



South Downs
National Park Authority

Agenda Item 13
Report NPA19/20-04

Report to	South Downs National Park Authority
Date	02 July 2019
By	Planning Policy Manager
Title of Report Decision	Adoption of the South Downs Local Plan

The Authority is recommended to:

- 1. Note the content of the Inspector's Report and his conclusion that the South Downs Local Plan (2014-2033) provides an appropriate basis for the planning of the National Park, provided that a number of Main Modifications are made to it;**
- 2. Note the findings of the Sustainability Appraisal (incorporating Strategic Environmental Assessment) and the Habitat Regulations Assessment of the South Downs Local Plan;**
- 3. Adopt the South Downs Local Plan as amended by the Inspector's recommended Main Modifications as the statutory development plan for the South Downs National Park and use the South Downs Local Plan as the basis for planning decisions across the National Park along with neighbourhood development plans and minerals and waste plans where relevant;**
- 4. Delegate to the Director of Planning in consultation with the Chair of the Authority to make any minor or inconsequential changes to the text as considered appropriate prior to publication; and**
- 5. Publish the Policies Map of the development plan for the National Park.**

I. Introduction

- I.1** The purpose of this report is to recommend the adoption of the South Downs Local Plan, which forms appendix 1 of this report. This follows on from the independent examination of the Plan and the publication of the final Inspector's report, which forms appendix 2 to this report. This report concluded that South Downs Local Plan 2014-2033 provides an appropriate basis for the planning of the National Park, provided that a number of Main Modifications are made to it. These Main Modifications have been incorporated into the final version of the Plan that is being considered for adoption today.
- I.2** Following adoption, the NPA and its host authorities will use the South Downs Local Plan as the basis for planning across the National Park along with neighbourhood development plans and minerals and waste plans where relevant. The 92 policies in the South Downs Local Plan will replace the 1,026 saved local plan and joint core strategy policies currently in operation across the National Park. Paper copies of the Local Plan will be printed and distributed after adoption.
- I.3** The preparation of the South Downs Local Plan has been supported by the iterative preparation of a Sustainability Appraisal (SA) (incorporating Strategic Environmental

Assessment) and the Habitat Regulations Assessment (HRA) of the South Downs Local Plan. Final versions of the SA and related documents form appendix 3 and the final version of the HRA and related documents form appendix 4 of this report.

2. Policy Context.

- 2.1 The preparation and adoption of the Local Plan is a corporate priority for the National Park Authority. The Local Plan echoes the vision and policies of the Partnership Management Plan.

3. Issues for consideration

- 3.1 The adoption of the Local Plan is the culmination of an enormous amount of work by officers, Members and our partners. There have been four formal stages of consultation: Issues & Options (2014), Preferred Options (2015), Pre-Submission (2017) and Main Modifications (2019). There have also been several rounds of informal consultation particularly with our parish councils. Members have guided the process with monthly meetings of Local Plan Members' Group, which reviewed and moulded various iterations of the policies and supporting text. Our partner organisations also helped to mould the Plan, for example, the South Downs Partnership worked on the structure of the Plan and the South Downs Land Managers commented on the agricultural policies.
- 3.2 The South Downs Local Plan is a landscape-led plan that seeks to deliver multiple ecosystem services benefits in England's newest National Park. It has a number of innovative policies on ecosystem services, tranquility and dark night skies. It also has a number of policies that introduce new thresholds and targets, for example, SD28: Affordable Homes sets a target of 50% affordable housing on sites of 11 or more dwellings and a sliding scale of provision starting at three new dwellings.
- 3.3 A new Policies Map has been prepared, which will be made available both in paper form and interactively on our website. The Policies Map is a spatial interpretation of all the Local Plan Policies, neighbourhood development plan (NDP) policies and minerals and waste consultation and safeguarding areas. There are three large overview maps that cover all of the National Park and inset maps for individual settlements. There is an inset map for every made NDP. These will be updated as new NDPs are made.
- 3.4 The examination of the Local Plan lasted from submission in April 2018 to the receipt of the final Inspector's report on 18 June 2019. There were three weeks' of public hearings in November and December last year. The Inspector examined strategic issues and matters of legal compliance in the first week focusing particularly on unmet housing need. The other two weeks' were dedicated to development management and allocation policies with a full half day session on the affordable housing policy. The Inspector wrote to the Authority in January with the full list of Main Modifications to the Plan some of which were proposed by him and some had been suggested by the Authority. These Main Modifications were subject to public consultation for eight weeks and a total of 181 representations were received from 50 representors. All the representations were passed to the Inspector along with a summary of main issues and our responses.
- 3.5 The final Inspector's report, which forms appendix 2 of this report, considers all the issues and matters raised through written representations and/or discussed at the hearings. The Main Modifications to the Local Plan form an appendix to the report. Of particular interest is his comment on Policy SD2: Ecosystem Services that '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.' In regard to landscape and housing he commented 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 objectively assessed need (OAN) for market and affordable housing in the Park as far as possible.' The Inspector recommends that the Local Plan is adopted subject to it incorporating the Main Modifications.
- 3.6 On adoption, the policies of the South Downs Local Plan will gain full weight in the determination of planning applications in the South Downs National Park by the Authority

and the host authorities on behalf of the Authority. The South Downs Local Plan will replace a plethora of saved local plan policies and joint core strategies. The full list of policies that will be replaced are listed in appendix 2 of the Local Plan.

4. Options & cost implications

- 4.1 A number of reasonable alternatives have been considered throughout the formulation of the Local Plan. These were assessed as part of the Sustainability Appraisal, which forms appendix 3 of this report.
- 4.2 There was a cost to preparing the Local Plan that was covered by the core budget allocated to the Planning Policy function through the Authority's budget setting process.

5. Next steps

- 5.1 Following a positive resolution from the Authority, there are a number of formal steps that need to be taken. This includes the publication of an Adoption Statement, a Sustainability Appraisal Post Adoption Statement and making the adopted Plan available for inspection at a number of locations.
- 5.2 The adopted Plan is then subject to a challenge period of six weeks, when the Plan could be challenged through an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004. The grounds for such a challenge will be set out in the Adoption Statement and are that (a) the document is not within the appropriate power and/or (b) a procedural requirement has not been complied with.
- 5.3 In order to support the implementation of the Plan, the Authority is rolling out a number of training sessions for both officers and Members both at the Authority and at the host authorities. The Authority will run similar sessions for the parish councils in September and are looking into starting an agents' forum.
- 5.4 The Planning Policy team have started work on a number of supplementary planning documents (SPD) and technical advice notes (TAN) to provide extra detail and advice on the implementation of some policies, for example, design and affordable housing. The Planning Policy team has also started commenting on individual planning applications to help ensure that there isn't an 'implementation gap' between Local Plan and NDP policies and the determination of planning applications

6. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	No.
Does the proposal raise any Resource implications?	The Local Plan is one of the top corporate priorities for the SDNPA, which has been reflected in approved budgets and the Medium Term Financial Strategy. Officers within the Planning Policy team have led the work on developing the Local Plan and utilising expertise elsewhere within the Authority. There has been a cost for preparing the Local Plan that has been covered by the Planning Policy budget.
How does the proposal represent Value for Money?	Replacing all our existing saved and adopted plans with a single document will save time for our DM officers and Planning Committee. Various policies in the Local Plan will ensure developers increase their contribution to the Purposes and Duty of the National Park. Protecting the South Downs from inappropriate development has a value that cannot be monetarised.

Are there any Social Value implications arising from the proposal?	The decision does not relate to, or initiate, a relevant public procurement process.
Have you taken regard of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010. An Equalities Impact Assessment has been prepared for the whole Local Plan.
Are there any Human Rights implications arising from the proposal?	The Local Plan has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.
Are there any Crime & Disorder implications arising from the proposal?	It is considered that the proposal does not raise any crime and disorder implications.
Are there any Health & Safety implications arising from the proposal?	None
Are there any Data Protection implications?	There are Data Protection issues relating to the database we hold of representors on the Local Plan. The preparation of the Local Plan complies with all the necessary legal requirements.
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy?	The South Downs Local Plan is a landscape led plan that seeks to deliver multiple eco system services within a nationally protected landscape. A sustainability appraisal has been prepared to inform the preparation of the Local Plan.

7. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
That a SI 13 challenge is lodged in the High Court after the adoption of the Local Plan	Low	High	Every effort has been made throughout the preparation of the Local Plan to comply with all laws and regulations so that a JR is very unlikely to be successful.

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Appendices

1. South Downs Local Plan (adoption version) (pdf attached)
2. Final Inspector's Report on the South Downs Local Plan including Main Modifications
 - 3(a) Sustainability Appraisal of the South Downs Local Plan
 - 3(b) SA report addendum
 - 3(c) SA appendices
 - 3(d) SA adoption statement (pdfs attached)

	4(a)Habitat Regulation Assessment of the South Downs Local Plan 4(b)
	Designated sites
	4(c) Site Allocations
	4(d) Air quality addendum
	4(e) HRA statement (pdfs attached)
SDNPA Consultees	Chief Executive; Director of Countryside Policy and Management; Director of Planning; Chief Finance Officer; Monitoring Officer; Legal Services, Business Service Manager
External Consultees	None
Background Documents	The Core Document Library contains all the documents relating to the Local Plan and its examination: https://www.southdowns.gov.uk/planning/national-park-local-plan/local-plan-examination/core-document-library/

