness of Policy SD63 is whether its protective provisions will be effective in practice, irrespective of the strict legal compliance of the HRA.
119. All necessary precautions against harm to the SAC are evidently embodied within the detailed wording of Policy SD63 and whether or not the site is ultimately allowed to be developed will depend on their rigorous implementation, as overseen by the SDNPA. Notwithstanding the world importance of the chalk stream of the River Itchen SAC and the local effort and concern for its protection, there is no substantive evidence that the allocated development would harm the River Itchen SAC or SSSI. I conclude that

Allocation Policy SD63 for the land south of the A272 at Hinton Marsh is justified, effective and sound as submitted.

SD64 – Land South of London Road, Coldwaltham

Site, Nature of Development and Issues

120. This site comprises over 8ha of meadowland in current agricultural use at the south western end of Coldwaltham but the intended area for the development of 25 to 30 houses and a 280sqm shop is limited to 2ha, contiguous with the existing residential development of Brookview and Brookland Way. The remaining 6ha extends further southwest and southeast outside the settlement of Coldwaltham and is designated, within the allocation as submitted, to become open space, to be secured by planning obligation. South of the allocation boundary is part of the Waltham Brooks SSSI, beyond that a waste water treatment works and a railway line and beyond that the River Arun Valley with its SAC, SPA and Ramsar international protective designations. The nearest neighbouring settlement is Watersfield to the west. The allocation is within a groundwater source protection zone.
121. Criterion 2 of Allocation Policy SD64, as submitted, anticipates the preparation of a development brief but the NPA has produced and consulted upon a Development Brief for the site, dated November 2018. To be effective in this connection, the Policy needs to be corrected by way of **MM54** and **MM60** to refer to the Development Brief as now prepared.
122. The allocation gives rise to main issues of landscape and biodiversity impacts.

Landscape

123. With respect to the effect on the landscape, in providing for up to 30 additional dwellings the allocation amounts to a strategic extension to Coldwaltham, into the open space between the settlement and Watersfield, partly eroding the separation between them. As recognised in the Development Brief, the site has a strong visual relationship with the South Downs beyond the Arun Valley flood plain and is openly visible in closer views, including from London Road. Clearly it is crucial in the landscape-led context of the SDLP that any development of the allocation site does not cause significant harm to the landscape or views.
124. Development Criterion 2b of Policy SD64 clearly requires any development to be informed by a comprehensive landscape and design strategy. This would in turn be based upon the Development Brief. This sets out that boundary hedges and trees would be retained and new planting used to break up the development edge and integrate trees into the new street scene to reduce visual impact. The layout of the 2ha built extension to the settlement would be led by the landscape strategy and arranged to respect views from London Road towards the Downs and to integrate with the settlement pattern of Coldwaltham.
125. Clearly there would be a significant alteration in the view from the retained meadow and the development could not be substantially screened. Nonetheless, I consider that the constraints imposed by Policy SD64 and the Development Brief, properly implemented, are capable of ensuring a form of development integrated visually and functionally as part of Coldwaltham, without unduly

harmful impingement on the landscape or unacceptably reduce its perceived separation from Watersfield.

Biodiversity

126. With respect to biodiversity, the allocation is unusual in that by far the larger part of the site is outside the settlement boundary and intended as open space, whereas currently it is farmland. Criterion 2a of Allocation Policy SD64 requires any development proposal to demonstrate that there would be no likely significant effects on several nearby SSSIs, SACs, SPAs or Ramsar Sites with mitigation secured by planning obligations or conditions. Other criteria seek to protect groundwater and other interests.
127. The SDNPA has published a Preliminary Ecological Appraisal and an Outline Meadow Management Plan for the site, with the landowners. These recognise the inherent biodiversity value of the site itself and the Outline Plan is aimed at achieving a net gain in that biodiversity within the residual meadowland of the allocation, appropriately making the development, as it affects the meadow, biodiversity-led. This would be achieved by returning the grassland, as far as possible, to an unimproved state by appropriate husbandry and by hedgerow creation and management, in order to maintain wildlife corridors and provide enhanced habitats for plants and wildlife including any dormice, bats, nightingales and reptiles.
128. Taken together, the Management Plan and Development Brief, produced during the Examination, provide comprehensively for the measures necessary to meet the several development criteria of Policy SD64, subject to detailed assessment and legal agreement associated with any future planning application. The question remains whether the Policy and its supporting text, in the Plan as submitted, would be effective and sound in ensuring that the biodiversity of the site itself would be protected and enhanced and, critically, whether the nearby internationally designated sites would be properly safeguarded.
129. The development criteria of Policy SD64 require the residual meadow area of the site to become accessible, landscaped open space, with car parking, having the primary purpose of providing an alternative to the sites designated for special protection in the Arun Valley, whilst also providing biodiversity improvements, including meadow management and groundwater protection.
130. However, these provisions, together with the adjacent proposed family homes, raise the prospect of increased direct public access and dog walking over the meadow and nearby SSSI but also to the designated sites themselves, with potential to negate the intended purpose and improvements of Policy SD64 and the Management Plan.
131. The area is evidently rich in a wide variety of species of flora and fauna, both protected and otherwise, all vulnerable to change due to development. These issues and the high importance of the protected sites are highlighted in the updated HRA and its Appropriate Assessment of the Arun Valley SAC, SPA and Ramsar sites. However, the Assessments conclude that the relative increase in public access and dog walking at the protected sites due to the development of site SD64 is likely to be minimal and overall recommend only precautionary development constraints of the kind imposed by Allocation Policy SD64

132. Moreover, whilst the land is currently managed by its current estate owners, the long-term biodiversity-led stewardship of the meadow towards an unimproved state would be safeguarded with greater certainty by legal agreement attached to any permission. This would support the requisite net gain in biodiversity.
133. The general and site-specific policies of the Plan, as submitted, make extensive provision to achieve an appropriate planning balance between development necessary to the statutory purposes of the SDNP and the vital biodiversity and other material interests it encompasses. The provisions of Policies SD9-10 for biodiversity and international sites would apply to this allocation as to any site. These policies are considered within Matter 7 below.
134. In detail, however, the specific protective criteria of Policy SD64 are, for several reasons, not effective or sound as submitted. Criterion 2 of Policy SD64 and the text leading to it fail adequately to highlight the biodiversity value of the allocated land, as distinct from the nearby designated sites, or to explain the need to maximise existing habitat, retain the meadowland and make a net biodiversity gain. **MM52** and **MM56-58** are necessary to insert a new criterion and textual information to this effect. Criterion 1 of Policy SD64 over-emphasises the public accessibility and car parking associated with the retained meadow and should simply specify its retention as open space, as reworded by **MM53**. Criterion 2a should properly refer to requiring no adverse effect on the integrity of the Mens SAC, as distinct from no likely effect on the SSSIs, as reworded by **MM55**, in line with national policy. Finally, additional criteria are necessary to require foul drainage to be connected to the main drainage system, the installation of sustainable surface water drainage and measures to ensure odour dispersal from, and defined access to the waste water treatment works. These are added by **MM59**, all in order to avoid pollution or disruption to the biodiversity of the meadow and the wider area.

Conclusions

135. The development of the site would bring the wider benefit of the provision of 25 to 30 houses and a local shop, in line with the Plan Strategy, as well as public open space alternative to internationally designated sites. Taking these factors into account, the development of the allocated Land South of London Road, Coldwaltham would be acceptable on balance, in terms of its effects on the landscape and biodiversity and in all other respects. I conclude that, with the MMs identified above, Allocation Policy SD64 is justified, effective and sound.

SD65 – Land East of Warnford Road, Corhampton

136. In the Plan as submitted, this site is allocated for up to 18 dwellings but its development is now well advanced and contributes to the existing housing supply. Allocation Policy SD65 is therefore no longer effective or sound and requires to be deleted by **MMs61-63** with an appropriate new explanatory footnote to Policy SD26 by **MM20**.

SD66 - Land at Park Lane, Droxford

137. The prospective development of the land at Park Lane has the potential to affect, in particular, nearby heritage assets of the historic village core of Droxford. However, these interests and other identified constraints related to

ecology are effectively covered by the development criteria of Allocation Policy SD66.

138. Even so, Policy SD66, as submitted, is not effective and is therefore unsound in respect of evident traffic pressure on narrow local access roads. An addition to the first criterion of Policy SD66 is necessary potentially to limit the ultimate amount of development in line with a detailed Transport Assessment to accompany any planning application. This change is brought about by **MM64**.

SD67 – Cowdray Works Yard and SD68 – Land at Egmont Road, Easebourne

139. Both these sites within Easebourne are currently underutilised and are each allocated for 16 to 20 dwellings with, in addition, 1,500sqm of light commercial development at the Works Yard. The wording of these allocations provides a level of flexibility for the design of their redevelopment commensurate with existing surrounding uses, subject to range of criteria to reflect identified planning constraints. Both allocations are sound as submitted.

SD69 – Former Easebourne School, Easebourne

140. Allocation Policy SD69 provides flexibly for 16 to 20 dwellings on this former school site with development criteria for the effective safeguarding of local heritage assets within the Easebourne Conservation Area and the maintenance of a visual gap as well as vehicle access at the Easebourne Lane frontage.
141. However, as submitted, the Policy is ineffective in omitting any provision for a pedestrian and cycle link direct to Glaziers Lane to encourage non-car travel to other parts of the community. The necessary additional criterion is added by **MM65**.

SD70 – Land Behind the Fridays, East Dean (East Sussex)

142. In the Plan as submitted, this site is allocated for up to 11 dwellings but the development is now complete and contributes to the existing housing supply. Allocation Policy SD70 is therefore no longer effective or sound and requires to be deleted by **MMs66-68** and **MM20**.

SD71 – Land at Elm Rise, Findon

143. This 0.7ha greenfield site, allocated in the submitted Plan for 15 to 20 dwellings, is located at the northern edge of Findon. The land is bounded on its east and south sides by the long back gardens of existing houses. The west boundary is shared with the rear of residential properties in Elm Rise, a cul-de-sac from where access to the site would be provided. Beyond the northern boundary fence are open fields.
144. The allocation of the Elm Rise site gives rise to issues mainly of visual impact on the downland landscape and the Findon Conservation Area (CA) in relation to development character and density as well as the effect of traffic generation.
145. The village of Findon nestles discretely in its valley setting with views from the Downs softened by vegetation. Whilst the development of the site would extend the village into the currently undeveloped countryside, it would be surrounded

on three sides by existing residential development. Moreover, the proposed houses would be served by the existing cul-de-sac of Elm Rise.

146. The density of the development in the Plan as submitted, of up to 30 dwellings per hectare (dph), would be markedly in excess of that to the east and south but would be more closely related to that of the wider built settlement.
147. Even so, as a matter of judgement, greater flexibility in the layout, design and character of any proposed housing scheme is necessary, without which Allocation Policy SD71 is not fully justified or sound, in terms of responding to local character in line with national policy. To ensure this, a reduction in the amount of development to between 14 and 18 dwellings, equivalent to a density range to 20-25dph, is necessary, by way of **MM69**.
148. With that modification in place, any development of the site would still be more visible than other parts of the existing settlement, especially in distant, elevated views. However, I consider on balance that its visual effect on the landscape of the SDNP would be acceptable. I further consider that the site is sufficiently far from the boundary of the Findon CA to avoid any visual relationship with it or harmful effect on its character.
149. Regarding traffic generation, a development of up to 18 new dwellings would give rise to a noticeable increase in vehicle movements in Elm Rise. However, there is no substantive evidence that this relatively small scale of increased traffic would have any unacceptable adverse impact on the safe flow of traffic on the existing local road network.
150. I conclude overall that, subject only to the single MM identified above, Allocation Policy SD71 for the land at Elm Rise, Findon, is justified, effective and sound.

SD72 – Soldiers Field House, Findon

151. The 0.6ha Soldiers Field House site, allocated for 10 to 12 dwellings, comprises a substantial, detached house and garden enclosed by a tall beech hedge. The site is situated at the eastern edge of Findon, with access via Soldiers Field Lane. It is prominently visible from elevated, distant viewpoints including Cissbury Ring and is within the setting of the Listed Wattle House at Nepcote Green. The existing house is of no particular architectural interest in itself.
152. The allocation of the Soldiers Field House site gives rise to issues mainly of visual impact on the landscape and public views as well local cultural heritage, accessibility and viability in relation its deliverability and contribution to affordable housing.
153. There are views in and out of the site but to replace the single large house with 10 or 12 more modest family homes would have little effect on the visual impact on the landscape overall. Moreover, the redevelopment of the site would afford opportunities for its appearance and character to be sensitively improved in relation to important viewpoints on the Downs and local heritage assets, in line with the express aim of criterion 1a of policy SD72. I therefore see no reason to doubt that the visual effect of the redevelopment of the site could be made would be acceptable.

154. The eastern edge of Findon has strong historic associations with the Findon Sheep Fayre and the equine industry, Soldiers Field House itself having been home to a famous racing trainer. This cultural heritage is of evident value in the locality, where there are aspirations to designate a conservation area around Nephote Green. Nevertheless, in the absence of any special protective designation over Soldiers Field House and garden, such matters do not amount to a substantive planning consideration to warrant setting aside the allocation.
155. Although at the fringe of the settlement, the site is within reasonable walking distance of the community facilities of Findon, which is a relatively compact settlement.
156. Whilst the viability of the site to deliver the 50% affordable housing contribution required by Policy SD28 might be questioned, that contribution can be reduced subject to a robust case on viability at the application stage. Moreover, the allocation also supports the aim to improve the edge of the settlement and there is no substantive evidence to suggest that the site is not deliverable.
157. I conclude that Allocation Policy SD72 for the site at Soldiers Field House, Findon is justified, effective and sound as submitted.

SD73 – Land at Petersfield Road, Greatham

158. This nurse site is allocated for redevelopment with 35 to 40 dwellings and a shop of up to 280sqm. The site is close to the Greatham Conservation Area and the allocation is appropriately treated as a major development, subject also to Core Policy SD3. The land lies between the built settlement at Petersfield Road and the open countryside landscape to the east.
159. The allocation raises issues related to heritage and biodiversity impact, the visual effect the development on the appearance of the site and the adjacent countryside and on the character of the village, as well as the provision of appropriate vehicular, pedestrian and cycle access.
160. Policy SD73 contains a range of criteria to safeguard recognised heritage and biodiversity interests.
161. However, criteria a and h of the Policy are ineffective in only vaguely requiring a transition from Petersfield Road to the countryside and the incorporation of an area of suitable open space. To be sound, the criteria require amendment to specify a clear transition in form and layout with a reducing built intensity eastward from Petersfield Road and a significant area of public open space to help provide that transition and make the visual impact of the development on the site and the adjacent countryside acceptable. These amendments are implemented by **MMs70-71**.
162. Otherwise, the allocation is reasonably to be regarded as an opportunity to enlarge the village population by some 10-15% in a manner sympathetic to the character of the present settlement, in conjunction with an increase in community facilities by way of the shop.
163. The development would also be required by criteria f and g of Policy SD73 to include safe vehicle access retaining the present entrance off Petersfield Road,

whilst also providing an off-road pedestrian and cycle link eastward to the public right of way network.

164. I conclude that, with the changes I have identified, Allocation Policy SD73 for Land at Petersfield Road, Greatham, is justified, effective and sound.

SD76 – Land at Itchen Abbas House, Itchen Abbas

165. Some 0.66ha of the grounds of Itchen Abbas House is allocated for 8-10 dwellings. The availability of the land was confirmed and clarified during the Examination. It was indicated, however, that the allocation boundary is inaccurate and unsound as defined in the submitted Plan. **MM75** is required to put into effect the necessary correction.
166. That change is necessary to ensure an appropriate residual area of curtilage for the present house. A sufficient area would still remain for the allocated 8-10 homes, together with space for boundary landscaping.
167. Policy SD76 includes appropriate criteria to protect landscape and biodiversity interests and ensure of safe vehicle access. There are several feasible options for an access to serve the dwellings, either from the road frontage or a track to the side of the site.
168. With the correction to the site boundary, Allocation policy SD76 is sound.

SD77 – Land at Castelmer Fruit Farm, Kingston near Lewes

Description and Issues

169. The 0.72ha Castelmer Fruit Farm allocation is situated behind existing residential development east of Ashcombe Lane. It is reached via an unmade track that runs between residential properties from a crossroad at Ashcombe Lane and serves five other houses. The land is allocated for 10 to 12 dwellings.
170. As submitted, the site is described as encompassing mature woodland but it is clear that the adjacent woodland is outside the site boundary. The site includes orchards, a small commercial garage, two greenhouses and a dwelling.
171. Policy SD77 includes development criterion a, requiring public access to the woodland but as this reference is due to an error in the description the Policy is unsound as submitted. Other criteria seek the enhancement of biodiversity, protection of trees, a landscaped transition to the site boundaries and safe access. Development access is to be limited to the allocated site itself with no opportunity for future expansion of development into adjacent fields or the remainder of the Fruit Farm. These remaining criteria would have the effect of restricting the built development to the area presently occupied by the dwelling and outbuildings. However, criterion h on access would also imply that maintenance access to the rest of the Fruit Farm could be inhibited and the Policy is unsound in this respect also. **MM77** is necessary to delete criterion a requiring public access to woodland and amend criterion h to allow for maintenance access.

172. Aside from broad questions of the approach to and consultation upon the strategic selection of sites, considered above under Matter 2, this allocation, as corrected by the NPA, raises issues of biodiversity and tree protection, physical and visual relationship to the settlement, loss of employment use, safe access and deliverability.

Biodiversity and Trees

173. The site is relatively constrained for the scale of redevelopment envisaged in the allocation and by the need to protect Kingston Hollow, which is bisected by the existing access road. Even so, I consider that the site possesses scope for the protection of trees worthy of retention, alongside opportunities to enhance the biodiversity of the site, including by additional landscape planting.

Relationship to Settlement

174. Notably outside the present settlement, the site is, nevertheless, strongly associated with existing built development within the village. The creation of a visual transition to the undeveloped countryside and woodland by way of boundary planting would serve to consolidate this relationship, whilst also softening the appearance of the development in near and distant views of the site. Thus, in comparison with the present dwelling and outbuildings that would be replaced, a number of new dwellings on the site would potentially enjoy a satisfactory visual and physical relationship with Kingston, as an integral part of the settlement. Moreover, I do not consider that, despite their edge location, the new dwellings would be unduly far from the village centre and its facilities.

Employment

175. The loss of the present employment use over that part of the site occupied by a commercial garage would be potentially in conflict with Strategic Policy SD35 on Employment Land in relation to development management in the absence of the allocation by Policy SD77. However, the adoption of the Plan incorporating the allocation for housing would override that consideration. The current employment use is not evidently of strategic importance in any event.

Access

176. The site access is in poor condition and traffic speeds on Ashcombe Lane at its crossroad junction with the access track are observed frequently to exceed the 30mph speed limit. However, appropriate vision splays are evidently achievable in any scheme to improve the access to serve housing on the allocation site. Traffic from the new houses would be noticeable passing the frontages of existing properties and improvement to its vertical alignment could require structural retaining walls facing these properties.

177. However, the current uses of the allocated land already potentially generate significant traffic movements associated with the Fruit Farm or garage uses. I do not consider the use of the existing access to serve up to 12 dwellings in place of those current uses would generate so much additional traffic as to warrant substantive planning objection to the allocation in principle.

Deliverability

178. The NPA remains satisfied that the development of at least 10 dwellings can be acceptably accommodated on the site. I am, however, concerned that the site is relatively restricted and that, taking all the potential effects of its redevelopment as whole, it might be difficult to achieve an acceptable design for 10 or more, even modest dwellings within the confines of the development criteria of Policy SD77, as corrected. In this further respect, I take the view that the allocation is unsound as submitted.
179. I consider that greater flexibility is required in the numerical requirement of the Policy, by reference to a figure of up to 12 dwellings with no specific lower limit. This has a degree of negative implication for the delivery of the full 10 to 12 dwellings including 5 to 6 affordable homes envisaged respectively by allocation SD77 and Policies SD26 and SD28. However, accepting that housing need and supply calculations can never be truly precise, I consider that, by itself, this effect would not have a significant impact on the amount and distribution of development across the Plan area as a whole. Moreover, a proportion of affordable homes would still be supported by the sliding scale of Strategic Policy SD28 for contributions from smaller sites of 1 to 10 dwellings. The necessary change is made by **MM76**.

Conclusion

180. I conclude that, with the MMs identified above, Allocation Policy SD77 is sound with respect to the Castelmer Fruit Fam allocation.

SD79 – Land at Old Malling Farm, Lewes – Strategic Housing Allocation

181. Notwithstanding a range of planning constraints, this 10ha site on the River Ouse includes some 6.6ha of developable land of low flood risk for an allocated 220 to 240 houses. The land is currently allocated for 240 houses by Policy SP4 of the adopted Lewes Joint Core Strategy (JCS), which Policy SD79 will replace on adoption of the SDLP.
182. The allocation in this Plan still gives rise to issues of potential impact on the landscape and tranquillity, heritage, biodiversity, including the nearby Offham Marshes SSSI, loss of best and most versatile agricultural land, residential amenity, education provision and highway access as well as the overall development capacity of the site, given the level of flood risk over approximately one third of the site area.
183. Policy SD79 requires a landscape-led Design Brief under the auspices of the SDNPA to include a Green Infrastructure Strategy and Masterplan and sets a range of development criteria with supporting text to recognise the environmental constraints to be observed. Detailed protection of heritage assets and aspects of residential amenity are matters for the development management policies of the Plan in connection with any future planning applications, whilst the loss of agricultural land is reasonably balanced against the benefit of the housing required for Lewes.
184. On the question of the primary road access towards the northern end of the site from Monks Way, this will lengthen and increase the use of that residential road.

However, there is no evidence that this arrangement would be unacceptable in amenity or traffic terms, subject to improvements to the wider road network to be secured in conjunction with any planning approval, and there is equally no evidence of a suitable alternative means of access.

185. Overall, there is no substantive evidence that the identified potential impacts upon the development cannot be acceptably mitigated in an appropriately landscape- and eco-system-led design in line with Allocation Policy SD79, as was previously established in the allocation of the site by Policy SP4 of the Lewes JCS.
186. However, given the environmental constraints upon the site for the development of the 240 dwellings, as envisaged by JCS Policy SP4, the provision by Policy SD79 of the SDLP for a variable number of dwellings in a range of 220 to 240 units provides an appropriate degree of design flexibility to enable all the development criteria to be met. The flexibility of the Policy is also appropriately maintained by the deletion of criterion k which unduly anticipates the location of built development within the site according to contour levels, whereas such considerations are more properly for the Design Brief. In this respect the Policy is unsound and criterion k is suitably deleted by **MM80**.
187. Moreover, development criterion 5f of Policy SD79 is ineffective and unsound in dealing with the arrangement of development in terms of its sequential location to avoid unacceptable flood risk on parts of the site susceptible to fluvial, tidal and groundwater flooding. To be consistent with the recommendations of the SFRA and sound, the wording of criterion 5f requires amendment, and additional criteria are required, to specify that the location of built development, other than essential infrastructure or water compatible development, must be in Flood Zone 1 only, with compensation storage for any development in Flood Zone 3. These changes are implemented by **MM78-80**.
188. I conclude that, with those changes, Allocation Policy SD79 for the Land at Old Malling Farm is justified, effective and sound.

SD81 – West Sussex County Council Depot and Former Brickworks site, Midhurst – Strategic Housing Allocation

189. This strategic allocation is for residential-led development including 65 to 90 dwellings and complementary uses, subject to Core Policy SD3 and to a Development Brief for its comprehensive development. The Brief addresses the sensitive interface between the site and Midhurst Common and nearby wildlife sites including a local Biodiversity Opportunity Area as well as the Singleton and Cocking Tunnels SAC and a range of other potential environmental impacts.
190. The terms of Policy SD81 are open and highly flexible but there is no evidence to indicate that the land could not be acceptably developed and the Policy makes provision to relocate an existing Household Recycling Facility presently on the site.
191. However, a significant defect of the development criteria of Allocation Policy SD81 and its supporting text, making the Policy partly ineffective and unsound, is the absence of a reference to the safeguarding of the former Petersfield to

Pulborough railway line through the site, as a walking and cycling link, which is a stated key objective of the development. This is corrected by **MMs82-83**.

192. With that change, Allocation Policy SD81 is sound.

SD82 – Holmbush Caravan Park, Midhurst – Strategic Housing Allocation

193. This 5ha former caravan site, allocated for 50 to 70 new dwellings, is subject to a risk of fluvial and groundwater flooding over parts of the land. Development criterion 1c specifies that development be located sequentially outside Flood Zones 2 and 3 of relatively high risk but this important stipulation is indirectly expressed, ineffective and unsound as submitted. For criterion 1c and Policy SD82 as a whole to be sound, **MM84** is required to state clearly that all housing development must be within Flood Zone 1 of low risk.

SD87 – Land at Church Lane, Pyecombe

194. In the Plan as submitted, this site is allocated for up to 8 dwellings but its development is now complete and contributes to the existing housing supply. Allocation Policy SD87 is therefore no longer necessary and is deleted by **MMs85-87** and **MM20**.

SD88 – Ketchers Field, Selborne

195. The allocation of this site, at the south eastern fringe of Selborne, is for 5-6 dwellings behind an area of modern housing and beyond the historic village core and Conservation Area.

196. The allocation raises issues of the form and location of the development with respect to the existing settlement, the means of access to the site and groundwater flood risk over the lowest part of the land.

197. Selborne is an essentially linear village with a range of community facilities distributed throughout. These are within reasonable walking distance of Ketchers Field and the nearby existing residential area. The form of the development would be subject to the development management policies of the Plan, such that a visually acceptable design could be achieved in keeping with the existing character and appearance of the village.

198. Access to the site is via an unmade access road from the outside of a bend on the B3006 that runs through the village. This access already serves several dwellings, a pre-school day nursery, a pavilion and a recreation ground. It is also a designated footpath. The route is assessed as average by the highway authority, with scope for limited improvement but with adequate visibility at the major road junction for the prevailing 30mph speed limit. On balance, it is evident that traffic from an additional six dwellings could be safely accommodated.

199. Flood risk could be addressed by a sustainable drainage scheme.

200. Policy SD88 and its supporting text expressly require the foregoing issues to be addressed in connection with any planning application by evidence studies,

including highways and flood risk assessments alongside habitats and arboricultural assessments to address other matters of biodiversity.

201. Overall, there is nothing to indicate that the Ketchers Field site could not be acceptably delivered in line with Allocation Policy SD88.

SD89 – Land at Pulens Lane, Sheet

202. This site is allocated in the Plan as submitted for 30 to 32 dwellings subject to a Development Brief to be prepared by the SDNPA. The land comprises 3.6ha of paddocks between the River Rother and the eastern edge of existing residential development within the built settlement of Sheet. Parts of the site are susceptible to flooding. Existing access is via a track between houses fronting Pulens Lane. The development criteria of Allocation Policy SD89 include requirements for public open space beside the River, with residential development kept to areas within low-risk flood Zone 1. A landscaped transition to the site boundaries, biodiversity enhancement and provision for protected species are also stipulated.
203. The allocation raises issues mainly in relation to the means of access and with respect to the location, amount and form of the residential development in relation to the River Rother and the existing settlement.
204. On the matter of access, the highway authority does not regard the existing track as suitable for the additional vehicular traffic that would be generated by the residential development of the allocation site. However, several options are available for suitable access to be acquired during the Plan period via third party land. Accordingly, there is no substantive planning objection to the allocation on access grounds.
205. As to the development itself, the construction of up to 32 new dwellings on this area of sensitive land would amount to major development in the SDNP context. This would make the settlement edge visually more urban, despite new landscape planting, and would increase pressure on the wildlife corridor and protected species due to public access and especially dog-walking. These impacts would make the development unacceptable in planning terms and the Plan is unsound as submitted in respect of this allocation.
206. The NPA has now produced a Development Brief following consultation and taking account of ecological evidence and the sensitivity of the River Rother wildlife corridor. To avoid encroachment on the wildlife corridor, the Brief now proposes to restrict the development to 15 to 18 dwellings towards the south western quarter of the site, a minimum of 60m from the sensitive area. This would naturally reduce the overall visual impact of the development and make boundary landscape transition planting visually effective, whilst the inclusion of the whole of the original site within the allocation retains scope for the required biodiversity enhancement.
207. Subject to additional development criteria mainly to mitigate the effect of dog walking in the area, the reduced amount of development would be acceptable. All the necessary changes to Allocation Policy SD89 and its supporting text are implemented by **MMs88-91**. With those changes, the allocation of the Land at Pulens Lane is sound.

SD90 – Land at Loppers Ash, South Harting

208. In the Plan as submitted, the Loppers Ash site encompasses a length of undeveloped frontage to New Lane and extends beyond the line of the back boundaries of neighbouring properties into a grass field to the east of the village. The site is allocated for 6 to 8 dwellings with open space at the centre, to maintain views through the site, and a single vehicular access from New Lane. New Lane is narrow with hedge banks and, as well as serving a number of residential properties, is a regular pedestrian and cycle route to Harting Down and the South Downs Way.
209. The allocation raises issues of the settlement boundary, development character and visual impact, including in views from the South Downs Way, as well as traffic generation and vehicular access.
210. I do not see the present green gap in the frontage of New Lane as contributing significantly to the settlement pattern or character, despite its edge location. Therefore, I do not consider that the insertion of up to eight dwellings along the undeveloped section of the New Lane frontage to be objectionable in itself. However, by extending the site, and thus the settlement boundary, beyond the line of existing built development fronting the Lane, the allocation would potentially lead to this part of the settlement becoming more urban, even with the inclusion of a central open space to maintain views. This would be detrimental to the settlement pattern and character, including within distant, elevated views from the Downs wherein South Harting is a focal point. For this reason, the allocation is unsound as submitted.
211. However, the NPA now proposes to reduce the site area to omit the easternmost part, maintain the line of existing development and delete the requirement for open space. In this way, the potential visual impact of the site, once developed, would be reduced and significant harm to the settlement pattern and character avoided. The necessary changes to Allocation Policy SD90 and its supporting text are brought about by **MMs92-93**.
212. With respect to traffic and access, although New Lane is narrow without footways and also a pedestrian and cycle route, it is lightly trafficked, straight and served by entrance points both to the north, off Elsted Road, and from the west, via the residential street, South Acre. Additional traffic due to up to eight new houses would be noticed by existing residents, especially those living along New Lane. However, given the availability of two access routes, including the one from South Acre, which joins New Lane opposite the allocation site frontage, I do not consider that the development would cause undue harm to the safe movement of traffic or to local living conditions by way of additional vehicle movements.
213. Finally, I recognise that New Lane is bounded by a traditional hedge bank which is a characteristic feature of the rural village of South Harting. In respect of this, criterion 1a of Policy SD90 specifies a single access point to the allocation site. Whilst the NPA would now prefer to delete this requirement, by its retention without modification, the Policy acts to minimise loss of the hedge bank, preserving the essential character of the Lane.

214. I therefore conclude that Allocation Policy SD90 for land at Loppers Ash, South Harting, is consistent with the Strategy and sound, subject only to the MMs I have identified above.

SD91 – North of the Forge, South Harting

215. This 0.1ha allocation for 5 to 6 dwellings refers to a small area of an arable field sloping towards the north side of Elsted Road at the edge of South Harting. The site is adjacent to the north eastern boundary of the South Harting Conservation Area. A stream flows past the site to the south east, passing under Elsted Road in culvert.

216. The allocation raises issues of visual impact, especially on the setting of the CA, access, drainage, deliverability and cumulative impact with other local development.

217. The erection of up to six dwellings on the site would represent a relatively high local development density but would continue the two-sided built frontage to Elsted Road from within the CA. With careful design to respect the setting of the CA, as required by criterion 1a of Policy SD91, undue visual impact could be avoided.

218. The land currently affords farm access direct from Elsted Road but alternative access is available, including via a lane nearby to the east. Criterion 1c of the policy requires off-street parking to avoid the need for parking on Elsted Road.

219. There is some potential for seasonal flooding of the nearby stream, as acknowledged in criterion 1b of the Policy, but exacerbation of this risk due to the development of the site could be avoided by the use of sustainable, on-site drainage, subject to a site-specific flood risk assessment of any future development proposal.

220. The land is evidently in single ownership and deliverable for development.

221. Given the relatively small scale of this proposed addition to the substantial existing built settlement of South Harting, there is no evidence that it would cause any unacceptable planning impact cumulatively with that at Loppers Ash under Policy SD90 or with any other development in the village.

222. I conclude that Allocation Policy SD91 for Land North of the Forge, South Harting, is sound as submitted.

SD92 – Stedham Sawmill, Stedham

223. This 1.3ha site encompasses both commercial and undeveloped land south of the main part of Stedham and not far north of the Iping Common SSSI. The land is allocated for 16-20 dwellings and up 3,000sqm of Class B1 business use. Policy SD92, with its supporting text, in effect, prescribes business uses to the west side of the site and up to 20 dwellings on the east side and requires a public cycle and pedestrian route through the residential portion of the development to connect with a public right of way to the north.

224. The mixed-use allocation raises issues of potential adverse impact on the nearby SSSI, the type and form and deliverability of the development allocated, including with reference to the loss of the present employment land, and the overall design of and access to the future redevelopment of the site.
225. There is evidence of significant potential for adverse impact on the Iping Common SSSI from the substantial redevelopment of the Stedham Sawmill site. The proposed amounts of residential and commercial development, with encouragement of public access through the site, raises the prospect of increased public pressure on the SSSI, especially due to dog walking. As submitted, Allocation Policy SD92 provides insufficient assurance that the development proposed could be accommodated, in the manner envisaged, without undue harm to the SSSI and is accordingly unsound.
226. As to the type and form of the development and the loss of employment use, from the marketing standpoint there is evidently little or no demand for the employment use as it exists. Moreover, there is an adequate supply of employment land within the SDNP as a whole, as discussed Matter 5 below. However, there is a locally identified demand for small-scale employment linked to residential accommodation, perhaps in the form of live-work units. Moreover, there is no countervailing marketing evidence to suggest that this combination of uses would not be deliverable. The essential mix of development proposed is accordingly appropriate.
227. Even so, Policy SD92 is further ineffective and unsound in over-prescribing the layout of the development in separate areas, with excessive detail constraining its design. At the same time, to be sound, the criteria of the Policy do need to specify that the development, including its vehicular access from the A272, be designed to conserve and enhance the rural character of the area and integrate with the existing community to the north.
228. The remedy lies in a series of changes to reduce the total amounts of built development allocated for the site and increase the flexibility of their design, deleting unnecessary constraining detail but expressing clearly the need to respect rural character. It is also necessary to focus and integrate the development primarily northward towards the main settlement.
229. Accordingly, **MM99** to Policy SD92 applies a reduced housing allocation of up to 16 units and halves the commercial development to 1,500sqm and also nominates 0.35ha land for biodiversity enhancement. **MMs94-95** to the supporting text and **MM103** to the site plan designate the southern part of the site closest to the SSSI as the biodiversity enhancement area to be kept free of built development with management to mitigate adverse effects on the SSSI, including by controls on dog-walking and the introduction of heathland flora. **MM96-98, MM100** and **MMs101-102** together delete unnecessary constraining detail and amend criteria 3a-h and 4a of the Policy to avoid adverse impact on Iping Common and also Stedham Common SSSIs, refocus public access towards the north, integrate the residential and employment uses as potential live-work units and control the detailed design of the development with respect to local character and proper drainage.

230. I do not doubt that a more open-ended and flexible allocation contemplating amounts of development equal to or even greater than those included in the submitted version of Policy SD92 would enhance the commercial deliverability of the site but this would be at the expense of unacceptable planning impacts, especially on biodiversity.
231. I conclude that the MMs I have identified above are necessary to render Allocation Policy SD92 for the mixed-use redevelopment of Stedham Sawmill sound, including for up to 16 dwellings alongside 1,500sqm of employment floor space. The latter is also the subject of Matter 5 below.

SD93 – Land South of Church Road, Steep

232. The site is a 0.7ha area of undeveloped land in the centre of Steep. The main issue with respect to the suitability of the land for allocation for 8 to 12 dwellings is whether the development could be in keeping with the character and appearance of Church Lane.
233. The site is valued locally as informal open space, albeit it is not a Village Green in law and has no right of private access. Although the site might meet the essential requirements for designation as a Local Green Space, there is no evidence of any such proposal during the preparation of the Plan. It is therefore a moot point whether the compensation requirement for equivalent open space set by Policy SD46 would apply.
234. The site is sensitive with respect to the potential for landscape impact and the effect of its redevelopment on the character of Church Road and the centre of Steep. However, the development criteria of Policy SD93 expressly require site boundaries to be sympathetic to the landscape, no off-street parking, no access to adjacent fields and retention of mature trees.
235. However, the Policy is not effective and is therefore unsound in not specifically recognising and providing for the local value of the currently open space. Balancing the need for the housing against all other planning considerations, the Policy can be made sound by the addition of a requirement to retain part of the site as open space but for public enjoyment. **MM104-105** to Policy SD93 and its supporting text are therefore necessary to introduce a further criterion for approximately 20% of the total area of the site to be provided as informal public open space. With those changes, Allocation Policy SD93 for the Land South of Church Road, Steep, is sound.

SD95 – Land South of Heather Close, West Ashling

236. Policy SD95, as submitted, allocates 0.7ha of land for between 18 and 20 houses. Following a review of the capacity of the site, the scale of development requires to be reduced to 15 to 17 dwellings and a specific requirement inserted into the development criteria to provide for a connection to the nearest point of adequate capacity in the sewerage network. Without these changes, Policy SD95 is unjustified and unsound. The necessary amendments are brought into effect by **MMs106-107**.

SD96 – Land at Long Priors, West Meon

237. This allocation is for 10-12 houses on a 0.5ha portion of an open field immediately north of the residential cul-de-sac, Knapps Hard but with access proposed via Long Priors, the adjacent cul-de-sac to the west. Immediately east of the site is a tennis court and to the south east the Recreation Ground. The site slopes upwards from west to east. The supporting text to Policy SD96 recognises that the site is in a sensitive position in the wider open landscape of the South Downs Dip Slope. The site is evidently within a groundwater protection zone and the lowest parts of the land are subject to surface water flooding.
238. The allocation raises issues of impact on landscape and views, groundwater protection and flooding in the context of climate change, as well as means of access and traffic generation.
239. In meeting the identified need for local housing, the development would logically round off the built settlement. However, it would have the potential to partially block views of the countryside which are especially valued locally, including from the Recreation Ground. At the same time, the site is not within the setting of any designated heritage assets and development criteria a and b of Policy SD96 expressly require development to provide a suitable transition in form from the present housing, compatible with the adjacent open countryside. In any design, substantial building on the higher and most sensitive, eastern part of the site could be avoided by the application of these criteria. On balance, I find no substantive planning objection to the allocation on landscape grounds, given the identified need for new housing.
240. Criteria g and f of the Policy require the development to have regard to potential local flooding and groundwater emergence and to demonstrate no significant harm to groundwater resources. Whilst climate change might exacerbate flood potential, the supporting text makes clear that sustainable drainage measures should be incorporated in any development. I find no objection in relation to groundwater and flooding.
241. New domestic traffic generated by up to 12 additional houses would be noticeable to residents of Long Priors, as the site access would be via the present turning head. However, there is evidently sufficient traffic capacity in Long Priors and adequate junction visibility in immediate local highway network. Equally therefore, I find no planning objection on access and traffic grounds.
242. For these reasons, I conclude that Allocation Policy SD96 and its supporting text are sound, as submitted.

Conclusion on the Trajectory of Housing Land Supply from Permitted and Allocated Sites

243. Housing supply figures based on the AMR and provided by the NPA in April 2018 indicate a total supply of 4,988 dwellings for the 19-year Plan period, consistent with the prior capacity calculation. This shows a surplus over the total requirement of 4,750 units of 248.

244. The several MMs set out above in connection with the sites allocated for housing will reduce the total supply by a small amount, well within the original surplus. Accordingly, the housing supply of the Plan is sufficient to meet its stated requirement for the whole of the Plan period.
245. Consequent upon the reduction in the development capacity of certain sites, the table to Strategic Policy SD26 on the Supply of Homes becomes inaccurate as submitted and unsound. An additional **MM19** is therefore necessary to update the table within Policy SD26.
246. As to the supply trajectory, the AMR indicates high build-out rates for the SDNP, a relatively even supply trajectory is likely to be achieved, providing a five-year housing land supply against requirement throughout the Plan period, consistent with the NPPF.

Does the Plan make appropriate provision for accommodation for Gypsies and Travellers and Travelling Showpeople, based on robust evidence of need and acceptable sites?

Overall Requirement and Supply

247. The NPA provides updated evidence of need and supply with respect to accommodation within the SDNP for Gypsies and Travellers and Travelling Showpeople. This is based on studies over the several partnership Counties of the SDNPA with a base date of March 2018, adjusted to reflect subsequent permissions.
248. The need assessments appear robust and indicate a current requirement across the SDNP for 14 Gypsy and Traveller caravan pitches and 9 plots for Travelling Showpeople.
249. As submitted, the Plan allocates five Gypsy and Traveller sites providing for 13 pitches but one site, SD75, Half Acre Hawkley has now been developed for two pitches, leaving an allocated supply of 10 pitches against the current need of 23. The Travelling Showpeople requirement arises from a single unauthorised one-plot site at Priors Dean.
250. In terms of the outstanding deficits of 14 permanent Gypsy and Traveller pitches and 9 Travelling Showpeople plots, criteria 3a-h of Strategic Policy SD33 provide reasonably for proposals for unallocated sites to come forward to meet identified needs, whilst the Policy also commits to meeting that need including with reference to the specific allocations. Moreover, two transit traveller sites at Horsdean and Bridies Tan offer a total 30 pitches with regular vacancies.
251. The submitted reasoned assessments for potential sites appear equally robust and I am satisfied that the Plan allocates those sites which can be accommodated within its statutory landscape-led context.
252. However, Policy SD33 is strictly ineffective and unsound unless updated with current evidence of requirement and supply. This is achieved by **MMs26-28**.

Individual Sites

SD74 – Land at Fern Farm, Longmoor Road, Greatham

253. This existing, time-expired, temporary site is allocated for a total of four permanent Gypsy and Traveller pitches. Leaving aside the uncertainty over the past and current planning status of the site, which is not a matter for this Report, the allocation raises issues mainly related to landscape impact, effect on biodiversity and possible land contamination, the latter being a subject for development management in connection with any future planning application.
254. The site is well contained in landscape terms and Policy SD74 requires the creation of an attractive street frontage with well vegetated boundaries to form an appropriate transition from village to woodland character. I therefore do not consider that the development would have a substantially adverse impact on the landscape.
255. Consideration of the proximity of the site to the Wealden Heaths SPA has led to a judgement by the NPA that the limited amount of accommodation proposed is acceptable with respect to biodiversity interests, in view of the difficulty in identifying suitable traveller sites.
256. The allocation provides a measure of planning certainty and control and, on balance, is justified and sound, as submitted.

SD75 – Half Acre, Hawkley

257. As noted above, this site is allocated for 3 permanent Gypsy and Traveller pitches but it is now subject to permanent planning permission for two pitches, with no evident prospect for a third. With adequate provision elsewhere for identified need local to East Hampshire, the loss of one unit from the allocated supply is of minimal consequence. As the development of the site is, in effect, complete, contributing to the existing supply of accommodation, Allocation Policy SD75 is no longer necessary and is deleted by **MMs72-74**.

SD78 – The Pump House, Kingston near Lewes

258. This allocation refers to an established, temporary, one-pitch gypsy site with relatively little planning impact. Its permanent retention would contribute to a known need for gypsy and traveller accommodation. There is no substantive planning objection to Allocation Policy SD78 as submitted.

Conclusion on accommodation for Gypsies and Travellers and Travelling Showpeople

259. I conclude, on the available evidence, that, with single site deletion I have identified, the Plan makes appropriate provision for accommodation for Gypsies and Travellers and Travelling Showpeople, based on robust evidence of need and acceptable sites.

Overall Conclusion on Housing Need and Supply

260. I conclude overall that the approach and provisions of the Plan for market and affordable housing and gypsy and traveller accommodation are sound, subject to the MMs identified above.
261. The provision of affordable homes as a proportion of new housing development is also a matter for Strategic Policy SD28 and Matter 9 below.

Matter 5 – Employment Land Need and Supply

Are the provisions of Policy SD35 for a total of 10.3 hectares of new employment land adequate and supported by robust evidence?

Assessment of Need

262. The approach of the Plan to the provision of employment land is rightly predicated upon meeting the duty of the NPA to foster the economic and social wellbeing of the communities within the SDNP without compromise to its statutory purposes of conservation and enhancement of natural beauty, wildlife and cultural heritage of the SDNP and promotion of understanding and enjoyment of its special qualities.
263. The latest objective calculation of need for employment space within the SDNP is contained in the Housing and Economic Needs Assessment (HEDNA) of 2017. This draws on the Employment Land Review (ELR) of 2015 which develops a Wider South Downs Area as a basis for assessment of employment need in the absence of any shared administrative boundary between the SDNP and the six identified Functional Economic Market Areas operating across it.
264. Extrapolating from several area studies based around comparatively large towns, the ELR identified a need of 8 to 12ha of employment land for the Park. This was calculated on the basis of past employment growth and expected future performance by sector. Those figures were disaggregated according to the proportion of District populations resident within the SDNP, which are invariably relatively low, given the essentially rural character of the SDNP.
265. If the estimated employment need were merely disaggregated by land area, this would clearly lead to an unrealistically high need figure, several times the 10.3ha assessed by the HEDNA, as was demonstrated during the Examination. Of these two contrasting, 'bottom-up' and 'top-down' methodologies, that of the HEDNA is plainly to be preferred in the context of the statutory purposes, Vision and Objectives of the SDNPA.

Supply

266. Of the required 10.3ha of employment land, some 5.35ha are supplied by way of extant planning permissions. Another 4.69ha are allocated in various Neighbourhood Development Plans, leaving a net requirement to be allocated in the SDLP of only 0.26ha. In practice, even allowing for a reduction in Allocation SD92, Stedham Sawmill (considered further below) the allocations of the Plan together provide around 1.5ha for employment uses, well in excess of the

requirement, including the sole allocation for employment only by Allocation Policy SD80 for Malling Brooks, Lewes, noted below. Added to this supply is potentially some employment at Strategic Allocation SD56, Shoreham Cement Works, once restored.

267. In addition, other sites such as the recently vacated Longmoor Camp and land within business areas of landed estates are available for redevelopment, albeit not required for allocation on current assessments but for consideration in a future Plan review. Meanwhile, such brownfield or other resources might be brought forward subject to criteria 2d and 3a-b of Strategic Policy SD25, as development exceptionally permitted outside settlement boundaries where it is an appropriate re-use of previously developed land or as part of a Whole Estate or Large Farm Plan delivering benefits in line with SDNP purposes and special qualities.

Individual Employment Allocations

SD80 - Malling Brooks, Lewes

268. This allocation for some 7,000sqm of Class B employment land is largely consistent in its terms with extant permission for its development. However, Policy SD80 is unsound in referring to an outdated flood risk assessment and **MM81** is necessary to require a comprehensive approach to flood risk by way of a site-specific flood risk assessment.

SD92 - Stedham Sawmill

269. As concluded above in connection with Matter 4 on the housing aspect of this mixed-use allocation, an amount of 1,500sqm of employment space, reduced from the submitted 3,000sqm and potentially provided within live-work units, is acceptable and deliverable to meet local demand. The site does not feature in the Plan-wide strategic requirement and supply of employment land. Allocation Policy SD80 is subject to MMs94-103, already identified above.

Conclusion on Employment Land Need and Supply

270. Given that the numerical requirement figures are founded on a robust assessment of need and capacity, I conclude overall that the provisions of the Plan for employment land are sound, subject only to the single change identified above.

Matter 6 - Strategic Sites

Does the Plan set appropriate and effective criteria for the redevelopment of its two nominated Strategic Sites?

SD56 - Shoreham Cement Works, Upper Beeding

271. The 44ha site of the former Shoreham Cement Works and chalk quarry is recognised as the most prominent site in the SDNP with major negative visual

impact, such that its restoration in a manner compatible with the special qualities and statutory purposes of the SDNP is a stated objective of the NPA.

272. The site is subject to many planning constraints including the cost of demolition and remediation, land contamination, heritage and biodiversity considerations as well as its essentially unsustainable, rural location.
273. However, the site also offers a range of development opportunities to enhance the landscape biodiversity and create an exemplar of sustainability and is intended to become the subject of its own Area Action Plan (AAP) and be regarded as an asset to the SDNP.
274. As submitted, Policy SD56, in criteria 2a-c, supports development proposals for visitor-based tourism and recreation, Class B2 and B8 business in support of the local economy and further types of development enabling environmentally-led restoration.
275. The type of development so prescribed gives rise to issues of the viability of providing the much-needed redevelopment against the benefits of restoration sought by the Policy and the achievement of SDNP objectives, as applied to the site.
276. Clearly, a more definitive criterion providing for some market housing on the site would be the best means to ensure the viability of any redevelopment scheme in support of the practical deliverability of this project of singular scale and importance to SDNP objectives. However, I have seen no scheme-based viability assessment and there is evidently much work yet to be accomplished in conjunction with the landowners in the preparation of the projected AAP. In the circumstances, I consider that it is too early to conclude that Strategic Site Policy SD56 should provide expressly for open market residential development in this relatively unsustainable location for such development, notwithstanding the strategic importance of restoring the site. The same consideration would apply with respect to the inclusion of Class B1 office uses. However, I do consider that the Policy should show more flexibility as a basis for the AAP and to support the timely realisation of the exemplar development to which it aspires.
277. Whilst the NPA would prefer to defer any concession to other forms of development to the AAP, in this one respect, I conclude that Policy SD56 is ineffective and unsound as submitted. I therefore consider that criterion 2c should be amended to make qualified allowance for subordinate development of new homes, including affordable homes, and Class B1 office development where necessary to enable the primary tourist and business uses and provided it is demonstrated that this would deliver the environmentally-led restoration of the site. The required change is implemented by **MM46**, revised from the consultation version to include similarly qualified reference to Class B1 employment use within a range of possible further types of subordinate development.

SD57 - North Street Quarter and adjacent Eastgate Area, Lewes

278. This extensive, mixed residential, business and retail site is intended, with a range of other service and community uses, to provide a new riverside

neighbourhood adjacent to Lewes town centre. The allocation specifies approximately 415 dwellings, at least 5,000sqm of business floorspace and a new supermarket. The development is progressing towards implementation on site, starting imminently.

279. The riverside location has a history of significant flooding and criteria 3a and 3m of Policy SD57 duly make provision for flood defences of an appropriate standard as well as sustainable surface water management. However, as submitted, the Policy makes no provision for flood storage compensation where built development takes place within Flood Zone 3 of high risk. To this extent the Policy is ineffective and unsound. The remedy lies in the addition by **MM47** of a new criterion expressly requiring flood compensation measures in such circumstances.

Overall Conclusion on Strategic Sites

280. I conclude overall that the Plan sets appropriate and effective criteria for the redevelopment of its two nominated Strategic Sites.

Matter 7 – Special Qualities

Does the Plan make appropriate and effective provision with respect to the Landscape, to Design and to other aspects of Development Management related to the special qualities of the SDNP?

Strategic Policy SD4 - Landscape Character

Strategic Policy SD5 – Design

Strategic Policy SD6 - Safeguarding Views

281. Policy SD4 states that development proposals will only be permitted where they conserve and enhance the landscape. Policy SD5 states that they will only be permitted where they adopt a landscape-led approach. Policy SD6 states that proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the Park.
282. Given that the Plan is landscape-led, in accordance with the statutory purpose of the SDNP to conserve and enhance the landscape, Policy SD4 correctly adopts the same terminology. This is essentially consistent with the great weight given to landscape conservation by the NPPF of 2012 at paragraph 115 and to conservation and enhancement of the landscape by the NPPF of 2018-19 at paragraph 172.
283. By implication, Policies SD4-6 are all prohibitive of development which does not conserve and enhance the landscape or adopt a landscape-led approach or safeguard views, but without the exception of overriding benefit allowed by Core Policy SD1 in relation to Sustainable Development. However, when the Plan is properly read as whole, the exceptions of the overarching Core Policy SD1 would apply to any development. The Policies allow for judgement as to whether conservation and enhancement is achieved in any event, considered in proportion to their scale, as made clear in the case of Policy SD4 by text paragraph 5.7.

284. Policies SD4-6 thus all apply a layer of policy protection to the landscape, separate from the broader provisions of Policy SD1 and none are inconsistent with it.
285. Similarly, Policies SD4-6 are all to be read alongside Core Policy SD2 on Ecosystem Services, which acts as a complimentary tool in the assessment of positive impacts on the ability of the natural environment to contribute to goods and services.
286. Otherwise, Policies SD4-6 all set an appropriate range of criteria and would be effective, as a basis for assessing the potential effect of development on the highly protected SDNP landscape. All three Policies are sound as submitted.

Strategic Policy SD7 – Relative Tranquillity

Strategic Policy SD8 – Dark Night Skies

287. Policies SD7 and SD8 are land use policies requiring development in the SDNP respectively to preserve or enhance its special qualities of relative tranquillity and dark night skies.
288. The supporting text to Policy SD7 provides guidance on the assessment of the tranquillity status of a site compared with other locations within the Park, based upon the published SDNP Tranquillity Study. This recognises tranquillity as a perceptual quality of the Park landscape, requiring protection in the context of the purposes of the National Park. Policy SD7 provides a sound basis for assessing, case by case, whether a proposal will meet its objectives.
289. Policy SD8 and its supporting text sets a relatively complex series of criteria for assessing proportionately whether a development proposal would meet the essential aim to protect the dark night skies of the International Dark Sky Reserve, which covers the Park. However, the criteria and tabulated requirements for the levels of protection required provide structured guidance on avoiding unnecessary light pollution, related to an adopted Dark Night Skies Technical Advice Note. Thereby, Policy SD8 also provides an effective and sound basis for assessing case by case whether a proposal will meet its objectives.

Strategic Policy SD12 – Historic Environment

290. Policy SD12 secures the protection of heritage assets within the SDNP, broadly in line with the NPPF and Historic England guidance on Enabling Development.
291. However, with respect to enabling development, criterion 6d is not fully justified in referencing possible future revision of the Historic England Guidance of 2008, which cannot be foreseen. This reference should be deleted.
292. Criterion 6e is also unjustified and ineffective in that it is ambiguous and has the potential to impose too great burden in terms of viability, in requiring enabling development to be subject legal agreement to secure restoration of a heritage asset before completion of the development. The remedy lies in deleting the latter qualification. There remains scope in the detailed terms of any legal agreement to specify a programme and timescale for requisite restoration work.

293. The necessary changes to make Strategic Policy SD12 sound are implemented by **MM17A**, added since the MM consultation but without affecting the sound thrust of the Policy.

Strategic Policy SD23 – Sustainable Tourism

294. Policy SD23 supports sustainable tourism in line with the statutory purpose to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public.
295. Criterion 2 of the Policy rigorously protects visitor accommodation from loss to other forms of development. It requires evidence that the tourist use is financially unviable and a robust 12-month marketing campaign demonstrating no demand for it. Although the dual requirement for viability and marketing evidence is potentially burdensome to a prospective applicant, I do not consider a 12-month marketing period to be excessive, accepting that this level of rigour is justified in the context of the statutory purpose of promoting public enjoyment.
296. I conclude that Strategic Policy SD23 on Sustainable Tourism is sound, as submitted.

Development Management Policy SD30 – Replacement Dwellings

Development Management Policy SD31 – Extensions, Annexes and Outbuildings

297. Policies SD30 and SD31 place a limit of precisely 30% on the internal floor area of replacement dwellings or extensions to existing dwellings in the SDNP. This figure is arbitrary but is consistent with practice elsewhere, in particular the New Forest National Park. Moreover, it is a reasonable guideline in the National Park context with the aim to maintain the existing stock of relatively affordable small to medium dwellings and the priority to conserve the character of the landscape. As a guideline though, the unqualified percentage is over-prescriptive and potentially difficult to administer with respect to the establishment of the dimensions of an original dwelling. In this respect both Policies, as submitted, are insufficiently effective and therefore unsound. That is, even accepting that, for extensions, paragraph 7.94 of the text supporting Policy SD31 contemplates larger extensions, providing there is enhancement to the host dwelling and no harmful impact.
298. **MM22** to Policy SD30 and **MM23** and **MM25** to Policy SD31 and paragraph 7.94 are therefore required to apply the qualification 'approximately' to the 30% limit. This allows a proper degree of flexibility and judgement in the appraisal of proposed replacements and extensions in the context of the scale of the existing building and the other protective criteria of the Policies regarding local character and amenity. However, the deletion of the general provision for larger extensions in the consultation version of MM25 in favour of one limited to special needs is not appropriate and MM25 is amended accordingly.
299. Criterion 2 of Policy SD30 provides for an increase in the number of dwellings in a replacement scheme, qualified in the supporting text to be limited to the original curtilage, with the dwellings being small, defined as no more than 120sqm in floor area. I consider that the Policy and text, read together, provide clear direction to avoid unacceptable environmental harm due to replacement

and extended dwellings, with sufficient flexibility for judgement on the circumstances of individual applications.

300. In respect of both Policies SD30 and SD31, the Plan defines the term 'existing dwelling' as dating from the SDNPA becoming the local planning authority on 1 April 2011. This neglects the fact that the SDNP was designated on 18 December 2002. To back-date the application of the limiting provisions of both Policies to the designation of the SDNP might prejudice the prior expectations of home owners who purchased their property between 2002 and 2011 with aspirations of being allowed larger replacement or extended dwellings. However, it is logical and in the wider interests of the Park for the provisions of the Policies to apply from the earlier date of designation and appropriate and reasonable in the interest of the statutory purposes of that designation. As submitted therefore the Plan is unsound in this respect also.
301. The remedy lies in **MM21** to paragraph 7.86 of the text supporting Policy SD30, amending the date of application of the Policy to 18 December 2002 and **MM24** to paragraph 7.93 of the text supporting Policy SD31, similarly back-dating the application of that Policy.
302. With the foregoing identified changes, Development Management Policies SD30 and SD31 for replacement dwellings and extensions are sound.

Development Management Policy SD39 – Agriculture and Forestry

Development Management Policy SD40 – Farm and Forestry Diversification

Development Management Policy SD41 - Conversion of Redundant Agricultural and Forestry Buildings

303. Policies SD39-41 make a range of provisions, under the specific heading of Agriculture and Forestry, for new agricultural buildings, farm diversification and conversion of redundant buildings.
304. These policies are ineffective in a number of respects and require modifications to render them sound.
305. In Policy SD39, criteria b, c, e and g are worded negatively and require to be recast in the positive terms of **MMs29-31** with reference, in particular, to the selection of the site for the development best suited to conservation and enhancement.
306. Policy SD40 requires diversification proposals to contribute to the first purpose of the SDNP by providing long-term benefit to the business as an agricultural or forestry operation. Clearer reference is required in criterion 1a(ii) to the physical scale and environmental impact of subsidiary agricultural diversification, as distinct from its effect on the business income streams. The supporting text requires amendment to clarify the circumstances where new buildings would be acceptable, in place of the reuse of those existing. These changes are put into effect by **MMs32-35**.
307. Policy SD41g, together with the supporting text to the Policy, makes provision for residential use of converted agricultural or forestry buildings. More detailed and explicit stipulations are necessary by way of a cascade of potential occupiers, giving priority to succession housing for existing, new entrant or

retired former agricultural or forestry workers, with a degree of flexibility for individual proposals. This is achieved by **MMs36-37** and **MMs39-40**. A new text paragraph is appropriately added by **MM38** to cover the high likelihood of the presence and need for protection of bats in old rural buildings.

308. Policies SD39-41 are related specifically to protecting the recognised special quality of the SDNP as an environment shaped by farming, with the possible uses of formerly redundant buildings linked to the socio-economic duty of fostering the well-being of local communities within the Park. These Policies are not intended to reflect directly the broader provisions of the NPPF for the re-use of rural buildings.
309. I conclude that, with the identified modifications in place, the provisions of the Development Management Policies of the Plan for Agriculture and Forestry in the SDNP are effective and sound.

Development Management Policy SD43 – New and Existing Community Facilities

310. Policy SD43 resists the loss of community facilities unless this is justified by, among other things, robust evidence of a marketing campaign demonstrating no market demand for the facility in question. To be effective, and also consistent with Policy SD37 on the loss of retail units, criterion 6 of Policy SD43 needs to be amended to require a 24 month marketing campaign, in place of a 12 month campaign as set down in the Policy as submitted. The necessary soundness change is effected by **MMs42-43**.

Development Management Policy SD48 – Climate Change and Sustainable Use of Resources

311. Policy SD48 sets minimum standards of energy efficiency in the interests of sustainability in relation to climate change, including that new major non-residential development shall meet the BREEAM standard of Very Good. To be effective in meeting the Vision for National Parks to lead the way in adapting to climate change, this requirement requires to be amended to Excellent by way of **MM45**.

Overall Conclusion on Special Qualities

312. With the MMs identified above in place, the Plan makes appropriate and effective provision with respect to the Landscape, to Design and to other aspects of Development Management related to the special qualities of the SDNP.

Matter 8 – Biodiversity

Does the Plan make appropriate and effective provisions for Biodiversity consistent with current national policy and guidance?

Strategic Policy SD9 – Biodiversity and Geodiversity

Strategic Policy SD10 – International Sites

Strategic Policy SD11 – Trees Woodland and Hedgerows

313. Notwithstanding the terms of Policies SD9 and SD10 on submission, they are potentially unsound in that they no longer reflect national policy in the NPPF of 2018-19 and current guidance. That is, in particular, with reference to the achievement of net gain and enhancement in biodiversity and the scope of protection of European protected sites, their surrounding areas and the definition of exclusion or buffer zones.
314. A series of changes is required to make Policy SD9 sound. There needs to be a clear requirement for a demonstrable net gain for biodiversity, including the protection of and support for the recovery of rare, notable and priority species and compliance with the mitigation hierarchy of national policy. The necessary changes are implemented by **MMs6-9** and **MM11**, the latter being slightly revised from the consultation version to refer to delivering the aims of relevant biodiversity strategies.
315. Similarly, Policy SD10 requires correction to ensure appropriate acknowledgement of the Singleton and Cocking Tunnels SAC alongside the Mens and Ebernoe Common SACs and to set down appropriate protection zones for rare breeds of protected bats, consistent with the updated HRA. An additional criterion is also needed to refer to ongoing group working by the SDNPA with relevant authorities to help protect the Wealden Heaths Phase II SPA, in line with the HRA. A final amendment is necessary with respect to the Solent Coast SPAs to clarify the wording of the Policy regarding the mitigation of in-combination impacts which are likely to have a significant adverse effect on the SPAs. All these necessary changes are made by **MMs12-16**.
316. Amendment is also required to the supporting text to Policy SD11, by way of **MMs17-18**, to correct the omission of reference to new planting in support of Ancient Woodland and Veteran Trees, with cross-reference to Policy SD9 on Biodiversity by way of **MM10**.
317. With those modifications in place, the provisions of the Plan for Biodiversity are sound.

Matter 9 – Affordable Homes and Rural Exception Sites

Does the Plan make appropriate and effective provisions for affordable homes and rural exception sites?

Strategic Policy SD28 – Affordable Homes

Strategic Policy SD29 – Rural Exception Sites

318. Strategic Policies SD28 and SD29 set out the provisions of the Plan respectively for Affordable Homes contributions within new housing development and for Rural Exception Sites for affordable homes outside settlement boundaries.
319. It is now established within national policy and guidance that the Plan should not seek affordable housing contributions from housing sites of 10 or fewer dwellings, or 5 or fewer in designated rural areas, including National Parks. The NPPF of 2018-19 in effect makes a similar provision for sites of 9 or fewer dwellings. The exception is where the evidence base and local circumstances justify lower, tariff-style thresholds.
320. Policy SD28 provides a sliding scale of contributions of 50% from sites of 11 or more dwellings, 40% for sites of 10 dwellings, 30% for sites of 9, and down to 1 unit for sites of 4 or 5 dwellings, with a financial contribution for sites of 3 dwellings negotiated case-by-case. There are parallel requirements to secure a proportion of rented affordable homes.
321. The main issues are whether this tariff is viable and whether it is justified by the evidence base of the Plan and the particular circumstances of the SDNP.
322. As concluded in connection with Matter 4 above, there is a pressing need for affordable homes in the Park. This exceeds 50% of the total objectively assessed housing need and, at 293dpa, is well in excess of the development capacity of the Park for new housing. This is in a context of market signals that housing affordability is particularly acute and of historic low delivery of affordable homes. There is clear evidence that a majority of around 62% of affordable homes delivered in the Park have been on small sites below 10 and often of 4 or 5 dwellings. Given also that the policy focus of housing growth within the Park is on affordable home provision, there is clearly exceptional justification for a sliding scale of contributions for sites below the normal 10, 9 or 5 unit thresholds.
323. The Local Plan and Affordable Housing Viability Assessment of 2017 updates previous viability work in the light of the seven years of experience now accumulated by the SDNP following its designation.
324. The approach and results of the Viability Assessment Study follow accepted methodology, in line with the PPG, and are essentially unchallenged. The Assessment adopts various residual land values according to agricultural, previously developed and prospective rural exception site usage. It tests a range of 17 site typologies on residual land value, assuming a reasonable uplift over current use value. This incorporates the desirable housing mix of Strategic Policy SD27. The cost of compliance with the requirements of Strategic Policy 48 for energy efficiency, limited water consumption and construction standards, in respect of Climate Change and Sustainable Use of Resources is also taken into account. Build costs and developer profit of 20% are conservatively assumed so as err on the side of understating residual value and hence viability.
325. The result of the Assessment led to the scale of contributions now sought by Policy SD28 and these are supported by this robust evidence. That is notwithstanding previous evidence leading to the adoption of lower percentage contributions, for example in the Lewes JCS.

326. There is evidence of a wide range of potential complex variables affecting the actual viability of specific housing proposals to bring forward the level of affordable contributions set by Policy SD28. These relate to relative proportions of rented, part-owned or owned tenures as well as to individual site characteristics. In view of the evidence of the broad viability of the site typologies tested at this level of plan preparation, these matters may properly be left to the planning application and development management process.
327. Given the high importance of securing an increase in affordable homes in support of Park communities, it is right that the test of viability be rigorously applied. At the same time, Policy SD28 makes realistic provision for a negotiated lower contribution when justified in individual cases.
328. Paragraph 7.68 of the supporting text to Policy SD28 intimates that where, exceptionally, a lower proportion of affordable homes than sought by the sliding scale of the Policy is accepted in an allowing an application, a clawback clause will be incorporated into the related planning obligation to secure a higher contribution if market conditions and the viability of the development improve before completion. This is a reasonable stipulation on the basis that financial risk will have been removed by the date of implementation of any such provision.
329. The SDNPA works in partnership with several recognised providers of affordable homes and it is evident that there is commitment among such agencies to support and bring forward affordable housing schemes and contributions, including from the majority of small sites allocated by the Plan. This indicates a good probability that Policy SD28 will be successful in delivering as much of the identified need for affordable homes in the SDNP as can fairly be expected.
330. Strategic Policy SD29 allows rural exception sites for 100% affordable housing subject to criteria of suitability in terms including landscape, sustainability, scale, location and type, as informed by community engagement. Supporting paragraph 7.79 allows for an optimum lower alternative to 100% affordable dwellings to meet local need where robust viability evidence demonstrates a genuine risk of the site not coming forward. In the Park context of rigorous landscape protection alongside a focus on increasing affordable home provision, I consider that Policy SD29 with its supporting text makes appropriately balanced provision for rural exception housing sites.
331. For the foregoing reasons, I consider that the provisions of Strategic Policies 28 and 29 for Affordable Homes and Rural Exception Sites are sound, as submitted.

Summary of Assessment of Legal Compliance

332. My examination of the legal compliance of the Plan is summarised below.
333. The Plan has been prepared in accordance with the SDNP **Local Development Scheme** Sixth Revision October 2018.
334. As discussed and concluded within the Preamble above, public consultation on the Plan, the MMs and the updates and addenda to the Sustainability Appraisal

and Habitats Regulations Assessment was carried out in compliance with the SDNP **Statement of Community Involvement** with one exception regarding a small number of representations inadvertently not recorded following the Regulation 19 consultation but this matter was resolved with no injustice to the Representor concerned.

335. The Plan has been subject to adequate **Sustainability Appraisal** which has been updated to include consideration of the effects of the Main Modifications recommended in this Report. The SA process considered the vision and objectives of the Plan, five reasonable alternative strategic approaches to development and alternatives to the sites proposed for allocation, making subjective but informed and reasonable judgements in relation to an appropriate range of planning constraint and criteria. It also informed measures to mitigate adverse effects resulting from development. Accordingly, the SA was proportionate in scope and has influenced the iterative development of the Plan.
336. As set out within the Preamble above, the **Habitats Regulations Assessment**, including Appropriate Assessments where necessary, has been updated in the light of current case law and the modifications to the Plan now recommended. The updated HRA and its incorporated appropriate assessments sets out that the Plan may have some negative impact for which mitigation has been secured through the Plan as now recommended to be modified. The updated HRA of the SDLP is supported by a large body of neighbouring local authorities as well as Natural England as an appropriately robust assessment.
337. The Plan includes policies designed to secure that the development and use of land in the SDNP contribute to the mitigation of, and adaptation to, **climate change**. These include the policies setting out the approach in relation to flood risk, renewable and low carbon energy. In addition, the overall spatial focus of new development distributed between existing settlements will tend to reduce the need to travel. Accordingly, the SDLP, taken as a whole, achieves the statutory objective with respect to climate change.
338. The Plan complies with all relevant **legal requirements**, including in the 2004 Act (as amended) and the 2012 Regulations, wherein Regulations 8(4) & (5) require that the policies in a local plan must be consistent with the development plan. In this case the SDLP contains a statement at paragraph 1.35 making clear that, on adoption, the Plan is intended to replace all the saved and Core Strategy policies of the several adopted development plans of the partnership authorities inherited by the SDNPA or adopted since its inception, other than in relation to minerals and waste. The policies to be replaced are identified at Appendix 2 to the Plan.
339. It is not my role to consider directly whether or not the SDNPA has complied with the **Public Sector Equality Duty** (PSED) with reference to its own Equalities Impact Assessment. Nevertheless, throughout the Examination, I had due regard to the aims expressed in S149(1) of the Equality Act 2010 to eliminate discrimination, to advance equality of opportunity and to foster good relations with respect to a range of relevant protected characteristics including race. This included consideration the provision of traveller sites to meet identified needs.

Overall Conclusion and Recommendation

340. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the Main Matters and Issues set out above.
341. The SDNPA has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that, with the recommended **Main Modifications** set out in the **Appendix** the South Downs Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

B J Sims

Inspector

This Report is accompanied by an **Appendix** with **Annexes** together comprising a Schedule of **Main Modifications**.

APPENDIX
to
Report on the Examination of the
South Downs Local Plan

Schedule of Recommended Main Modifications

Notes

1. Page, policy and paragraph references are to the Pre-submission South Downs Local Plan published on 26th September 2017
2. Main Modifications (MMs) are underlined for additions and ~~crossed through for deletions~~.
3. Annexes show revised site allocation plans as follows:

Annex 1 - SD58: Former Allotments, Alfriston (MM50)
 Annex 2 - SD76: Land at Itchen Abbas House, Itchen Abbas (MM75)
 Annex 3 - SD90: Land at Loppers Ash, South Harting (MM93)
 Annex 4 - SD92: Stedham Sawmill, Stedham (MM103)

MM ref	Para Policy ref	Page No	MAIN MODIFICATION
MM1	1.10	2	The Local Plan sets out how the National Park Authority will manage development over the next 15 years. This is based on the statutory purposes and duty for national parks as specified in <u>the National Parks and Access to Countryside Act 1949, as amended by the Environment Act 1995:</u>
MM2	SD2 (lg)	45	(g) conserve and enhance soils, <u>use soils sustainably, and protect the best and most versatile agricultural land;</u>
MM3	SD3 (l)	48	In determining what constitutes major development the National Park Authority will consider whether the development, <u>including temporary events should they be deemed to constitute development,</u> by reason of its scale, character or nature, has the potential to have a <u>serious significant</u> adverse impact on the natural beauty, wildlife or cultural heritage of, or recreational opportunities provided by, the National Park. The potential for <u>significant</u> 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.
MM4	4.21	48	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. <u>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.</u>
MM5	4.24 and Foot-note 27	48	All allocations, including those for strategic sites, within this Local Plan have been screened to determine if they would constitute major development. If development on the site is expected to constitute major development then the second part of Core Policy SD3 will have been applied when the allocation was made. This is set

			out in detail in the evidence-based study, Assessment of Site Allocations against Major Development Considerations—Technical Report. [27]
MM6	SD9 (1)	70	Development proposals will be permitted where they conserve and enhance biodiversity and geodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation., and should: <u>Prior to determination, up to date ecological information should be provided which demonstrates that development proposals: ...</u>
MM7	SD9 (1a)	70	[Amendments to criteria and addition of new criteria:] ... a) Retain, protect and enhance features of biodiversity and geological interest (including supporting habitat and commuting routes through the site and taking due account of any use by migratory species) and ensure appropriate and long-term management of those features. Opportunities for net gains in biodiversity should be identified and incorporated; <u>a!) Identify and incorporate net gains for biodiversity</u>
MM8	SD9 (1)	70	[New criteria:] <u>b!) Protect and support recovery of rare, notable and priority species.</u>
MM9	SD9 (1)	70	[New criteria:] <u>d!) Comply with the mitigation hierarchy as set out in national policy</u>
MM10	SD9 (2) (d)	71	b!) d) Irreplaceable Habitats (including ancient woodland as shown on the Policies Map, and the loss of veteran trees): Development proposals which result in the loss or deterioration of irreplaceable habitats, including ancient woodland and veteran trees will be refused unless <u>there are wholly exceptional reasons need for, and benefits of, the development in that location clearly demonstrably outweigh the loss and a suitable compensation strategy exists.</u>
MM11	SD9 (2) (e)	71	e) Outside of designated sites (including Biodiversity Opportunity Areas (BOA) and habitats listed in Biodiversity 2020, protected species and priority species, and habitats list): i. <u>Development proposals should identify and incorporate opportunities to conserve, restore and recreate priority habitats and ecological networks. must have particular regard to their effects on species and habitats which have been designated in law as requiring protection or priority. Development proposals that affect those interests will be assessed strictly in accordance with legal requirements and will—as a minimum—be required to avoid adverse impacts or, if unavoidable, adequately mitigate those adverse impacts. Development proposals should not prejudice the aims of BOA and should take opportunities to contribute and deliver on the aims and objectives of the relevant biodiversity strategies, where possible.</u>
MM12	SD10 (1)	74	<u>The Mens SAC, and Ebernoe Common SAC and Singleton & Cocking Tunnels SAC</u>

			<p>I. Development proposals on greenfield sites and sites that support or are in close proximity to suitable commuting and foraging habitat (including mature vegetative linear features such as woodlands, hedgerows riverine and wetland habitats) within <u>the following ranges 9km of the Mens SAC or 7km of the Ebernoe Common SAC</u>, as shown on the Policies Map, should have due regard to the possibility that barbastelle and Bechstein Bats will be utilising the site. Such proposals will be required to incorporate necessary surveys and ensure that key features (foraging habitat and commuting routes) are retained, in addition to a suitable buffer to safeguard against disturbance⁴⁶.</p> <ul style="list-style-type: none"> a) <u>6.5km: Key conservation area – all impacts to bats must be considered given that habitats within this zone are considered critical for sustaining the populations of bats within the SACs</u> b) <u>12km: Wider conservation area – significant impacts or severance to flightlines to be considered.</u>
MM13	SD10 (2)	74-75	<p>Singleton and Cocking SAC</p> <p>2. Proposed use or development of the tunnels comprising the Singleton and Cocking Tunnels SAC will be required to demonstrate that there is no adverse effect on the conservation-interest features, including hibernation habitat for Barbastelle and Bechsteins Bats, or on the integrity of the site. Suitable commuting and foraging habitat for the site that lies within or in close proximity to any proposed development needs to be retained, in addition to a suitable buffer to safeguard against disturbance. This will ensure no loss or severance of existing commuting and foraging routes occurs either from direct land take or disturbances from lighting, noise and vibrations both during construction and operational phase of any development.</p>
MM14	SD10 (4)	75	<p>Development proposals resulting in a net increase in residential units within 400m of the boundary of the Wealden Heaths Phase II SPA, as shown on the Policies Map, will be required to <u>demonstrate that the need for development cannot be solely met outside of the 400m zone, and undertake a project-specific Habitats Regulations Assessment (HRA).</u> ...</p>
MM15	New criteria to follow SD10 (4)	75	<p>[New criteria:]</p> <p><u>4b. To help protect the Wealden Heaths Phase II SPA, the National Park Authority will work with relevant authorities and Natural England as part of a working group with regard to monitoring, assessment and measures which may be required. Planning permission will only be granted for development that responds to the emerging evidence from the working group, the published recommendations, and future related research.</u></p>
MM16	SD10 (5)	75	<p>Development proposals resulting in a net increase in residential units, within the Solent Coast Special Protection Area's (SPA) (Chichester & Langstone Harbours SPA, Portsmouth Harbour SPA and Solent & Southampton Water SPA) zone of influence shown on the Policies Map, defined as 5.6km from the boundary of these sites,</p>

			may be permitted where ‘in combination’ effects of recreation on the Solent Coastal Special Protection Areas are satisfactorily mitigated through the provision of an appropriate financial contribution to the delivery of strategic mitigation. In the absence of a financial contribution toward mitigation, an appropriate assessment may be required to demonstrate that any ‘in combination’ negative effects <u>impacts which are likely to have a significant adverse effect</u> can be avoided or can be satisfactorily mitigated through a developer-provided package of measures.
MM17	SD11	77	[New criteria:] <u>6a. Opportunities should be identified and incorporated for planting of new trees, woodlands and hedgerows. New planting should be suitable for the site conditions, use native species and be information by and contribute to local character and enhance or create new habitat linkages.</u>
MM17A	SD12	80	6d. It meets the tests and criteria set out in <i>Enabling Development and the Conservation of Significant Places</i> (or guidance superseding it); 6e. It is subject to a legal agreement to secure the restoration of the asset prior to the completion of the development; and
MM18	New para to follow 5.102	78	<u>Ancient Woodland and Veteran Trees</u> <u>5.102a Ancient woodland and veteran trees are irreplaceable habitats – please see Policy SD9. Development is expected to, in the first instance, avoid any negative effects on ancient woodland or veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists. To mitigate negative impacts, a buffer zone of a minimum of 15 metres, consisting of semi-natural habitat should be employed between the development and the ancient woodland or tree. Compensation measures will only be considered as a last resort. Further detailed guidance for applicants on ancient woodland and veteran trees is found in the Forest Commission and Natural England joint Standing Advice.</u>

MM19	SD26 (3)	122	[In table that follows part 3., change figures as follows:]	
			Coldwaltham	38 <u>28</u>
			Fernhurst (including Syngenta*)	220 (*200)
			Findon	30 <u>28</u>
			Lewes (including North Street Quarter*)	875 (*415)
			Stedham	18 <u>16</u>
			West Ashling	19 <u>16</u>
			Droxford	30 <u>26</u>
MM20	New footnote to Policy SD26	123	^{FN} At the time of Local Plan submission, the housing provision figures for Corhampton and Meonstoke, East Dean and Friston (East Sussex) and Pyecombe have been met through sites allocated in the Pre-submission Local Plan having been subsequently built out. These sites therefore no longer require an allocation policy.	
MM21	7.86	136	The term ‘existing dwelling’ for the purposes of this policy refers to the residential unit that existed on 01 April 2011 <u>18 December 2002</u> or, if built after that date, as originally built. This is the date that the National Park Authority became the local planning authority for the National Park was first designated.	
MM22	SD30 (1a)	137	Development proposals for replacement residential dwellings outside settlement boundaries, as defined on the Policies Map, will be permitted where: a) The structure, constituting all new and existing development, does not result in a net increase of more than <u>approximately 30%</u> compared with the gross internal area of the existing dwelling; and	
MM23	SD31 (1a)	138	a) The proposal does not increase the floorspace of the existing dwelling by more than <u>approximately 30%</u> unless there are exceptional circumstances;	
MM24	7.93	138	The term ‘existing dwelling’ for the purposes of this policy refers to the residential unit that existed on 01 April 2011 <u>18 December 2002</u> or, if built after that date, as originally built.	
MM25	7.94	138	With respect to the size of extensions and annexes the Authority will generally seek modest proposals which increase the Gross Internal Area (GIA) of the existing dwelling by no more than <u>approximately 30%</u> . A larger proposal 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. The Authority will consider larger	

			<u>extensions that are needed to accommodate exceptional family needs, for example, arising from a disabled or elderly member of the family; robust evidence will be required to support such applications.</u>																																			
MM26	SD33 (2)	144	<p>The National Park Authority will seek to meet the need of Gypsies, Travellers and Travelling Showpeople up to 2027/28, by the allocation of permanent pitches and the granting of planning permission on currently unidentified sites for approximately:</p> <ul style="list-style-type: none"> a) 13 pitches in that part of the National Park located in Brighton & Hove; b) 8 6 pitches in that part of the National Park located in Lewes District; c) 11 6 pitches in that part of the National Park located in East Hampshire and Winchester Districts. 																																			
MM27	SD33 (3)	144	<p>Development proposals to meet the needs of the Gypsy, Traveller and Travelling Showpeople community (as defined in Planning Policy for Traveller Sites (2015) or any subsequent policy) <u>on unidentified sites</u> will be permitted where they:</p> <ul style="list-style-type: none"> a) Can demonstrate a local connection Meet a need as identified in Figure 7.6 below; b) Can demonstrate that there is no alternative available pitch which could be used in the locality; e) b) Do not result in sites being over-concentrated in any one location or disproportionate in size to nearby communities; ... 																																			
MM28	Figure 7.6	145	<p>FIGURE 7.6: SUMMARY OF LOCAL PLAN ALLOCATIONS AND PERMANENT PITCH-NEED WITHIN THE NATIONAL PARK FOR GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE AS OF 1 OCTOBER 2018</p> <table border="1"> <thead> <tr> <th>Area (Within National Park)</th> <th>Permanent Gypsy & Traveller Pitch Need</th> <th>Permanent Showpers ons' Plot Need</th> <th>Allocatio ns in the Local Plan</th> <th>Remainin g unmet need</th> </tr> </thead> <tbody> <tr> <td>Brighton & Hove*</td> <td>13 (2016–2028)</td> <td>0</td> <td>0</td> <td>13 <u>Gypsy & Traveller</u></td> </tr> <tr> <td colspan="5"><u>West Sussex</u></td> </tr> <tr> <td>Coastal West Sussex (Arun, Adur, Chichester, Worthing)*</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td><u>Horsham</u></td> <td><u>0</u></td> <td><u>0</u></td> <td><u>0</u></td> <td><u>0</u></td> </tr> <tr> <td><u>Mid Sussex</u></td> <td><u>0</u></td> <td><u>0</u></td> <td><u>0</u></td> <td><u>0</u></td> </tr> <tr> <td colspan="5"><u>East Sussex</u></td> </tr> </tbody> </table>	Area (Within National Park)	Permanent Gypsy & Traveller Pitch Need	Permanent Showpers ons' Plot Need	Allocatio ns in the Local Plan	Remainin g unmet need	Brighton & Hove*	13 (2016–2028)	0	0	13 <u>Gypsy & Traveller</u>	<u>West Sussex</u>					Coastal West Sussex (Arun, Adur, Chichester, Worthing)*	0	0	0	0	<u>Horsham</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>Mid Sussex</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>East Sussex</u>				
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MM29	SD39 (1b & e)	164	<p><u>1(b) The development occupies the site best suited to conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park. Wherever possible, development should re-use or be on the footprint of an existing agricultural building, otherwise it should be related physically and functionally to existing buildings associated with the enterprise, unless there are exceptional circumstances relating to agricultural or forestry necessity for a more isolated location. It has been demonstrated that available alternative sites, including where feasible sites outside the National Park, which might better protect and enhance the special qualities have been considered, and are unsuitable to meet the need;</u></p> <p><u>1(e) The development re-uses or replaces existing buildings where feasible. Where this is not feasible, the development should be related physically and functionally to existing buildings associated with the enterprise, unless there are exceptional circumstances relating to agricultural or forestry necessity for a more isolated location;</u></p>																																			
MM30	SD39 (1g)	164	Existing <u>redundant buildings within the application site which have a negative landscape impact on landscape character are removed where appropriate.</u>																																			


MM31	SD39 (2c)	164	The layout and design is located to minimise impacts on <u>conserves and enhances local landscape character and</u> the special qualities; and
MM32	SD40 (1a(ii))	166	Diversification activities remain subsidiary to the farm <u>agricultural</u> or forestry operation, in terms of physical scale and income stream <u>environmental impact</u> ; and
MM33	7.201	167	Farm diversification should make the best possible use of existing, appropriate buildings <u>while supporting landscape character</u> . 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.
MM34	7.202	167	Where <u>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^{FN}. A functional design may be appropriate, provided that the buildings are modest in scale.</u>
MM35	New footnote to 7.202	167	^{FN} Farmstead Assessment Framework, Historic England, 2015
MM36	SD41 (1c)	168	The original building is structurally sound, is not derelict and of an appropriate design and scale for conversion to the proposed new use <u>worthy of conversion with regard to its current character, scale and condition</u> , without the need for substantial reconstruction, significant extensions or ancillary buildings;
MM37	SD41 (1g)	168	For residential uses, the proposed development is restricted to occupation by local workers who need to be accommodated outside of defined settlement boundaries. The building is converted to the most appropriate viable use according to the following cascade: <ul style="list-style-type: none"> i. <u>Firstly, housing for essential agricultural or forestry workers, or succession housing for former agricultural or forestry workers</u> ii. <u>Farm/forestry diversification for employment use</u> iii. <u>Affordable housing</u> iv. <u>Farm/forestry diversification for visitor accommodation or facilities</u> v. <u>Open market housing.</u>
MM38	New paragraph to	169	Given their location, low intensity of human use and other <u>characteristics, redundant agricultural or forestry buildings have special potential to support protected species (in particular, bats and</u>


	follow 7.208		<u>barn owls). Any proposal for conversion must therefore be accompanied by a protected species survey.</u>
MM39	7.213	169	<p>The priority use for redundant agricultural or forestry buildings will be for farm diversification projects, in line with policy SD47. <u>When a farm or forestry building is converted, the use should reflect as closely as possible the cascade set out in the policy part 1(g). The clear expectation is for such conversions to provide for essential agricultural or forestry workers' accommodation, or succession accommodation as defined below. If this is not viable or demonstrably unachievable, other uses may be considered in the order of preference shown. Where all other potential uses have been assessed sequentially and are shown to be unviable or unachievable, or in conflict with other policies in this local plan, the suitability of conversion to open market housing may be considered. Residential conversion is more likely than other uses 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.</u></p> <p>If it can be robustly demonstrated that this cannot be delivered in line with the relevant policy, examples of potentially acceptable conversion to other uses include:</p> <ul style="list-style-type: none"> • Employment uses in line with policy SD34: Sustaining the Local Economy • Local community uses in line with Policy SD43: New and Existing Community Facilities • Visitor accommodation in line with policy Policy SD23: Sustainable Tourism • Housing for local workers who need to be accommodated outside settlement boundaries <p>Residential conversion is more likely than other uses to require a high degree of change and intervention. There are often conflicts with the potential desire for a more domestic character by occupiers, and the likelihood of outdoor domestic paraphernalia. Housing development is therefore unlikely to meet the criteria in Policy SD41 and elsewhere in this Local Plan, except where less harmful uses have been demonstrated not to be viable. Agricultural and forestry workers housing will be an exception to this since it has to be located on or adjacent to the farm or forestry unit in any event, and the alternative to conversion may be a new build dwelling. Conversion to housing for other local workers may be acceptable where a similar level of need can be demonstrated for a location outside settlement boundaries; for example, where a worker on a farm diversification project or tourist accommodation needs to be on site at all times,</p>
MM40	Two new	170	<u>Succession housing</u>





	paras to follow 7.215 (to replace former MM16 paras 7.215a & 7.215b)		<p><u>7.125a Criterion (g) of Policy SD41 identifies succession housing in the cascade of suitable uses for converted agricultural and forestry buildings. The dual purposes of succession housing are to firstly support new entrants into farming and forestry by releasing existing on-site housing for those new entrants. Secondly, it ensures that a former essential worker on the holding already occupying a tied dwelling can remain in tied accommodation. This facilitates the efficient handover of the business to the new essential worker(s). Succession housing and its occupants will need to meet all of the following criteria:</u></p> <ul style="list-style-type: none"> • <u>The farm/forestry business is established and viable in accordance with Policy SD32;</u> • <u>One or more of the former essential workers is currently living on-site;</u> • <u>One or more of the new essential workers will do substantially the same type and scale of work as the former essential worker.</u> <p><u>7.125b Restrictive conditions and / or legal agreements will be applied to ensure that succession housing does not become a route to allowing open market housing.</u></p>
MM41			<i>number not used</i>
MM42			<i>number not used</i>
MM43			<i>number not used</i>
MM44	SD47: Local Green Spaces	184	<p>Seaford</p> <ul style="list-style-type: none"> • The Village Green, Bishopstone • Tide Mills, Mill Drove <p>...</p> <p>Stedham</p> <ul style="list-style-type: none"> • Stedham Sports Ground • Stedham Recreation ground (Village Green) • Land at Common View (Allotment Gardens) • Playing Field — land at Common View
MM45			<i>number not used</i>
MM46	SD56 (2)	209	<p>The National Park Authority would support development proposals for <u>the following land uses where it is demonstrated they will deliver the environmentally-led restoration of the site:</u></p> <ol style="list-style-type: none"> 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) <u>Further types of development, including new homes, including affordable homes and/or Class B1 office</u>


			<p><u>development, where necessary to enable redevelopment of the allocation site as whole. Such types of development should be subordinate to the overall mix of uses proposed.</u></p> <p>provided that the proposals can clearly demonstrate how they would deliver the key considerations set out in Part 1 of this policy, and</p>
MM47	SD57 to follow (3e)	215	<p>[additional criterion]</p> <p><u>f) Appropriate flood mitigation measures are incorporated as set out in the Level 1 Update and Level 2 SFRA final report 2017.</u></p>
MM48	9.7	219	<p>Core Policy SD3 sets out the two stages of decision making in relation to major development. If the proposal is considered to be major development then the second part of the policy will apply, alongside other policies within this Local Plan. An assessment has been made of all the allocations in regard to major development and is set out in the technical report Site Allocations against Major Development Considerations. It should be noted that some development proposals may be subject to Environmental Impact Assessments.</p>
MM49	SD58 (I)	222	<p>[additional criterion:]</p> <p><u>l) Flood compensation storage should be provided for any ground raising or built development on Flood Zone 3 (including allowance for future climate change).</u></p>
MM50	Plan – allocation SD58	223	<p>[Amendment of site boundary to include land adjacent to the north behind the rear of 5 High Street, Alfriston] [See Appendix 1]</p>
MM51	SD60 (I)	228	<p>e) Existing mature trees and hedgerows to be retained;</p> <p>[additional criterion:]</p> <p><u>f) Provides a pedestrian link to adjoining Footpath 28.</u></p>
MM52	To follow para 9.48 (MM77 replaced former MM25)	239	<p>[new paragraph:]</p> <p><u>The site itself is of biodiversity value and any development proposal will need to be demonstrably guided by the existing nature conservation interest of the site, which will be informed by appropriate survey. It will be necessary to design the development to maximise existing habitats and species and retain a large proportion of undeveloped land for the purpose of retaining and enhancing biodiversity. It is of key importance therefore that the development itself and the residual open space are designed around the existing biodiversity value and not to provide amenity grassland except for that area adjacent to the south west boundary of the new homes. This must be carefully designed in order to provide a net gain in biodiversity at the local level.</u></p>

MM53	SD64 (1)	242	Land South of London Road, Coldwaltham, is allocated for the development of 25 to 30 residential dwellings (class C3 use). Development for a Class A1 (Shop) unit with a net sales floorspace up to a maximum of 280m ² with suitable vehicular parking for customers will also be permitted. The remainder of the allocation site should be <u>publicly accessible retained as open space and a small area of vehicular parking for users of the open space</u> . Planning permission will not be granted for any other uses.
MM54	SD64 (2)	242	The National Park Authority will prepare a Development Brief to assist the delivery of the site. Detailed proposals that are in broad conformity with the Development Brief and that meet the following site specific development requirements will be permitted: ...
MM55	SD64 (2a)	242	To demonstrate that there would be no likely significant effect on the Waltham Brookes Site of Special Scientific Interest (SSSI), the Amberley Wild Brooks SSSI, <u>and no adverse effects on the integrity of The Mens Special Area of Conservation...</u>
MM56	SD64 (2) to follow (2b)	242	[new criterion:] <u>) Development must be demonstrably biodiversity-led and guided by the biodiversity value of the site. It will be necessary to design the development to maximise existing habitats and species and retain a large proportion of undeveloped land for the purpose of retaining and enhancing biodiversity.</u>
MM57	SD64 (2c)	242	To provide the residual area of the allocation as <u>accessible, landscaped open space with the primary purpose of providing retaining and enhancing the biodiversity value of the site and to provide an alternative to designated sites in the Arun Valley</u>
MM58	SD64 (2e)	242	To provide all necessary vehicular parking on-site to avoid additional on street parking in adjacent residential areas <u>and a small area of on-site parking for users of the public open space</u>
MM59	SD64 (2) to follow 2(k)	242	[additional criteria:] k) <u>Foul drainage to connect to the mains system at the nearest point of capacity</u> l) <u>Provide suitable Sustainable Drainage Systems to protect adjacent sites with nature conservation designations from adverse hydrological impacts and is designed to incorporate existing biodiversity.</u> m) <u>Provide adequate separation between Coldwaltham Wastewater Treatment Works and the development to allow odour dispersion on the basis of an odour assessment to be undertaken in consultation with Southern Water.</u> n) <u>Provide future access to the existing sewerage infrastructure for maintenance and upsizing purposes.</u>
MM60	SD64 to follow whole of (2)	242	[additional criterion:]


			<p><u>3. 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.</u></p>
MM61	9.58, 9.59 and text box	245	<p>CORHAMPTON</p> <p>9.58 Corhampton is a village located in the Dip Slope broad area on the western bank of the River Meon. It forms a civil parish with Meonstoke which adjoins it on the eastern bank. The Parish had a population of approximately 760 in 2011.</p> <p>LAND EAST OF WARNFORD ROAD, CORHAMPTON</p> <hr/> <p>Site area: _____ Approximately 0.73ha Current Use: _____ Commercial; Residential</p> <hr/> <p>9.59 The allocation site comprises three existing planning consents (SDNPI/15/01181/FUL, SDNPI/02757/FUL and SDNPI/16/02767/FUL) for residential development comprising a total of 18 dwellings.</p>
MM62	SD65	245	<p>Allocation Policy SD65: Land East of Warnford Road, Corhampton</p> <p>1. Land East of Warnford Road, Corhampton is allocated for up to 18 residential dwellings (Class C3 use). Planning permission will not be granted for any other uses.</p>
MM63	Plan – allocation SD65	246	<p>[Delete inset map showing allocation SD65:]</p> 
MM64	SD66 (I)	249	<p>Land at Park Lane, Droxford is allocated for the development of <u>approximately 26 to 32 residential dwellings (class C3 use) providing provided that this level of development is supported by a Transport Assessment demonstrating that safe access can be achieved, and that the design is of a high quality which sympathetically conserves and enhances the setting of local heritage assets.</u></p>
MM65	SD69 (If)	260	<p>[new criterion:]</p> <p><u>f) The development should provide a new appropriately-designed through-footpath and cycle link for residents of the development between the site and Glaziers Lane,</u></p>
MM66	9.86 and 9.87	262	<p>EAST DEAN (EAST SUSSEX)</p>

			<p>9.86 — East Dean and Friston lies in the Dip Slope broad area and is a civil parish in East Sussex. The two villages in the parish are in a dry valley on the South Downs between Eastbourne and Seaford. The main A259 road goes through both village centres. Much of the surrounding land is owned by the National Trust.</p> <p>LAND BEHIND THE FRIDAYS, EAST DEAN (EAST SUSSEX)</p> <p>Site area: ——— Approximately 0.54ha Current Use: — Agricultural Allocated Use: Residential Development</p> <p>9.87 — The allocation site comprises an existing planning consents (SDNP/14/03936/FUL) for residential development comprising a total of 11 dwellings.</p>
MM67	SD70		<p>Allocation Policy SD70: Land Behind the Fridays, East Dean (East Sussex)</p> <p>1. — Land Behind the Fridays, East Dean is allocated for up to 11 residential dwellings (Class C3 use). Planning permission will not be granted for any other uses.</p>
MM68	Site allocation Map SD70 - Land behind the Fridays, East Dean in Local Plan document	263	<p>[Delete site allocation map for SD70:]</p> 
MM69	SD71 (1)	266	Land at Elm Rise, Findon is allocated for the development of between 15 and 20 <u>14 and 18</u> residential dwellings (class C3 use).
MM70	SD73 (2a)	273	Development proposals should provide a suitable transition in form and fabric from Petersfield Road to the west to the open countryside to the east <u>clear transition in form and layout with a reduced build intensity from Petersfield Road east towards the open countryside;</u>
MM71	SD73 (2h)	273	Provision of an area of suitable public open space within the site <u>a significant area of public open space within the site which provides for a transition between the development and the countryside.</u>
MM72	9.115 to 9.119, subtitles and	278-280	<p>HAWKLEY</p> <p>9.115 Hawkley is a small village in the Western Weald broad area 3.5 miles north of ——— Petersfield.</p>

	Text box		<p>HALF ACRE HAWKLEY ROAD, HAWKLEY</p> <p>Site area: 0.24 ha</p> <p>Current use: Gypsy & Traveller site</p> <p>9.116 The site lies on the eastern side of Hawkley Road and within a fairly flat open field. This is an existing private Gypsy and Traveller site with temporary planning permission. It abuts woodland to the north and is screened by hedging along much of Hawkley Road. The site is accessed from that same road and contains a number of caravans located in the northern section adjacent to a footpath. To the south lies a converted farm building. On the opposite side of the road is a single property. The site has a limited, localised effect on landscape character with views being well contained and it is not subject to overlooking.</p> <p>9.117 The site lies between Liss to the east which contains a good range of services and facilities and the much smaller Hawkley to the west.</p> <p>9.118 Surface water mapping indicates a concentrated flow pathway towards the site along Hawkley Road from the northwest. This appears to concentrate at the north western corner of the site, with one pathway following the northern boundary and another crossing the centre. The Level 1 Update and Level 2 SFRA provides recommendations for a site specific flood risk assessment, and the suitability and design of SuDS.</p> <p>9.119 Development proposals should therefore be informed by the following evidence studies:</p> <ul style="list-style-type: none"> • Foul Sewerage and Utilities Assessment; • Lighting Assessment; • Project Level Habitats Regulations Assessment; and • Flood Risk Assessment.
MM73	SD75	279	<p>Allocation Policy SD75: Half Acre, Hawkley</p> <div style="display: flex; justify-content: center; gap: 10px;">     </div> <p>1. Half Acre, Hawkley is allocated for the development of 3 permanent Gypsy and Traveller pitches. Planning permission will not be granted for any other uses. Detailed proposals that meet the following site specific development requirements will be permitted:</p> <p>a) Surface water drainage must be controlled on site and foul drainage must be effectively treated before discharge;</p>

			<p>b) The location of pitches and access roads to have regard to areas of surface water flooding and potential groundwater emergence;</p> <p>c) Built and mobile units should be positioned to the north of the site to reduce the urbanising effects on the road frontage in this rural area;</p> <p>d) It must be laid out to ensure sufficient room is available to allow vehicles to turn around within the site;</p> <p>e) The amenity of the public footpath adjoining the site is restored and protected;</p> <p>f) The hedging surrounding the site is retained and further reinforced with appropriate species; and</p> <p>g) The development should be occupied only by those who fulfil the definition of a Gypsy or Traveller.</p> <p>2. 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::</p> <p>a) Ensure there are no negative impacts on access to and amenity of the adjacent Public Right of Way;</p> <p>b) 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;</p> <p>c) New planting should be suitable for pollinating species; and</p> <p>d) Minimise hard surfaced areas on site, and use permeable surfaces and soft landscaping where possible to maximise infiltration of water and reduce surface water run-off.</p>
MM74	Plan – allocation SD75	280	<p>[Delete inset map showing allocation SD75:]</p> 
MM75	Plan – allocation SD76	283	[See Appendix 2]

MM76	SD77	290	Land at Castelmer Fruit Farm, Kingston near Lewes is allocated for the development of 10 to 12 <u>up to 12</u> residential dwellings (class C3 use). Planning permission will not be granted for any other uses.
MM77	Policy SD77 (1a)	285	<p>a) The woodland within the northern portion of the site shall be made publicly accessible; ...</p> <p>h) The site layout must not include opportunities to provide future vehicular access into either adjacent fields or the remainder of the Castelmer Fruit Farm site <u>(other than a narrow single track for the purpose of maintaining the land).</u></p>
MM78	SD79 (f 5f)	293	f) Residential development to be located sequentially only within those parts of the site outside Fluvial Flood Zones 2 and 3 as defined by the Environment Agency; All housing development should be located within Flood Zone 1 only;
MM79	SD79 to follow (f 5f)	293	<p>) Flood compensation storage should be provided for any ground raising or built development in Flood Zone 3 (including allowance for future climate change);</p> <p>) No development other than Essential Infrastructure or Water Compatible development in FZ3b; ...</p>
MM80	SD79 (5k)	294	Residential development is restricted to the parts of the site above the 10 metre contour in the northern field and further than 20 metres from the western and southern boundary in the southern field. Through appropriate landscaping these areas should provide a suitable transition to the adjacent Ouse Valley;
MM81	SD80: Malling Brooks, Lewes	298	e) Development to be undertaken in accordance with the recommendations of the Flood Risk Assessment dated 8th November 2006 (Revision F Feb 2009) accompanying Planning Application LW/07/1608; A comprehensive approach to flood risk will be adopted and development will be undertaken in accordance with the recommendations of an agreed Site Specific Flood Risk Assessment;
MM82	9.175	301	A further key objective will be to provide high-quality pedestrian links through the site which improves public access to the Common. These should be achieved through partnership working with the National Park Authority and other relevant stakeholders. <u>As the site includes a section of the former Petersfield to Pulborough railway line, an appropriate route should be safeguarded for a future non-motorised through transport route in line with Policy SD20: Walking, Cycling and Pedestrian Routes.</u>
MM83	SD81 (1d)	302	Provide high-quality pedestrian links through the site linking into Midhurst Common and hence the long distance Serpent Trail, <u>and ensure a route is safeguarded for a potential future non-motorised travel route along the approximate line of the former Petersfield to Pulborough railway line;</u>

MM84	SD82 (1c)	308	Built development to be located sequentially only within those parts of the site outside Fluvial Flood Zones 2 and 3 as defined by the Environment Agency; All housing development should be located within Flood Zone 1;
MM85	9.185, 9.186 and Text box	323	PYECOMBE
			9.185—Pyecombe is a village and civil parish located on the Dip Slope approximately 11 km to the north of Brighton. Pyecombe parish has a population of 237.
			LAND AT CHURCH LANE, PYECOMBE Site area: 1.0 ha
9.186 The allocation site comprises an existing planning consents (SDNP/15/04137/FUL) for residential development comprising a total of 8 dwellings.			
MM86	SD87	323	Allocation Policy SD87: Land at Church Lane, Pyecombe 1. Land at Church Lane, Pyecombe is allocated for up to 8 residential dwellings (C3 use). Planning permission will not be granted for any other uses.
MM87	Plan – allocation SD87	324	[Delete inset map showing allocation SD87:] 
MM88	9.196	328	The site should be developed as a mixed use scheme of between 30 and 32 15 and 18 residential dwellings and associated publicly accessible open space.
MM89	9.199	329	Development proposals should be informed by and come forward in conjunction with Access, Landscape and Ecological improvement strategies. <u>These strategies should take account of the following to ensure appropriate active land management for the locally designated sites:</u> <ul style="list-style-type: none"> • <u>Signage requiring dogs on leads during bird nesting season and provides information about the River Rother;</u> • <u>Funding for leaflets regarding recreational disturbance, to be delivered to new householders;</u> • <u>Funding for Take the Lead Campaign, dog ambassadors and the provision of dog bins;</u> <p>The land adjacent to the River Rother for a depth of approximately 20 metres shall be provided as a broadly linear, publicly accessible woodland park adjacent to the River Rother with the aim improving local accessibility and site ecology. ...</p>

MM90	SD89 (1)	330	Land at Pulens Lane, Sheet is allocated for the development of 30 to 32 <u>15 to 18</u> 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.
MM91	SD89 to follow (2)	330	[New criteria:] <u>The National Park Authority has prepared a Development Brief to assist the delivery of the site. Development proposals in broad conformity with the Development Broef will be permitted.</u>
MM92	SD90 (1d)	334	Development to incorporate open space in the centre of the site retain wider glimpsed landscape views from New Lane.
MM93	Plan – allocation SD90	335	[See Appendix 3]
MM94	9.219	339	... <u>As such development proposals must demonstrate that any impacts, including hydrological impacts, can be suitably mitigated. Possible solutions involve working with the site management to implement schemes including:</u> <ul style="list-style-type: none"> i) <u>Signage requiring dogs on leads during bird nesting season and provides information on the SSSI;</u> ii) <u>Funding for leaflets regarding recreational disturbance, to be delivered to new householders;</u> iii) <u>Funding for Take the Lead Campaign, dog ambassadors and the provision of dog bins;</u> iv) <u>Enhancements including upgrading surfaces of footpaths through Stedham and north of the village to encourage dog walking away from the Common;</u> v) <u>Introduction of heathland species in the development site to be secured via long term management plans and working closely with the Wildlife Trusts to provide exemplar greenspace provision through the development;</u> vi) <u>Working with relevant organisations such as the Wildlife Trust and Natural England to maximise the potential for net-gain for biodiversity through the development.</u>
MM95	New para to follow 9.219 (incorporates parts of 9.219)	339	<u>9.219a The site is located within an area of particular ecological value including protected species. In addition, an ecological survey and mitigation plan of the site will also be required and the southern portion of the site will be kept free of development to serve a range of functions, including land for biodiversity enhancements, a transition from development to the Common and concentrating development to the north of the site thereby ensuring that Stedham remains a village focused on School Lane (in accordance with its historic character) and not joined to the A272 to ensure that development enhances opportunities for local ecology and protected species to flourish. Given the history of commercial use on the site, development proposals should be informed by a land contamination survey.</u>

MM96	9.220	339	The allocation site is suitable for mixed-use development comprising business units and residential development. The western portion of the allocation site is suitable for Class B1 (Business) units and the eastern portion of the allocation site is suitable for a modest residential scheme of up to 20 dwellings...
MM97	9.221	339	[delete whole paragraph] Vehicular access to both portions of the allocation site should be from the existing access onto the A272 to the south of the site. Security gates must not be placed at the shared vehicular entrance so as to form a gated residential community.
MM98	9.222	339	[delete whole paragraph] A suitably designed and publicly accessible pedestrian and cycle route should be provided which links through the centre of that portion of the allocation site proposed for housing from the existing Public Right of Way to the north of the site to the southern site boundary. The re-routing and incorporation of the Public Right of Way on the eastern boundary into this new route would be supported in principle but is not considered a necessity for development to be permitted.
MM99	SD92 (1)	340	Land at Stedham Sawmill, Stedham is allocated for mixed-use development for between of up to 16 and 20 residential dwellings (class C3 use), and approximately 1500m² employment buildings uses (class B1b & c Business use) and approximately 0.35ha of land for biodiversity protection and enhancements, providing a maximum overall floorspace of 3,000m². Planning permission will not be granted for any other uses. The residential development shall be located in the eastern portion of the site and the employment development shall be located in the western portion of the site.
MM100	SD92 (2)	340	Proposals which include security gates or other barriers which preclude the residential areas of the development from becoming fully accessible, inclusive and integrated to the local community will not be permitted.
MM101	SD92 (3)	340	Detailed proposals that meet the following site specific development requirements will be permitted: <ul style="list-style-type: none"> a) To <u>It is demonstrated</u> that there would be no significant <u>adverse</u> impact on the <u>Stedham Common or Iping Common</u> SSSI through development of the site for residential and employment use; b) Not to <u>There is no harm to</u> the amenity of the Public Right of Way on the southern <u>eastern</u>; and western and northern boundaries; c) To provide a publicly accessible <u>and attractive</u> cycle and pedestrian route through from the residential portion of the allocation site from site vehicular access to the Public Right of Way School Lane to the north of

			<p>the site, and a direct pedestrian access to common land to the immediate west of the site (north of the A272);</p> <p>d) To provide for the amenity and privacy of its occupants and those of neighbouring properties</p> <p>e) To provide for acceptable levels of daylight and sunlight reaching new residential dwellings and associated private amenity spaces;</p> <p><u>d) Land to the south remains undeveloped and biodiversity enhancements are provided in order to provide a demonstrable gain in biodiversity and a transition from urban to rural development.</u></p> <p><u>e) The design of the housing and employment uses complement each other allowing them to be successfully integrated.</u></p> <p><u>f) The scheme is designed to look to the village to the north and opportunities to integrate with the existing community are maximised.</u></p> <p>f) g) The existing vehicular access to the south is should be suitably improved for use by occupants of all buildings, in a way that conserves and enhances the rural look and feel of this part of the A272;</p> <p>g) h) To provide all necessary vehicular parking on-site to avoid additional on street parking; and</p> <p>h) Existing mature trees to be retained</p> <p><u>h) i) ensure run-off and drainage is managed to safeguard against any adverse impact on heathland to the south.</u></p>
MMI02	SD92 (4a)	341	<p>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:</p> <p>a) Maximise available space for tree planting <u>or heathland habitat creation</u>. 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. Trees on the site boundary should be retained and new tree planting should be undertaken;</p>
MMI03	Plan - allocation SD92	342	[See Appendix 4 - substitute inset map]
MMI04	9.225	343	<p>The site is bounded by mature trees which should be retained and protected. <u>The site has previously been earmarked for recreational use, therefore proposals should provide approximately 20% of the total area as informal public open space accessible from the village hall and car park.</u> A very small part of the site at the south eastern corner is shown to be at risk of surface water flooding which may</p>



			increase as a result of climate change over the lifetime of the development. ...
MMI05	Additional criterion To follow SD93 (1e)	344	[additional criterion:] f) <u>A proportion of the site should be provided as public open space directly accessible from the village hall and car park.</u>
MMI06	SD95 (1)	351	Land South of Heather Close, West Ashling is allocated for the development of between 18 and 20 <u>15 and 17</u> residential dwellings (class C3 use).
MMI07	SD95 to follow (1g)	351	[additional criterion:] h) <u>Provide a connection at the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.</u>

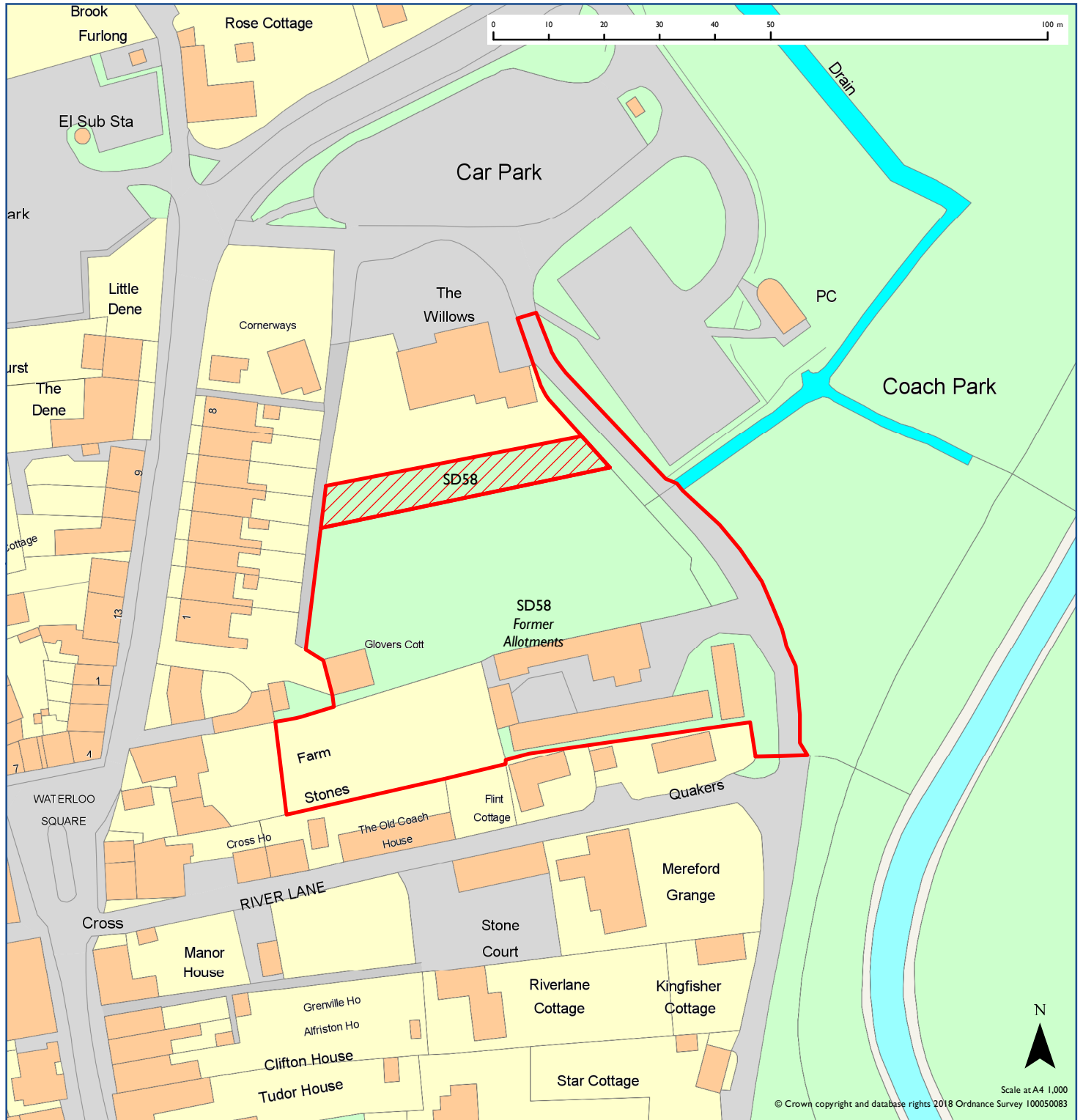
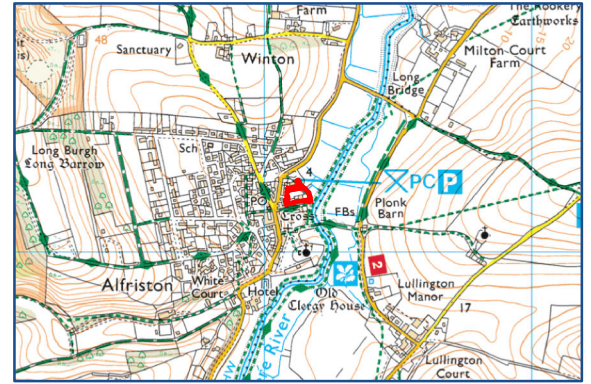
South Downs Local Plan Housing Allocation

SOUTH DOWNS
NATIONAL PARK



Site Ref: SD58

-  SDNPA Housing Allocation
-  SDNPA Housing Allocation Proposed Extension




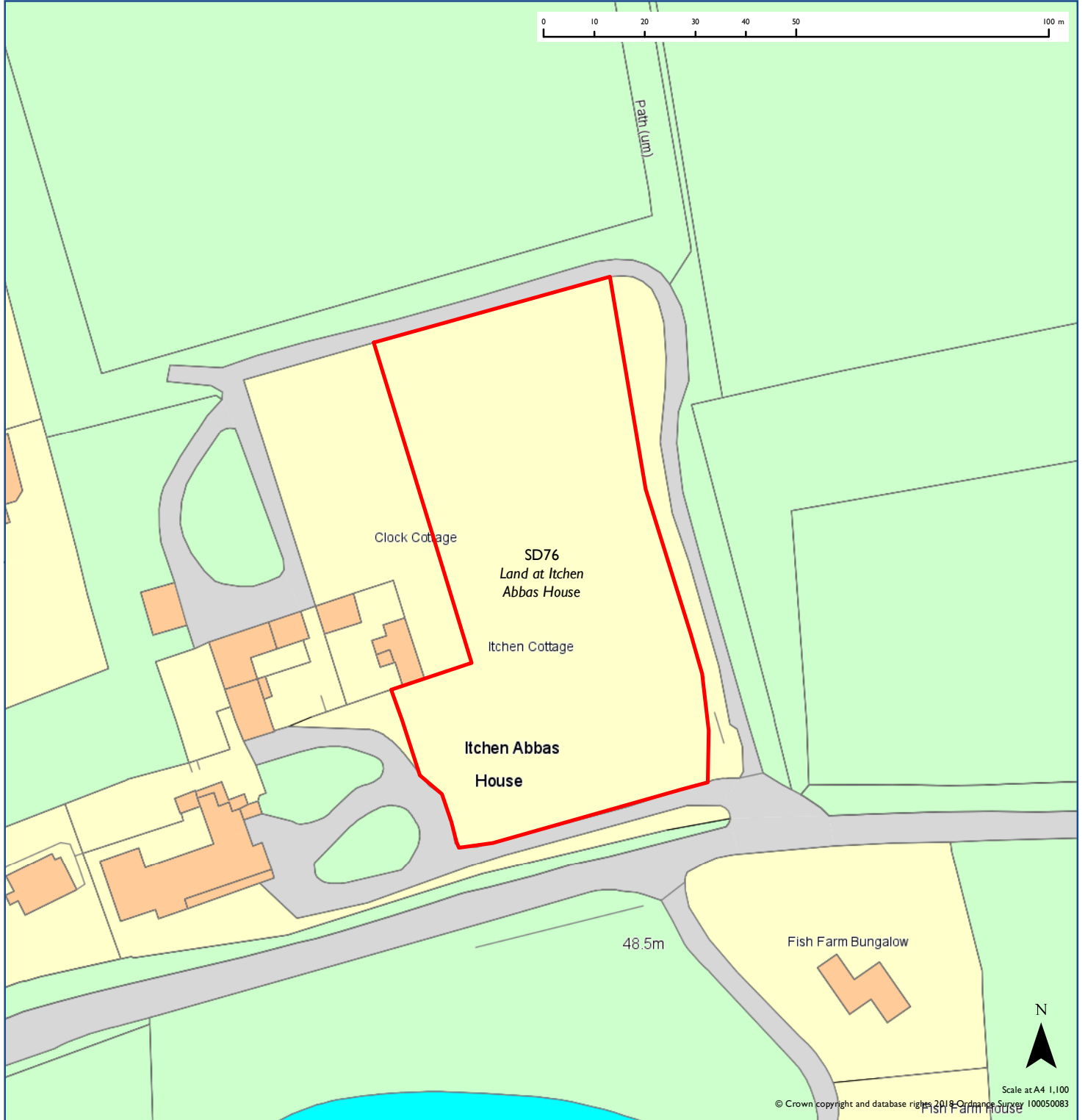
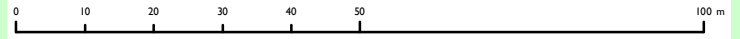
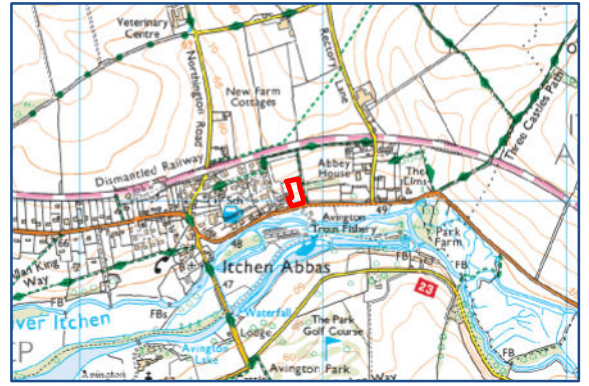
South Downs Local Plan Housing Allocation

**SOUTH DOWNS
NATIONAL PARK**



Site Ref: SD76
Land at Itchen Abbas House
Itchen Abbas

 SDNPA Submission Housing Allocation



Scale at A4 1:100
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South Downs Local Plan Housing Allocation

SOUTH DOWNS
NATIONAL PARK



Site Ref: SD90
Land at Loppers Ash
South Harting



 SDNPA Submission Housing




South Downs Local Plan Housing Allocation

SOUTH DOWNS
NATIONAL PARK



Site Ref: SD92
Stedham Sawmill
Stedham

 SDNPA Submission Housing

 Biodiversity Enhancements (area to remain undeveloped) SD92

