

SOUTH DOWNS PLANNING

NEWS FROM YOUR NATIONAL PARK AUTHORITY



Welcome to the planning newsletter for the South Downs National Park Authority
Send your comments to us at planningnewsletter@southdowns.gov.uk

Taking positive steps to aid region's recovery

Welcome to the summer edition of the South Downs National Park Authority's planning newsletter.

The past few months have undoubtedly been a testing time for all our local communities, businesses, farmers and landowners.

In spite of all these challenges, many of them unprecedented in the modern era, one cannot fail to be impressed by the perseverance, fortitude, and sheer adaptability shown in so many quarters of the National Park.

It's testament to the strength of the human spirit and, furthermore, that kindness goes a long way.

In the midst of a post-pandemic recovery, we're clearly living in a changed world – and an effective planning system will be more important than ever before.

The South Downs National Park Authority has the ambition, resources and acumen to meet those challenges, albeit with the presupposition that adaptability and proportionality will be key in this rapidly-changing and often unpredictable situation.

Our motto in planning throughout the past few months has been to maintain as much of a "business as usual" approach as practically possible.

As one of the busiest planning authorities in a protected landscape in the UK, this is vital. Our statutory purposes of conserving and enhancing this wonderful landscape, together with promoting opportunities for its enjoyment, and our duty of supporting the social and economic well-being of our communities, remain front and centre, and always will be.

We're pleased that virtual committee meetings are well under way, and together with a member notification system, we have nearly caught up on any backlog.



Our host authorities are one of the lynchpins of the National Park Authority's efficient planning service and they operated in accord with their council's approach.

We suspended site visits for the minimum time possible, having regard to safety, and I'm pleased to say officers are now back on site, albeit social distancing.

Our teams have had numerous virtual meets with developers and agents and, of course, phone and email have ensured that work continues at good pace on pre-apps and emerging schemes.

We are responding effectively to the local, regional and national situation, but a great deal of work is still ahead, particularly as the Government has indicated that green recovery and job creation will be one of the key mechanisms in the economic growth strategy.

There are numerous Bills and the much-talked about Planning White Paper on the horizon – all of which the Authority will be monitoring closely and will be ready to respond.

The National Park Authority already stands in a strong position, not least because of our recently adopted award-winning Local Plan, which seeks to deliver multiple

ecosystem services alongside a sustainable level of new development.



The National Park Authority is finalising a Planning Position Statement, which identifies priority sectors of the local economy that are at greatest risk under the pandemic. The Statement sets out how the Authority will help these sectors in three main ways. Firstly, through the planning process, for example, working proactively with businesses, which are currently applying for grants or funding that must have planning permissions in place prior to submission of their full funding application. Secondly, with financial factors, for example, provide Community Infrastructure Levy (CIL) payment holidays on request. Thirdly, through the interpretation of Local Plan policies, for example, considering positively all applications for commercial uses in our town and village centres that will increase footfall.

More news to come on this important work at a later date.

Our current endeavours underline our dedication to aiding recovery, while protecting and enhancing our treasured landscape and taking a proportionate approach to the challenges and opportunities.

Tim Slaney

Director of Planning at South Downs National Park Authority



New community running track is ready, set, go!



Hundreds of schoolchildren and runners of all ages will benefit from a new community running track, thanks to £71,000 of Section 106 funding.

Herne Junior School in Petersfield is building an all-weather one-mile running track that will be used by its 470 pupils, other schoolchildren and the wider community.

Despite having an ample-sized field, the school's all-weather outside facilities have historically been limited during the winter months because the field is often waterlogged and muddy.

The new community running track will make exercise accessible to all, throughout the year.

The facility, set to be completed later this year, has been possible thanks to Section 106 funding attached to the Barratt David Wilson development on land south east of The Causeway.

Petersfield Infant School, with 360 pupils, will also be given access to the track, as well as other local, smaller schools and local running groups.

Tony Markham, Headteacher at Herne Junior School, said: "We're passionate about sport at our school but some children don't get involved because they don't like the cut and thrust of team sports. An all-weather running track allows children from every part of our school and local community to run or walk a set course, enabling them to raise their heart rates, challenge themselves and each other. Fun and fitness at the same time? Surely this has to be a great thing for our youngsters!

"This track will make a massive difference to the health and wellbeing of future generations of Petersfield residents."

Tim Slaney, Director of Planning at the South Downs National Park Authority, said: "Section 106 funding has the power to bring real benefits to local communities and I'm delighted that the Authority can help make a difference to Herne Junior School.

"It's fantastic that well over 800 children, as well as the wider community, will be able to enjoy the physical and mental health benefits of this new running track."

Picture by Rich Howorth

Sustainable tourism plan gets the green light



New sustainable tourism accommodation has been approved by the Authority following a detailed landscape-led approach that put design, heritage and ecology at the heart of the development process.

Members of the Planning Committee voted unanimously to approve plans for 12 sustainable treehouses across two woodland sites in the Cowdray Estate near Midhurst.

The application follows the refusal of a previous scheme for 10 treehouses on one of the proposed sites – Lodge Wood – due to the size and scale of development.

The applicant's design teams worked extensively with the Authority's specialist officers and significantly revised the scheme to bring forward a fully landscape-led proposal.

A high-level study was also carried out across 21 potential woodland sites in the Cowdray Estate, ensuring that the chosen locations minimised landscape and ecological impacts.

The plans approved are for five one-bedroom sustainable treehouses at Lodge Wood and seven one-bedroom units at High Field Copse. Both are amenity and plantation woodlands that would be brought back into active management as a result of development.

The proposals were supported by Easebourne Parish Council, which said that the development will sit well within the environment and be of benefit to the local economy. Midhurst Town Council also supported the plan, citing that the development was "an important addition to the local tourist trade".

The materials used have been carefully chosen to be sympathetic and sustainable to each woodland's individual character.



The Authority's Design Officer Benjamin Terry, who worked closely with the applicant on the revised plans, said: "The treehouses sit harmoniously within the woodland due to rationalisation of support structures and removal of superfluous elements to enhance the above ground feeling and minimise adverse impacts on tree roots and ground stability."

The development was approved subject to a number of conditions, including ecological monitoring of the sites.

Tim Slaney, Director of Planning at the South Downs National Park Authority, added: "Every application has to be considered on its own merits and I've been impressed by the collaborative working between the applicant's design team and our specialist officers to create a fully landscape-led proposal that is sympathetic and sensitive to a National Park setting.

"This scheme conserves and enhances the unique heritage, woodland and ecological character of each site, while also aligning with the Second Purpose and Duty of the National Park, including the provision of tourist accommodation, opportunities for the understanding and enjoyment of the National Park's special qualities, and benefitting the local economy."

Update on the Soft Sand Single Issue Review

The Soft Sand Review (SSR) will replace the soft sand policies in the West Sussex Joint Minerals Local Plan which the National Park Authority adopted in 2018.

The SSR, being worked on jointly by the SDNPA and West Sussex County Council, proposes three allocations for soft sand. The first, Ham Farm, is outside of the SDNP. The other two proposed allocations are extensions to sites with existing planning permission within the SDNP.

The site allocations are set in a policy framework that looks for soft sand resource outside of the SDNP in the first instances and seeks to avoid, minimise and mitigate any impacts that arise from development.

The Examination in Public is now under way and the Hearing Sessions are currently scheduled to take place from 24 August 2020.

Everyone who is able to take part in the Hearing Sessions will be contacted by the independent Programme Officer, on behalf of the Planning Inspector.

Discussions are taking place with the Planning Inspectorate to decide the best way to hold Hearing Sessions in the current circumstances. All the relevant information will be made available on the website:

www.westsussex.gov.uk/mwdf

Changes to planning system in response to COVID-19 pandemic



Mike Hughes, Major Planning Projects and Performance Manager, outlines some of the key changes to the planning system in light of the COVID-19 pandemic.

The Government has made a number of changes to the English planning system – with more changes planned – in response to the current pandemic. The rationale behind these changes is to promote post lockdown economic recovery and growth across the country.

Currently planning legislation allows (most) land to be used for the vast majority of temporary uses for up to 28 days in total in any calendar year. New legislation has doubled this to 56 days in a calendar year, but only until 31 December 2020.

In the National Park we do expect to see, in particular, more temporary campsites being provided and those that do already exist under the 28-day rule to, quite understandably, make use of this year's 56-day allowance.

We would expect most of these uses to be carried out within the requirements of legislation.

As, however, with any Planning authority, communities are our eyes and ears and if you have a particular concern that a campsite or any other temporary uses is operating outside of these limits please notify our enforcement team by reporting a breach here:

<https://www.southdowns.gov.uk/planning-applications/enforcement-report-a-breach/>

Please note that the permitted development right to extend a purpose built, detached block of flats upwards by up to 2 storeys which has been widely publicised in the mainstream press does not apply in the National Park.

Other changes expected at the time of writing and thought to be imminent include:

- Extending the lifetime of some planning permissions affected by the pandemic
- Allowing developers to defer paying certain Community Infrastructure Levy payments by up to 6 months
- Providing a streamlined system for developers to temporarily extend the hours they can carry out construction works until 1 April 2021
- Making it easier and cheaper for businesses to apply for pavement licences for temporary furniture such as tables and chairs outside of cafes and pubs.

Updates on planning policy



The South Downs National Park's first Local Plan was adopted last year and since then the National Park Authority has been working on a number of Supplementary Documents (SPD) and Technical Advice Notes (TAN). These documents will provide further guidance to support the implementation of certain Local Plan policies. Lucy Howard, Planning Policy Manager, gives an overview of the key documents:



Both SPDs and TANs will form material considerations in the determination of planning applications in the National Park. We will be consulting on the SPDs, which will therefore carry more weight once they are adopted. Here is a list of all the SPDs and TANs set out in date order along with the Local Plan policies they relate to.

Affordable Housing SPD (adopted July 2020) Provides further guidance on Policies SD28: Affordable Homes and SD29 Rural Exception Sites.

Extensions and Replacement Dwellings TAN (published July 2020) Provides further guidance on Policies SD30: Replacement Dwellings and SD31: Extensions to existing dwellings, and provision of annexes and outbuildings. This TAN replaces an earlier version of the TAN published in 2019.

Sustainable Construction SPD (adoption August 2020) Provides further guidance on Policies SD2: Ecosystem Services, SD3 Major Development, SD22: Parking Provision (where it relates to electric vehicle charging) and Policy SD48 Climate Change and Sustainable Use of Resources. The SPD replaces a TAN published in 2019.

Camping and Glamping TAN (consultation autumn 2020) Provides further guidance on Policy SD23: Sustainable Tourism. There will be an informal consultation with key stakeholders on the TAN in autumn 2020.

Parking SPD (consultation autumn 2020) Provides further guidance on Policy SD22: Parking Provision. The SPD will set out landscape-led parking standards for car and cycle parking for residential and non-residential development across the National Park. They will replace existing standards in the West and East Sussex parts of the National Park; there are currently no parking standards for that part of National Park in Hampshire.

Spotlight on heritage



Conservation Officer Michael Scammell takes an in-depth look at one fascinating feature of the National Park's built heritage.

It is well known that the National Trust is one of the largest landowners in Britain, but less widely appreciated that around one fifth of that land, over 50,000 hectares, was given over the years as a war memorial. As early as 1915 one of the founders of the Trust, Canon Hardwicke Rawnsley, gave land (which he named Peace How) at Borrowdale, as a memorial to those already lost. After the war he led a call for the donation of other open spaces as a permanent memorial to the fallen.

One William Robertson responded to this call.

He left a bequest to the National Trust to acquire property 'within reasonably easy access of London' as a memorial to his two younger brothers who died during the First World War. Second Lieutenant Laurance Grant Robertson, serving in the King's Own Scottish Borderers, was killed in action at Delville Wood during the Battle of the Somme on 30 July, 1916.

His name is recorded on the Thiepval Memorial Arch on the Somme. Captain Norman Cairns Robertson of the Hampshire Regiment, was taken prisoner near Monchy and died in a military hospital at Hanover on 20 June, 1917. He is buried in the Commonwealth War Graves Cemetery at Hamburg.

Nine memorial properties were purchased with William Robertson's bequest. With one exception, each location incorporates some high ground in accordance with his wishes.

The iconic Michel Dene property includes around 71 hectares of cliff, farm and downland on the Seven Sisters overlooking the English Channel.

The bequest and dedication is marked by an obelisk on the clifftop with a cast metal plaque, listed by Historic England in 2017.

It is perhaps poignant that the land was purchased on 20 May, 1940, a day on which a later British Expeditionary Force in France was falling back towards the channel port of Dunkirk and a famous deliverance by 'little ships' and the Royal Navy.



There can be few dry, statutory list entries with the capacity to evoke the troubled history of the first half of the 20th Century more effectively.

Habitat Regulation Assessment TAN (publish autumn 2020) Provides further guidance on Policy SD10: International Sites in regard to Habitat Regulation Assessment (HRA). The TAN will provide bespoke proformas for development proposals within the international sites and their buffer zones.

Design SPD (consultation winter 2020/21) Provides further guidance on Policy SD5: Design and the landscape-led approach to design.

Equestrian TAN (publish spring 2021) Provides further guidance on Policy SD24: Equestrian Uses. There will be an informal consultation with the equestrian community on the TAN in winter 2020/21.

Dark Night Skies TAN (publish spring 2021) Provides further guidance on Policy SD8: Dark Night Skies. This TAN replaces an earlier version of the TAN published in 2018.

Trees SPD (consultation spring 2021) Provides further guidance on Policy SD11: Trees, Woodland and Hedgerows.

Viticulture TAN (publish spring 2021) Provides further guidance on Policy SD39: Agriculture and Forestry in regard to viticulture. It follows on from a Viticulture Growth Impact Assessment and the TAN will be accompanied by a Sustainability Guide for Viticulture Development in the South Downs.

Key planning stats from last quarter

Appeals submitted to Planning Inspectorate	11
Appeals started	23
Appeals determined	14
Appeals successfully defended	8
Statutory submissions received	1,006
Statutory submissions determined	879
Neighbours notified	3,239
Representations received	1,593
Consultations issued	2,620
Conditions imposed	3,129
Enquiries for planning advice	218
Enforcement complaints received	238
Enforcement cases opened	181
Enforcement related site inspections	150
Enforcement notices served	1
Enforcement cases closed	122

(statistics from period 1 April to 30 June)

Enforcement continues to provide vital service



Planning enforcement is a key service provided by the National Park Authority and teams have been busy throughout the lockdown period ensuring that approved plans and conditions are followed.

Site visits resumed in May with social distancing in place after a short, temporary pause.

Heather Lealan, Development Management Lead who oversees the enforcement function of the Authority, explained: "As one of the largest planning authorities in England working in a protected landscape, our enforcement remit is incredibly important.



"It's an area of our work that the public rightly see as a vital service and we've worked extremely hard to ensure minimal disruption during the lockdown.

"I'm proud of the team's efforts to go the extra mile during this testing period to ensure that planning and other environmental controls are enforced. Teams in our host authorities have also been crucial in making sure that we maintain a service of high standards.

"Effective and swift enforcement seeks to add value to the Special Qualities of the National Park as per the guidelines within the National Planning Policy Framework (NPPF)."

We now look at some case studies of recent enforcement work by the Authority:

Worthing

Two enforcement notices were served at an area of agricultural land in the Worthing area after two structures were put up without planning permission.

A notice was served for the siting of a structure the owner claimed to be a mobile home and did not require planning permission, while another was served for the erection of a 60-metre long tyre barrier.

Both of the enforcement notices were appealed and the subsequent appeals were dealt with by the Planning Inspectorate, which dismissed them and upheld the Enforcement notices.

The owner of the land has since complied with both notices and removed both the mobile home and tyre barrier.

Fernhurst

Following reports of a piece of agricultural land being sold off in lots in Fernhurst, an Article 4 notice was served. This removed the permitted development rights for the erection of any fences, gate and enclosures, thus requiring the land owners to seek planning permission for any future work.

Chichester

The Authority served an Enforcement Notice in the Chichester District of the National Park for the importation of inert materials to engineer a bund as a means of enclosure for a field.

The reason for the Enforcement Notice was on the grounds of landscape and contamination concerns.

This Enforcement Notice was appealed and the SDNPA Officer provided information to the Planning Inspectorate that supported these concerns. Subsequently, the appeal was dismissed and the Inspector upheld the enforcement notice, the landowner has until the 27 September to remove the bund.

Iford

In 2018 Lewes District Council issued an enforcement notice on behalf of the SDNPA in relation to an alleged breach of planning control.

This was because investigations had shown that shooting of game birds for sport was taking place more frequently than the 28 days per year allowed under permitted development rights. It was considered that this caused noise and disturbance at odds with the enjoyment of the natural beauty and special qualities of the National Park by the public.

The owners of the farm appealed and an informal hearing took place 10 March, with the decision being issued on 29 April. Officers of Lewes District Council worked together with those of the SDNPA to defend the case.

The Inspector dismissed the appeal, concluding that while the shoot might conserve relative tranquillity in the area, it would not result in a positive enhancement to tranquillity as required by Policy SD7 of the South Downs Local Plan.

This decision is of note due to the Inspectors' thorough application of Policy SD7 and as a demonstration of the successful joint working between the two authorities on planning matters.

Promoting the benefits of sustainable drainage in strategic planning



Earlier this year a major five-year £500,000 project was launched to help safeguard the chalk aquifer of the South Downs that supplies water to 1.2m people and is under increasing threat from climate change.

The Aquifer Partnership (TAP) will work to protect groundwater in the Brighton Chalk Block from pollution, as well as increase resilience to climate change and extreme weather events that can cause flooding and drought.



Led by a partnership between the South Downs National Park Authority, Brighton & Hove City Council, Southern Water, and the Environment Agency, the wide-reaching programme will work with residents, farmers, landowners, and schools across the Brighton, Hove and Lewes area to safeguard our drinking water.

It comes as there is a pressing need to tackle rising nitrate levels in groundwater that leaches into the aquifer from urban and rural sources such as road run-off and fertilisers

The Aquifer Partnership builds on the success of Brighton ChaMP for Water project, which was established in 2016 to protect and improve the quality of groundwater in the chalk landscape around Brighton.

With the provision of “eco-system services” such as drinking water a core element of the Local Plan, Susie Howells, TAP’s Partnership Development Manager, looks at the emerging benefits of sustainable drainage – using plant power to help naturally cleanse polluted water.



Sustainable Drainage (SuDS) is designed to use natural processes to reduce flooding and prevent groundwater pollution by storing and treating polluted water and silts running off impermeable surfaces, such as roads and car parks.

SuDS clean water naturally by slowing and holding it to allow time, sunlight, vegetation and bacteria in the roots of plants and soil to break down pollutants.

Techniques include swales, bioretention systems, green roofs, permeable paving, tree pits, basins, ponds and wetlands.



They are excellent for mitigating flooding, and for nature and people – encouraging biodiversity and transforming public space. SuDS work best when designed as an integral part of a development, when considered at the start of the project and in the context of local water catchments. SuDS align well with climate change mitigation and adaptation policies, with green infrastructure, and ecosystem service plans, promoting resilience to flooding, pollution and biodiversity loss.

It’s not just new developments and road schemes. The cumulative impact of small residential extensions and paved gardens add to impermeable surface area, increasing local flood risk.

While not yet legally required in England, the National Planning Policy Framework (NPPF) expects sustainable drainage (SuDS) to be considered where appropriate in major developments, with NPPF Practice Guidance providing clarification in managing flood risk and securing SuDS.

Local policy promotes the use of SuDS in new developments (Policy SD50 Sustainable Drainage Systems). The SDNPA’s Local Plan states: “Pollution pressures arise in part from urban and rural surface water run-off that represent key challenges in meeting the Water Framework Directive. Therefore, the Authority expects that pollution prevention measures, water efficiency measures to reduce surface water run-off, and sustainable drainage measures are incorporated into new development, in accordance with policies SD48: Climate Change and Sustainable Use of Resources and SD50: Sustainable Drainage Systems.”

All new developments are considered in the context of city or regional strategic plans, but despite its role as a visible, practical way of meeting multiple policy objectives, there remain very few good quality SuDS in new developments in the Brighton, Hove and wider region. While the policy drivers exist, there are few legal requirements. Lack of awareness and capability, combined with perceptions of higher cost or difficulty, have led to a disappointing absence of SuDS locally.

Through urban walkovers in Source Protection Zones and partnership work, The Aquifer Partnership (TAP) has identified sites in Brighton and Lewes to promote SuDS. They are pushing groundwater protection up the agenda with workshops and training to encourage greater integration of SuDS in the urban environment.

To find out more, please contact Susie Howells at Susie.Howells@southdowns.gov.uk

Planning working for nature recovery as heathland site gets conservation boost



The future of one of England's most important and wildlife-rich heathlands is looking brighter than ever after a major fundraising initiative that was boosted by the National Park's planning teams.

Amphibian and Reptile Conservation (AC) successfully reached its target of raising £200,000, allowing the charity to buy 20 hectares of heathland at Blackmoor, near Bordon, Hampshire.

During the year-long fundraising appeal, the National Park Authority was able to help with £42,600 of Section 106 funding.

Blackmoor is part of Woolmer Forest Site of Special Scientific Interest, an area that is unique in Britain, and of special significance to ARC, in that it supports 12 of the UK's reptile and amphibian species including the rare



smooth snake, sand lizard and natterjack toad. These UK native species have suffered population decline due to habitat loss or fragmentation – underlining the importance of safeguarding key locations such as this.

According to Natural England, Woolmer SSSI is 'considered the most important area of heathland in the Weald of southern England'.

Rob Free, Weald Reserves Manager, said: "It couldn't have gone better with the National Park Authority generously stepping in when we were still short of target but with no further donations coming in.

"We are really delighted to be the new owners of this important heathland site, part of the larger Woolmer Forest Site of Special Scientific Interest.

"We have been managing Blackmoor since 2010 on behalf of the landowner. During this time around 24

SOUTH DOWNS NATIONAL PARK AUTHORITY

hectares of lowland heathland habitat have been restored from pine and birch scrub woodland of limited value to the special wildlife of the SSSI with funding from a Natural England grant scheme. Additionally three ponds have been restored and these should benefit a range of species including the critically-endangered Spangled Water Beetle as well as the amphibian species present. It's hoped that natterjack toads will return to Blackmoor from the adjacent Woolmer MoD Training area where they still survive under ARC's custodianship."

ARC have recently put a herd of 11 pedigree longhorn cattle on Blackmoor to help the charity manage the purple moorgrass vegetation. The purchase of these charismatic and traditional rare breed British cattle by our grazier was grant aided by the National Park's Heathlands Reunited project.

Gill Welsman, Planning Project Management Officer who helps administer the Section 106 award scheme, said: "The biodiversity of our heathlands is extraordinary and one of the reasons for the creation of the South Downs National Park. These internationally-important wildlife havens remain under threat and it's wonderful that the planning function of the National Park Authority can make a significant difference to help nature recovery."

In addition to the many generous individuals giving their support, ARC would like to thank the following donors: The Banister Charitable Trust, Marjorie Coote Animal Charity Trust, The Marsh Christian Trust, The William Dean Countryside and Educational Trust, and The William Haddon Charitable Trust and The British Herpetological Society.

Dates for the diary



Our forthcoming Planning Committee meetings will take place on 13 August, 10 September, 8 October, and 12 November.

The next meeting of the **South Downs Agents' Forum** will be at 4pm Wednesday 30 September. We expect that it will be held virtually on Zoom. The meeting is for all agents, who regularly submit planning applications to the SDNPA and/or the host authorities. Please contact us on agentsforum@southdowns.gov.uk if you would like to attend.