Committee Officer on 01730 814810

Email committee.officer@southdowns.gov.uk



# SOUTH DOWNS NATIONAL PARK AUTHORITY PLANNING COMMITTEE

A meeting of the Planning Committee will be held at 10.00 am on Thursday, 11th March, 2021 at the Online via Zoom Cloud Meetings

Trevor Beattie, Chief Executive (National Park Officer)

#### **AGENDA**

## I. Apologies for absence

#### 2. Declaration of interests

To enable Members to declare to the meeting any disclosable interest they may have in any matter on the agenda for the meeting.

3. Minutes of previous meeting held on 11 February 2021 (Pages 3 - 10)

To approve as a correct record the minutes of the Planning Committee meeting held on 11 February 2021.

4. Matters arising from the previous meeting minutes

To enable any matters arising from the 11 February 2021 Planning Committee minutes that are not covered elsewhere on this agenda to be raised.

5. Updates on previous Committee decisions

To receive any updates on previous Committee decisions.

6. Urgent matters

To consider any matters on the agenda which the Chair agrees should be considered as a matter of urgency due to special circumstances.

#### **DEVELOPMENT MANAGEMENT**

7. Application No.: SDNP/18/06111/FUL - Liss Forest Nursery, Greatham (Pages 11 - 28)

Local Authority: East Hampshire District Council

**Proposal**: Development of 37 dwellings (including affordable homes), alterations to existing access onto Petersfield Road, hard and soft landscaping, drainage and all other associated development works.

Address: Liss Forest Nursery, Petersfield Road, Greatham, Liss, GU33 6HA.

To consider a report by the Director of Planning (Report PC20/21-35).

8. Application No.: SDNP/20/03365/FUL - Meadow Farm (Pages 29 - 44)

Local Authority: South Downs National Park Authority (West Sussex)

**Proposal:** Raising levels of an agricultural field with imported soils to solve a drainage issue.

Address: Meadow Farm, Green Street, East Worldham, Bordon, GU34 3AU.

To consider a report by the Director of Planning (Report PC20/21-36).

#### **STRATEGY & POLICY**

9. Adoption of the West Sussex Soft Sand Single Issue Review of the Joint Minerals Local Plan (Pages 45 - 120)

To consider a report by the Director of Planning (Report PC20/21-37).

10. South Downs National Park Authority's (SDNPA) response to the Submission (Regulation 16) Consultation on the Twyford Neighbourhood Plan (TNP) (Pages 121 - 210)

To consider a report by the Director of Planning (Report PC20/21-38).

# II. SDNPA response to the National Planning Policy Framework changes and the National Model Design Code consultation proposals (Pages 211 - 222)

To consider a report by the Director of Planning (Report PC20/21-39).

## **Members of the Planning Committee**

Alun Alesbury, Heather Baker, Janet Duncton, Thérèse Evans, Barbara Holyome, Diana van der Klugt, Gary Marsh, Robert Mocatta, Vanessa Rowlands, Andrew Shaxson and Richard Waring

Ex officio Members (may participate on Policy items but not vote): lan Phillips

#### **Members' Interests**

SDNPA Members have a primary responsibility for ensuring that the Authority furthers the National Park Purposes and Duty. Members regard themselves first and foremost as Members of the Authority, and will act in the best interests of the National Park as a whole, rather than as representatives of their appointing body or any interest groups.

Members are required to declare any disclosable pecuniary interest that is not already entered in the Authority's register of interests, and any personal interest and/or public service interest (as defined in Paragraph 18 of the Authority's Code of Conduct) they may consider relevant to an item of business being considered at the meeting (such disclosure to be made at the commencement of the meeting, or when the interest becomes apparent).

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#### **Public Participation**

Anyone wishing to speak at the meeting should register their request no later than 12 noon, 3 working days before the meeting by e-mailing <a href="mailto:public.speaking@southdowns.gov.uk">public.speaking@southdowns.gov.uk</a>. The public participation protocol is available on our website <a href="https://www.southdowns.gov.uk">www.southdowns.gov.uk</a>.

#### **Feedback**

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# SOUTH DOWNS NATIONAL PARK AUTHORITY PLANNING COMMITTEE 21 January 2021

Held: online via Zoom videoconferencing, at 10am.

Present: Alun Alesbury (Chair), Heather Baker, Janet Duncton, Thérèse Evans, Barbara Holyome, Diana van der Klugt, Robert Mocatta, Vanessa Rowlands, Andrew Shaxson and Richard Waring.

Officers: Tim Slaney (Director of Planning), Rob Ainslie (Development Manager), Becky Moutrey (Solicitor), Richard Sandiford (Senior Governance Officer) and Sara Osman (Governance Officer).

Also attended by: David Easton (Development Management Lead), Rafael Grosso Macpherson (Senior Development Management Officer), Sabrina Robinson (Monitoring and Compliance Officer – Minerals and Waste), Kirsten Williamson (Planning Policy Lead), Jack Trevelyan (Enforcement Officer) and Jessica Riches (Planning Officer).

#### **OPENING REMARKS**

- 246. The Chair welcomed Members to the meeting and informed those present that:
  - Due to the Coronavirus pandemic full meetings were not able to be held at the Memorial Hall until further notice, hence the meeting of the South Downs National Park Authority was held using the Zoom Cloud Meetings software.
  - The meeting was being webcast by the Authority and would be available for subsequent on-line viewing. Anyone entering the meeting was considered to have given consent to be filmed or recorded, and for the possible use of images and sound recordings for webcasting and/or training purposes.
- 247. The Governance Officer confirmed the Members of the Planning Committee who were present and that the meeting was quorate.
- 248. The Chair reminded those present that:
  - SDNPA Members had a primary responsibility for ensuring that the Authority furthers the National Park Purposes and Duty. Members regarded themselves first and foremost as Members of the Authority, and would act in the best interests of the National Park as a whole, rather than as representatives of their appointing body or any interest groups.

#### **ITEM I: APOLOGIES FOR ABSENCE**

249. Apologies were received from Gary Marsh.

#### **ITEM 2: DECLARATION OF INTERESTS**

- 250. Vanessa Rowlands declared a public service, non-prejudicial interest in item 7, as she was a parish councillor for Cuckmere Valley Parish Council, which included the area of Cuckmere Haven that adjoined the application site.
- 251. The Chair declared a public service, non-prejudicial interest on behalf of all Members for item 9, as one of the speakers, Doug Jones, was a Member of the SDNPA and known to all Members of the Planning Committee.
- 252. Robert Mocatta declared a public service, non-prejudicial interest in item 9 as the East Hampshire District Councillor for East Meon and Buriton and as the Hampshire County Councillor for Petersfield Butser. He also declared a public service, non-prejudicial interest in item 10 as a Hampshire County Councillor.

#### ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 21 JANUARY 2021

253. The minutes of the previous meeting held on 21 January 2021 were agreed as a correct record and signed by the Chair.

## **ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES**

254. There were none.

#### **ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS**

- 255. The Director of Planning updated the Committee that a claim had been filed to seek a Judicial Review on SDNP/19/06035/FUL Land South West of Woodcote Manor Cottages, Bramdean, which came before committee in December 2020.
- 256. The Development Manager updated the Committee that an appeal decision had been received for SDNP/18/05963/FUL Market Gardens in Fulking, which came before committee in February 2019.

#### **ITEM 6: URGENT ITEMS**

257. There were none.

## ITEM 7: SDNP/20/02390/FUL - Coastguard Cottages

- 258. The Case Officer presented the application, referred to the update sheet and gave the following verbal updates:
  - There was a typographical error on the update sheet commenting on page 11 para 4.9.
     'West Sussex Wildlife Trust Objection' should read: 'Sussex Wildlife Trust Objection'
  - The officer's report referred to Mr Patrick as the applicant. However, whilst Mr Patrick was the treasurer of the Cuckmere Haven (SoS) charity, it was the charity that was the applicant not Mr Patrick.
  - Whilst all representations had been taken into account in the summary provided at item 5 of the officers reports, the numbers provided were incorrect, and should read: 227 letters in support and 7 letters of objection had been received. An online petition containing 4,044 signatories in support of the application had also been provided.
- 259. Janet Duncton joined the meeting and did not vote on this item.
- 260. The following public speakers addressed the Committee:
  - Henri Brocklebank spoke against the application representing the Sussex Wildlife Trust;
  - Angela Marlow spoke against the application representing the representing Natural England;
  - Sir Alan Moses spoke in support of the application representing the Trustees of the Cuckmere Haven SOS charity;
  - Lucy Mutter spoke in support of the application representing the representing herself, and other residents of the Cuckmere (Coastguard) Cottages and the Cable Hut;
  - Michael Doyle spoke in support of the application as the agent representing the applicant.
- 261. The Committee considered the report by the Director of Planning (Report PC20/21-29), the update sheet and the public speaker comments, and requested clarification as follows:
  - What was the current rate of erosion of the cliff line and could this affect the cottages in the future if they were protected and the cliff line either side of them eroded?
  - Were the Coastguard Cottages listed buildings, as there had been no comment received from Historic England?
  - Was the application contrary to the Shoreline Management Plan?
  - Who would be responsible for overseeing the decommissioning of the sea defences at the end of its life in 2105?
- 262. In response to questions, Officers clarified:
  - The average rate of erosion was 60cm per annum, dependent on the weather in any given year, but this would be reduced with sea defences in place. Coastal erosion would be likely to take place outside of the sea defences. The section of the Shoreline Management Plan (SMP) which covered Seaford Head did not recognise the interventions that had already taken but drew a conclusion that cliff erosion would continue to provide a small source of sediment to beaches up to 2105. It predicted a loss of four residential properties and one commercial property.

- The Coastguard Cottages were not listed buildings but were considered to be nondesignated heritage assets which contributed to the iconic view across the Cuckmere Haven and the Seven Sisters.
- The SMP did not comment specifically on the existing sea defences and did not provide a management plan for the existing sea defences.
- As there was currently no clear guide as to when the existing sea defences might fail, and
  no current management plan for them, this application sought to ensure that the sea
  defences would last until at least 2105, and provided an outline management plan for the
  existing defences. The proposal would allow time for a more permanent solution to be
  found, and for the existing defences to be decommissioned should a more permanent
  solution be found prior to the proposed end date.
- 263. The Committee discussed and debated the application, making the following comments:
  - The decision for this application required a balanced judgement regarding the importance
    of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area of
    this site, which were integral to the first statutory purpose of the National Park. Members
    considered whether a greater harm would occur in allowing or not allowing the
    application.
  - The Committee recognised that the cottages were part of an iconic landscape in the South Downs National Park, and that the area also held important cultural heritage significance as a result of its maritime and military history.
  - Members noted the considerable public support for this application.
  - It was argued that the presence of the cottages in relation to this location made this view iconic and internationally recognised, and as such it was reasonable to continue to provide sea defences. However, a counter argument proposed that it was the coastline of the Seven Sisters that was iconic, irrespective of the cottages.
  - Some members raised concern that, should sea defences continue to protect the cottages, they could end up on a defended peninsular with the coast around them eroded, and asked at what point should it be accepted that the properties cannot be defended further? It was the view of some of the Members of the Committee that this application could be deferring the difficult decision regarding the loss of the cottages, and that the current sea defence should have provided an opportunity to consider alternatives, such as moving the cottages.
  - The effect of chalk erosion on wildlife was of great concern, especially with the current need to enhance biodiversity due to the climate crisis. Members debated whether greater harm would result from the loss of the cottages and erosion of the coast at this point if no action was taken to protect them, versus the potential harm from extending the sea defences.
  - Members commended the officer on their report, which dealt with a very complex issue and clearly outlined the reasons for the officer recommendation.
- 264. It was proposed to vote on the officer's recommendation.
- 265. **RESOLVED:** That planning permission be granted subject to the conditions as set out in paragraph 10.1 of the officer's report.

# ITEM 8: SDNP/20/01796/FUL - Smugglers Copse

266. The Case Officer presented the application, referred to the update sheet and gave a verbal update that a third party objection letter had been received which was accompanied by a statement outlining concerns on the application's Landscape and Visual Impact Assessment (LVIA). The Case Officer also referred to a representation made by Rogate Parish Council with regards to the time in which the committee report was written, before the Parish Council's latest comments were received. The Case Officer reminded Members that the Rogate Parish Council representation did not raise any new material consideration that haven't been addressed in the report.

- 267. The following public speakers addressed the Committee:
  - Deirdre Walkling spoke against the application representing Rogate Parish Council;
  - David Campion spoke against the application representing himself;
  - Nick Jacobs spoke against the application representing himself;
  - James Shorten spoke in support of the application as the agent representing the applicant;
  - Gillie Tuite spoke in support of the application as the applicant;
  - Richard Bates spoke in support of the application representing himself.
- 268. The Committee considered the report by the Director of Planning (Report PC20/21-30), the update sheet and the public speaker comments, and requested clarification as follows:
  - Slide 5 of the officer's presentation showed a map of the area indicating that it consisted of replanted ancient woodland. Could ancient woodland be replanted and was this relevant to this application?
  - The amendment to condition 6, as detailed in the update sheet, required 'no burning of waste at any time'. Could the officer clarify whether this included woodland waste, as a campfire was permitted on the site.
  - What were the red dots on the proposed site plan on slide 12 of the officer's presentation?
  - The fire and rescue service had requested that a fire hydrant should be provided on the site, however the officers report provided good reasons why this was disproportionate and not necessary. Would there be any legal implications by not having a hydrant on site if a fire were to occur?
  - Was condition 8 sufficient to ensure that there would be no future creep of parking into the adjoining woodland, and that the track remained a forest track?
- 269. In response to questions, Officers clarified:
  - Replanted ancient woodland was a classification for the designation of ancient woodland, and suggested that it had been felled and replaced at an unknown point in the past. As it was likely to have occurred many years ago it was not considered relevant to this application.
  - The amended condition 6 referred to the burning of general, hazardous or polluting waste that would not be naturally found on this site. It did not include the natural by-products of woodland management.
  - On the proposed site plan (slide 12 of the officer's presentation), the larger red dot represented the only permitted campfire within the camp area. The smaller red dots related to trees on the site.
  - Members were reminded that it was important to make a proportionate decision, based on the size of the site and the conditions that had been recommended. Whilst members should take into account the response of the fire service, other regulatory matters would also need to be complied with. An amendment to condition 6 was proposed in order to explicitly control where a fire was allowed.
  - The applicant had confirmed that the track and designated parking areas, and their surfacing, would not be changed. Condition 8 stated that parking should only take place in a specific area, which will prevent encroachment into neighbouring woodland.
- 270. The Committee discussed and debated the application, making the following comments:
  - The Committee agreed on the importance of managing woodlands, and that education in the countryside and development of rural skills was in keeping the SDNPA policies. The proposed conditions were considered proportionate and sufficient to control the activities on this fairly small site.

- Members noted concerns raised by objectors to the scheme regarding enforcement of the
  conditions. They emphasised the need for the conditions to be adhered to and for
  enforcement to take place if it was required.
- It was proposed that a further condition should be included to require the applicants to provide information within a set timeframe detailing how the conditions were being met.
- 271. It was proposed that planning permission be granted subject to completion of a Section 106 legal agreement, and subject to a further amendment to the amended condition 6 in the update sheet, in order to explicitly control where a fire was allowed; and subject to the addition of a further condition requiring the applicants to provide information within a set timeframe to ensure that the conditions were being met, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

#### 272. **RESOLVED:**

- 1. That planning permission be granted subject to:
  - i. The completion of a Section 106 legal agreement, the final form of which is delegated to the Director of Planning, to secure that Smugglers Copse (as shown on the location plan in blue) is managed in accordance with the submitted Woodland Management Plan (January 2021) and adequately monitored for a minimum period of 10 years.
  - ii. The conditions as set out in paragraph 10.2 of this report, subject to a further amendment to condition 6 as set out in the update sheet to explicitly control where a fire was allowed, and the addition of a further condition to require the applicants to provide information within a set timeframe to ensure that the conditions were being met, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.
- 2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the \$106 Agreement is not completed or sufficient progress has not been made within 6 months of the 11th February 2021 Planning Committee meeting.
- 273. Janet Duncton left the meeting.

#### ITEM 9: SDNP/20/01535/FUL - Butser Hill Lime Works

- 274. The Case Officer presented the application and referred to the update sheet.
- 275. The following public speakers addressed the Committee:
  - Doug Jones spoke against the application representing Buriton Parish Council;
  - Tina Cuss spoke against the application representing Hampshire Countryside Service;
  - John Palmer spoke in support of the application as the agent representing the applicant.
- 276. The Committee considered the report by the Director of Planning (Report PC20/21-31), the update sheet and the public speaker comments, and requested clarification as follows:
  - How many car parking spaces would be provided? Would it be acceptable to require
    parking at the existing Queen Elizabeth Country Park (QECP) car park and only have
    provision for disabled parking on this site?
  - Could the number of vehicle movements to and from the site be reduced?
  - Were the highways conditions sufficient to protect cyclists using the new cycleway linking Petersfield to Queen Elizabeth Country Park (NCN 222,) which used the entrance road to this site, to ensure adequate segregation between cyclists and vehicles accessing the site? Could the Operational Management Plan detailed in condition 13 require details of segregation of cyclists from vehicular traffic?
  - Could conditions 27 and 28 be combined, and could Hampshire County Council be included in the community liaison group?
  - What would happen to the rest of site that was not in the applicant's ownership?

- This permission would bring forward the expiry date to 2024 from the existing expiry of 2042 in the extant permission. Would this signify a period of intensive extraction of chalk between now and 2024?
- Was the importation of soil as part of the restoration scheme the right decision, and what would happen if the site was left to regenerate naturally?
- 277. In response to questions, Officers clarified:
  - The proposed car parking was considered to be modest in size and informal, with no delineated parking spaces. The car parking accorded with SDLP policies and Purpose 2 to enable people to access the Park, and officers considered it reasonable to provide parking on this site for visitors to access the lime kilns and habitats on this site. The site was at a significant distance from other parking facilities. However, should Members be minded not to permit the car parking at this stage the agent had agreed in writing that they were willing to remove the car parking from the scheme.
  - There were currently no restrictions to vehicular movements on site and this application sought to limit the number of movements to and from the site. A weekly total of 750 HGVs in and 750 HGVs out of the site was considered reasonable to allow for the work required.
  - Condition 17 required details of the proposed works for the protection and enhancement of the adjacent public rights of way and cycle routes to be submitted. This was additional to the requirement of condition 13 to provide a Highways and Rights of Way Operational Management Scheme. Condition 17 had been included separately in order to strengthen the protection of cyclists using the National Cycle Network route. Both the Operational Management Scheme and the details required by condition 17 would need to be submitted for approval by the SDNPA, who would consult both Highways England and Hampshire County Council (HCC) to ensure consistency and protection for cyclists using the cycle path.
  - Conditions 27 and 28 were separate conditions which allow them to be enforced separately. Specific bodies, such as HCC, could not be listed in conditions, however officers agreed to recommend that the liaison group included HCC.
  - The original extant permission dated from 1945 when it was common to stipulate 2042 as a standard expiry date on most quarry applications. This application proposed a more realistic date for the extraction of the chalk and a plan for restoration of the site by 2028.
  - Whilst the modern view was to leave quarries to restore themselves naturally, the
    topography of this site made it different and it was not satisfactory to leave it to natural
    restoration. The infill and restoration was required to blend the site in with the adjoining
    land at QECP.
- 278. The Committee discussed and debated the application, making the following comments:
  - Whilst it was recognised that this application would place some restrictions on the number of vehicle movements to and from the site, there was some concern on the number of HGV movements permitted each week and the risk to cyclists using the NCN 222 cycle path.
  - The Committee stressed the need for a strong Aftercare Management Plan for the site.
  - Members were divided on the need for car parking provision on the site. Whilst it was agreed necessary to provide disabled parking provision on the site, it was disputed whether the car park at QECP was considered a suitable alternative or whether it was too far from this site to encourage visitors once it had been restored. It was suggested that the issue of parking provision could be included in the Aftercare Management Plan for the site which was required by condition 31.
  - It was recommended that the representation on the community engagement panel could be widened to include representatives from HCC and QECP.
  - Members asked that the timeframe for condition 28 was brought forward to 9 or 6 months (not 12 months) in order to protect the lime kilns from further degradation.

- 279. It was proposed that the decision whether to grant planning permission should be delegated to the Director of Planning, in consultation with the Chair of the Planning Committee, and that planning permission, if granted, should be subject to the conditions in the report and the minor amendments to the conditions as listed in the update sheet, and addressing the points associated with car parking and protection of the kilns, which were raised in the member debate at the 11 February 2021 planning committee.
- 280. **RESOLVED:** That the decision whether to grant planning permission be delegated to the Director of Planning, in consultation with the Chair of the Planning Committee, and that planning permission, if granted, should be subject generally to the conditions set out in paragraph 10.1 of the officer's report and the update sheet, and addressing the points associated with car parking and protection of the kilns, which were raised during the member debate at the 11 February 2021 planning committee.
- 281. Ian Philips joined the meeting.

## ITEM 10: Hampshire Waste and Minerals Plan Review 2020

- 282. The Planning Policy Lead presented the report and referred to the update sheet.
- 283. The Committee considered the report by the Director of Planning (Report PC20/21-32) and requested clarification as follows:
  - It was possible that a new recycling plan would be put forward for consultation in Hampshire in 2021. Would that delay the timetable for the Hampshire Minerals and Waste Plan (HMWP)?
  - Policy number 5 regarded restoration, which may not always be the right decision for a site. Should this policy be updated?
- 284. In response to questions, Officers clarified:
  - The first stage of the plan would include gathering evidence and reviewing any strategies
    which were coming through. The Hampshire recycling plan would be picked up in this
    stage if it were to come forward within the next 6-12 months. The timetable put forward
    was realistically set to enable the Plan to be adopted in 2023.
  - The management plan for any site would consider whether a site should be left alone or require work to reach an acceptable state. Leaving a site alone to restore naturally would still fall under banner of restoration, so policy 5 did not require modifying, however it was recognised that views on restoration were changing and it was hoped that the process of reviewing the HMWP would enable these views to be incorporated into the final plan.
- 285. The Chair asked if any member wished to object to, or abstain from, voting in favour of the officer's recommendation. No members raised an objection or wished to abstain.
- 286. **RESOLVED:** The Committee recommended that the National Park Authority:
  - 1. Approve the 2020 Review of the Hampshire Minerals & Waste Plan (2013)
  - 2. Progress a partial update to the Hampshire Minerals & Waste Plan (2013) as indicated in the review document and the revised timetable (Appendices A and B)
  - 3. Agree to the publication of a summary of the review process and the decisions on the Hampshire County Council website

#### **ITEM 11: Enforcement Update**

- 287. The Enforcement Officer presented the report and gave a verbal update that since the report was published, one appeal had been dismissed (APP/Y9507/C/20/3251190 Land east of Pony Farm, Findon) so there was I enforcement notice being appealed.
- 288. The following public speakers addressed the Committee:
  - Alan Glendinning spoke on the Enforcement update representing himself.
- 289. The Committee considered the report by the Director of Planning (Report PC20/21-33) and made the following comments:
  - The Committee noted the public speaker's comments.

- Members noted the large case load for a small team of enforcement officers, including an increased email workload during the period of lockdown due to covid-19.
- Members acknowledged that officers were working on a report to be able to include further details on the number of open cases as well as closed cases, and asked if future reports could also include figures for the host authorities in order that they could compare to them to the SDNPA figures.
- Communication with parish councils was considered important, and appreciated by parish councils as part of partnership working to report on enforcement matters.
- 290. **RESOLVED**: Members noted the update on enforcement action.

## ITEM 12: Summary of Appeal Decisions Update

- 291. The Planning Officer presented the report and gave a verbal update that on page 305 of the committee papers, Penn House (SDNP/19/03374/CND / APP/Y9507/W/20/3251448) was a planning committee decision by Winchester City Council, not the SDNPA.
- 292. There were no questions or comments from members.
- 293. **RESOLVED**: Members noted the outcome of appeal decisions.
- 294. The Chair closed the meeting at 3:30pm.

СПАІГ	•		
Signed:		 	

CHAID



Agenda Item 7 Report PC20/21-35

Report to Planning Committee

Date II March 2021

By **Director of Planning** 

Local Authority East Hampshire District Council

Application Number SDNP/18/06111/FUL

Applicant Cove Construction Ltd

Application Development of 37 dwellings (including affordable homes),

alterations to existing access onto Petersfield Road, hard and soft

landscaping, drainage and all other associated development

works.

Address Liss Forest Nursery, Petersfield Road, Greatham, GU33 6HA

Recommendation: That planning permission be refused for the reasons as set out in Paragraph 10.1 of the report.

## **Executive Summary**

The application site is a horticultural nursery in the northern part of Greatham. It is a large site in the context of the size of the village and is surrounded by development on three sides, whilst its south east boundary defines the edge of the village. It is allocated for residential redevelopment in policy SD71 of the South Downs Local Plan 2019 for 35-40 dwellings and associated open space and a new shop is also supported.

The application has been the subject of lengthy discussions with the Applicant regarding the design of the scheme and Greatham Parish Council have also been involved in some of these discussions to a limited extent. The scheme has subsequently been re-designed from 46 dwellings to 37 and a shop has been omitted. The layout and architecture has been revised as part of this process. Whilst improvements have been made to the scheme, it is not sufficiently landscape-led and proposes an overly suburban character which would not give sufficient regard to the local context to instil local distinctiveness or a sense of place. A reason for refusal on design grounds is therefore proposed.

The latest submission proposes a 48.6% affordable housing contribution (18 dwellings) which are predominantly no.2 and no.3 bed properties. However, officers have very recently been verbally advised by the Applicant that this contribution may not be achievable and that the scheme's viability is being re-assessed. In the absence of justifying why a minimum target of 50% cannot be met a reason for refusal is proposed.

The site is within the proximity of Wealden Heaths Phase II Special Protection Area (SPA) and Woolmer Forest Special Area of Conservation (SAC). Under The Conservation of Habitats and Species Regulations 2017 (as amended), it has been determined that the scheme would have a likely significant effect in regard to increased recreational disturbance from new residential development and Natural England have objected for this reason. In the absence of suitable mitigation being secured for this impact, which could be a financial contribution towards suitable alternative natural green space for example, a reason for refusal is recommended.

A fourth reason for refusal is recommended on the basis of not having secured various \$106 requirements including contributions towards highways, securing the public open space, and a permissive path through the open space between Petersfield Road and the south east corner of the site to join up with the adjacent public right of way.

The application is placed before committee due to the scale of the development, the policy considerations and design issues, and the level of local interest.

#### I. Site Description

- 1.1 Greatham is situated to the west of the Longmoor MOD camp and is surrounded by a patchwork of enclosed fields and woodland. The village mainly comprises detached dwellings situated along Petersfield Road, but there is some development 'in depth' which extends away from the main road such as Bakers Field immediately north of the application site. The village has a conservation area, which is approximately 115m south of the site, and a variety of listed buildings. There is a primary school and village hall close to the application site. Greatham has good access to the main A3 via its road links at the north and south ends of the village.
- 1.2 Overall, there is an eclectic mix of styles, ages, forms and detailing of properties within the village. Within street scenes, properties exhibit varied building lines and setbacks from roads as well as varying degrees of prominence due to differing boundary treatments and planting (or lack of). A notable feature is front facing gables and porches and the use of red brick. Ironstone is a material seen in properties and boundary walls of older properties. There is also a variety of architectural brickwork detailing, materials and finishes.
- 1.3 The application site lies within the northern part of Greatham. It comprises of a horticultural nursery with various large greenhouses, poly tunnels, storage areas, and hardstanding. It has an access onto Petersfield Road adjacent to a telephone exchange building and a primary school. The site gradually slopes downwards towards its north east corner and it is predominantly on higher ground to Petersfield Road and a grassed bank runs along the roadside site boundary and from the road greenhouses can be seen. On the opposite side of Petersfield Road is a listed farmhouse (Deal Farm), other dwellings and the village hall and playground. The site is also on higher ground to Bakers Field. There is a detached bungalow on site associated with the Nursery.
- 1.4 The site is bordered by a mix of fencing, hedging and trees, including an area of mature trees at its south west edge which are subject to a group TPO. The rear gardens of properties on Bakers Field define its north east boundary. Within the field south east of the site is a public right of way.
- 1.5 The Wealden Heaths Phase II Special Protection Area (SPA) and Woolmer Forest Special Area of Conservation (SAC) are north east of the site. The Longmoor MOD camp is also designated as a Site of Special Scientific Interest.

## 2. Relevant Planning History

- 2.1 SDNP/18/01316/SCREEN: Screening Opinion sought in relation to residential development up to 55 dwellings. Decision issued 28.03.2018; Environmental Impact Assessment (EIA) not required.
- 2.2 SDNP/17/05087/PRE: Redevelopment of the site with different options; (1) 39 dwellings plus a care home; (2) 65 dwellings including flats; and (3) 59 dwellings. Advice provided 23.01.2018 and a summary is below:
  - Loss of a business use in favour of housing being considered through Local Plan process.
  - Need to demonstrate that the scheme meets emerging policies and specifically the allocation policy.
  - Considered major development in NPPF terms.
  - Provision of care home contrary to policy.
  - All 3 development options were an unacceptable scale of development.
  - Proposals for a shop need to be given consideration.

- Appropriate housing mix required.
- Policy compliant affordable housing provision required.
- A landscape-led and eco-systems services approach required.
- Sense of place within the scheme needs to be achieved through layout, public realm, scale, appearance, architecture and materials.
- A contemporary architectural approach may be acceptable.
- Encourage use of Design Review Panel, once evidence base has been progressed.

#### 3. Proposal

3.1 The proposals have been subject to significant amendments over the course of the application. Originally, the application proposed 46 dwellings, with a shop, and the current proposals are for 37 dwellings with no shop and the following housing mix.

Dwelling size	Market	Affordable	Total
I bed		2	2
2 bed	4	10	14
3 bed	5	6	11
4 bed	7	-	7
5 bed	3	-	3
Total	19	18	37

3.2 The formal submission proposes 18 affordable dwellings which would comprise of 14 affordable rented and 4 shared ownership properties. They would equate to a 48.6% affordable housing contribution. However, following very recent discussions with the Applicant it is uncertain as to whether this provision would be achievable (please see paragraph 8.19 below).

#### **Proposed layout**

- 3.3 The siting of the existing access would be retained and upgraded with a new bell mouth junction to accommodate the development. The area of protected trees adjacent to the access would be retained. The dwellings would be set back within the site in a predominantly perimeter block layout with public open space around the periphery. The dwellings would face outwards onto an internal circular road and the open space, with rear gardens backing onto each other. A smaller area of open space is also proposed to link the open space on the south east side of the site and the central area of dwellings referred to above.
- 3.4 The dwellings within the perimeter block would be semi-detached and link-detached properties on the north west side, facing Petersfield Road, which would be a denser street frontage in comparison to the opposite south eastern side where there would be a row of larger detached properties. Within this perimeter arrangement, a central area of dwellings is also proposed which would face onto a shared surface and new landscaping.
- 3.5 The internal road would have a varied width and curvature around the site to try to achieve a more rural character and manage vehicle speeds. The main access into the site would have a more engineered character.
- 3.6 A row of 9 dwellings are proposed along the north east site boundary. They would face onto the circular road with rear gardens extending up to proposed planting along the site boundary and the rear gardens of Bakers Field beyond. An underground pumping station for foul water drainage infrastructure is proposed in the north east corner of the site, which would have its own grasscrete surfaced access through the open space.

#### **Parking**

3.7 A total of 82 car parking spaces are proposed, including 7 visitor spaces. There would be 2 off street spaces per dwelling on average. These would be arranged as tandem parking alongside the semi-detached and link detached properties, whilst driveways for the detached properties would be wide enough for cars to park side by side. Single garages are proposed with some of the dwellings whilst others would have car ports which would link dwellings together. The visitor spaces would be provided within the internal road.

## The dwellings

- 3.8 A generally traditional style of architecture is proposed within a 2 storey development. There would be a mix of gabled and hipped roofs, including front projecting gables with varied detailing through the use of materials and for certain properties more ornate eaves. They would have comparable ridge heights throughout the scheme and variations in height are largely due to the ground levels.
- 3.9 Elevations would exhibit a range of porches and architectural detailing of projecting courses of brickwork, brick window cills and arches above, quoining, and bay windows. Trellis work either on porches or bay windows is proposed. Window styles also vary between dwelling typologies. Chimneys are proposed on all dwellings and these vary between being on top of ridges and external stacks on side elevations. Attached single garages would have pitched roofs and be set back from front elevations. Similarly, car ports between the link detached properties would have pitched roofs and be set back also.
- 3.10 Red brick would be the predominant facing material. More prominent buildings would be finished in a painted brick or render and certain properties would have some sandstone facades of varying extents and locations. The upper parts of certain front facing gables would have tile hanging. Roofs would be tiled.

## Sustainable Construction

- 3.11 The energy efficiency of the dwellings has not been specified but a fabric first approach to sustainable construction and low carbon materials is proposed. It has been requested that energy efficiency measures are addressed via a condition, whereby more detailed design for the dwellings can be undertaken. Each dwelling is proposed to include measures to reduce water consumption to a level which meets policy SD48.
- 3.12 Illustrative locations for solar PV panels have been provided although it is unclear whether this would meet a target of 20% renewables given the final energy efficiency of the dwellings in unknown. Electric vehicle charging points would be fitted to all dwellings.

#### **Drainage**

3.13 Foul drainage would converge on the new pumping station which in turn would be connected to a mains sewer. Surface water would be managed via a piped system to the Suds basin and a crate system and some swales would be created. Some isolated rain water gardens are proposed alongside the internal road.

#### 4. Consultations

- 4.1 A re-consultation exercise for the latest scheme under consideration was undertaken in November and December 2020. The following consultee responses have been received. Where relevant, previous consultee's comments from the earlier iterations of the scheme are included in the summaries below.
- 4.2 **Arboriculture**: No objection, subject to condition.
- 4.3 **Archaeology (HCC)**: No objection.
- 4.4 **Drainage Engineer (EHDC)**: No objection, subject to conditions.
- 4.5 **Greatham Parish Council**: Objection for the following reasons:
  - No objection in principle to residential development.
  - Acknowledge significant improvements have been made.

- An outstanding scheme can be achieved, but these proposals fall short of this aspiration.
- Inadequate consultation with the Village.
- Don't object to the loss of the shop.
- Housing numbers too high based on settlement pattern and character of the village.
- Less dwellings would reduce traffic and commuting, access to services.
- Number of dwellings detrimental to village parking, traffic, integration with community, insufficient provision of open spaces, impact on the village hall parking and school.
- Further improvements along proposed Petersfield Road frontage needed; dwellings very evenly distributed in contrast to historical settlement pattern.
- Strong frontage to Petersfield Road with varying density away from the road required.
- Extent of hardstanding; more landscaping would reduce excess surface water run-off.
- Must ensure sufficient surface water drainage scheme which is maintained.
- Design of dwellings not in keeping with the character of the village.
- Lack of clarity on materials and, consequently, how the development would fit in with Greatham; these need to reflect local character (eg. Malmstone or Ironstone).
- Concern about overflow parking into the village hall car park.
- Views from Petersfield Road and Deal Farm have been improved but better protection of views across the site needed.
- Impact from construction phase upon the village and school need to be considered.
- The 'Goat Path' should be preserved.
- Uncertainty regarding planting and its purpose adjacent to Barkers Field.
- Open space could include small informal play equipment or street furniture.
- Residents would pay for upkeep of open space, ownership by Parish Council preferred. Parking, access and traffic
- Location of access close to school entrance and traffic calming area could create problems at peak times, hazardous to children walking to school and road users.
- Limited visibility from the access.
- Poorly designed parking provision; tandem parking not supported and will lead to onstreet parking with inherent problems, insufficient visitor parking.
- Width of internal road too narrow and needs to better resemble a rural design.
- Contribution to improving pedestrian crossing required.
- Cycle routes to Liss (Shipwright's Way and bridleways) need improving.
- Sustainability
- Wish to see a fossil fuel free development and maximise use of solar panels.
- Dwellings should include battery storage so as solar energy can be stored.
- Rainwater capture should be used in water consumption (eg toilet flushing) of the dwellings and would help to reduce any increased surface water run-off and flood risk.
- More information on energy efficiency required.
- Support electric charging points.
- 4.6 **Ecology**: No objection, subject to condition.
- 4.7 **Environmental Health (pollution)**: No objection, subject to conditions.
- 4.8 **Environmental Health (contamination)**: No objection, subject to conditions.
- 4.9 **Environment Agency**: No response received.
- 4.10 **Historic Buildings Officer**: No objection.

- 4.11 **Highways Authority**: No objection, subject to conditions and a financial contribution of £75,000 being secured via a \$106 Legal Agreement.
  - Contribution would go towards improving more sustainable travel infrastructure, such as
    cycle infrastructure towards Liss railway Station, bus service infrastructure, and
    improving pedestrian crossings.

## 4.12 **Housing (EHDC)**: Objection.

- One additional affordable dwelling required to meet minimum 50% provision.
- Distribution of affordable dwellings within the scheme acceptable.
- Proposed tenure of affordable housing acceptable.
- Given low local need identified, \$106 should include cascade to cover the East Hampshire district.

## 4.13 Landscape and Design (SDNPA) (joint response): Objection

## Layout and design of dwellings

- Number of units driving a uniformity in the layout; further distinctiveness through varied roof orientations and forms, set back distances from the street and use of different (locally characteristic) front boundaries required.
- 'Anywhere' architecture; development does not sufficiently integrate with Greatham's character or contribute to local distinctiveness.
- Siting of dwellings do not recreate an organic and loose countryside edge character, with repeated similar units in a line.
- Building frontages and their treatment would create a suburban feel, uncharacteristic of Greatham or the countryside edge.
- Monotonous street scene fronting Petersfield Road; 3 of the same house typology, similar roof lines and spacing.
- Streetscene facing eastwards too regimented.
- Central area needs to include more varied dwellings.
- Simple road design needed to respect rural/edge of settlement character.
- Use of materials tokenistic and lack authenticity; sandstone would make the scheme more locally characteristic and needs to be better employed.
- External lighting needs to be low level.
- Pump house too prominent in the street scene.
- Sheds should not be visible from the public realm and be bespoke.

#### Landscaping & drainage

- Success of green infrastructure is subject to detailed design.
- Opportunities for rear hedged garden boundaries are missed.
- Less units may enable a better drainage strategy and secure multiple benefits.
- Surface water drainage relies too much on underground pipes and Suds pond.
- Insufficient provision of green roofs, rain gardens and swales.
- SuDs pond could appear too uniform.

#### Sustainability

- Sustainable Construction SPD requirements not met.
- Lack of green roofs and rainwater harvesting.

#### Positive attributes

- Broad principles of the layout supported.
- Lack of pavements.

- Open space provision.
- Parking is well integrated.
- Corner buildings within the scheme address public realm on two sides.
- Chimneys locally characteristic.
- Hedging and picket fencing a positive boundary feature but other boundaries of close boarded fence seen in the public realm unacceptable.
- 4.14 Lead Flood Authority (HCC): No objection, subject to condition.
- 4.15 Natural England: Objection.
  - Mitigation towards increased recreational pressure upon designated sites required. A
    proportionate financial contribution towards a local project for recreation
    enhancements would be an acceptable approach.
- 4.16 **Portsmouth Water**: Response received, no comments.
- 4.17 Public Rights of Way (HCC): Objection
  - A financial contribution towards improvements to Greatham footpath no.10 and existing network (i.e. new surfacing) required, given likely increased footfall generated by the development.
- 4.18 **Southern Water:** No objection.
- 5. Representations
- 5.1 163 objections and 1 supportive response have been received. These raise the following considerations:

#### **Objections**

- Concerns of local community not addressed and lack of engagement.
- Greatham does not require a large housing allocation.
- No facilities that would benefit the village.
- Capacity of health services.
- Mixed views on needing/not requiring a shop (majority against provision)
- Impact on the local economy in relation to loss of the Nursery.
  - Scale & design
- Overdevelopment of the site and insufficient open space.
- Layout and architecture too suburban and not in keeping with village and rural character.
- Not sensitive to the National Park (not landscape-led); development also too visible.
- Design of dwellings too uniform with token attention to Greatham architecture.
- Materials inappropriate; need more ironstone or malmstone.
- Dwellings need to be designed for home working and have fibre broadband.
- Layout inward looking, development closed off from the village, including its open space.
- Un adopted roads could provide feeling of exclusivity.
- Scheme needs better feeling of security through more overlooked areas.
- Needs to be more inclusive rather appearing like a gated communities or residents preferring to be isolated; better integration with community required.
- Layout does not respect relationship with Bakers Field.
- Needs a central greenspace as a community space and development frontage which can relate to the village hall to help create a centre.
- Additional pedestrian access at north west corner needed.
- Gardens are too small.

- Views from Deal Farm towards Butser Hill not properly considered.
- Sensitive approach to street lighting required.

#### Housing mix and affordable Housing

- Inappropriate mix does not comply with SD27 and local need.
- Affordable housing includes too many of the smaller properties.
- Market housing includes too many larger properties.
- Affordable houses need to be indistinguishable from the open market properties.
   <u>Landscape</u>
- More tree planting/landscaping, open space, and a reduction in hardstanding required.
- Planting strip alongside Bakers Field rear gardens lacks any purpose.
- Native trees, hedging and grassland need to be considered; more detail required.
   Parking & access
- Limited parking for residents and visitors.
- Poor relationship between the access and the school; hazardous to highway safety including children and parents walking to school and visibility.
- Second vehicular access required.
- Parking obtrusive, should be disguised in streetscene, tandem parking not supported.
- Proposed access inadequate and narrow internal road proposed.
- Concern of overflow parking onto Petersfield Road and village hall car park.
- Visitor spaces as laybys inappropriate.
- Second pedestrian access onto Petersfield Road needed to improve permeability.
   <u>Drainage</u>
- Pumping station should be further away from Bakers Field; potential noise impact.
- Site has poor drainage and flooding of Bakers Field rear gardens will be exacerbated.
   Amenity
- Impact from increased traffic; Petersfield Road already busy.
- Harmful overlooking, loss of privacy, and light pollution towards Bakers Field properties.
- Impact on views from Bakers Field properties.

#### Sustainability

- Development needs to be fit for the future; needs to be a carbon neutral scheme.
- Passive house dwellings required.
- Solar panels and electric charging points on all dwellings required.
- Bus services need to be improved.

## <u>Other</u>

- Impact on Bakers Field properties during construction.
- Wish to see mixed use development to reduce the need to travel for work.
   <u>Support</u>
- Support new affordable housing for young families to make village more sustainable.
- 5.2 **CPRE**: Objection (no response to latest revised plans).
  - Accept principle of development but concern regarding intensity and design.
  - Intensity of development and cramped appearance and sensitive layout required.
  - More sensitive design of dwellings required to conserve and enhance the setting of the conservation area, locally listed buildings, appropriate materials.

#### 6. **Planning Policy Context**

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory Development Plan comprises of the South Downs Local Plan (SDLP) 2014-2033 and the adopted Hampshire Minerals and Waste Plan (2013). The relevant policies are set out in section 7 below.
- 6.2 The SDNPA designated the Greatham Neighbourhood Plan area on 12 June 2019. Since then, no draft Plan has been published for consultation and as such there are no emerging policies to consider.

## National Park Purposes

- 6.3 The two statutory purposes of the SDNP designation are:
  - To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
  - To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, the first purpose should be given greater weight. There is also a duty in pursuing National Park purposes to foster the economic and social wellbeing of the local community.

## National Planning Policy Framework and Circular 2010

6.4 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 24 July 2018 and revised in February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

## National Planning Policy Framework (NPPF) 2019

- The National Planning Policy Framework has been considered as a whole. The following 6.5 NPPF sections have been considered in the assessment of this application:
  - Achieving sustainable development
  - Requiring good design
  - Delivering a supply of homes
  - Conserving and enhancing the natural environment
  - Conserving and enhancing the historic environment
  - Achieving well designed places
  - Promoting sustainable transport
  - Meeting the challenge of climate change, flooding and coastal change.

## Relationship of the Development Plan to the NPPF and Circular 2010

6.6 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be complaint with it.

#### Major development

- 6.7 In the 2017 pre-application advice, it was advised that this would be a major scheme for the purposes of the NPPF. However, the SDNPA's formal opinion now is that the proposed development does not constitute major development for the purposes of the NPPF and policy SD3 (Major Development) of the SDLP given its location and lack of significant adverse effect upon the National Park area.
- 6.8 The scheme is within a Local Plan allocated site for new residential development. It's two storey nature, the siting, scale and design of the dwellings, landscape scheme, and the site's context of being enclosed by development on 3 sides would result in the scheme not having

a significant adverse impact on the purposes for which the area has been designated or defined.

## The South Downs National Park Partnership Management Plan 2020-2025

6.9 Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include: 1,5, 9, 10, and 50.

## Legislation for Heritage Assets

- 6.10 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states "in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.11 Section 72 of the Town and Country Planning (Listed Buildings and Conservation Area) Act 1990 relates to conservation areas. It requires "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." The Site is not within the Greatham Conservation Area but consideration in regard to any impact is considered in section 8 below.

#### **Environmental Impact Assessment**

6.12 Paragraph 3.3 summarises that a previous screening opinion for a larger form of development did not require an EIA. The application has been subject to screening and it has been concluded that the scheme does not constitute EIA development for reasons of its scale, use, character and design and environmental considerations associated with the site.

#### Other material planning considerations

- 6.13 The following are relevant considerations:
  - Adopted Sustainable Construction SPD
  - Adopted Affordable Housing SPD
  - Draft Parking SPD (second draft currently undergoing public consultation)
  - Ecosystems Services Technical Advice Note

## 7. Planning Policy

- 7.1 Whilst the South Downs Local Plan must be read as a whole, the following policies are particularly relevant:
  - SDI: Sustainable Development
  - SD2: Ecosystems Services
  - SD4: Landscape Character
  - SD5: Design
  - SD8: Dark Night Skies
  - SD9: Biodiversity and Geodiversity
  - SD10: International Sites
  - SDII: Trees, Woodland and Hedgerows
  - SD12: Historic Environment
  - SD13: Listed Buildings
  - SD16: Archaeology

- SD17: Protection of the Water Environment
- SD19: Transport and Accessibility
- SD22: Parking Provision
- SD25: Development Strategy
- SD26: Supply of Homes
- SD27: Mix of Homes
- SD28: Affordable Homes
- SD45: Green Infrastructure
- SD48: Climate Change and Sustainable Use of Resources
- SD49: Flood Risk Management
- SD50: Sustainable Drainage Systems
- SD71: Allocation Policy Land at Petersfield Road, Greatham
- 7.2 The following policy of the Hampshire Minerals and Waste Plan (2013) is relevant:
  - Policy 15: Safeguarding minerals

## 8. Planning Assessment

- 8.1 The application site is allocated for residential development in policy SD71 of the SDLP. The principle of development is therefore established. Policy SD71 prescribes a range of 35-40 dwellings, associated open space, and that a shop would be permitted, with suitable parking. Criteria (2) and (3) of SD71 outline a range of requirements for new development which include aspects of design, heritage considerations, flood risk, landscape and ecology. These are addressed where relevant in the assessment below alongside other policy considerations.
- 8.2 Greatham is a small village which generally has a linear settlement pattern with development along Petersfield Road where there is a 'loose knit' character of dwellings and other buildings south of the site. The application site, in contrast, has development in depth away from the road and beyond the linear settlement pattern, albeit Bakers Field immediately to the north also extends away from Petersfield Road.
- 8.3 The scheme under consideration is the third (including original) formal submission within this application. There has been good engagement with the Applicant and their project team, along with some limited engagement with the Parish Council. This has enabled certain parameters for the scheme to be developed, from the perimeter block layout to architectural detailing.
- 8.4 Officers acknowledge the improvements that have been made and the following main positive attributes of the design are summarised below.
  - Broad principles of the layout supported.
  - Layout would provide a transition in the density of development through the site (policy SD71).
  - Would retain the existing access (policy SD71).
  - Open space provision (location and amount) (policy SD7).
  - Housing mix
  - Parking strategy is generally well integrated into the scheme.
  - Principles of green infrastructure within the layout (albeit concern regarding garden boundary treatments and GI success is subject to the more detailed design).
  - Architectural detailing eg. chimneys, porches, gable and eaves detailing, window details particularly glazing bars (albeit use of timber not confirmed).
- 8.5 However, importantly, it is not considered that the scheme has sufficiently progressed enough to create a locally distinctive development that would complement the character of Greatham. The reasons for this conclusion are outlined further below.

- 8.6 The dwellings are a typical traditional style of design but they are akin to more modern schemes where there is often a consistent approach to typologies in terms of footprints and building forms. Within individual elevations there are features which reflect the character of Greatham, however, the proposed street scenes do not create a good varied character and consequently this has not resulted in a sufficiently bespoke scheme.
- 8.7 For example, the proposed street scene facing Petersfield Road includes three large houses that are virtually identical, roofs throughout the street scene are of an overall similar form and height and dwellings are similarly spaced out. This produces quite a repetitive street scene. Additionally, on the opposite side of the perimeter block the large detached dwellings proposed to overlook the open space are all of a similar form, layout and orientation which, again, creates a less characterful street scene even if different materials were to be employed between these dwellings.
- 8.8 Overall, throughout the scheme dwellings would unacceptably be sited in a somewhat uniform and consistent layout in terms of building lines, orientations, and general separation distances. Street scenes with differing roof forms, orientation of properties and heights that are influenced by the positive local vernacular would, for instance, create a more locally distinctive character.
- 8.9 All of these aspects combined result in a scheme that doesn't sufficiently reflect the positive and eclectic mix and style of properties in Greatham which should be achieved. The layout has quite a uniform rhythm in how dwellings are sited, for instance, and as a result it is less of an organic approach that reflects the more positive characteristics of Greatham (described in paragraph 1.2 above).
- 8.10 The use of materials is also a concern in regard to achieving a locally distinctive scheme. Red brick is a predominant material which is considered appropriate. The proposed stonework is considered however somewhat tokenistic in its extent and how it would be employed within elevations throughout the scheme, whereby it wouldn't contribute to enhancing local distinctiveness. This type of material would need to be more extensively used than the proposed piecemeal approach. Whilst materials can, generally, be conditioned these would need to be agreed in accordance with the plans and as such any significant changes to the layouts or elevations at a later stage has the potential to alter its character beyond that presented now.
- 8.11 Regarding the road layout, attempts have been made to create a less engineered approach through varied widths, shared surfaces and landscaping closer to its edges in order to create a rural character. The lack of pavements is positive and the provision of separated pedestrian paths within open space is also supported. However, designed-in traffic calming and an engineered character of the area at the end of the main access from Petersfield Road and on the south eastern side of the perimeter block do not create a good street scene character. Furthermore, an approach of managing vehicles speeds through design as advocated in 'Roads in the South Downs' has not been followed. In addition, material changes near to the main access are atypical of rural settlements and would appear too suburban in this rural context.
- 8.12 The scheme incorporates a good amount of public open space and green infrastructure which would link through the centre of the site. The north east boundary in comparison would be defined by less planting, however, this could be considered further via appropriate condition(s). Tree planting could also enhance biodiversity, manage surface water and improve the amenity of the public realm including as a focal features in views through the site. The landscape scheme, overall, has the potential for net biodiversity gain subject to conditions concerning these details. Garden frontages however need to be re-considered in accordance with SDNPA Design and Landscape consultee advice to be acceptable.
- 8.13 In conclusion, the dwellings adopt a traditional form of architecture but tje variety of house typologies, their siting and orientation and forms, as well as the use of materials have not resulted in a scheme that would create a sufficiently positive contribution to the character and appearance of the area.

8.14 A shop was included in the originally submitted scheme but it has been omitted. It was removed in response to local views concerning its viability and discussion with the Parish Council, on balance, its exclusion is considered acceptable. It is not an absolute requirement of SD71, rather, one is acceptable in principle were it to be proposed.

#### Sustainable Construction

- 8.15 Discussions have taken place on matters of sustainable construction and the Applicant has confirmed that the water efficiency measures required in SD48 would be met, but has requested that the energy efficiency standards be conditioned on the basis that further design work would be required to achieve this requirement.
- 8.16 A plan detailing positions of solar PV panels on roofs has been provided and the 20% energy requirement from renewables could potentially be met and this could be further conditioned if Permission was granted. The introduction of high quality well designed panels on roofs would not significantly detract from the scheme and area. Electric vehicle charging points are proposed for all dwellings which is supported.
- 8.17 The consideration of green roofs has been raised with the Applicant, however, none have been proposed. The application was originally submitted well before the Sustainable Construction SPD was adopted and other progressive measures responsive to climate change, albeit the latest plans post-date its adoption. In light of the measures above, officers consider that the requirements of SD48 could be met and secured via conditions and consequently have not raised sustainability matters as a reason for refusal.

#### Housing Mix

8.18 Policy SD27 requires predominantly 2 and 3 bed dwellings for open market and affordable dwellings. 68% of the proposed dwellings are 2 and 3 beds which is supported and a smaller proportion (27%) are 4 and 5 bed properties. The proposed mix is acceptable as whilst a greater percentage of larger dwellings is proposed this would help to deliver affordable housing and to achieve a transition in density through the scheme as required in SD71.

#### Affordable Housing

8.19 Further to paragraph 3.2 above, it has recently been verbally advised to officers that there are viability concerns with providing the affordable housing provision outlined in the latest submission, and that the scheme is undergoing further viability assessment work. At present, no information has been provided to justify that the minimum 50% contribution required by policy SD28 isn't achievable and given the uncertainty a reason for refusal is currently recommended. Members will be updated in regard to any further discussions with the Applicant and their planning agents.

#### Access and parking arrangements

- 8.20 Policy SD71 requires the existing access to be retained and make improvements to accommodate the development. The Highway Authority does not object on highway safety grounds to the use of the existing access and the proposed works. Local concerns have been raised about conflict with the school, however, given consultee advice and the proposed design the access arrangements are acceptable. Furthermore, relocating the access further north would have implications for the character of the area given the notable change in levels between the site and the road.
- 8.21 A key issue for the scheme is the amount of proposed residential parking. Many representations raise concern about overspill parking and on-street parking within the scheme. The proposed 82 spaces would be an acceptable provision in terms of the SDNPA's draft Parking SPD requirements, which can be given some weight due to its more advanced stage of preparation, and having considered local concerns and the views of the Highways Authority. The strategy for accommodating off street parking between and adjacent to dwellings and the visitor parking is also an acceptable design approach.
- 8.22 Concerns have also been raised in regard to additional traffic on Petersfield Road, however, the number of dwellings is within the range advocated in SD71 and the housing mix is acceptable.

8.23 Policy SD71 also requires a pedestrian route from Petersfield Road to the PROW east of the site. This has been provided within the layout which is acceptable. The PROW abuts the site boundary in third party land and so it would be important to secure the path with any \$106 Agreement. The County Council public rights of way team have requested a financial contribution towards the public rights of way network and specifically improvements to the footpath adjacent to the site. Currently, the SDNPA's CIL regime includes CIL towards the public rights of way network and in this regard I would not be appropriate to seek a contribution for its general maintenance and improvement and a more specific contribution towards the adjacent footpath within a \$106 would not be required to make the development acceptable in planning terms.

#### **Ecosystems services**

- 8.24 In addition to SD2, SD71 requires the scheme to have a positive impact on ecosystems services. SD71 specifically requires development to protect and enhance existing trees and this is achieved in the scheme particularly with the retention of protected trees adjacent to the access. Through a detailed landscape design and open space provision, the proposals could meet a range of criteria in SD2 to accord with this policy, subject to condition. These could include:
  - Better and more joined up habitats through the landscape scheme to enhance biodiversity.
  - Manage and mitigate the risk of surface flooding.
  - Increase the ability to store carbon through new planting.
  - Improve opportunities for people's health and wellbeing with increased open space and better access to the countryside.

#### **Ecology**

8.25 Policy SD9 requires proposals to demonstrate that they have identified and incorporated opportunities for net gains in biodiversity. The County ecologist has not raised any concerns. Net gain could be achieved through the landscape scheme primarily through the breadth and extent of new planting and how it joins together and connects to the site's surroundings, subject to detailed design, to benefit a broad range of protected and unprotected species. The different environments between the Suds basin, swales, other areas of open space and gardens also all provide for a variety species. Therefore, no concerns are raised in regard to net gain and safeguarding protected species.

## 8.26 Pollution

Policy SD71 requires a scheme not to cause demonstrable harm to ground water resources. Consultees have not raised concerns in this regard, subject to conditions.

#### Flood risk and drainage

- 8.27 Policy SD71 requires suitable measures to avoid increases in localised flooding. No objections have been received from specialist consultees in these regards. Residents of Bakers Field have raised concern about existing surface water flooding of their rear gardens from run-off from the site. The current site has expanses of hardstanding which would contribute to this. In contrast the proposals include a drainage strategy and areas of open space to alleviate this concern. The Lead Flood Authority has not raised an objection regarding flood risk.
- 8.28 Concern has been raised from SDNPA design and landscape officers that the means of managing surface water could be more sustainable and aspects like green roofs, further swales and rainwater gardens could be employed. The Applicant contends that the ground conditions cause limitations to the drainage scheme which result in the need to pipe water to the SuDs basin for instance. The drainage engineer has not objected to the scheme, as proposed, however, there could be potential for further improvements to be made in regard to a landscape approach to managing surface water. On balance, the surface water drainage scheme could be developed further but a specific reason for refusal is not proposed.

8.29 The drainage engineer and Southern Water have not raised an objection in principle to the foul water drainage scheme, subject to conditions.

#### Impacts upon neighbouring amenities

- 8.30 The third party representations have raised concerns about a variety of impacts and consultee advice on drainage and flood risk for example has satisfied officers that those concerns have been addressed. The predominant concerns about parking are also addressed above.
- 8.31 The proposed layout involves dwellings which would back onto Bakers Field. Given the siting of the proposed dwellings, distances from existing properties and potential new boundary planting, whilst there is a difference in levels whereby the proposed dwellings would be on higher ground there would not be any significantly harmful impact upon their amenity to justify a reason for refusal.
- 8.32 The scheme would also not have an unacceptable impact upon residential properties on the opposite side of Petersfield Road given the distances involved and particularly as the proposed dwellings would be set back within the site.
- 8.33 Once constructed, the dwellings and open space would not have a significant impact upon the adjacent school and concerns about the proposed access have been addressed above.

## Cultural Heritage

8.34 Policy SD71 requires the setting of heritage assets to be conserved and enhanced. The site is opposite a grade II listed farmhouse (Deal Farm) and the conservation area is located approximately 115m south of the site. Given the distances from these heritage assets, intervening topography, vegetation and other development it is considered that the scheme would cause harm to their setting. The SDNPA's conservation officer has not raised any concerns. It is debatable as to whether the scheme would in fact be within the setting of these assets but enhancements to their setting would arise from the loss of the existing greenhouses, the laying out of the proposed public open space and siting development further back from Petersfield Road compared to the greenhouses.

#### The Conservation of Habitats and Species Regulations 2017

- 8.35 To fulfil the requirements under the Habitats Regulations (2017), officers are required to assess the likely significant effects of development on the European protected sites. Whilst it is an allocated site, given its proximity to the SPA and SAC the proposals aren't immune from these considerations. The legislation requires mitigation for recreational impacts associated with residential development so as not to adversely affect the integrity of these sites.
- 8.36 Following an Appropriate Assessment, the residential scheme has the potential for likely significant effects upon the SPA from recreational pressures, which would need to be mitigated. Natural England has objected due to a lack of mitigation being secured but have suggested that this could be in the form of an off-site contribution towards an appropriate scheme, such as the provision and management of suitable alternative natural greenspace. No such mitigation, has, however, been agreed or secured and therefore a reason for refusal is justified on this basis.

#### Minerals (silica sand)

8.37 The site lies within a minerals safeguarding area for silica sand as defined in the Hampshire Minerals and Waste Plan (2013). Policy 15 seeks to safeguard mineral resources within the area but permits development provided it would not be appropriate to extract them, hinder their possible extraction, sterilise them or the merits of the development outweighs the need to safeguard them. In this instance, the site is allocated for residential development on a previously developed site whereby the merits of its re-development outweigh safeguarded resources. If planning permission was granted, a suitable condition could be included to investigate such a resource and an appropriate way forward.

#### Community Infrastructure Levy (CIL)

8.38 The scheme would be CIL liable as new residential development is proposed. However, it is possible that existing buildings on site could offset some of this liability in certain circumstances within the CIL regulations.

#### 9. Conclusion

- 9.1 The proposed development is acceptable in principle insofar as the site is allocated for housing and public open space. The assessment outlined in this report has concluded that that there are concerns in regard to the specific siting of the dwellings within the broad perimeter layout and their architecture and use of materials. The scheme meets many of the criteria in SD71, however, for the reasons above it does not accord with policies SD4 and SD5 on design specifically and consequently is not considered to be sustainable development.
- 9.2 The scheme also does not accord with SD28 insofar as it falls short of the 50% affordable housing requirement and there is uncertainty as to whether the currently proposed provision could be delivered.
- 9.3 The scheme also does not secure appropriate mitigation in regard to impacts upon European designated sites and therefore is contrary to SD10 and the Habitats Regulations (2017) (as amended). Other requirements in regard to a \$106 Agreement have also been outlined in a fourth reason for refusal.

#### 10. Reason for Recommendation and Conditions

- 10.1 It is recommended to refuse planning permission for the following reasons:
  - The proposals fail to adopt a landscape-led approach whereby the layout, in particular the siting of dwellings in a uniform approach within streetscenes, and the design of the proposed dwellings including the use of materials have not been satisfactorily informed by the surrounding built character, the settlement pattern, and the site's edge of village location. Consequently, an unacceptable suburban development is proposed which does not contribute to local distinctiveness and sense of place and would not result in a positive contribution to the overall character and appearance of the area and National Park landscape. The proposed development is therefore contrary to policies SDI, SD4, SD5 and SD7I of the South Downs Local Plan 2019, the National Planning Policy Framework 2019 and National Park Purposes and Statutory duty of a National Park Authority.
  - 2) It has not been satisfactorily demonstrated that the proposed development cannot deliver the provision of 50% on-site affordable housing. The proposals are therefore contrary to policy SD28 of the South Downs Local Plan 2019, the National Planning Policy Framework 2019, adopted Affordable Housing Supplementary Planning Document (2020), the English National Parks and the Broads: UK Government Vision and Circular 2010 and statutory duty of a National Park Authority.
  - 3) The application site is within the proximity of important designated ecological areas of the Wealden Heaths Phase II Special Protection Area (SPA) and the Woolmer Forest Special Area of Conservation (SAC). Having regard to the Local Planning Authority's statutory duties under The Conservation of Habitats and Species Regulations 2017 (as amended), the proposed development would result in a net increase in residential accommodation and consequently a likely significant effect would occur upon these designated areas due to increased recreational pressures. In the absence of suitable mitigation measures being secured, the proposals are contrary to policies SDI, SDI0 and SD7I of the South Downs Local Plan 2019, the National Planning Policy Framework 2019 and the First Purpose of a National Park, and The Conservation of Habitats and Species Regulations 2017 (as amended).
  - 4) In the absence of a completed \$106 Legal Agreement to secure the following:
    - Measures to secure the public open space requirements of the development;
    - An on-site affordable housing contribution of 50% of dwellings;
    - Financial contribution and measures to support sustainable modes of transport.

• To secure a permissive path between Petersfield Road and the eastern site boundary for improved accessibility to the adjacent Public Right of Way.

The proposals fail to mitigate against its direct impacts and does not satisfy policies SDI, SDI9, SD20, SD28 and SD7I of the South Downs Local Plan 2019, National Park Purposes and statutory duty of a National Park.

#### 11. Crime and Disorder Implication

11.1 It is considered that the proposal does not raise any crime and disorder implications

#### 12. Human Rights Implications

12.1 This planning application 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.

## 13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

## 14. Proactive Working

14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

#### **TIM SLANEY**

## **Director of Planning**

## **South Downs National Park Authority**

Contact Officer: Richard Ferguson
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Appendices I. Site Location Map

SDNPA Legal Services, Development Manager.

Consultees

Background All planning application plans, supporting documents, consultation and third party responses

https://planningpublicaccess.southdowns.gov.uk/online-

applications/simpleSearchResults.do?action=firstPage
South Downs National Park Partnership Management Plan 2019

South Downs Integrated Landscape Character Assessment 2005 and 2011

https://www.southdowns.gov.uk/planning/planning-advice/landscape/

South Downs Local Plan 2019

https://www.southdowns.gov.uk/planning/south-downs-local-plan\_2019/

Ecosystems Services Technical Advice Note

https://www.southdowns.gov.uk/planning-policy/supplementary-planning-

documents/technical-advice-notes-tans/

Sustainable Construction SPD

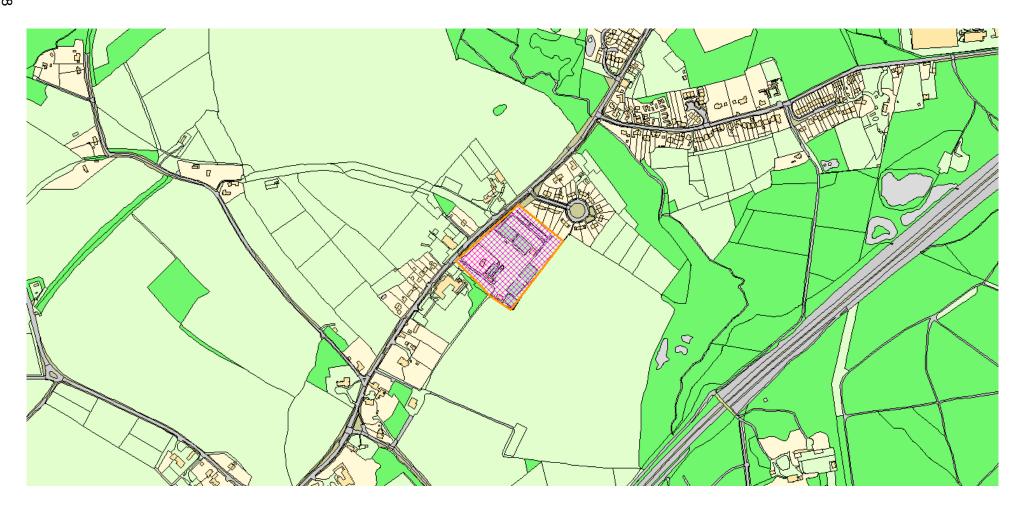
https://www.southdowns.gov.uk/meeting/planning-commityee-13-august-2020/

Affordable Housing SPD

https://www.southdowns.gov.uk/planning-policy/supplementary-planning-

documents/affordable-housing-spd/

## **Site Location Map**



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Agenda Item 8 Report PC20/21-36

Report to Planning Committee

Date II March 2021

By **Director of Planning** 

Local Authority South Downs National Park Authority (West Sussex)

Application Number SDNP/20/03365/FUL
Applicant Mr Garry Williams

Application Raising levels of an agricultural field with imported soils to solve a

drainage issue.

Address Meadow Farm, Green Street, East Worldham, Bordon, GU34

**3AU** 

#### Recommendation:

That planning permission be granted subject to the conditions set out in paragraph 10.1 of this report.

#### **Executive Summary**

The applicant seeks partial retrospective permission, following an enforcement investigation, for the raising of land levels through importation of soils of an agricultural field to improve drainage.

This enforcement investigation detailed the importation of a small amount of material being used to help repair potholes within the field. At that time this was considered permitted development due to the small amount of material having been imported. The applicant was advised that any further importation would require planning permission as it would exceed that which could be considered to be permitted development. Following this discussion, the applicant imported more material and, when investigated, advised that it was required to rectify drainage issues on site and they would be willing to apply for retrospective permission, hence the submission of this application.

The primary issues in determining this application are the importation of soil, ecology, landscape, drainage and flood risk. The applicant has demonstrated that there is a need for this development as the land gets waterlogged in the winter and spring months and following heavy rainfall. The case officer has experienced first-hand the issues on site and the waterlogging. The site is not within a flood risk zone and future drainage on site will be aided by the presence of new drainage swales and pond. The material to be imported to the site will be inert soil and careful selection of the type, source and composition of the inert soil will be further assessed via statutory consultees to ensure that it is in keeping with the soil profile of this area. Furthermore, the scheme is considered to be acceptable by statutory consultees subject to the provision of improvements to include new habitats within the drainage swales and pond. The development will mitigate the importation of soil by returning the land to a working agricultural site, primarily hay crop. This hay crop will be species rich and will provide additional gains in biodiversity and ecosystem services. These benefits for landscape and ecology will also provide a biodiversity net gain and accord with Purpose I of the National Park, Policies SD2, SD4 and SD9 of the South Downs Local Plan and will enhance the natural beauty and willdife of this area.

The application is considered to be acceptable subject to the imposition of conditions. The application is brought before Planning Committee due to local interest.

## I. Site Description

- 1.1 Meadow Farm is located within the rural village of East Worldham and is adjacent to the B3004 (Green Street), from which the site is accessed. The application site is within a parcel of rural land approximately 3.72ha. Within this parcel of land is also a site which is subject to a Certificate of Lawful Use (Existing) (CLU) for the crushing, grading and recycling of concrete and inert wastes with associated plant and machinery. The application site is adjacent to the western and northern boundaries of the CLU site and access within this parcel of land will be adjacent to south and south western boundary of the CLU site. The site of this application is approximately 3.22ha and has the established use of agricultural.
- 1.2 The site is surrounded by rural fields used for agriculture and fisheries, the small field to the west of the application site and the CLU are under the applicant's control. The rest of the surrounding fields are not under the applicant's control. There are a number of residential properties being within 0.5 miles of the site. There are no public footpaths that run along the boundary of the site. There is a public bridleway approximately 0.2 miles from the eastern boundary of the site.
- 1.3 The application site itself consists of an unplanted field that has naturally grown vegetation of a scrubland nature. The soil has many dips within the site and is very uneven in places, it also has pockets of hardcore (stones and bricks). The site is prone to becoming waterlogged in nature through heavy rainfall or in the winter and spring months.

## 2. Relevant Planning History

- 2.1 The planning history for this site is complex, involving a number of enforcement investigations. However, for the purposes of this application the following applications/certificate of lawful use are considered to be of relevance:
  - SDNP/16/00416/LDE Certificate of Lawful Use (Existing) (CLU) for the continuation of crushing, grading and recycling of concrete and inert wastes with associated plant and machinery. Certificate issued 6th April 2016. This site is adjacent to the eastern boundary of the application site.
  - SDNP/17/00582/FUL The retention of a bund within the Certificate of Lawful Use (existing) part of the site Approved 14th June 2017.

## 3. Proposals

- 3.1 This application has been submitted following an ongoing enforcement investigation. The applicant had explained during site visits that the material imported initially was 200 tonnes and was imported to repair potholes within the field so that they might be able to restore the use to agricultural use. At the time of the site visit it was ascertained that the amount of material imported to the site would fall under Permitted Development Rights under Schedule 2, Part 6, Class A. The Enforcement Officer advised that any further importation would require formal planning permission as it would constitute disposing of waste to land and therefore would not fall under Permitted Development. Accordingly, this enforcement case was closed.
- 3.2 The Enforcement Team were notified of further importation of soil, approximately an additional 400 tonnes totalling to 600tonnes importation the site in total, on the 10<sup>th</sup> January 2020 to the site and subsequently issued a Temporary Stop Notice 28<sup>th</sup> February 2020, which was just prior to the COVID-19 Crisis and National Lockdown. The applicant advised that they required more soil to be imported to repair the field and to improve the drainage of the site for arable farming. The applicant was reminded that this activity would require planning permission and they confirmed that it was their intention to submit a formal planning application for the already imported 600 tonnes of soil works taken place and for future soil importation.
- 3.3 Due to the COVID-19 crisis, there was a delay in submitting the application as a number of specialists were unable to attend site to do the relevant surveys. During this time the SDNPA did not consider it necessary to issue a formal Stop Notice as the applicant had demonstrated that they had ceased importing any material to the site. The exception to this

- is some winter detritus was moved to the field due to a misunderstanding by the applicant following a conversation with the Enforcement Officer due to a breach of the CLU site.
- 3.4 Once the applicant was able to, they submitted a partial retrospective application, the subject of this report, for the raising of land levels of an agricultural field with imported soils to solve a drainage issue.
- 3.5 It is proposed that the development will see the regularisation of importing 600tonnes to the site and a further importation of 43,990 tonnes of inert soil to raise the land. This inert soil is proposed to come from nearby construction sites and topsoil will be used to complete the final landform.
- 3.6 These works are proposed to occur 0700hrs to 1800hrs Monday to Friday and 0900hrs to 1200hrs on Saturdays with no working taking place on Sundays or public holidays. The applicant has stated that there would be an average of 9.6 vehicles in to the site and 9.6 vehicles out of the site each day. It is proposed that there will be an area of hardstanding, 6 spaced car park and a site office on site to accommodate the on-site workers and visitors (notably from the SDNPA), to attend the site safely.
- 3.7 Within the wider site layout there are two proposed areas for temporary soil storage to accommodate when vehicle loads arrive so that they can tip without conflicting with on-site working. There is also an internal haulage route which ensures that when vehicles are leaving the site, they are to exit through a wheel washing system to prevent excess material being deposited on to the local road network.
- 3.8 The final proposed landform includes attenuation swales and an attenuation basin/pond to assist with the longevity of the new drainage plan. These swales and basin/pond would flow away from the B3004 and surrounding residential properties. The proposal seeks to raise the ground by 0.3 to 1m, with a 1% fall to an attenuation basin. The new proposal will see a similar gradual decline heading towards the attenuation basin/pond.
- 3.9 The final breakdown of the site will be:
  - Pasture/arable land = 95.79% (26,579m2)
  - Attenuation basin = 1.55% (412m2)
  - Attenuation swales = 2.66% (709m2)
- 3.10 The applicant proposes that should permission be granted; further importation of 43,990 tonnes of inert soil would start spring 2021 (with any pre-commencement conditions discharged before then) with the aim that this further soil importation will be completed in time for the Autumn 2021 crop planting.
- 3.11 It is proposed that the initial crop would be that of haylage for equestrian use. It is then the intention to restore the field to pasture and the seed mix will consist of perennial ryegrass, cocksfoot, creeping bet and clover. These crops would help to fix nitrogen in the soil profile and promote successful crop rotations in the future. Future crop rotations could include but are not limited to; fodder radish and tillage radish. It is estimated that due to the current quality of the land, it will take several years to return the field to its full potential productivity.
- 3.12 The application is supported by Flood Risk Assessment Land and Drainage Survey)
  Preliminary Ecological Appraisal, Landscape Appraisal, and a Construction Environmental
  Management Plan.

#### 4. Consultations

## 4.1 Ecologist: No objection subject to conditions

In terms of ecological impact, the ecology report concludes that the site is of limited
ecological value and that no additional survey works are required. Opportunities for
ecological enhancement/biodiversity net gain should be secured, and the efforts to
create biodiverse habitats within/around the new drainage swales and attenuation basin
are supported.

- 4.2 Hampshire County Council Flood and Water Management: No objection subject to conditions
- 4.3 Environmental Health Drainage: No objection subject to conditions
- 4.4 Tree Officer: No objection
- 4.5 Natural England: No comments
- 4.6 Environment Agency: No objection
- 4.7 Landscape Officer: Neutral
  - These comments should be read in conjunction with those of the Drainage Officer, as important to understand how the swales and water management will work together with agriculture within this field.
  - The field naturally lays wet, a characteristic of this marginal landscape, it has heavy, seasonally wet clay soils which exhibit slow permeability. The desire the land-raise in order to address this perceived problem, seeks to alter the site's character and try to affect its natural state and patterns of drainage. Whilst it is appreciated that there is a need for agricultural productivity, considerable effort (soil importation being and additional water management) will force this uncharacteristic state.
  - Therefore, in order to avoid generating more negative effects in the future and to go some way to mitigating for the change in character (landform and drainage patterns) it is recommended that the field is put to permanent grassland this would fit with the applicant's desire to take a hay crop from the land. Such a use would continue to suit the marginal nature of the land, the landscape character SD4 and with the soil importation will avoid the need for ploughing, so as to help the application achieve policy SD2, whilst protecting the new soils. Such a land use if managed traditionally, could also generate an enhancement for biodiversity from the current baseline SD9.
  - In order to achieve the above, the permanent grassland should be speciesrich. Imported soils should be characteristic of this landscape in particular in terms of pH and N, P and K values should be suitable for establishment of species-rich grassland (low fertility). These figures should be shared with SDNPA at condition stage, prior to any soils being moved. Too rich a soil will affect the success of grassland establishment, allowing grasses to dominate over wildflowers, and not accruing the benefits required by policy.
  - The establishment and management of the grassland should also form part of a LEMP in order to secure the Ecosystem Services, ecological and landscape enhancements required by the policies.

## 4.8 Worldham Parish Council: Objects

- Due to the lack of evidence of agricultural use of this land in the recent years as well as any clear future intention to use the land for agriculture. The method of raising the level of the land for drainage purposes to be inefficient, inappropriate and non-traditional in terms of agricultural methods. Damaging to the landscape and wildlife, sterilisation of agricultural land and creating flood risk on adjacent land.
- The Parish Council is opposed to any extension of the conditions governing the use of the site as permitted under the certificate of lawful use.

## 4.9 Kingsley Parish Council: Objects

• The action of raising the level of land of drainage purposes will effectively result in an increased risk of flooding elsewhere. This is not standard practice when dealing with drainage issues. The B3004 is susceptible to breaking up due to poor drainage in the area, concerns that this will be exacerbated due to additional water run-off from the site. Increased vehicle movements through the Worldham and Kingsley villages will add to already experienced issues with vehicles going through the villages. There is no completion date and concern over end of development intentions for the site. There will

be a negative impact on wildlife and potentially leave the land sterile. If permission is to be granted, it should be closely monitored by the SDNPA. The temporary cabin and parking should be removed upon completion.

#### 4.10 Selborne Parish Council: Objects

No detailed transport assessment has been provided. No information has been provided as to where the imported soils will be coming from and whether HGV's will route via any local C class rural roads or come through the villages of Oakhanger, Blackmoor or Selborne. Any use of these small lanes by heavy vehicles would be damaging to the flora and fauna of the sunken lanes. Fails to conserve and enhance the natural beauty, wildlife and cultural heritage of the area. It will change the character of the landscape. Detrimental to the local wildlife such as tawny owls, swifts and bullfinch. Raising the land close to the perimeter and changing the drainage may result in loss of some of the important old trees and established hedgerows on the boundary. Could see an increase in flood risk to nearby areas. Possible contamination from importation of soil from unknown sources.

## 5. Representations

- 5.1 The summary below concerns all representations received within this application.
- 5.2 Throughout the application 8 representations have been received, which were all objections. The comments received are summarised below;
  - No drainage issues on the field and can increase flood risk to adjacent land and wider areas
  - Inconsistent information on the location of nearby streams and other water bodies
  - Compaction of the field by not having haul roads would exacerbate the drainage issue
  - Raising land is not the traditional way to rectify drainage issues on an agricultural field
  - Historic importation of soils for several years
  - There are contaminated soils on site and this will pollute the watercourse and kill nearby oak trees
  - It is a way of getting rid of poor-quality soil from their main business and the substandard soil will mean nothing will grow
  - How will the conformity of the soil be checked
  - How will soil quality be controlled
  - What is the description of soil
  - B3004 has subsidence and the added vehicle movements will add to this.
  - B3004 is a busy main road but the local road network through the villages is quiet
  - Transport routing is misleading
  - The hardstanding, parking for 6 cars and portacabin/site office is not necessary for this
    development. Concerns it will be used while operating the CLU site
  - No time limit on the development so that it could go on indefinitely
  - Wheelwash needs to be relocated to be effective
  - Need for regular monitoring and enforcement, how would this be achieved? It needs full time enforcement and monitoring.
  - Excessive vehicle movements
  - No operating hours/confusing operating hours
  - Noise, debris and fumes impacting local villages
  - Risk to habitats
  - No lighting has been proposed so no lighting should be installed
  - Concerns over the true intention of the site

- History of breaches on the site
- Lack of enforcement action on the site
- How will any new information provided in relation to potential pre-commencement conditions be controlled
- Further surveys requested by the County Ecologist have not been provided
- No mention of liaison panel

## 6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan is South Downs Local Plan (2014-2033) and the Hampshire Minerals and Waste Plan (2011-2030). The relevant policies are set out in section 7 below.

# National Park Purpose

- 6.2 The two statutory purposes of the SDNP designation are:
  - To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
  - To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

## National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks. The following policies of the National Planning Policy Framework are relevant to this application:
  - NPPF02 Achieving sustainable development
  - NPPF04 Decision-making
  - NPPFII Making effective use of the land
  - NPPF15 Conserving and enhancing the natural environment

#### Relationship of the Development Plan to the NPPF and Circular 2010

6.4 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be complaint with the NPPF.

## The South Downs National Park Partnership Management Plan (SDPMP)

- 6.5 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:
  - General Policy I Conserve and enhance natural beauty and special qualities of the landscape

- General Policy 2 Development landscape-scale initiatives to focus on enhancing ecosystem services
- General Policy 3 Protect and enhance tranquillity and dark night skies
- General Policy II Support land managers to access and maintain agri-environmental schemes that deliver ecosystem services

## 7. Planning Policy

#### The South Downs National Park Local Plan 2014-33 (2019)

- 7.1 The following policies of the South Downs Local Plan are relevant:
  - SDI Sustainable Development
  - SD2 Ecosystems Services
  - SD4 Landscape Character
  - SD6 Safeguarding Views
  - SD7 Relative Tranquillity
  - SD9 Biodiversity and Geodiversity
  - SDII Trees, Woodland and Hedgerows
  - SD17 Protection of the Water Environment
  - SD19 Transport and Accessibility
  - SD22 Parking Provision
  - SD25 Development Strategy
  - SD49 Flood Risk Management
  - SD50 Sustainable Drainage Systems
  - SD54 Pollution and Air Quality
  - SD55 Contaminated Land

## Hampshire Minerals and Waste Plan 2011-2030 (2013)

- 7.2 The following policies of the Hampshire Minerals and Waste Plan are relevant:
  - Policy I Sustainable minerals and waste development
  - Policy 3 Protection of habitats and species
  - Policy 4 Protection of the designated landscape
  - Policy 5 Protection of the countryside
  - Policy 8 Protection of soils
  - Policy 10 Protecting public health, safety and amenity
  - Policy II Flood risk and prevention
  - Policy 12 Managing traffic

## 8. Planning Assessment

- 8.1 The main issues for consideration with regards to the proposal are:
  - Principle of the development
  - Drainage/Flood Risk
  - Importation of Soils
  - Landscape
  - Ecology
  - Operations
  - Agricultural Use
  - Other Matters

## Principle of the Development

- 8.2 The NPPF, under Section II making effective use of the land, promotes proposals which look to fully utilise a space for its optimum use. At this time, the site is not being actively managed as part of an agricultural crop/pasture rotation as it is unsuitable due to drainage issues on site. This is supported by the Land and Drainage Survey undertaken by Reading Agricultural Consultants which has been submitted as information within this application.
- 8.3 SDI requires proposals to support the National Park Purposes. When the final landform has been completed there will be attenuation swales and an attenuation pond. A precommencement condition has also been imposed which will require the applicant to provide a Landscape and Ecological Management Plan to be submitted. This will ensure that there will be an enhancement of wildlife to the area. Therefore, the officer considers this proposal will adhere to SDI and Purpose I through the improvements in biodiversity and landscape measures.
- 8.4 Policy I of the Hampshire Minerals and Waste Plan (2013) supports proposals which accords with other policies laid out in the Minerals and Waste Plan. Accordingly, the Case Officer considers that this proposal accords with other relevant policies within the Minerals and Waste plan.
- 8.5 Therefore, it is considered that the principle of this development is acceptable following the assessment below.

## Drainage/Flood Risk

- 8.6 The survey by Reading Agricultural Consultants found that there were some ditches to the eastern boundary and the northern boundary. It was noted that there were no field drain outfalls observed in any of the ditches.
- 8.7 Results from the soil survey concluded that the original soils have slow permeability and poor structure. This has led to extended periods of waterlogging. They concluded that this would restrict the range and yield of most crops.
- 8.8 The proposed new soils which will have a lighter texture and the raising of the low point within the field would improve the drainage at the site in aiding run off and reduce the extended periods of waterlogging. This agricultural soil profile would perform additional functions including but not limited to, water storage, filtration and drainage, nutrient cycling and gas exchange.
- 8.9 Reading Agricultural Consultants have advised that this new land raising would enable the installation of artificial drainage, as the new levels would be above that which is usually waterlogged. They recommend that drainage should be installed after soil settlement, after about five years, in relation to the identification of wet areas of the field.
- 8.10 Concerns have been raised over the impact on drainage and flood risk that this development may pose. The site does not fall within a flood risk zone and the drainage issues currently experienced on site are localised to this field. Following the submission of a Flood Risk Assessment the East Hants Drainage Officer has raised no objection, provided that a condition be attached to the application for the Flood Risk Assessment to be adhered to at all times. Additionally, Hampshire County Council Flood and Water Management have sought for further information to be provided in the form of a discharge of condition. This information focuses on the surface water drainage scheme for the site and will seek to further protect and reduce flood risk from surface water to the wider area to ensure that the development does not have a negative impact on the surrounding area.
- 8.11 Additionally, this proposal seeks to implement attenuation swales and pond to assist with ongoing drainage on the site. Theses attention swales and pond are a form of sustainable drainage system and are directed away from the B3004 and follow the contours of the new proposed levels.
- 8.12 Accordingly, it is considered that the proposed scheme has addressed s with policy SD49 (Flood Risk Management) and SD50 (Sustainable Drainage Systems).

# **Importation of Soil**

- 8.13 In order to achieve the desired drainage for the site the applicant needs to import 43,990 tonnes of soil to raise the land and grade it sympathetically. This will be possible to import and complete the development within 18 months from date of commencement.
- 8.14 Inert soils are those which would not pose a threat to the environment, animals or human health and will not endanger the quality of water course. Furthermore, inert soils are those which have not been contaminated by harmful substances such as heavy metals or chemicals.
- 8.15 Additionally, the type, source and composition of the soil has not been provided in this application and it is imperative that the imported soil is of the right type, source and composition to promote healthy crop growth. Therefore, the officer deems it necessary to control this via a pre-commencement condition in order to protect the surrounding water environments in nearby streams and the wider River Slea. This condition will also ensure that the material to be used will not be contaminated. This will ensure that the proposal accords with Policy SD17 (Protection of the Water Environment) and SD55 (Contaminated Land).
- 8.16 Furthermore, the proposal accords with Policy 8 (Protection of Soils) of the Hampshire Minerals and Waste Plan as it seeks to enhance soils of an agricultural field which will allow for successful crop growth and rotation. Therefore, this will ensure that there is no net loss of versatile agricultural land.

# **Landscape**

- 8.17 The land raising is considered to change the landscape character in a moderate way and would change the nature of the field. Concerns have been raised that the type of field currently, is wet and the change in land raising will alter this naturally wet field to ensure the growth of haylage. However, to mitigate this change in character a permanent species rich grassland should be established. Such a use would ensure adherence to SD2 (Ecosystem Services) SD4 (landscape) and SD9 (Biodiversity and Geodiversity) as it would promote the marginal nature of the land, encourage biodiversity and enhancement and would protect new soils from excessive ploughing.
- 8.18 Furthermore, the reintroduction of a crop to this field after years of being just grass and scrubland vegetation it is considered an enhancement to the wider agricultural landscape of this area due to the surrounding fields. It also reiterates that the National Park encourages agricultural use and is in fact a living, working landscape.
- 8.19 As previously stated the source, type and composition of the soil would be secured through a pre commencement condition. Additionally, further details would be required prior to commencement in the form of a Landscape and Ecological Management Plan which would also be secured by a condition.

#### **Ecology**

- 8.20 The site is currently left to low biodiversity vegetation and weeds of a scrubland nature with tree belts on all boundaries. The proposal does not seek to interfere with the surrounding tree belts, which include some very old and prominent trees. The East Hants Arboriculture Officer has raised no objections with regards to the trees within the site boundary and therefore, it is considered that this proposal accords with Policy SDII (Trees, Woodland and Hedgerows).
- 8.21 There were concerns raised about the impact this proposal would have on nearby habitats and on notable bird species such as tawny owls, bullfinch and swifts which frequent the area. However, the County Ecologist has raised no concerns to any perceived impact to the local wildlife. They concluded that there is little biodiversity value on site and that the proposed attenuation swales and basin/pond will ensure that there is a biodiversity net gain. This would be controlled via a Landscape and Ecological Management Plan which would need to be submitted to and approved in writing by the SDNPA. This Landscape and Ecological Management Plan in association with the attenuation swales and pond would ensure accordance with Policy SD2 (Ecosystem Services) and SD9 (Biodiversity and Geodiversity)

8.22 The site is in Transition Zone EIb and therefore does not have the same restrictions as the indicative Dark Night Skies Reserve, although it is in a zone of relative darkness. As such it is important to protect such areas in terms of dark night skies and also enhance it where possible. In this instance, there is no installed lighting on site and the proposal does not seek to install any. However, to ensure accordance with Policy SD8 (Dark Night Skies), the case officer has imposed a condition which ensure that no new lighting is installed on site without obtaining written approval from the SDNPA.

# **Operations**

- 8.23 The application is supported by a Construction Environmental Management Plan (CEMP) which addresses a number of concerns raised by representations and the Parish Council.
- 8.24 The wider site is currently accessed by the applicant for operations relating to their Certificate of Lawful Use (Existing) CLU. The parameters for this certificate are 60 HGV movements (30 in and 30 out). Therefore, the access road, the B3004, is in regular use from the applicant, as well as other surrounding farms and sites. It is noted that there will be an increase in movements to the wider site location, however the raising of land is of a temporary nature and it is considered that the impact on the road network, whilst notable, it would not be substantial enough to be contrary to Policy SD19 (Transport and Accessibility). Vehicles will also then use internal haul routing within the site to ensure that no compaction of the imported soils will occur. Furthermore, it is proposed that a wheel wash will be placed at the exit of the haul route which will ensure no excess debris or material is deposited on to the adjacent highway (B3004).
- 8.25 The overall development is seeking to import 43,990 tonnes of soil, it is predicted that the applicant would need an average of 9.6 vehicles in and 9.6 vehicles out per day. The case officer has assessed this information and concluded that, for the avoidance of doubt and in line with similar developments, that a total number of 10 vehicle movements in and 10 vehicle movements out per day should be sufficient to undertake the proposed works. These vehicle movements have been conditioned so that they can be monitored and vehicle logs must be provided to the SDNPA upon request for assessment.
- 8.26 There was conflicting information provided within the CEMP and that of additional information received on the 14th October 2020. However, the case officer considers the proposed times within the CEMP to be reasonable for this type of development. They were proposed to be 0700hrs-1800hrs Monday to Friday and 0900hrs to 1200hrs Saturday with no working on Sundays and Public Holidays.
- 8.27 The CEMP also details that there will be two areas for the temporary storage of soils, this will control where stockpiles will be stored on the site which will protect the local amenity where practicable. Additionally, the height of the stock piles has not been proposed and therefore the case officer has imposed a condition that they should not exceed 2m in height.
- 8.28 The proposal is seeking to install an area of hardstanding, car park and site office. It is confirmed, within the additional information received on the I4th October 2020 that this is proposed to ensure that there is no doubt as to which vehicles and machinery are for this proposal and to keep it separate from the adjacent Certificate of Lawful Use site. The hardstanding, car park and site office are considered necessary for efficient running of the site. They are also temporary and will be controlled by a condition to ensure all elements are removed upon completion of the development.
- 8.29 The length of the development was not explicitly detailed within the information provided. This raised concerns over the cumulative impact of increased vehicle movements on the local amenity, should there be no control on timeframe of the development. However, it was stated that should permission be granted then the applicant would seek to commence the development in Spring 2021 and finish the importation and profiling in time for an Autumn planting for haylage as the first crop. Therefore, the officer has conditioned that the development must be completed within 18 months of commencement of the development. It is considered this condition will protect the local amenity from undue impacts from the development.

8.30 The site itself can be quite noisy due to its proximity to a busy road and also the site for the CLU operations. However, a noise management strategy, which accords with British Standards for construction was submitted in support of the application. Whilst the site can be noisy, it is noted that every attempt to improve the tranquillity of the National Park and reduce noise radiating to nearby residential property is required. Therefore, conditions have been imposed to control noise on site. This includes levels of maximum noise permitted at the nearest residential property and silencers for vehicle reversing. It is considered that this proposal accords with Policy SD7 (Relative Tranquillity).

# Agricultural Use

- 8.31 There have been concerns raised about the intention of the applicant to use this site for ongoing agricultural use. This proposal is supported by a Land and Drainage Survey by Reading Agricultural Consultants which concludes that the applicant's intention is to use this site for ongoing agricultural use. However, due to the drainage issues found on site, this is not practical at present as there are no installed drainage infrastructure on the site.
- 8.32 It is noted that the field is in a poor condition, with a high burden of weeds and low-capacity original soils. The proposal will see an improvement in the condition of the field by improved drainage and soil quality to promote a range of crops to be grown on the site.
- 8.33 Therefore, it is considered that the applicant's intentions are clear and accordingly the use of the site would be controlled via a condition. Furthermore, this proposal accords with SD25 (Development Strategy) as it is considered to be making efficient and appropriate use of the land.

# Other Matters

- 8.34 A number of concerns have been raised about the compliance of the adjacent CLU site which is under the applicant's control. The concerns raised include items being placed outside of the CLU site boundary and also the possible intensification of the site. At the time of writing this report, all reported breaches for the CLU site have been investigated and closed through compliance from the applicant.
- 8.35 There has been a total of 8 enforcement cases on the site dating back to 2015. Of these 8, one was permitted development, six the site operator cleared/rectified the breach (CLU site), one was closed due to retrospective CLU submission and granting and one remains open as it is the subject of this application. The enforcement officer has worked to seek remediation of all enforcement cases through discussions with the site owner.
- 8.36 Given the nature of this application, it would be placed on the SDNPA ongoing monitoring list to ensure consistent monitoring of the site is undertaken through its development and after use. This would consist of 4 annual monitoring visits (I per quarter) during the development phase, which all conditions will be assessed and a monitoring report provided. Once the field has been planted the monitoring of the site would be reduced to 2 annual monitoring visits to ensure the use remains as agricultural.
- 8.37 Within the representations it was noted that there was no liaison panel proposed within the application. It is not standard practice to have a liaison panel for this type of development. This is usually in place for large mineral working sites and waste recycling operations. The case officer does not consider there to be a benefit to imposing a liaison panel for this development as the activities of the land raising are only temporary and the intended end use will be agricultural.
- 8.38 Concerns over how further information may be controlled were also raised within the representations. The case officer can confirm that there are a number of precommencement conditions imposed. These pre-commencement conditions include, but are not limited to, further information requested by the Ecologist and Landscape Officer. These conditions require the applicant to formally submit the information in the form of a discharge of condition application which will ensure that the relevant statutory consultees can assess and make comment on the information provided.

#### 9. Conclusion

9.1 Given the above it is considered that the proposal is in accordance with the Development Plan and there are no overriding material considerations to otherwise indicate that permission should not be granted. The scheme supports the future of the farming operation and will enable biodiversity enhancements to be delivered. It is therefore recommended that planning permission is granted.

#### 10. Reason for Recommendation and Conditions

10.1 The planning application is recommended for approval subject to the following conditions:

# **Timescale**

 The development hereby approved by this planning permission for the importation of inert soil and the earthworks associated with the land raising shall be completed within 18 months of first commencement of the development. This includes any period required for mitigation works for ecology.

Reason: To ensure the development is carried out in a timely manner and in the interests of amenity.

# Approved Plans

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. A copy of this decision notice together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept at the site office at all times and the terms and contents thereof shall be made known to supervising staff on site.

Reason: To ensure the site operatives are conversant with the terms of the planning permission.

## Soil Sourcing

4. No development shall commence until full details of the type, source and composition of the inert soils to be imported into the site has been submitted to and approved in writing by the Local Planning Authority. Only such materials as approved shall be used in the remodelling of the site. No minerals, compostable materials or non-inert materials, shall be imported to, treated at or exported from the site.

Reason: Other materials raise policy, environmental and amenity issues and in order that the Local Planning Authority can limit use of the site to that permitted and to safeguard the character and appearance of the South Downs National Park.

5. No more than 43,990 tonnes of sub-soil shall be imported onto the site.

Reason: In the interest of local amenity.

# Landscape and Ecology

- 6. Prior to commencement of the hereby permitted development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP should include, but not limited to, the following:
  - i) Current landscape (including water) and ecological baseline
  - ii) Establishment and management of a species rich meadow
  - iii) Management of the swales and pond
  - iv) Seed sourcing
  - v) Seed mix

- vi) Method of broadcast
- vii) Ecological enhancement and management strategy
- viii) Method for monitoring and reporting

Thereafter, all works will be carried out in accordance with the approved Landscape and Ecological Management Plan.

Reason: To protect and enhance biodiversity in accordance with the NERC Act (2006), NPPF and with Strategic Policy SD2, SD4 and SD9 of the South Downs Local Plan.

# Drainage/Flood Risk

- 7. The development hereby permitted shall be being carried out in accordance with the Flood Risk Assessment HYG803 V2 dated 12/02/20, and post development maintenance shall be carried out in accordance with the management plan contained within the FRA.
  - Reason: In the interests of local amenity.
- 8. No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment ref: HYG803 V2 dated 12/02/20 has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:
  - a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
  - b. Detailed drainage calculations to demonstrate existing runoff rates and volumes are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change. Details to include a detailed hydraulic model including information on swale, pipe and pond dimensions used for the modelling.
  - c. Details of the proposed fill material and demonstration that it will not increase contamination risk.
  - d. Detailed drainage plans to include type, layout and dimensions of drainage features (swales, pond, pipes, etc.) including references which link it to the drainage calculations.
  - e. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Reason: To ensure satisfactory surface water drainage.

# Vehicles/Highways

- 9. No work shall be carried out on site until an effective a vehicle wheel-cleaning facility has been installed in accordance with details approved in writing by the Local Planning Authority. Such facility shall be retained in working order and operated throughout the period of work on the site.
  - Reason: To ensure that vehicles do not leave the site carrying earth and mud on their wheels in a quantity which causes a nuisance, hazard or visual intrusion from material deposited on the road system in the locality.
- 10. No more than 10 Heavy Good Vehicles (HGVs), shall enter the site per day and no more than 10 Heavy Good Vehicles (HGVs) shall leave the site per day, during the permitted operating hours. A written record of vehicles (including registration number, time and date of the movement and volume/tonnages of material for deposit within each vehicle load) entering the site associated with the permission hereby granted shall be kept onsite from the first day of deposition and shall be made available to the Local Planning Authority for inspection upon request.

Reason: To limit the volumes of traffic in the interests of the amenity of the area.

#### **Operations**

11. The development hereby permitted shall be carried out in accordance with the submitted Construction Environmental Management Plan dated 14<sup>th</sup> September 2020 submitted within this application.

Reason: In the interests of the amenity of the area.

- 12. No HGVs associated with the operation shall enter or leave the site and no construction operations shall take place outside the hours of:
  - 0700hrs to 1800hrs Monday to Friday
  - 0900hrs to 1200hrs Saturday

There shall be no working on Sundays, Public or Bank Holidays.

Reason: In the interests of the amenity of the area.

13. No stockpiles of material waiting to be deposited shall exceed a height of 2 metres from the natural level of the surrounding land.

Reason: In the interests of visual amenity.

## Pollution Control

14. Prior to the commencement of the hereby permitted development, details of a noise management strategy shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, all works will be carried out in accordance with the approved details.

Reason: To ensure that construction of the development does not result in detrimental impact to the environment and local area.

15. Noise levels at the nearest noise-sensitive property should not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1800 Mon-Fri and 0900-1200 Saturday). Total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field) between 0700 – 1800 Mon-Fri and 0900-1200 Saturday.

Reason: In the interests of the amenity of the area.

16. There shall be no artificial lighting installed on the application site

Reason: In the interests of the amenity of the area and protection of dark night skies.

17. There will be no burning of any kind on site.

Reason: To protect the local amenity.

18. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give I 10% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be I 10% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.

Reason: In the interests of protecting ground water supplies.

# Removal of Permitted Development Rights

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 no fixed plant, machinery or buildings shall be installed or erected on the site without planning permission. Reason: To protect the visual amenities of the locality and to enable the Local Planning Authority to adequately control development at the site.

# Removal of Temporary Structures and Hardstanding

20. Any temporary site access, hardstanding, skip, container, structure or erection in the nature of plant or machinery used in connection with the development hereby permitted shall be permanently removed from the site within 3 months after the completion of the final profiling of the imported material. This includes but not limited to the temporary car parking area, hardstanding and site office.

Reason: To enable the Local Planning Authority to adequately control the development and to ensure that the land is restored to a condition capable of beneficial use.

# 11. Crime and Disorder Implication

11.1 It is considered that the proposal does not raise any crime and disorder implications.

# 12. Human Rights Implications

12.1 This planning application 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.

# 13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

# 14. Proactive Working

14.1 In reaching this decision the Local Planning Authority has actively liaised with and responded to any correspondence from the local resident's group in a positive and proactive way, in line with the NPPF.

# **TIM SLANEY**

# **Director of Planning**

# **South Downs National Park Authority**

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Appendices I. Site Location Map
Background Link to the Application

Documents https://planningpublicaccess.southdowns.gov.uk/online-

applications/applicationDetails.do?keyVal=QEURRITUHVE00&activeTab=summary

National Planning Policy Framework (2019)

https://www.gov.uk/government/publications/national-planning-policy-framework--2

South Downs National Park Partnership Management Plan (2020) https://www.southdowns.gov.uk/partnership-management-plan/

Hampshire Minerals and Waste Plan (2013)

https://www.hants.gov.uk/en/landplanningandenvironment/strategic-

planning/hampshire-minerals-waste-plan

South Downs Local Plan (2019)

https://www.southdowns.gov.uk/planning-policy/south-downs-local-plan/local-plan/

# **Site Location Map**



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Agenda Item 9 Report PC20/21-37

Report to	Planning Committee
Date	II March 2021
Ву	Director of Planning
Title of Report	Adoption of the West Sussex Soft Sand Single Issue Review of the Joint Minerals Local Plan
Purpose of Report	To update Planning Committee on the progress of the Soft Sand Single Issue Review of the Joint Minerals Local Plan and to request Planning Committee recommend the adoption of the Plan to the National Park Authority

#### Recommendation:

The Committee is asked to recommend the National Park Authority:

- I) Note the content of the Inspector's Report and his conclusion that the Soft Sand Review of the Joint Minerals Local Plan provides an appropriate basis for the planning for soft sand within the West Sussex including that area which lies within 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 Soft Sand Review of the Joint Minerals Local Plan;
- 3) Delegate to the Director of Planning in consultation with the Chair of the Authority to make any other inconsequential changes to the text required prior to publication of the updated West Sussex Joint Minerals Local Plan;
- 4) Adopt the Soft Sand Review of the Joint Minerals Local Plan as amended by the Inspector's recommended Main Modifications to form revised policies M2 and M1 I of the statutory minerals plan for the South Downs National Park within West Sussex, and use these policies as the basis for planning decisions for soft sand minerals development across this area of the National Park along with neighbourhood development plans and the South Downs Local Plan, where relevant; and
- 5) Publish an updated version of the West Sussex Joint Minerals Local Plan (2018) and the relevant Policies Map.

# I. Introduction and Summary

1.1 The West Sussex Joint Minerals Local Plan (JMLP) was prepared by the South Downs National Park Authority (SDNPA) in partnership with West Sussex County Council (WSCC) to cover the period to 2033.

- 1.2 The JMLP was adopted by the SDNPA and WSCC in July 2018. It provides a set of up to date planning policies on minerals in West Sussex both inside and outside the National Park, consistent with the National Planning Policy Framework (NPPF).
- 1.3 The adoption of the JMLP triggered the timetable to prepare a joint Single Issue Review of Soft Sand (SSR) as set out in the Inspector's Report and agreed by Planning Committee and NPA as part of the revised Local Development Scheme (LDS) in March 2018.
- 1.4 The Authorities prepared documents and held consultation to the following timetable:

Winter 2019	Regulation 18 Issues and Options document
Winter 2020	Regulation 19 Draft Soft Sand Review document
April 2020	Submission of the SSR to the Planning Inspectorate
August 2020	Examination Hearings

- 1.5 Additional workshops and site visits were held with members, as well as meetings with stakeholders and mineral operators. Following the examination hearings, a consultation on the proposed Modifications was held from November 2020 to January 2021.
- 1.6 The Inspector has recommended adoption of the Soft Sand Review of the Joint Minerals Local Plan in his report of February 2021 (Appendix 1) subject to a number of modifications set out in Appendix 2. The SA and HRA statements relating to the modifications are provided in Appendix 3 and 4 respectively. Appendix 5 is a tracked change version of the SSR document showing the proposed modifications.
- 1.7 This report seeks that Planning Committee recommend adoption of the documents to the National Park Authority.

# 2. Background

- 2.1 During the examination hearings of the JMLP in September 2017, the Planning Inspector raised concerns about the soft sand strategy. The Inspector suggested modifications prior to adoption of the JMLP: to delete references to planning for a declining amount of sand extraction from within the National Park; to replace Policy M2 with new wording; and to remove the proposed Ham Farm allocation from Policy M11.
- 2.2 Accordingly, Policy M2 of the JMLP required the Authorities to undertake a Soft Sand Single Issue Review (SIR). This had to commence within six months of adoption of the JMLP and was required to be submitted to the Secretary of State within two years from the commencement of the review.

# Scope of the Review

- 2.3 The Authorities undertook the review between August 2018 and April 2020. The SSR considered the following three key issues:
  - Issue I: the identified need for soft sand during the period to 2033;
  - Issue 2: the supply strategy, namely, the options that can, either singularly or in combination, be used to meet any identified shortfall; and
  - Issue 3: the identification of potential sites and, if required, the selection of one or more of those sites to meet identified need.
- 2.4 The SIR did not consider any other mineral planning issues and did not seek to make changes to any other parts of the JMLP.

# Sustainability Appraisal

2.5 The Authorities undertook a Sustainability Appraisal (SA), which incorporates Strategic Environmental Assessment (SEA), as required by the European Union (EU) Strategic Environmental Assessment directive, to inform the preparation of this Review. The SA considers

the likely social, economic and environmental implications of the soft sand strategy options and the potential soft sand sites. The SA was updated at each stage of the Review including the consultation on the proposed modifications (**Appendix 3**). The Authorities will publish a post-adoption Strategic Environmental Assessment statement once the SSR is adopted by the SDNPA and WSCC.

# Regulation 18

At this initial stage of the review, the Authorities set out the issues and options that relate to the demand for, and supply of, soft sand. We sought comments on these issues and options (and the supporting evidence) in line with Regulation 18 of the Town and Country Planning (Local Planning) Regulations (2012).

# Regulation 19

2.7 The Regulation 19 consultation comprised revised draft policies M2 and M11 and supporting documents to update the evidence base that had been prepared for the Joint Minerals Local Plan. Draft policy M2 proposed a sequential policy approach, which required proposals to consider the availability of soft sand outside of the South Downs National Park, including permitted sites or site allocations outside of the South Downs and West Sussex Plan Area.

#### Submission and Examination

2.8 Representations received in relation to the Regulation 19 consultation were forwarded to the Planning Inspector. The documents were submitted to the Planning Inspectorate in April 2020 and the Hearings took place in August 2020. The examination library was made available on the website for the Joint Minerals Plan. Documents were available in line with the Statements of Community Involvement to the extent it was possible under the restrictions relating to the Covid 19 pandemic. The Examination took place virtually due to the pandemic and was only the second virtual local plan examination to be held in England.

# Modifications Consultation and the Planning Inspector's report

- 2.9 A number of modifications were proposed to the document through the Examination. A period of representations was held from November 2020 to January 2021. Representations received were forwarded to the Planning Inspector and considered by him in the preparation of his report.
- 2.10 The Report was received in February 2021. The Planning Inspector recommends that the SSR can be adopted subject to a number of amendments. A full table of the proposed amendments is set out in **Appendix 2**.
- 2.11 There are a small number of changes to update references in the SSR with the latest data available in the Local Aggregates Assessment as well as some changes to correct typographical errors. The main modifications include:
  - an amendment to proposed policy M2 to make it clear that the assessment of available resource in the wider south east relates to sites with planning permission or allocated in development plan documents
  - Amendments to the development principles for each site allocation in proposed policy M11 include wording to:
    - o improve protection for the water environment
    - o strengthen the requirement for biodiversity net gain
    - o refer to local wildlife sites and designations by name
    - strengthen references to cumulative impacts
- 2.12 Officers are not proposing any further changes to the Modifications set out by the Planning Inspector in **Appendix 2. Appendix 5** shows the final version of the text with all the proposed tracked changes to the Submission Draft SSR.

# The SSR: Revised policies M2 and M11 for the Joint Minerals Local Plan

The SSR proposed for adoption aims to meet a requirement for soft sand led by the continued preparation of the Local Aggregates Assessment. The strategy within revised Policy M2 requires applications to consider a hierarchy of locations for development, following the principle contained in the NPPF of looking outside of protected landscapes in the first instance.

2.13 In line with the above approach, the SSR propose three allocations to be added to policy M11 of the Joint Minerals Local Plan (2018). Ham Farm is a new quarry located outside of the SDNP. East of West Heath and Chantry Lane Extension are within the SDNP and any proposed application on these sites would be subject to further consideration in relation to major development.

# 3. Next Steps and Timetable

- 3.1 If the full authorities of the SDNPA and WSCC approved the adoption of the SSR, officers will prepare updated text for the Joint Minerals Local Plan for publication on the JMLP website.

  Officers will also prepare the statutory post-adoption statements.
- 3.2 The updated JMLP will form the basis for decision making for all minerals development, including soft sand, within the West Sussex part of the South Downs National Park.
- 3.3 The policies of the JMLP will be monitored through the Minerals and Waste Authority Monitoring Report for West Sussex. A review of the JMLP is scheduled for 2023 in accordance with national regulations.

# 4. Other Implications

Implication	Yes/No			
Will further decisions be required by another committee/full authority	Yes. The adoption of the SSR will require subsequent approval of the NPA.			
Does the proposal raise any Resource implications?	The cost of preparing the JMLP is shared equally by both Authorities.			
Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Due regard, where relevant, has been taken of the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010. An Equality Impact Report (EIR) was prepared to support the JMLP, and the SSR, and was included in the supporting documentation for the Examination in Public.			
Are there any Human Rights implications arising from the proposal?	The JMLP and SSR have 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?	It is considered that the proposal does not raise any health and safety implications.			
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy:	A Sustainability Appraisal (SA/SEA) was prepared to inform the preparation of the JMLP and at each stage of the SSR including the proposed modifications.			

# 5. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
The adoption of the SSR is subject to the judicial review process. If the SSR is not adopted there will not be an appropriate policy basis for decision making on soft sand proposals within the West Sussex part of the South Downs National Park.	Low	High	The Authorities have undertaken the preparation of the SSR under the required legislation and regulations.

### **TIM SLANEY**

# **Director of Planning**

# **South Downs National Park Authority**

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SDNPA Consultees Legal Services; Chief Finance Officer; Monitoring Officer; Director of

Planning

External Consultees None

Appendix 2: Proposed Modifications

Appendix 3: Sustainability Appraisal Addendum

Appendix 4: HRA Addendum

Appendix 5: SSR Proposed Amendments

For reference, the examination library is set out on the West Sussex

County Council website:-

http://www2.westsussex.gov.uk/mlp/mlp\_doc\_library.pdf





# Report to West Sussex County Council and South Downs National Park Authority

by B J Sims BSc (Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State

Date: 4 February 2021

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

# Report on the Examination of the West Sussex Joint Minerals Local Plan Single Issue Soft Sand Review

The Plan was submitted for examination on 17 April 2020

Virtual Examination Hearings were held between 25 and 27 August 2020

File Ref: PINS/P3800/429/10

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# **Abbreviations**

AONB Area of Outstanding Natural Beauty

DP Development Principle DtC Duty to Co-operate

HRA Habitats Regulations Assessment

JMLP Joint Minerals Local Plan
LAA Local Aggregates Assessment
LPA Local Planning Authority
MPA Mineral Planning Authority

MM Main Modification

NPPF National Planning Policy Framework

PPG Planning Practice Guidance
SA Sustainability Appraisal
SDLP South Downs Local Plan
SDNP South Downs National Park

SDNPA South Downs National Park Authority

SEEAWP South East England Aggregates Working Party

SoCG Statement of Common Ground

SSR Soft Sand Review the Authorities WSCC and SDNPA

WSCC West Sussex County Council

# **Summary**

This report concludes that the West Sussex Joint Minerals Local Plan (JMLP) Single Issue Soft Sand Review (SSR) provides an appropriate basis for planning the extraction of soft sand from reserves within West Sussex, including that part of the South Downs National Park within the County, provided that a number of Main Modifications (MMs) are made to its proposals. West Sussex County Council and the South Downs National Park Authority, as joint Mineral Planning Authorities (the Authorities) have specifically requested that I recommend any MMs necessary to enable the policies and site allocations of the SSR to be adopted.

Following the Virtual Hearings, the Authorities prepared a Schedule of Proposed MMs and completed Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) of the changes. The MMs and the SA and HRA were subject to public consultation over an eight week period. In some cases I have amended the detailed wording of the MMs where necessary. I have recommended the implementation of the MMs after considering all the representations made in response to the consultation.

The Main Modifications are summarised as follows:

- Updated figures and text to Section 6.2 of the JMLP with respect to the
  existing supply of soft sand, based upon the most recent Local Aggregates
  Assessment (LAA) to make also express reference to planning for a steady
  and adequate supply, including from allocated or permitted sites outside of
  West Sussex
  (MMs1-3);
- Amendments to the development principles for the three allocated soft sand sites, including to require hydrological survey results to be taken into account and to avoid and minimise impact on Local Wildlife Sites (MM4, MM5, MM6, MM7);
- Amendments to the development principles for the three allocated soft sand sites to require identification and incorporation of opportunities for net gains in biodiversity, in accordance with national policy (MM5, MM6, MM7).

# Introduction

- 1. This Report contains my assessment of the West Sussex Joint Minerals Local Plan (JMLP) Single Issue Soft Sand Review (SSR) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the preparation of the SSR has complied with the Duty to Cooperate (DtC). It then considers whether the SSR is sound and whether it is compliant with all legal requirements. The National Planning Policy Framework 2019 (NPPF) (paragraph 35) makes clear that, in order to be sound, the SSR should be positively prepared, justified, effective and consistent with national policy.
- 2. The starting point for the Examination is the assumption that West Sussex County Council (WSCC) and the South Downs National Park Authority (SDNPA), as joint Mineral Planning Authorities (MPAs the Authorities), have submitted what they consider to be a sound review.
- 3. The West Sussex Joint Minerals Local Plan Soft Sand Review, submitted in April 2020, formed the basis for the Examination. It is the same document as was published for consultation in January to March 2020.
- 4. The Hearings were conducted in accordance with established procedure as virtual events via Zoom, live-streamed to the public, due to the Covid19 pandemic restrictions on public meetings.

#### **Main Modifications**

- 5. In accordance with section 20(7C) of the 2004 Act, the Authorities requested that I recommend any Main Modifications (MMs) necessary to rectify matters that make the proposals of the SSR for changes to the JMLP unsound and thus incapable of being adopted. My Report explains why the recommended MMs, all of which relate to matters that were considered during the Examination, are necessary.
- 6. The MMs only relate to the proposals to modify the JMLP put forward by the SSR, referenced SSR1-43 and set out in Section 4 of the SSR document. The SSR document as a whole is not for adoption as a separate development plan document. The MMs are referenced in bold in the report (MM1-7) and are set out in full in the **Appendix** to this Report.
- 7. Following the Examination Hearings, the Authorities prepared a Schedule of Proposed MMs. This was subject to Sustainability Appraisal (SA), Habitats Regulations Assessment (HRA) and public consultation for a period of eight weeks in December-January 2020-21. I have taken account of the consultation responses in coming to my conclusions in this Report and I have made some amendments to the detailed wording of the MMs for clarity, consistency and effectiveness. None of these amendments significantly alters the content of the MMs as published for consultation or undermines the participatory processes and SA that has been undertaken. Where necessary, I have highlighted these amendments in the Report. None of the responses to the MM consultation raised matters requiring further oral Hearings.

# **Policies Map**

- 8. The Authorities must maintain adopted policies maps which illustrate geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Authorities are 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 maps comprise the set of site plans contained within the SSR document.
- 9. None of the MMs to the SSR proposals recommended in this Report affect the policies maps. However, when the policy changes and site allocations of the SSR are adopted within the JMLP, in order to comply with the legislation and give effect to the policies, the Authorities will need to update their adopted policies maps to include all the SSR changes.

# **Context of the Soft Sand Review**

- 10. The Authorities are required to plan for a steady and adequate supply of minerals in accordance with paragraph 207 of the NPPF.
- 11. The West Sussex JMLP was jointly prepared by the Authorities and adopted in July 2018. The JMLP sets out strategic policies for a number of different types of mineral for the period to 2033.
- 12. During the examination of the JMLP in September 2017, concerns were raised about its strategy for the extraction of soft sand. On adoption, the JMLP was modified to delete references to planning for a declining amount of sand extraction from within the SDNP, to reword Policy M2 for Soft Sand and to delete a proposed allocation of the Ham Farm site from Policy M11.
- 13. As currently adopted, Policy M2 requires the Authorities to commence the Single Issue SSR within six months of the adoption of the JMLP and for the SSR to be submitted to the Secretary of State for examination within two years of its commencement.
- 14. With respect to that part of the County of West Sussex that lies within the boundary of the SDNP, legislation<sup>1</sup> on the statutory purposes and duty for national parks requires that great weight be given to conserving and enhancing the landscape and scenic beauty of the SDNP, which enjoys the highest level of policy protection.
- 15. The SSR considers three key issues of: the identified need for soft sand to the end date of the JMLP in 2033, options for meeting any identified shortfall in supply, and the identification of potential sites for the extraction of soft sand and their allocation if required.

<sup>&</sup>lt;sup>1</sup> National Parks and Access to the Countryside Act 1949, as amended by the Environment Act 1995

- 16. The SSR is limited to soft sand and is not required to consider any other mineral planning issue or to propose changes to any other part of the JMLP as currently adopted.
- 17. In practical terms, the SSR is not for adoption in its entirety as a separate development plan document but the changes it proposes, with the recommended MMs, will amend the JMLP with respect only to its strategy and provisions for the supply of soft sand.

# **Public Sector Equality Duty**

- 18. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. However, in connection with the limited scope of the SSR related to the extraction of a single mineral, I have detected no issue that would be likely to impinge upon the three aims of the Act to eliminate discrimination, advance equality of opportunity and foster good relations or affect persons of relevant protected characteristics such as age, disability, race or beliefs.
- 19. I find no reason to question the essential conclusion of the submitted Equalities Assessment that the SSR is not expected to discriminate against sections of the community. That is, given that the currently adopted JMLP includes policies to protect people from, and manage the negative social impacts associated with inappropriate minerals extraction (for example, loss of amenity space, increases in noise, dust, pollutants and traffic and general health and community safety concerns).

# **Assessment of the Duty to Co-operate**

- 20. Section 20(5)(c) of the 2004 Act requires that I consider whether the joint Authorities complied with any duty imposed on it by section 33A in respect of the preparation of the SSR. 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 Authorities to demonstrate that the SSR, on submission, is compliant with this Duty to Co-operate (DtC).
- 21. The Authorities submitted evidence in connection with the DtC by way of a Duty to Co-operate Statement which accompanied the consultation draft SSR with an updating addendum on submission, followed by post-submission answers to initial questions posed by myself. This evidence demonstrates that, throughout the preparation of the SSR, the Authorities engaged with all other authorities and prescribed bodies, as applicable. These included neighbouring District and County Councils, East Sussex, Essex, Kent and Hampshire County Councils and many other more distant MPAs, as well as the Environment Agency, Natural England, Historic England, Highways England, and the Marine Management Organisation. The Authorities are members of the South East England Aggregate Working Party (SEEAWP) on the coordination of the supply of aggregate minerals, including soft sand, involving both MPAs and mineral industry stakeholders.
- 22. Prior to the comparatively recent adoption of the JMLP in 2018, its preparation was found at examination to be compliant with the DtC. In that context, it is

- appropriate that this assessment of the DtC should focus on the cross-boundary single strategic issue of soft sand provision.
- 23. The strategic priorities for soft sand are appropriately defined as maintaining an adequate supply against need identified in the Local Aggregates Assessment (LAA) and the identification of potential soft sand mineral sites. The LAA, amended since the submission of the SSR, is produced by the joint Authorities on evidence updated to 2019, including information gathered via membership of the SEEAWP. The allocation of three soft sand sites by the draft SSR is the outcome of targeted engagement between the several MPAs and correspondence with the prescribed bodies noted above. Judgements made on the selection of sites for allocation was evidently informed by consultation with the prescribed bodies, resulting in Statements of Common Ground (SoCGs).
- 24. An essentially factual Soft Sand Position Statement (former Soft Sand SoCG) between relevant MPAs notes significant landscape, environmental and recreational constraints upon soft sand extraction in the South East. It is also noted that the allocation of additional sites necessary to maintain the requisite steady and adequate supply requires a balance between the requirement for soft sand and conflict with these considerations. It is recognised that alternative marine or more distant land-based sources of soft sand are currently limited.
- 25. There is some evidence of increasing scope, through the life of the JMLP, for the importation of sea-dredged sands, potentially including soft sand, to contribute to the requirements identified by the annual LAA. At the same time, there are known problems of quality control with soft sand from that source. This therefore appears to be an area for careful consideration in future five-yearly reviews of the JMLP, with the aim of minimising the adverse impacts of the exploitation of land-based reserves. However, this does not amount to evidence of any failure in meeting the DtC in connection with this SSR, noting also that the SA has considered all potential sources of soft sand.
- 26. A SoCG between the Authorities and Kent and East Sussex County Councils and Brighton and Hove City Council agrees that planned provision, based on respective LAAs, should avoid National Parks and Areas of Outstanding Natural Beauty (AONBs) but that reserves may be worked to contribute to the needs of other areas. A potential soft sand surplus of 0.7 million tonnes identified in Kent could make a meaningful contribution to wider regional need, including that of West Sussex, recognising the constraints of the SDNP. That is, subject to annual LAA monitoring in Kent and any resulting review of the Kent Mineral Sites Plan. However, it is agreed that, in meeting the identified shortfall of the West Sussex LAA in practice, the joint Authorities will take account of the planned surplus in Kent. This agreement follows the examination of the Kent Mineral Sites Plan where the potential availability of a 0.7 million tonnes soft sand surplus was considered and is now acknowledged in that Plan, as now adopted.
- 27. A further SoCG between WSCC and the West Sussex Local Planning Authorities (LPAs) sets out the agreed positions on general matters relating to minerals planning, waste planning and other statutory and non-statutory functions and services provided by WSCC.

- 28. Some uncertainty remains as to whether any surplus soft sand in Kent would in practice be available to meet any shortfall in West Sussex. However, there is no obligation, in meeting the DtC to finalise agreement on every aspect of cross-boundary engagement. Any outstanding questions regarding the quantification of need, distribution of supply and choice of sites for soft sand extraction are matters for the Assessment of Soundness below and do not affect the judgement on the DtC as a legal requirement.
- 29. Overall, I am satisfied that, where necessary, the Authorities have engaged constructively, actively and on an on-going basis in the preparation of the SSR and that the Duty to Co-operate has therefore been met.

# **Consideration of Public Consultation**

- 30. With respect to public consultation, at the time the SSR was submitted for examination, the Authorities stated that they were unable to make hard copies of Submission Documents available to the public, due to closure of deposit points during Covid19 restrictions, but would make them available as soon as reasonably practicable in terms of Regulation 22(3). In practice, legislation made in July 2020², removes, on a temporary basis, the requirements on local planning authorities to make certain documents available for inspection at premises and to provide hard copies on request. The Authorities have made all documents available online, and made arrangements to meet any specific requests from interested parties and representors unable to access documents electronically. I am satisfied that, at the close of the Examination there has been no disadvantage to any party in this respect.
- 31. There is some outstanding public concern regarding the process of the preparation of the JMLP and the SSR. That is especially because the Ham Farm allocation was removed from the JMLP following the examination in 2018, when the Inspector concluded that the proposed strategy for soft sand was unsound. Ham Farm was then reallocated on the evidence supporting the SSR. This concern is understandable. However, public consultation on the SSR itself, as well as on the proposed MMs to it, was evidently carried out in compliance with the *Statements of Community Involvement* of the respective joint Authorities.

# **Assessment of Other Aspects of Legal Compliance**

32. The SSR has been prepared in accordance with the **Local Development Schemes** of the respective joint Authorities, as updated with respect to the projected date of adoption of its proposals.

<sup>&</sup>lt;sup>2</sup> Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020

- 33. **Sustainability Appraisal** (SA) has been carried out on the SSR and the MMs and is adequate. The evidence contained within the SA is taken into account elsewhere in this Report.
- 34. The *Habitats Regulations Report* of September 2019 includes an Appropriate Assessment and concludes that, on information available at the plan preparation stage, the three allocation sites for soft sand are not expected to have an adverse effect on the integrity of European sites, alone or in combination with other plans and projects. That is subject only to certain mitigation measures in connection with any future applications. These are to control sediment loading for the East of West Heath Extension and Chantry Lane Extension and project-level Appropriate Assessment to address impacts on bats, for the East of West Heath Extension and Chantry Lane Extension, and air quality for all three sites, as required by the respective development principles. An Addendum to the HRA confirms that none of the MMs would alter the conclusions of the submitted HRA.
- 35. The Development Plan, taken as a whole, including the adopted JMLP and the South Downs Local Plan (SDLP), contains a vision and objectives which address the **strategic priorities** for the development and use of land in West Sussex, which will naturally apply to the soft sand provisions of the SSR once adopted within the JMLP.
- 36. The Development Plan, taken as a whole, including the adopted JMLP and SDLP, contains policies designed to secure that the development and use of land in West Sussex contributes to the mitigation of, and adaptation to, *climate change*. These policies will naturally encompass the soft sand provisions of the SSR, once adopted within the JMLP.
- 37. The SSR complies with all *other relevant legal requirements*, including the 2004 Act (as amended) and the 2012 Regulations. Regulations 8(4) and 8(5) require that the proposals of the SSR be consistent with the development plan unless they are intended to supersede policies in the adopted development plan. That exception applies in this case and the relationship of the SSR to the JMLP, and thus to the development plan as a whole, is clearly stated in the submitted SSR document.

# **Assessment of Soundness**

#### **Main Issues**

38. Taking account of all the representations, the written evidence and the discussions that took place at the Examination Hearings, I have identified five main issues upon which the soundness of the SSR depends. This Report deals with these main issues. It does not respond to every point or issue raised by Representors.

# Issue 1 – Vision and Strategic Objectives Is the SSR based on an appropriate Vision and appropriate Objectives, taking into account those of the adopted JMLP and SDNP as well as national policy, legislation and guidance governing National Parks?

- 39. The Vision and Strategic Objectives applicable to all mineral development in West Sussex are established within the adopted JMLP, taking account of national policy, legislation and guidance governing National Parks. The SSR considers a single issue, as expressly required by the currently adopted version of Policy M2 of the JMLP. The ultimate adoption of its proposals will not create a new development plan document but will amend the adopted JMLP. There is no requirement and no basis for the SSR to revisit the adopted overarching Vision and Strategic Objectives of the JMLP.
- 40. The Strategic Objectives include No1, relating generally to the prudent and efficient production and adequate and steady supply of minerals, No2 to prioritise the use of secondary and recycled aggregates over primary sources and No3, to make necessary provision for soft sand, among other land-won aggregates, from outside the SDNP where possible, only allowing development within the SDNP exceptionally and in the public interest.
- 41. Other Strategic Objectives establish a commitment to protect health and amenity, conserve and enhance the landscape of West Sussex and the special qualities of the SDNP and AONBs, protect the natural and historic environment, minimise flood risk and ensure high quality mitigation and restoration to appropriate after uses.
- 42. Consideration of whether, in practice, the SSR implements and is consistent with that Vision and those Strategic Objectives is inherent in the assessment that follows of the remaining matters of soundness.
- 43. However, for clarity, effectiveness and consistency with the adopted JMLP, MM2 to Proposal SSR4 is necessary to correct an erroneous deletion from new paragraph 6.2.15 of a proper reference within Strategic Objective 1 to planning for a steady and adequate supply of aggregates. It is noted that the consultation version of MM2, in terms of ensuring a steady and adequate supply of minerals, is not strictly consistent with paragraph 207 of the NPPF in this respect. However, proposed modified paragraph 6.2.15 of the JMLP merely repeats its earlier adopted Objectives 1 and 3 and a further amendment here would not be appropriate in the context of this single issue review.

44. Further, for full justification and effectiveness of the JMLP, **MM3** to Proposal SSR5 is also necessary. This inserts a footnote to make clear that the preferred soft sand provision from outside the SDNP should only derive from opportunities identified in adopted or emerging minerals plans or from existing permitted sites.

# Issue 2 – Soft Sand Requirement Is the Soft Sand requirement of the SSR soundly based on robust evidence and appropriately expressed?

# Approach

- 45. The SSR does not specify a precise soft sand requirement figure for the period of the JMLP. The Soft Sand Policy M2 merely provides for allowing allocated or unallocated sites, subject to a range of need, transportation and environmental criteria, in order to plan for a steady and adequate supply and maintain at least a seven year landbank related to the most recent LAA.
- 46. As submitted, the supporting text to Policy M2 provides an account of the demand and supply data from the 2018 LAA, indicating a range of predicted shortfall in supply over the period of the JMLP.
- 47. The shortfall range is calculated with reference to a series of demand scenarios, from simple reliance upon average prior sales over 10 years to an assumed future growth rate in housing construction in West Sussex; for that is the accepted main end use of soft sand.
- 48. Data on aggregate reserves is collated annually through surveys with quarry operators, conducted in conjunction with SEEAWP, and the outcomes provide information for individual LAAs. The latest reserves data for West Sussex is now set out in the 2019 LAA.
- 49. When based upon the ten-year average figures to 2019, in accordance with the national Planning Practice Guidance (PPG), the annual soft sand sales figure is 0.29 million tonnes. The latest three-year trend is slightly higher. The LAA considers assumptions, also as advised by the PPG, that housing construction could grow and the LAA estimates that this could occur by up to 28.8%, based on planned housing provision in adopted and emerging development plans, as a primary development indicator. This results in a total requirement in the range of 4.04 to 5.21 million tonnes. Current reserves are estimated as 2.30 million tonnes, resulting in a net shortfall of between 1.74 and 2.91 million tonnes over the JMLP period to 2033.
- 50. The LAA states that West Sussex is a net exporter of soft sand on the basis of data from 2014 and the Authorities rightly accept that this occurs and that they are required to plan for a steady and adequate supply to meet the requirement, whether or not it is used within the JMLP area.
- 51. I consider that the basic approach of the SSR, as set out in the proposals for Policy M2 and its supporting text, is appropriate. It is also consistent with that of Policy M1 of the adopted JMLP for sharp sand and gravel, albeit no site allocations are deemed necessary for that mineral.

# Other Development Indicators

- 52. However, a number of other factors potentially affecting the requirement for soft sand through the JMLP period deserve consideration.
- 53. Notwithstanding the provisions of adopted development plans, there is an established Government imperative to boost housing supply by 300,000 homes per year nationally, compared with significantly lower outturns in past years. There is also evidence that the proportion of soft sand used in house construction is increasing. One estimate is that these factors could result in the upper end of the soft sand requirement range for West Sussex rising to as much as 6.55 million tonnes, representing a shortfall of 4.25 million tonnes during the JMLP period
- 54. With respect to the existing supply of permitted reserves; this relies on a relatively small number of sites, of which some are currently inactive, raising the question whether they will in practice contribute to the overall requirement, also implying a higher net shortfall figure.
- 55. Another factor is the degree to which soft sand reserves might increasingly be diverted to highly specialised end products unrelated to building, thus enlarging the overall upper requirement figure still derived from the uplift due to home construction.
- 56. Against these factors suggesting a greater requirement than predicted by the 2019 LAA, there is evidence of renewal of certain old mineral permissions with potential to yield soft sand.
- 57. It should also be taken into account that the current Covid19 pandemic restrictions will have caused a slowdown of construction and demand for soft sand.
- 58. All of these factors could have a greater or lesser influence upon the practical requirement for soft sand in West Sussex in the future years of the JMLP period. It is to be expected that current economic uncertainties following Brexit, together with the strictures of the ongoing Covid19 pandemic, will render the monitoring and prediction of aggregate requirements even less certain than hitherto. However, this Report is not the appropriate vehicle for conjecture as to whether the most recent LAA findings should be accepted in assessing SSR requirements. It is fundamental to the mineral planning process that, as laid down in Policy M2, the ongoing soft sand requirement is related to the LAA which will naturally take into account such economic and any resultant practical market fluctuations on an ongoing annual basis.
- 59. Moreover, the statutory requirement for five-yearly review of the JMLP and the PPG advice to rely upon an annual LAA to monitor demand and supply, together provide a proper basis for the Authorities to monitor ongoing requirement and manage supply, rather than attempting to predict a fixed requirement and provide for supply accordingly.
- 60. The current planning regime creates the appropriate opportunities for review of the JMLP in 2023, five years from adoption. In the meantime, market fluctuations, in particular any marked elevation in soft sand use in support of a boost in home construction, will manifest itself via emerging and adopted

development plan provisions to be taken into account in the annual LAA. There is no basis to assume a sudden increase in house building in West Sussex which, for the time being at least, depends upon the calculation methodology of the NPPF and PPG, and not upon a direct application of the broad national objective. Any depletion or increase in permitted reserves would also be monitored.

61. As for the effect of the pandemic, this is unpredictable but it must be noted that the Government remains committed to revitalising the economy and medical advances show signs of making way for this, such that any negative influence of the pandemic could be reversed over the life of the JMLP.

# Conclusions on Soft Sand Requirement

- 62. The preparation of the SSR has evidently followed the advice of the PPG on Minerals, regarding the completion of and reliance upon LAAs in minerals planning. Further, the LAA has been considered by the SEEAWP, in compliance with the DtC, as noted above.
- 63. Proposal SSR3 is appropriate in inserting a new text paragraph 6.2.14, setting out the 2018 LAA need and landbank figures, subject to amendment to substitute the more recent figures of the 2019 LAA. This is achieved by **MM1**, as published, but this requires further amendment to make clear that the figures are taken from the 2019 LAA and to state expressly the shortfall range that follows from the difference between the demand and supply totals.
- 64. Subject those changes, I conclude that the soft sand requirement of the SSR, and the JMLP, once modified in accordance with it, is soundly based on robust evidence and appropriately expressed.
- 65. In reaching this conclusion I disregard any implication that the calculated requirement for soft sand in West Sussex should be influenced by planning constraints on potential extraction sites or their likely practical yield, particularly where these might lie within the boundary of the SDNP, given the specially protected status of its landscape. That would inappropriately conflate requirement and supply. Whether the SSR provides effectively to meet the calculated requirement in its selection of sites is for the remaining issues considered below.

# Issue 3 – Site Selection Process Are the site allocations of the SSR soundly based upon a robust site selection process?

# Strategy

- 66. Fundamentally, minerals can only be worked where they occur and soft sand resources in West Sussex lie geologically within the Folkstone Formation and largely within the SDNP.
- 67. The Authorities considered five supply strategy options for soft sand; A, from sites within West Sussex outside the SDNP; B, from sites within West Sussex but including the SDNP; C, from sites outside West Sussex; D, from alternative sources; and E, from a combination of all those four options.

- 68. There is no substantive dispute that the chosen Option E is the most reasonable and logical in terms of identifying a sufficient amount and certainty of supply considering all available sources.
- 69. The adopted JMLP includes five guiding principles for the selection of mineral sites. These are related to (1) opportunities for beneficial restoration, (2) environmental sensitivity and protection of amenity, (3) good access to the Lorry Route Network, (4) landscape protection and (5) avoidance of sterilisation of minerals. The SSR adds a further guiding principle of a preference for extensions to existing sites, subject to cumulative impact assessment. Whilst the site allocations of the SSR are regarded by some as contrary to its own guiding principles, these properly contribute to the basis for a planning balance to be achieved between competing harms and benefits. They cannot practically be taken as placing an absolute prohibition on any given potential soft sand site.

# Major Development

- 70. Soft sand extraction is a type of operation regarded as major development in the NPPF and in legislation<sup>3</sup>. Under paragraph 172 and Footnote 55 of the NPPF, where a decision maker judges a proposal in the SDNP to represent major development, permission should not be granted other than in exceptional circumstances and where the development is demonstrably in the public interest. Consideration of major development should include assessment of need and local economy, cost and alternatives, and detriment to the environment, landscape and recreation. Otherwise, what constitutes major development is not defined in national policy.
- 71. Proposals for major development within the SDNP are subject to Core Policy SD3 of the adopted SDLP 2019 in the same terms as paragraph 172 of the NPPF. The Policy provides that, in determining whether a proposal for soft sand extraction constitutes major development, the SDNPA will consider whether, by reason of scale, character or nature, it has the potential to have a significant adverse impact on the natural beauty, wildlife, cultural heritage or recreational opportunities of the SDNP, including cumulatively with other development.
- 72. According to the *Advearse*<sup>4</sup> case in 2020, this judgement will not always be a one-off event but the expectation is that it will be made in successive stages from local plan formulation through to the determination of a specific application at a different level of detail. While the decision on such an application may reasonably take account of the conclusions previously reached by the local plan Inspector, detailed further consideration will be required.
- 73. Thus, under Core Policy SD3, any proposal for soft sand extraction within the SDNP boundary, whether from an allocated or an unallocated site, if judged

<sup>&</sup>lt;sup>3</sup> Town and County Planning (Development Management Procedure)(England) Order 2015

<sup>&</sup>lt;sup>4</sup> R (Advearse) v Dorset CC et al [2020] EWHC 807 (Admin) Paragraph 46

by the SDNPA to constitute major development by itself or cumulatively, could be refused at the application stage. It would be for the SDNP to judge whether, on consideration of the details of the specific application, exceptional circumstances and public interest would justify approval.

- 74. Clearly, this policy and this legal position have a bearing upon the practical deliverability of either of the soft sand allocations of the SSR within the SDNP, once incorporated in the adopted JMLP.
- 75. Therefore, following the approach advocated in the *Advearse* case, the Authorities provided a Major Development Background Paper, firstly, to assess whether a shortlist of nine potential soft sand extraction sites would constitute major development within the SDNP and, secondly, to scope the ability of shortlisted sites within the SDNP to demonstrate exceptional circumstances and public interest at a high level as part of the plan making process.
- 76. I consider that the evidence of this Major Development Assessment is properly to be taken into account as an appropriate part of the site selection process and in considering, under Issue 5 (*below*), the adequacy of the supply provided by the SSR.

# Selection Methodology

- 77. The Authorities followed a five-stage site selection methodology, which was found sound in 2017 by the Inspector examining now adopted JMLP. The Authorities therefore applied the same criteria and colour coded red-ambergreen (RAG) traffic light system for assessing and comparing sites in the preparation of the SSR.
- 78. Following a call for soft sand sites in 2018 a long list of all known potential sites, numbering 21 in all, was drawn up at Stage 1. Twelve were ruled out at Stage 2 on grounds of non-availability or non-viability, leaving a short list of nine for detailed assessment and SA at Stages 3-5, which included the Regulation 18 Issues and Options consultation.
- 79. The nine shortlisted sites were: Buncton Manor Farm, East of West Heath Common Extension, Minsted West, East and West Severals, Duncton Common, Coopers Moor, Chantry Lane Extension and Ham Farm.
- 80. The Authorities carried out Habitats Regulations, transport, landscape and flood risk assessments of the nine shortlisted sites to inform the ultimate selection over the range of twelve environmental criteria including landscape, visual and cumulative impacts as well as access and air and soil quality.
- 81. Under the Major Development Assessment, all nine shortlisted sites were considered likely to be regarded as major development and all but seven were located inside the SDNP. The assessment identifies the issues and considerations to be taken into account in deciding whether exceptional circumstances would justify approval of a future application. These included the level of need, existing supply and alternatives according to the current LAA, as well as detailed site-specific criteria. The assessment stops short of indicating whether an application for any of the seven the shortlisted sites inside the SDNP would potentially be refused on grounds of lack of exceptional justification.

- 82. At Stage 5 of the selection process, the Buncton Manor Farm site was excluded in principle on grounds of unacceptable adverse impact on key views of Chanctonbury Hill.
- 83. Thus, on this new assessment, five sites emerged as acceptable in principle: Chantry Lane Extension (Storrington), East of West Heath Common Extension (Rogate), Ham Farm (Steyning and Wiston), Minsted West and Severals East and West (Midhurst).
- 84. Ham Farm is the sole site of the remaining five which is outside the SDNP. The sites East of West Heath Common and at Chantry Lane would be extensions, in that they would utilise the processing facilities of their parent existing sites, with potential for improved restoration of the original sites. This is in line with the additional principle preferring extensions over new sites, subject to consideration of cumulative impact. By comparison, new sites at Severals East and West were less favoured on grounds of greater impact on the SDNP, whilst Minsted West was considered by the Authorities to be less able to demonstrate exceptional circumstances and public interest.
- 85. The SSR accordingly allocates the three sites at Ham Farm, Chantry Lane and East of West Heath Common.

#### Alternative Resources

- 86. There is no evidence to indicate that there remain other viable soft sand resources within those parts of West Sussex outside the SDNP. Any change in this respect would be reported via the annual LAA and, in turn, lead to an adjustment in the overall requirement for soft sand from natural reserves, year-on-year.
- 87. Neither is there any substantive evidence that soft sand, as a relatively highly specialised mineral in its end uses and quality requirements, could be provided from recycled or secondary aggregate sources.

# Transportation

88. Whilst soft sand is transported by road across the West Sussex border in response to detailed market circumstances, the SSR, as submitted, and hence the JMLP, would not be reliant upon importation to meet the identified soft sand requirement.

# Conclusions on Site Selection Process

- 89. The judgements made and tabulated in the Site Selection Report are necessarily subjectively based upon the professional judgements, experience and local knowledge of officers and members of the Authorities. The conclusions reached appear broadly reasonable.
- 90. Accordingly, I conclude that the approach and methodology of the site selection process is sound in itself.
- 91. However, it remains, under Issue 5 (*below*), to consider each of the three allocated sites in more specific detail as to whether they would be acceptable

in practice and would together deliver a supply of soft sand to contribute sufficiently to meeting identified requirements.

# Issue 4 – Policy M2: Soft Sand Is the detailed proposed wording of Policy M2 justified, effective and sound?

- 92. Policy M2 of the JMLP as currently adopted, merely sets out broad criteria for the approval of soft sand applications and commits the Authorities to undertaking this SSR. Therefore, proposal SSR13 of the SSR replaces the adopted wording of Policy M2 with specific criteria.
- 93. Criterion (a) permits soft sand extraction where (i) it is needed to maintain a steady and adequate supply and a minimum seven year landbank according to the latest LAA, (ii) the site is allocated by Policy M11 or the need cannot be met by an allocated site and (iii) the site is well related to the Lorry Route Network.
- 94. Criterion (b) states that soft sand sites outside the SDNP must not impact adversely upon its setting.
- 95. Criterion (c) states that soft sand sites inside the SDNP that constitute major development will be refused other than in exceptional circumstances and in the public interest.
- 96. Criterion (a) gives rise to the question whether the requirement to maintain a minimum seven year landbank of soft sand sites in West Sussex should expressly apply to the whole of the life of the adopted JMLP to 2033. However, it is widely recognised that the wording of national policy makes no such stipulation. Moreover, with statutory five-yearly review of the JMLP and soft sand requirement defined in terms of the annual LAA, Policy M2 is properly to be regarded as compliant with national policy in this regard.
- 97. Criterion (c) implies a negative presumption, even against the extraction of soft sand from sites allocated inside the SDNP by Policy M11, where it is considered at the application stage to amount to major development and the exceptional circumstances and public interest tests are judged not to be met. Whilst this may be seen as running against the broad national presumption in favour of sustainable development, nevertheless the wording of Criterion (c) properly reflects the law and policy provisions for major development in the SDNP referenced above.
- 98. The question of the implications of the constraint imposed by Policy M2(c) for the supply of soft sand is for Issue 5 regarding Policy M11.
- 99. In itself, I consider that the amended Policy M2, as set out in Proposal SSR13, is justified and effective in its wording and accordingly sound.

Issue 5 – Policy M11: Strategic Minerals Site Allocations Will the sites allocated by the SSR contribute sufficiently to the requisite supply and landbank of soft sand, based upon justified and effective development principles according to the planning considerations and constraints at each site?

# General Issues

- 100. The overall main issues in connection with Policy M11, as amended by Proposal SSR30, are: whether the three allocated sites, at Ham Farm, East of West Heath Common and at Chantry Lane, would contribute sufficiently to the requisite supply and landbank of soft sand through the JMLP period; and whether the development principles (DPs) stated for each site are appropriate, justified and potentially effective, having regard to the range of planning considerations, constraints and impacts arising in each case, as assessed below.
- 101. Whilst the allocated sites are considered individually, common issues arise in connection with all three, in particular regarding policy to enhance biodiversity and with respect to impact upon hydrogeology.

# All Allocated Sites

# **Biodiversity**

- 102. Policy M17 of the adopted JMLP, by Criteria (b) and (e), resists unacceptable impacts on biodiversity and seeks net gains where possible. Since that provision became part of the adopted development plan, national policy, including paragraphs 170 and 174 of the NPPF, has shifted to require expressly the pursuit of opportunities for securing measurable net gains for biodiversity. To that extent, JMLP Policy M17 is no longer fully consistent with national policy.
- 103. Notably, Policy M24(c) of the JMLP does require restoration of mineral sites to maximise biodiversity gain, whilst Strategic Policy 9(1)(b) of the SDLP does require development to identify and incorporate opportunities for net gains in biodiversity. These provisions provide sufficient cover over any mineral development proposal in West Sussex, consistent with the national policy to seek opportunities for biodiversity enhancement.
- 104. It is appropriate in the circumstances to future-proof the proposals of the SSR for Policy M11, prior to adoption within the JMLP, and it would be desirable that the JMLP itself should be made internally consistent. However, it is outside the scope of this Report to recommend modifications to Policy M17 or any other policies of the adopted JMLP, apart from M2 and M11 where they relate to soft sand.
- 105. At the same time, the SSR proposals are for the three major mineral development allocations of the JMLP as a whole. Accordingly, in the interests of effectiveness and soundness, I consider that changes should be made to the DPs for all three allocations, consistent with current national policy to seek opportunities to provide for an overall enhancement of biodiversity. This requires the addition of a new DP and consequent renumbering.

106. It will be for the five-yearly review of the whole JMLP to rectify any inconsistency between its provisions and national policy at that point. In the relatively short meantime, the NPPF covers the relative weight to be accorded national policy over any local development plan provision judged to be inconsistent with it.

# Hydrogeology

- 107. With respect to hydrogeology, for the DPs for each site to be effective and sound, it is appropriate to insert a requirement to avoid impact on hydrogeology, rather than merely to minimise any such impact.
- 108. Where there is wet woodland within an allocation site boundary, as in the case of the East of West Heath Common Extension, it is appropriate to provide in the DPs for limiting the practical extent of excavation. However, depending on the site-specific evidence, such a stipulation is not necessarily required in every case and there is no inconsistency where there are resulting differences in the respective DPs.

# Trees and Hedgerows

109. The DPs for all three allocated sites, as submitted, set a general requirement that existing trees and hedgerows should where possible be retained and reinforced to create corridors of mature and newly planted trees and vegetation. For the SSR and the JMLP to be fully effective and sound, the DPs should impose an obligation that mineral development must, rather than should, retain trees and hedgerows where possible.

# Changes Applying to the DPs for All Allocated Sites

110. All the foregoing necessary changes generally required to the DPs are included within **MM5** to New Paragraph 7.2.9 for the allocation East of West Heath Common, **MM6** to New Paragraph 7.2.7 for Ham Farm and **MM7** to New Paragraph 7.2.11 for Chantry Lane.

# Ham Farm, Steyning (Policies Map 8)

# Description

- 111. The site comprises approximately 7.9ha of agricultural land just outside the SDNP on the north side of the A283 west of Steyning. The estimated yield set out in the SSR is 0.725 million tonnes of soft sand. Restoration could include restoration to the original site profile and agricultural use, potentially with some woodland enhancement.
- 112. Proposal SSR34 introduces a new paragraph 7.2.6 providing a general description of the site and its prospective restoration, whilst Proposal SSR35 adds new paragraph 7.2.7 which sets out a range of DPs for soft sand extraction from the site.

#### **Transportation**

113. The allocation site lies on the inside of a bend on a section the main A283 with a significant accident record where an additional access for mineral traffic

is not desirable. Evidently, however, an access could be provided at the position of the present entrance gate compliant with established geometric highway standards with no objection to the allocation from the highway authority, providing direct access to the main lorry route. This is specified by DP(xvi) as submitted.

- 114. The potential restoration of the site to agriculture at its original level by importation filling material need not generate additional lorry traffic via the site entrance if export and import trips were co-ordinated using the same vehicles, as is accepted operational practice.
- 115. DP(xiv) as submitted requires an agreed lorry routeing agreement to be implemented and monitored, avoiding trips via Steyning and Storrington.
- 116. There is no evidence at this plan preparation stage of an overriding highway objection where the need for soft sand from the site is demonstrated.

# Trees and Landscape

117. The site is largely surrounded by established woodland and bounded by mature trees and hedgerows. There is an internal hedgerow within the south western part of the site to be retained. Landscape Assessment concludes that the site has medium sensitivity to and moderate capacity for accommodating mineral extraction. DPs(ii) and (iii) require a detailed landscape and visual impact assessment at the application stage, whilst DP (iv) specifies that the access design would ensure the retention and protection of mature broadleaf trees. DP(vi) requires landscaped boundary screen mounding at the eastern and southern boundaries. In this way, the landscape impact of necessary soft sand extraction could be acceptably mitigated.

# Heritage and Amenity - Noise and Light Pollution

- 118. The proposed landscape mitigation measures would also help to address considerations of heritage and amenity which considerably constrain the site. DP(ix) requires an impact assessment of nearby listed buildings, including Horsebrook Cottage and Wappington Manor, to identify any further necessary mitigation measures. DP(xx) requires a detailed noise, dust odour and vibration management plan to be agreed and implemented, setting out how such impacts would be avoided or mitigated.
- 119. There would still be noticeable changes to the living conditions at adjacent properties, including Hammes Farm and the studio there, in particular regarding their outlook where boundary mounding were necessary. However, the degree of adverse impact could be limited in planning terms and would be weighed in the planning balance with the wider public benefit of meeting identified soft sand requirements.

# High Quality Agricultural Land

120. It is currently not known whether the site is overlain by Grade 3b agricultural soils or the higher quality Grade 3a or above, resulting in a potential significant adverse environmental impact according to the SA. Accordingly DP(xviii) requires mitigation measures for any loss of such soils. In normal

practice, soils would not be removed from the site but stockpiled for restoration to agriculture.

# Yield and Viability

- 121. The commercial viability of the site for soft sand extraction is not directly related to the acceptability of the site in planning terms, albeit most relevant to the adequacy of supply to meet LAA requirements. However, to allocate a site based on a significant overestimate of yield could lead to unnecessary planning blight and uncertainty to local residents.
- 122. In this regard, the claimed potential yield of 0.725 million tonnes is questioned with reference to the geological investigation report published by the prospective operator. This estimates the yield based on a mean depth of sand over the net developable area after deduction of retained trees and hedgerows. Allowance is also made for buffer zones to maintain screening and critical excavation slope stability, especially against the main A283. The question is raised whether the deductions made are sufficient, especially regarding the slope angles and the assumed depth of sand when closely analysed on borehole results.
- 123. At the same time, a specialist technical review for the prospective operators, whilst confirming the stated yield figure of the SSR, foresees a potentially higher figure due to areas of deeper deposits than the assumed mean. Estimates vary from some 34% below the stated 0.725 million tonnes to some degree above it. The operator remains confident of the broad estimated tonnage, assuming progressive restoration avoiding temporary side slopes being exposed for long periods.
- 124. On balance, the yield of the allocation site assumed by the SSR appears reasonable.

# Cumulative Impact

- 125. The Transport Assessment identifies no unacceptable cumulative highway impacts resulting from the potential mineral development of the allocation site, including a cluster of sites along the A283.
- 126. More generally DP(xvii), as amended to DP(xviii) by **MM6**, sets a clear requirement for a detailed assessment of cumulative impact in connection with any application.

# East of West Heath Common (Extension), Rogate (Policies Map 9)

# Description

127. The site comprises 14ha of agricultural land at Rogate, some distance east of the existing site, within the SDNP. The estimated yield set out in the SSR is 0.95 million tonnes of soft sand. Extraction would be linked to the existing site with material transported for processing via a conveyor or pipeline crossing the intervening land and intersecting with Public Footpath 861. Restoration in conjunction with the existing site would be to a low-level water environment for nature conservation and informal recreation with improvement to long distance trails and rights of way.

128. Proposal SSR36 introduces a new paragraph 7.2.8 providing a general description of the site and its prospective restoration, whilst Proposal SSR38 adds new paragraph 7.2.9 which sets out a range of DPs for soft sand extraction from the site.

Trees and Hedgerows, Ecology and Hydrogeology

- 129. Neither the supporting text nor the DPs include specific reference to impact on West Heath Common itself or the adjacent River Rother Local Wildlife Site. For the SSR and the JMLP to be fully effective and sound, paragraph 7.2.8 should stipulate avoidance and minimisation of such impact.
- 130. A southern part of the allocation site is wet woodland where Blackrye Pond and a Victorian drainage system are located. It is likely that earthworks for soft sand extraction in this area would be impractical and harmful, depending on the findings of a detailed hydrogeological survey. As a result, the extent of earthworks within the boundary of the allocation could be curtailed. That is not to say that the allocation boundary itself needs to be altered on the Policies Map. However, for clarity and effectiveness, this matter should be made clear within paragraph 7.2.8 and DP(viii) as submitted should be similarly amended.
- 131. All these necessary changes are made by **MM4** and **MM5**.

Transportation and Public Rights of Way

- 132. The Transport Assessment concludes that the site has a high overall highway suitability in terms of access via the existing site entrance off Durford Lane, with moderate negative impact on public rights of way. There is no technical evidence to indicate otherwise in the broad context of the highway or rights of way network.
- 133. However, there are local concerns, based upon experience of the existing aggregate extraction works. The nearby Sky Park Farm Visitor Centre generates similar traffic flows to the mineral development and there has been damage to Durford Bridge near the site entrance. Pedestrian and cycle use of Durford Lane is increasing, encouraged by ongoing enhancement to the local bridleway network.
- 134. Most particularly, there could be conflict walkers and the projected conveyor or pipeline to transport mineral from the extension to the present site for processing, as this would cross Public Footpath 861, a major public right of way over open land outside the allocation boundary.
- 135. However, the Transport Assessment takes account of all predicted traffic flows and, whilst the continued use of Durford Lane and Durford Bridge by mineral traffic is clearly not desirable, such use is evidently within the traffic and weight carrying capacity of the Bridge and the Lane, with no additional adverse comment from the highway authority. At this stage of plan preparation, there is no evident insurmountable planning objection on traffic grounds where overriding need for soft sand is demonstrated.
- 136. The projected use of a conveyor or pipeline would contribute beneficially to non-motorised transport and there is scope for accommodation or temporary

diversion of the public right of way to minimise any conflict. This is advocated by DP(xii) as submitted, which states that consideration should be given to ensuring such mitigation measures but, to be effective and sound, this needs to be modified to state that such consideration must be given. The necessary change is put into effect by **MM5**.

#### Heritage

137. The site is relatively close to scheduled ancient monuments and DP(vi), as submitted, draws attention to the need for their protection from adverse impacts. along with highway bridges and structures where relevant. Any application would also be judged on merit against the requirements of Policy M14 of the JMLP that mineral development record, conserve or enhance heritage assets, unless there are overriding reasons in favour of the mineral extraction.

#### Noise and Light Pollution

- 138. There is always potential for noise and light pollution to arise from mineral workings, affecting the amenity of local residents and impinging upon the special qualities of the SDNP. However, there is no indication that the conveyor or pipeline would require external illumination and these potential impacts due to the extraction site itself are addressed by DP(xi), requiring a lighting, noise, dust, odour and vibration management plan, as well as by DPs(ii) and (iii) to provide a landscape impact assessment.
- 139. Sand extraction would also be subject to adopted development management provisions. These include Policy M18 of the JMLP, protecting public health and amenity by restricting working hours, and Strategic Policy SD8 of the SDLP, to conserve and enhance the intrinsic dark night skies of the SDNP. This limits unavoidable lighting to no more than the appropriate level. Given the Landscape Assessment places the site in the lowest category of visual sensitivity, these measures are likely to prove sufficient, on balance, where need for the soft sand is demonstrated.

Cumulative Impact, Landscape Impact, Restoration and Public Access.

- 140. The application of the guiding principle of preferring extensions to new sites is not immediately evident in this case, with a half-kilometre open, rural gap between the allocation site and the existing works. However, the proposed conveyor system would avoid road transport between the two and facilitate processing via the existing plant and use of the existing access. The potential cumulative impact of the mineral development on the allocated site is assessed by the SA as minor negative.
- 141. That is of little comfort to local residents who perceive a prolongation of mineral workings in their neighbourhood, impeding access and delaying restoration of the existing site, and visible in views from public rights of way within the SDNP.
- 142. However, the potential cumulative impact of the mineral development on the allocated site is assessed by the SA as minor negative and DP(ii), as submitted, would ensure that development proposals necessary in the wider public interest would take account of a landscape visual assessment.

#### Site Liaison Group

143. For internal consistency with the other two allocations and effectiveness, DP(xiii), as submitted, should be subdivided to provide a separate requirement for the establishment of a Site Liaison Group, to include the local community. This change is put into effect within **MM5**.

#### Chantry Lane Extension, Storrington (Policies Map 10)

#### Description

- 144. The site comprises approximately 2.5ha of agricultural land located just south east of Storrington, within the SDNP. The estimated yield set out in the SSR is 1 million tonnes of soft sand. Extraction would be linked to the existing adjacent site with restoration to agriculture, including potential woodland and public rights of way enhancement.
- 145. Proposal SSR39 introduces a new paragraph 7.2.10 providing a general description of the site and its prospective restoration, whilst Proposal SSR40 adds a new paragraph 7.2.11 which sets out a range of DPs for soft sand extraction from the site.

#### Transportation

146. The Transport Assessment considers the site acceptable in transport terms with any application subject to the requirements of Policy M20 of the JMLP, including optimal lorry use and routeing. The site is located at the edge of Storrington, away from the centre, and is on the advisory lorry route network, such that unacceptable impact could be avoided.

#### Landscape

147. The Landscape Assessment concludes that the site has medium sensitivity and moderate capacity for mineral extraction and recommends mitigation measures that informed the DPs. As submitted, these include DPs(ii) and (iii) for landscape and visual impact assessment, DP(iv) on entrance design to minimise impact on the SDNP, DP(v) to provide for perimeter screen mounding during the works and DP(xvi) for restoration to be informed by an agreed landscape and ecosystem services-led strategy.

#### Pollution and Amenity

148. Any mineral application for the Chantry Lane allocation would be subject to detailed pollution assessments, including with respect to noise and light, whilst DP(xv), as submitted, requires an agreed management plan dealing with these potential impacts. There is no evidence that these impacts could not be adequately controlled where, on a balance of judgement, the development were essential.

#### High Quality Agricultural Land

149. The site could contain some Grade 3 soils of high quality. DP(xiii), as submitted, requires any loss of high quality agricultural land to be minimised and mitigated. Any planning application for the site would be judged against

JMLP Policy M15 on air and soil, avoiding unacceptable impact on the quality of soils.

#### Cumulative Impact

- 150. The Transport Assessment identifies no unacceptable cumulative highway impacts resulting from the potential mineral development of the allocation site, including a cluster of sites along the A283.
- 151. More generally DP(xii), as amended to DP(xiii) by **MM7**, sets a clear requirement for a detailed assessment of cumulative impact in connection with any application.

#### Conclusions on Policy 11 and the Site Allocations

- 152. There is understandable general concern in connection with all three allocated sites that the DPs should be more extensive and specific in terms of the detailed nature and control of any soft sand extraction which ultimately takes place and the subsequent restoration and afteruse of the land under future planning applications.
- 153. However, the stipulations required at the relatively high level of plan preparation level are to be distinguished from the tighter controls that will potentially be necessary in practice with respect to actual planning permissions. These would include such as precise access arrangements, phasing of earthworks, hours of operation, lorry routeing and phasing Discretion is thus appropriately left to the Authorities to consider and consult publicly upon individual proposals, on merit and within the framework set by the policies of the JMLP and the DPs set down for each allocation.
- 154. Other controls exist under separate legislation with respect to engineering practice during earthworks and sand extractions regarding on-site and public safety.
- 155. I conclude from the discussion above that the range of potential planning impacts of sand extraction from the three allocations could be substantively addressed by mitigatory measures required by the DPs respectively set down for the sites, subject to the necessary MMs I have identified in the interests of soundness.
- 156. I further conclude that such mineral development could be justified on balance within the policy framework of the adopted JMLP and SDLP. That would include proposals where soft sand extraction within the SDNP would potentially meet the exception and public interest tests of Core Policy SD3 of the SDLP with respect to major development.
- 157. The remaining question is whether the three sites would yield sufficient quantities of soft sand to meet the supply shortfall currently identified of between 1.74 and 2.91 million tonnes over the JMLP period to 2033.
- 158. Whilst the estimated yield figures published for Ham Farm and Chantry Lane are questioned, the Authorities appropriately followed established practice in obtaining this information for all identified sites from the mineral industry via

- the call for sites for the SSR and from information previously held from the preparation of the JMLP.
- 159. According the evidence thus provided by the Authorities within the SSR itself and reviewed under Issue 3 (*above*), the total yield of the allocations should amount to about 2.67 million tonnes, well above the median shortfall estimate of some 2.32 million tonnes.
- 160. In the event that yields were compromised by the physical limitations of the sites affecting their commercial viability, the allocations would still make a valuable contribution to supply. In a hypothetical case of the Ham Farm site not proceeding at all due to alleged yield issues and the Chantry Lane extension reaching only, say, 75% of its predicted yield of 1 million tonnes, the total outturn would still amount around 1.7 million tonnes, equivalent to the lower end of the range of estimated shortfall as currently estimated.
- 161. The planning system should provide reasonable certainty as to future mineral development and this SSR to some extent leaves open the question of whether, in the face of the range of planning constraints which exist, its proposals would provide for the requisite steady and adequate supply of soft sand to maintain a seven-year landbank.
- 162. However, the process of statutory five yearly review of the JMLP, coupled with the annual monitoring of requirement and supply provided by the LAA, linked to policy M2, provides a substantial measure of compensation for any degree of immediate uncertainty. I am therefore led to the view that, in the context of West Sussex and the SDNP, that the sites allocated by the SSR can properly be regarded as contributing sufficiently to the requisite supply and landbank of soft sand for West Sussex and that, in this respect, Policy M11 of the JMLP, as amended by this SSR would be justified, effective and sound, subject to the MMs I have identified.

## **Overall Conclusion and Recommendation**

- 163. The SSR has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend its non-adoption as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.
- 164. The Authorities have requested that I recommend MMs to make the SSR sound and capable of adoption. I conclude that the Duty to Co-operate has been met and that, with the recommended Main Modifications set out in the Appendix to this Report, the West Sussex Joint Minerals Local Plan Single Issue Soft Sand Review satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

BJSims

Inspector

This report is accompanied by an **Appendix** containing the **Main Modifications** 



## **APPENDIX**

## **RECOMMENDED MAIN MODIFICATIONS**

SMM No	SSR No	JMLP Para/ Policy	Submitted SSR	Recommended Main Modification
MM1	SSR3	6.2.13	New paragraph number: 6.2.14.	New paragraph number: 6.2.14.
			The current 10 year average sales value is much higher than for sharp sand and gravel, at 293,737 tonnes per annum (2008 – 2017), and other relevant local information suggests average demand may be as high as 372,459 tonnes per annum. Total permitted reserve of land-won soft sand in West Sussex is 2,754,000 which currently provides a landbank of 7.4 years, based on the 10 year average sales, taking account of other relevant local information. Current reserves are not sufficient to meet demand over the Plan period (up to 2033). Planning Guidance (NPPG, para 064) states that MPA's should also consider average sales over the previous three years, to identify the general trend of demand. The 3-year average of soft sand sales is 295,115 tonnes (2015-2017). Based on this 3-year average and current reserves, the landbank (taking account of other relevant local information) is currently 9.3 years.	The current 10 year average sales value is much higher than for sharp sand and gravel, at 293,737 288,718 tonnes per annum (2008 – 2017 2009-2019), and other relevant local information suggests average demand may be as high as 372,459 371,869 tonnes per annum. Total permitted reserve of land-won soft sand in West Sussex is 2,754,000 2,300,437 which currently provides a landbank of 7.4 6.2 years, based on the 10 year average sales, taking account of other relevant local information. Current reserves are not sufficient to meet demand over the Plan period (up to 2033). Planning Guidance (NPPG, para 064) states that MPA's should also consider average sales over the previous three years, to identify the general trend of demand. The 3-year average of soft sand sales is 295,115 315,560 tonnes (2015 2017 2016-2019). Based on this 3-year average and current reserves, the landbank (taking account of other relevant local information) is currently 9.3 7.3 years.
MM2	SSR4	6.2.14	New paragraph number: 6.2.15.	New paragraph number: 6.2.15.
			The relevant strategic objectives are:	The relevant strategic objectives are:
			1: To promote the prudent and efficient production and use of minerals and to ensure a steady and adequate supply, having regard to the market demand and constraints on supply in the Plan area.	1: To promote the prudent and efficient production and use of minerals <u>and to ensure a steady and adequate supply</u> , having regard to the market demand and constraints on supply in the Plan area.
			3: To make provision for soft sand, silica sand and sharp sand and gravel, to meet the need, from outside the South Downs National Park, where possible; and only allow development within the national park in exceptional circumstances and where it is in the public interest.	3: To make provision for soft sand, silica sand and sharp sand and gravel, to meet the need, from outside the South Downs National Park, where possible; and only allow development within the national park in exceptional circumstances and where it is in the public interest.
ММЗ	SSR5	New para	In order to inform the strategy for the provision of land won soft sand, the Authorities considered the opportunities for extraction:	In order to inform the strategy for the provision of land won soft sand, the Authorities considered the opportunities for extraction:
		6.2.16	within West Sussex but outside of the SDNP	within West Sussex but outside of the SDNP
			<ul> <li>outside of West Sussex</li> </ul>	<ul> <li>outside of West Sussex<sup>1</sup></li> </ul>
			• from other sources	from other sources
			• from within the SDNP, within West Sussex	• from within the SDNP, within West Sussex
			<ul> <li>a combination of the options</li> </ul>	a combination of the options
				Footnote 1: where these opportunities are included in emerging or adopted mineral plans, or exist as sites that hold current planning permissions.
MM4	SSR36	-	New paragraph number: 7.2.8.	New paragraph number: 7.2.8.
			East of West Heath Common (Extension), Rogate (Policies Map 9): Located near to Rogate, Chichester, the extension to West Heath Quarry is located within the South Downs National Park, and used for agricultural purposes. The site is approximately 14 hectares in size and would provide 950,000 tonnes of soft sand. Materials would be exported from the extension site to the existing quarry by conveyor or pipeline, for processing, before transport by road using the existing quarry access and routing provision. Development of this site should contribute to the Petersfield to Pulborough via Midhurst non-motorised route. The after use for this site would be to create a low level water environment that should maximise nature conservation and informal recreation. Any restoration scheme should be fully integrated with the restoration scheme on the existing site. The restoration proposals should also take account of the opportunities to improve long distance trails and key public Rights of Way. Restoration proposals should clearly relate to landscape projects in the wider South Downs National Park <sup>1</sup> .  Footnote 1: SSR Landscape Assessment (2019).	East of West Heath Common (Extension), Rogate (Policies Map 9): Located near to Rogate, Chichester, the extension to West Heath Quarry is located within the South Downs National Park, and used for agricultural purposes. The site is approximately 14 hectares in size and would provide 950,000 tonnes of soft sand. The area available for extraction may be limited by the development principles set out below, including the results of the hydrogeological survey. Materials would be exported from the extension site to the existing quarry by conveyor or pipeline, for processing, before transport by road using the existing quarry access and routing provision. Development of this site should avoid and minimise any impact on West Heath Common and the River Rother Local Wildlife Site. Development should also contribute to the Petersfield to Pulborough via Midhurst non-motorised route. The after use for this site would be to create a low level water environment that should maximise nature conservation and informal recreation. Any restoration scheme should be fully integrated with the restoration scheme on the existing site. The restoration proposals should also take account of the opportunities to improve long distance trails and key public Rights of Way. Restoration proposals should clearly relate to landscape projects in the wider South Downs National Park <sup>1</sup> .

SMM No	SSR No	JMLP Para/ Policy	Submitted SSR	Recommended Main Modification
		-		Footnote 1: SSR Landscape Assessment (2019).
MM5	SSR38		New paragraph number: 7.2.9.  The development principles for the East of West Heath Common site are as follows:  i. A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites;  ii. A landscape and visual impact assessment should inform the development of proposals for the extraction of minerals from the site (including the use of conveyors or pipeline), taking into account and seeking to minimise adverse impacts on the South Downs National Park;  iiii. The Landscape and Visual Impact Assessment should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;  iv. Existing hedgerows, mature trees and vegetation along perimeters and within the site, should, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;  v. There should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;  vi. Proposals should ensure that there are no significant adverse impacts on the nearby Scheduled Monuments bridges and structures on relevant parts of the road network;  vii. At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;  vii. A hydrological assessment should be completed, evaluating and seeking to minimise the impact from the proposals on ground water and watercourses, including the River Rotter SNCI;  viii. The potential for impact on the Wealden Heaths Phase II SPA and East Hampshire Hangers SAC should be considered, and mitigation applied to ensure no harm occurs;  ix. Any loss of potentially high quality agricultura	New paragraph number: 7.2.9.  The development principles for the East of West Heath Common site are as follows:  i. Development proposals must identify and incorporate opportunities for net gains in biodiversity:  ii. i.—A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites;  iii. iii.—A landscape and visual impact assessment should inform the development of proposals for the extraction of minerals from the site (including the use of conveyors or pipeline), taking into account and seeking to minimise adverse impacts on the South Downs National Park;  iv. iii.—The Landscape and Visual Impact Assessment should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;  v. iv.—Existing hedgerows, mature trees and vegetation along perimeters and within the site, should must, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;  vii. vThere should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;  vii. vToposals should ensure that there are no significant adverse impacts on the nearby Scheduled Monuments bridges and structures on relevant parts of the road network;  viii. v-iii. v-iii. proposals should ensure that there are no significant adverse impacts on the nearby Scheduled Monuments bridges and structures on relevant parts of the road network;  viii. v-iii. proposals should ensure that there are no significant adverse impacts on the nearby Scheduled Monuments bridges and structures on relevant parts of the road network;  viii. v-iiii. proposals for proposals on going main should be carried out including archaeological freingar should be carried out including archaeo
				xv. xiv. A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.
мм6	SSR34	-	New paragraph number: 7.2.7.  The development principles for Ham Farm are as follows:  i. A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites  ii. A Landscape and Visual Impact Assessment should inform the development of proposals for the extraction of minerals from the site, taking into account and seeking to minimise impacts on the South Downs National Park and its setting, and Wiston Park;  iii. The LVIA should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and	New paragraph number: 7.2.7.  The development principles for Ham Farm are as follows:  i. Development proposals must identify and incorporate opportunities for net gains in biodiversity;  ii. i-A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites  iii. ii- A Landscape and Visual Impact Assessment should inform the development of proposals for the extraction of minerals from the site, taking into account and seeking to minimise impacts on the South Downs National Park and its setting, and Wiston Park;
			indirect impacts from any proposals; iv. The access should be carefully sited to ensure lines of mature broadleaf trees remain intact. A tree survey and arboricultual impact assessment in accordance with "BS5837"	

SMM No	SSR No	JMLP Para/ Policy	Submitted SSR	Recommended Main Modification
			Trees in Relation to Design, Demolition and Construction 2012" should be provided to ensure that retained trees are adequately protected from site operations and that any to be removed are clearly identified and appropriate mitigation proposed;	iv. iii. The LVIA should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;
			v. The entrance to the site should be carefully designed to minimise adverse impacts upon the South Downs National Park and its setting;	v. iv. The access should be carefully sited to ensure lines of mature broadleaf trees remain intact. A tree survey and arboricultual impact assessment in accordance with "BS5837"
			vi. During excavation there should be screening, such as perimeter mounding and planting of native trees and shrubs (including native evergreen species) along the eastern and southern boundaries to strengthen and reinforce existing screening of views into the site from the A283, Cherrytree Rough to the north and surrounding open farmland should be	Trees in Relation to Design, Demolition and Construction 2012" should be provided to ensure that retained trees are adequately protected from site operations and that any to be removed are clearly identified and appropriate mitigation proposed;  vi. v. The entrance to the site should be carefully designed to minimise adverse impacts
			considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be designed to be consistent with local landscape character in order to minimise unintended additional impacts on landscape character from incongruous screening features;	upon the South Downs National Park and its setting;  vii. vi. During excavation there should be screening, such as perimeter mounding and planting of native trees and shrubs (including native evergreen species) along the eastern and southern boundaries to strengthen and reinforce existing screening of views into the
			vii. Existing hedgerows, mature trees and vegetation along perimeters and within the site, should, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;	site from the A283, Cherrytree Rough to the north and surrounding open farmland should be considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be designed to be consistent with local landscape character in order to minimise unintended additional impacts on landscape character from incongruous screening features;
			viii. There should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;	<u>viii.</u> Existing hedgerows, mature trees and vegetation along perimeters and within the
			ix. A historic building setting impact assessment of nearby listed buildings (including but not limited to Horsebrook Cottage and Wappingthorn Manor) should be carried out and mitigation provided, if required;	site, should must, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;
			x. At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological	ix. viii.—There should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;
			field evaluation and mitigation measures where required; xi. A hydrological assessment should be completed, evaluating and seeking to minimise the impact from the proposals on ground water and watercourses, including but not limited	x. ixA historic building setting impact assessment of nearby listed buildings (including but not limited to Horsebrook Cottage and Wappingthorn Manor) should be carried out and mitigation provided, if required;
			to, Alderwood Pond and Wiston Pond; xii. A flood risk assessment should be carried out and mitigation provided, if required;	xi. x.—At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;
			xiii. The transport assessment should consider the net impact of changing the land use from agricultural (maize production) to mineral and include allowances for the importation of materials for restoration and importation of feedstock for anaerobic digestion at Wappingthorn Farm;	xii. xi. A hydrological assessment should be completed, evaluating and seeking to avoid and minimise the impact from the proposals on ground water and watercourses, including but not limited to, Alderwood Pond and Wiston Pond;
			xiv. A HGV routing agreement is required, including a robust approach to monitoring	xiii. xii. A flood risk assessment should be carried out and mitigation provided, if required;
			adherence, to ensure that HGVs travelling to/from the site avoid the villages of Steyning and Storrington;	xiv. xiii. The transport assessment should consider the net impact of changing the land use from agricultural (maize production) to mineral and include allowances for the importation of materials for restoration and importation of feedstock for anaerobic digestion at
			xv. If the traffic from the site could have a negative impact on the Air Quality Management Area in Storrington High Street, then an Air Quality Assessment is required;	Wappingthorn Farm;
			xvi. Vehicular access to the site to be created at the existing gated access and shall be designed to accord with the standards and guidance within the Design Manual for Roads and Bridges and Roads in the South Downs;	xv. xiv. A HGV routing agreement is required, including a robust approach to monitoring adherence, to ensure that HGVs travelling to/from the site avoid the villages of Steyning and Storrington;
			xvii. There should be an assessment of the cumulative impact associated with other development (e.g. other minerals development) including landscape and transport considerations, such as the A24/A283 Washington roundabout and mitigation, if required;	xvi. xv.—If the traffic from the site could have a negative impact on the Air Quality Management Area in Storrington High Street, then an Air Quality Assessment is required; xvii. xvi.—Vehicular access to the site to be created at the existing gated access and shall
			xviii. Any loss of potentially high quality agricultural land should be considered and mitigation provided, if required;	be designed to accord with the standards and guidance within the Design Manual for Roads and Bridges and Roads in the South Downs;
			xix. There are known power cables, power lines and water mains within and adjacent to the site which should be diverted or protected, as necessary;	xviii. xvii. There should must be an assessment of the cumulative impact associated with other development (e.g. other minerals development) including landscape and transport considerations, such as the A24/A283 Washington roundabout and mitigation, if required;
			xx. A lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;	xix. xviii. Any loss of potentially high quality agricultural land should be considered and mitigation provided, if required;
			xxi. Options for restoration could include reinstating the original profile of the site and returning it to agricultural use and restoring the structure of hedgerows and hedgerow trees, with the aim of maximising farmland habitat value, and connectivity with the	xx. xix. There are known power cables, power lines and water mains within and adjacent to the site which should be diverted or protected, as necessary;
			surrounding structure of hedgerows and lines of trees. Long term restoration should aim to maximise the habitat value by taking opportunities to link the surrounding hedgerow	xxi. xxA lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;
			and woodland structure; and xxii. A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.	xxii. xxiOptions for restoration could include reinstating the original profile of the site and returning it to agricultural use and restoring the structure of hedgerows and hedgerow trees, with the aim of maximising farmland habitat value, and connectivity with the surrounding structure of hedgerows and lines of trees. Long term restoration should aim to maximise the habitat value by taking opportunities to link the surrounding hedgerow and woodland structure; and

SMM No	SSR No	JMLP Para/ Policy	Submitted SSR	Recommended Main Modification					
				xxiii. xii. A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.					
MM7	SSR40	-	New paragraph number: 7.2.11.	New paragraph number: 7.2.11.					
			The development principles for the Chantry Lane Extension are as follows:	The development principles for the Chantry Lane Extension are as follows:					
			i. A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of	i. Development proposals must identify and incorporate opportunities for net gains in biodiversity;					
				any Natura 2000 sites; ii. A Landscape and Visual Impact Assessment (LVIA) should inform the development of proposals for the extraction of minerals from the site, taking into account and seeking to minimise impacts on the South Downs National Park;	ii. i.—A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites;				
			iii. The LVIA should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and	iii. ii.—A Landscape and Visual Impact Assessment (LVIA) should inform the development of proposals for the extraction of minerals from the site, taking into account and seeking to minimise impacts on the South Downs National Park;					
			indirect impacts from any proposals; iv. The entrance to the site should be carefully designed to minimise adverse impacts upon the South Downs National Park and its setting, and designed to accord with the standards	iv. iii.—The LVIA should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;					
					and guidance within the Design Manual for Roads and Bridges and Roads in the South Downs;	v. iv. The entrance to the site should be carefully designed to minimise adverse impacts upon the South Downs National Park and its setting, and designed to accord with the			
			v. During excavation there should be screening, such as perimeter mounding and planting of native trees and shrubs (including native evergreen species) along the boundaries to	standards and guidance within the Design Manual for Roads and Bridges and Roads in the South Downs;					
		surrounding open farmland should be considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be designed to be consistent with local landscape character in order to minimise unintended additional impacts on landscape character from incongruous screening features;  vi. Existing hedgerows, mature trees and vegetation along perimeters and within the site, should, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;  vii. There should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;  viii. At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;  ix. A hydrological assessment should be completed, evaluating and seeking to minimise the impact from the proposals on ground water and watercourses, given its location close	surrounding open farmland should be considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be designed to be consistent with local landscape character in order to minimise unintended additional impacts on landscape character from incongruous screening features;  vi. Existing hedgerows, mature trees and vegetation along perimeters and within the site, should, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding	vi. v. During excavation there should be screening, such as perimeter mounding and planting of native trees and shrubs (including native evergreen species) along the boundaries to strengthen and reinforce existing screening of views into the site from the A283, and surrounding open farmland should be considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be					
				designed to be consistent with local landscape character in order to minimise unintended additional impacts on landscape character from incongruous screening features;					
			areas; vii. There should be phasing of working and restoration to minimise impacts associated	vii. vii. Existing hedgerows, mature trees and vegetation along perimeters and within the site, should must, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;					
			viii. vii. There should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;						
			ix. A hydrological assessment should be completed, evaluating and seeking to minimise the impact from the proposals on ground water and watercourses, given its location close	ix. viii. At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;					
			to the Arun Valley SPA;  x. An HGV routing agreement is required , including a robust approach to monitoring adherence, to ensure that HGVs travelling to/from the site avoid the village of Storrington;	x. ixA hydrological assessment should be completed, evaluating and seeking to avoid and minimise the impact from the proposals on ground water and watercourses, given its location close to the Arun Valley SPA;					
			xi. If the traffic from the site could have a negative impact on the Air Quality Management Area in Storrington High Street, then an Air Quality Assessment is required;	xi. x. An HGV routing agreement is required, including a robust approach to monitoring adherence, to ensure that HGVs travelling to/from the site avoid the village of Storrington;					
					xii. There should be an assessment of the cumulative impact associated with other development (e.g. other minerals development) including landscape and transport considerations, such as the A24/A283 Washington roundabout and mitigation, if required;	xii. xi. If the traffic from the site could have a negative impact on the Air Quality Management Area in Storrington High Street, then an Air Quality Assessment is required;			
					xiii. Any loss of potentially high quality agricultural land should be minimised and mitigation provided, if required;	xiii. xii. There should must be an assessment of the cumulative impact associated with other development (e.g. other minerals development) including landscape and transport considerations, such as the A24/A283 Washington roundabout and mitigation, if required;			
			xiv. There are known power cables, power lines and water mains within and adjacent to the site which should be diverted or protected, as necessary;	xiv. xiii. Any loss of potentially high quality agricultural land should be minimised and mitigation provided, if required;					
			xv. A lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;	<u>xv.</u> xiv. There are known power cables, power lines and water mains within and adjacent to the site which should be diverted or protected, as necessary;					
								xvi. Proposals for restoration should be informed by a landscape and ecosystem services led strategy agreed with the SDNPA. The strategy should be informed by relevant technical assessments, contribute to the purposes of the SDNP and form a cohesive	xvi. xv. A lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;
			scheme with the existing quarry site.  xvii. A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.	xvii. xvi. Proposals for restoration should be informed by a landscape and ecosystem services led strategy agreed with the SDNPA. The strategy should be informed by relevant technical assessments, contribute to the purposes of the SDNP and form a cohesive scheme with the existing quarry site.					
				xviii. A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.					

# Addendum to the Sustainability Appraisal for the Soft Sand Review SSR Modifications Consultation (October 2020)

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#### Introduction

This document assesses the Proposed Modifications to the Soft Sand Review and should be read as an Addendum to the Regulation 19 Sustainability Appraisal for the Soft Sand Review of the Joint Minerals Local Plan [Examination Document Library reference <u>SSR.CSD.002</u>].

#### The Sustainability Appraisal (SA) Process and Methodology

The steps taken in relation to the Sustainability Appraisal (SA) for the SSR up to the point of examination are set out in the Regulation 19 Sustainability Appraisal for the Soft Sand Review of the Joint Minerals Local Plan (2018). This document screens each of the proposed modifications in turn and then assesses the pertinent modifications against the SA Objectives, using the methodology and scoring systems set out in the original SA documentation.

Table 1: Key to symbols and colour coding used in the SA of the JMLP (and SSR)

Symbol	Policy Impact on the SA's Objectives
++	The policy is likely to have a significant positive impact on the SA objective(s).
+	The policy is likely to have a minor positive impact on the SA objective(s).
0	The policy is likely to have a negligible or no impact on the SA objective(s).
+/-	The policy is likely to have a mixture of positive and negative impacts on the SA objective(s).
-	The policy is likely to have a minor negative impact on the SA objective(s).
	The policy is likely to have a significant negative impact on the SA objective(s).
?	It is uncertain what effect the policy will have on the SA objective(s).

#### The SA Framework

There has been no need to update the SA Framework set out in the main SA Report. The SA Objectives are set out below for ease of reference.

#### Sustainability Appraisal Objectives and Subsidiary Questions

#### SOCIAL

1. To protect and, where possible, enhance health, well-being and amenity of residents, neighbouring land uses and visitors to West Sussex.

Would the option/policy/site:

- Have harmful effects on human health and be sited close to sensitive receptor(s)?
- Affect amenity through dust and noise (e.g. through blasting/traffic) or vibration?
- Affect road safety?
- Have the potential to create land use conflict issues?
- Provide opportunities for improvements to health, well-being and amenity through enhancements?
- Create cumulative effects in terms of adverse impacts on environmental quality, social cohesion and inclusion or economic potential?
- 2. To protect and, where possible, enhance recreation opportunities for all, including access to and enjoyment of the countryside, open spaces and Public Rights of Way (PROW)

Would the option/policy/site:

- Be likely to affect the amenity of users on PRoW, recreation areas/open spaces or other users of the countryside in the area, or affect views and/or tranquillity of these areas?
- Provide restoration opportunities for recreation?

#### **ECONOMIC**

3. To protect, sustain, and where possible, enhance the vitality and viability of the local economy.

Would the option/policy/site:

- Help the local economy, for example by generating new jobs, and how might implementing the policy impact on local businesses?
- Encourage the provision of more locally based skills and facilities?
- Affect tourists' decisions to visit an area?
- Compromise safe operating of commercial aerodromes (i.e. be near to an airfield and through restoration likely to attract large numbers of birds and increase the chance of bird strike)?
- 4. To conserve minerals resources from inappropriate development whilst providing for the supply of aggregates and other minerals sufficient for the needs of society.

Would the option/policy/site:

- Reduce the extraction of virgin materials?
- Avoid sterilising mineral resources by preventing unnecessary development on or near to mineral resources?

Require prior extraction if development that would sterilise mineral resources were to go ahead?

#### **ENVIRONMENTAL**

5. To protect, and where possible, enhance the landscape, local distinctiveness and landscape character in West Sussex.

Would the option/policy/site:

- Help enable the protection of landscape (particularly AONBs and SDNP) and townscape character?
- Contribute to the restoration of minerals sites, maximising after-use potential for beneficial use (e.g. agriculture, nature conservation, recreation, amenity, water storage, flood management) as appropriate?
- Facilitate the supply and use of local building materials to protect local character?
- Affect dark skies from light pollution?
- Protect and enhance the tranquillity of West Sussex including the SDNP and AONBs (e.g. by minimising noise arising from minerals facilities and transport)?
- Encourage landscape improvement?

## 6. To protect, conserve and enhance biodiversity including natural habitats and protected species.

Would the option/policy/site:

- Have an adverse effect on biodiversity, including the protection of designated sites (e.g. Special Protection Areas, Special Areas of Conservation, Ramsars, Sites of Special Scientific Interest, National Nature Reserves and Ancient Woodland)?
- Have an adverse effect on locally designated sites which form part of a network of ecosystems?
- Have an adverse effect on wider habitat networks (including BAP habitats) and land used by protected species?
- Provide opportunities for enhancing biodiversity and achieving net gains as part of the development or restoration?

#### 7. To protect and conserve geodiversity.

Would the option/policy/site:

- Have an adverse effect on geodiversity, including the protection of geological features or sites (e.g. Sites of Special Scientific Interest, and Local Geological Sites, formally RIGS)?
- Create new geological exposures of education interest?
- Provide opportunities for geodiversity as part of the development or restoration?

#### 8. To conserve, and where possible, enhance the historic environment.

Would the option/policy/site:

- Help enable the conservation of features of archaeological and other historic interest in the county, such as conservation areas, listed buildings, scheduled ancient monuments and areas of archaeological potential?
- 9. To protect and, where possible, enhance soil quality, and minimise the loss of best and most versatile land.

Would the option/policy/site:

- Minimise the loss of the best and most versatile agricultural land?
- Improve the soil quality?
- 10. To reduce air pollution and to protect and, where possible, enhance air quality.

Would the option/policy/site:

- Lead to a change in local air quality?
- Cause further deterioration of air quality in Air Quality Management Areas?
- Cause an increase in deposition of pollutants on sensitive designated nature conservation sites?
- 11. To protect and, where possible, enhance water resources, water quality and the function of the water environment.

Would the option/policy/site:

- Affect the quality of surface and/or groundwater bodies?
- Interfere with the flows of water bodies?
- 12. To reduce vulnerability to flooding, in particular preventing inappropriate development in the floodplain.

Would the option/policy/site:

- Affect the likelihood of flooding or lead to inappropriate development in a flood risk zone (e.g. Flood Zones 2 or 3) contrary to national policy on flooding?
- Impact on flood defences?
- Provide opportunities for flood alleviation/mitigation?
- 13. To minimise transport of minerals by roads. Where road use is necessary, to reduce the impact by promoting use of the Lorry Route Network.

Would the option/policy/site:

- Have the potential for rail or water-based access to and from mineral sites?
- Lead to the production of traffic-derived pollutants, including CO2, NO2 and PM10 due to road transport to and from minerals sites?
- Optimise the use of the Lorry Route Network and reduce the use of rural roads thus reducing the disruption and pollutants caused by HGVs?
- 14. To reduce the emissions of greenhouse gases.

Would the policy/option/site:

- Lead to the production of carbon dioxide or other greenhouse gases from on-site vehicles and machinery?
- Reductions in transport distances by supporting the location of mineral extraction sites in proximity to surrounding markets for minerals and to serve local needs?
- Encourage the use of renewable or lower carbon energy sources on-site (e.g. through the use of small on-site renewable energy sources, i.e. wind turbines, solar panels)?

## Appraisal of the Proposed Modifications

#### Screening and Summary Appraisals

The table below sets out the proposed modifications in turn and each modification is screened for further assessment. A commentary is provided for the screening assessment as well as for the appraisal scoring set out in the following section of this document.

SMM Ref	SSR Ref	JMLP Para/Policy	Proposed Modification	Reason for Proposed Modification	SA Screening	SA Assessment Commentary
SMMI	SSR3	6.2.13	New paragraph number: 6.2.14.  The current 10 year average sales value is much higher than for sharp sand and gravel, at 293,737 288,718 tonnes per annum (2008—2017 2009-2019), and other relevant local information suggests average demand may be as high as 372,459 371,869 tonnes per annum. Total permitted reserve of land-won soft sand in West Sussex is 2,754,000 2,300,437 which currently provides a landbank of 7.4 6.2 years, based on the 10 year average sales, taking account of other relevant local information. Current reserves are not sufficient to meet demand over the Plan period (up to 2033). Planning Guidance (NPPG, para 064) states that MPA's should also consider average sales over the previous three years, to identify the general trend of demand. The 3-year average of soft sand sales is 295,115 315,560 tonnes (2015-2017 2016-2019). Based on this 3-year average and current reserves, the landbank (taking account of other relevant local information) is currently 9.3 7.3 years.	Updated figures as contained in the Local Aggregate Assessment 2019 (May 2020) [SSR.OSD.005a]	This modification reflects the updated LAA and has been screened in for assessment as it refers to the level of sales and the relevant landbank for planning purposes.	Although the figures within 6.2.13 have been updated to reflect the most recent LAA, the conclusions drawn from the data have not changed and the policy direction of the SSR has not changed. The SSR will plan for soft sand in the way set out in the Submission SSR. The changes to the data show a maintained pressure to the existing landbank and the subsequent declining reserve. Therefore, there are no changes to the assessment set out within the SA of the Regulation 19 SSR.
SMM2	SSR4	6.2.14	New paragraph number: 6.2.15.  The relevant strategic objectives are:  I: To promote the prudent and efficient production and use of minerals and to ensure a steady and adequate supply, having regard to the market demand and constraints on supply in the Plan area.  3: To make provision for soft sand, silica sand and sharp sand and gravel, to meet the need, from outside the South Downs National Park, where possible; and only allow development within the national park in exceptional circumstances and where it is in the public interest.	To fix a typographical error and retain the Strategic Objectives as adopted in the Joint Minerals Local Plan.	This modification has been screened out of assessment as it reflects a typographical error in the original document.	N/A.
SMM3	SSR5	New para 6.2.16	In order to inform the strategy for the provision of land won soft sand, the Authorities considered the opportunities for extraction: within West Sussex but outside of the SDNP  outside of West Sussex!  from other sources  from within the SDNP, within West Sussex  a combination of the options  Footnote I: where these opportunities are included in emerging or adopted mineral plans, or exist as sites that hold current planning permissions.	For clarity in response to representations raised by Hampshire County Council.	This modification has been screened in for assessment. SSR5 was assessed in Section 5 of the SA for the SSR (2019). The additional text is supported in the SA assessment (para 5.13) that "future reviews of the JMLP should take account of the availability of material in the wider south east". Sites allocated in emerging or adopted minerals plans or that hold planning permissions will have been independently assessed through the planning process, including Sustainability Appraisal, for the impacts of those developments, providing additional measures of support to address the SA Objectives of the SSR.	SSR5 was assessed in Section 5 of the SA for the SSR (2019). The additional text is supported in the SA assessment (para 5.13) that "future reviews of the JMLP should take account of the availability of material in the wider south east". Sites allocated in emerging or adopted minerals plans or that hold planning permissions will have been independently assessed through the planning process, including Sustainability Appraisal, for the impacts of those developments, providing additional measures of support to address the SA Objectives of the SSR.
SMM4	SSR36	-	New paragraph number: 7.2.8.  East of West Heath Common (Extension), Rogate (Policies Map 9): Located near to Rogate, Chichester, the extension to West Heath Quarry is located within the South Downs National Park, and used for agricultural purposes. The site is approximately 14 hectares in size and would provide 950,000 tonnes of soft sand. The area available for extraction may be limited by the development principles set out below, including the results of the hydrogeological survey. Materials would be	<ul> <li>a) To include wording agreed with the Environment Agency.</li> <li>b) To provide additional references to West Heath Common and the River discussions at the Hearings.</li> </ul>	This modification has been screened in for assessment as it provides additional environmental criteria for these development principles.	The SA of the SSR at Regulation 19 stage recommended the Development Principles for each allocation reflected the Objectives of the Sustainability Appraisal.  The modifications proposed under SMM4 increase the protection of the water environment. West Heath
<u></u>			including the results of the hydrogeological survey. Materials would be exported from the extension site to the existing quarry by conveyor or			water environment, West He Common and the River Rothe

SMM Ref	SSR Ref	JMLP Para/Policy	Proposed Modification	Reason for Proposed Modification	SA Screening	SA Assessment Commentary
			pipeline, for processing, before transport by road using the existing quarry access and routing provision. Development of this site should avoid and minimise any impact on West Heath Common and the River Rother Local Wildlife Site. Development should also contribute to the Petersfield to Pulborough via Midhurst non-motorised route. The after use for this site would be to create a low level water environment that should maximise nature conservation and informal recreation. Any restoration scheme should be fully integrated with the restoration scheme on the existing site. The restoration proposals should also take account of the opportunities to improve long distance trails and key public Rights of Way. Restoration proposals should clearly relate to landscape projects in the wider South Downs National Park <sup>1</sup> .  Footnote I: SSR Landscape Assessment (2019).	•		Wildlife Site. The modifications are positive in terms of the SA Objectives, particularly the objectives related to water quality, landscape and biodiversity.
SMM5	SSR38		New paragraph number: 7.2.9.  The development principles for the East of West Heath Common site are as follows:  i. Development proposals must identify and incorporate opportunities for net gains in biodiversity;  ii. i-A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites;  iii. iiiA landscape and visual impact assessment should inform the development of proposals for the extraction of minerals from the site (including the use of conveyors or pipeline), taking into account and seeking to minimise adverse impacts on the South Downs National Park;  iv. iiiiThe Landscape and Visual Impact Assessment should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;  v. ivExisting hedgerows, mature trees and vegetation along perimeters and within the site, should must, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;  vi. vThere should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;  vii. viiProposals should ensure that there are no significant adverse impacts on the nearby Scheduled Monuments bridges and structures on relevant parts of the road network;  viii. viiA t pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;  ix. viiiA hydrological assessment should be completed, evaluating and seeking to avoid and minimise the impact from the proposals on ground water and watercourses, including the River Rother SNCl; Where necessary, changes to the development boundary will be made	<ul> <li>a) The development principles for the site amended to included recommendation from the Environment Agency.</li> <li>b) To insert a new development principle to require net gain in biodiversity for consistency with national policy.</li> <li>c) To strengthen wording in relation to submitted development principles iv, vii and xii.</li> <li>d) To amend a drafting error and add the requirement for a site liaison group as a separate development principle.</li> </ul>	This modification has been screened in for assessment as it provides additional environmental criteria for these development principles.	The SA of the SSR at Regulation 19 stage recommended the Development Principles for each allocation reflected the Objectives of the Sustainability Appraisal.  The modifications proposed under SMM5 require more specific protection of the local environment and include a requirement for net gains in biodiversity.  The modifications are positive in terms of the SA Objectives, particularly the objectives related to water quality, landscape, natural environment and amenity.

SMM Ref	SSR Ref	JMLP Para/Policy	Proposed Modification	Reason for Proposed Modification	SA Screening	SA Assessment Commentary
			applied to ensure no harm occurs;  xi. x. Any loss of potentially high quality agricultural land should be minimised and mitigation provided, if required;			
			<ul> <li>xii. xi. A lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;</li> <li>xiii. xii. Consideration should must be given to ensuring mitigation</li> </ul>			
			measures are applied to Public Footpath 861, which is 500m west of the site, and may be impacted by the use of conveyors;			
			xiv. xiii. Proposals for restoration should be informed by a landscape and ecosystem services led strategy agreed with the SDNPA. The strategy should be informed by relevant technical assessments, contribute to the purposes of the SDNP and form a cohesive scheme with the existing quarry site. A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.  xv. xiv. A site liaison group involving the local community should be			
			established by the operator to address issues arising from the operation of the site.			
SMM6	SSR34	_	New paragraph number: 7.2.7.  The development principles for Ham Farm are as follows:  i. Development proposals must identify and incorporate opportunities for net gains in biodiversity;  ii. i A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites  iii. ii. A Landscape and Visual Impact Assessment should inform the development of proposals for the extraction of minerals from the site, taking into account and seeking to minimise impacts on the South Downs National Park and its setting, and Wiston Park;  iv. iii. The LVIA should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;  v. iv. The access should be carefully sited to ensure lines of mature broadleaf trees remain intact. A tree survey and arboricultual impact assessment in accordance with "BS5837 Trees in Relation to Design,	<ul> <li>a) To insert a new development principle to require net gain in biodiversity for consistency with national policy.</li> <li>b) To strengthen wording in relation to submitted development principles vii, xi and xvii.</li> </ul>	This modification has been screened in for assessment as it provides additional environmental criteria for these development principles.	The SA of the SSR at Regulation 19 stage recommended the Development Principles for each allocation reflected the Objectives of the Sustainability Appraisal.  The modifications proposed under SMM6 require more specific protection of the local environment and include a requirement for net gains in biodiversity.  The modifications are positive in terms of the SA Objectives, particularly the objectives related to water quality, landscape, natural environment and amenity.
			Demolition and Construction 2012" should be provided to ensure that retained trees are adequately protected from site operations and that any to be removed are clearly identified and appropriate mitigation proposed;  vi. v. The entrance to the site should be carefully designed to minimise			
			adverse impacts upon the South Downs National Park and its setting;  vii. vi. During excavation there should be screening, such as perimeter mounding and planting of native trees and shrubs (including native			
			evergreen species) along the eastern and southern boundaries to strengthen and reinforce existing screening of views into the site from the A283, Cherrytree Rough to the north and surrounding open farmland should be considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be designed to be consistent with local landscape character in order to			

SMM Ref	SSR Ref	JMLP Para/Policy	Proposed Modification	Reason for Proposed Modification	SA Screening	SA Assessment Commentary
			minimise unintended additional impacts on landscape character from incongruous screening features;			
			viii. vii. Existing hedgerows, mature trees and vegetation along perimeters and within the site, should must, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;			
			ix. viii. There should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;			
			x. ix. A historic building setting impact assessment of nearby listed buildings (including but not limited to Horsebrook Cottage and Wappingthorn Manor) should be carried out and mitigation provided, if required;			
			xi. x. At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;			
			xii. xi. A hydrological assessment should be completed, evaluating and seeking to avoid and minimise the impact from the proposals on ground water and watercourses, including but not limited to, Alderwood Pond and Wiston Pond;			
			xiii. xii. A flood risk assessment should be carried out and mitigation provided, if required;			
			xiv. xiii. The transport assessment should consider the net impact of changing the land use from agricultural (maize production) to mineral and include allowances for the importation of materials for restoration and importation of feedstock for anaerobic digestion at Wappingthorn Farm;			
			xv. xiv. A HGV routing agreement is required, including a robust approach to monitoring adherence, to ensure that HGVs travelling to/from the site avoid the villages of Steyning and Storrington;			
			xvi. xvIf the traffic from the site could have a negative impact on the Air Quality Management Area in Storrington High Street, then an Air Quality Assessment is required;			
			xvii. xvi. Vehicular access to the site to be created at the existing gated access and shall be designed to accord with the standards and guidance within the Design Manual for Roads and Bridges and Roads in the South Downs;			
			xviii. xvii. There should must be an assessment of the cumulative impact associated with other development (e.g. other minerals development) including landscape and transport considerations, such as the A24/A283 Washington roundabout and mitigation, if required;			
			xix. xviii. Any loss of potentially high quality agricultural land should be considered and mitigation provided, if required;			
			xx. xix. There are known power cables, power lines and water mains within and adjacent to the site which should be diverted or protected, as necessary;			
			xxi. xx. A lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;			
			xxii. xxi. Options for restoration could include reinstating the original			

SMM Ref	SSR Ref	JMLP Para/Policy	Proposed Modification	Reason for Proposed Modification	SA Screening	SA Assessment Commentary
			profile of the site and returning it to agricultural use and restoring the structure of hedgerows and hedgerow trees, with the aim of maximising farmland habitat value, and connectivity with the surrounding structure of hedgerows and lines of trees. Long term restoration should aim to maximise the habitat value by taking opportunities to link the surrounding hedgerow and woodland structure; and <a href="mailto:xxiii.">xxiii.</a> A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.			
SMM7	SSR40		New paragraph number: 7.2.11.  The development principles for the Chantry Lane Extension are as follows:  i. Development proposals must identify and incorporate opportunities for net gains in biodiversity:  ii. i-A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites;  iii. iiiA Landscape and Visual Impact Assessment (LVIA) should inform the development of proposals for the extraction of minerals from the site, taking into account and seeking to minimise impacts on the South Downs National Park;  iv. iiiThe LVIA should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;  v. ivThe entrance to the site should be carefully designed to minimise adverse impacts upon the South Downs National Park and its setting, and designed to accord with the standards and guidance within the Design Manual for Roads and Bridges and Roads in the South Downs;  vi. vDuring excavation there should be screening, such as perimeter mounding and planting of native trees and shrubs (including native evergreen species) along the boundaries to strengthen and reinforce existing screening of views into the site from the A283, and surrounding open farmland should be considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be designed to be consistent with local landscape character in order to minimise unintended additional impacts on landscape character from incongruous screening features;  vii. viiExisting hedgerows, mature trees and vegetation along perimeters and within the site, should must, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;  viii. viii-There should be ph	<ul> <li>a) To insert a new development principle to require net gain in biodiversity for consistency with national policy.</li> <li>b) To strengthen wording in relation to submitted development principles vi, ix and xii.</li> </ul>	This modification has been screened in for assessment as it provides additional environmental criteria for these development principles.	The SA of the SSR at Regulation 19 stage recommended the Development Principles for each allocation reflected the Objectives of the Sustainability Appraisal.  The modifications proposed under SMM7 require more specific protection of the local environment, including a requirement for net gains in biodiversity and a further assessment of cumulative impact at the time an application comes forward.  The modifications are positive in terms of the SA Objectives, particularly the objectives related to water quality, landscape, natural environment and amenity.

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MM Ref	SSR Ref	JMLP Para/Policy	Proposed Modification	Reason for Proposed Modification SA Screening	SA Assessment Commentary
			water and watercourses, given its location close to the Arun Valley SPA;		
			xi. x. An HGV routing agreement is required, including a robust approach to monitoring adherence, to ensure that HGVs travelling to/from the site avoid the village of Storrington;		
			xii. xi. If the traffic from the site could have a negative impact on the Air Quality Management Area in Storrington High Street, then an Air Quality Assessment is required;		
			xiii. xii. There should must be an assessment of the cumulative impact associated with other development (e.g. other minerals development) including landscape and transport considerations, such as the A24/A283 Washington roundabout and mitigation, if required;		
			xiv. xiii. Any loss of potentially high quality agricultural land should be minimised and mitigation provided, if required;		
			xv. xiv. There are known power cables, power lines and water mains within and adjacent to the site which should be diverted or protected, as necessary;		
			xvi. xv. A lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;		
			xvii. xvi. Proposals for restoration should be informed by a landscape and ecosystem services led strategy agreed with the SDNPA. The strategy should be informed by relevant technical assessments, contribute to the purposes of the SDNP and form a cohesive scheme with the existing quarry site.		
			xviii. xvii. A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.		

### Modifications to Policy M2 Recommendations

The table below sets out an updated assessment for Policy M2 as revised by proposed modification SMM2.

SA of Submission M2	Modifications in SMM2
The SA assessments indicate that the most sustainable strategy is likely to be a combination of the options that allows for all potential sites and sources to come forward, where they are available, over the plan period. The SA recommends that Policy M2 clearly sets out a hierarchy of decision making, ensuring that sites only come forward in relation to the need at the time of the application and applicants are signposted to the NPPF requirement to seek sites outside of designated landscapes in the first instance.	The modification proposed increases the certainty that sites referred to in criterion (b) in any provision from outside of the Plan Area will have been subject to assessment through a development plan process or the planning application process. The modification is seen as positive in terms of the SA Objectives for the SSR.
Policy M2 should be clear that sites allocated in Policy M11 have precedence over windfall sites and that sites should be well located to the Lorry Route Network if other modes of transport is not viable. The JMLP contains a number of DM policies which can control and ensure mitigation of any impacts from development and the policy should clearly reference this, or provide further information in the supporting text. As the strategy allows for allocations in the SDNP, M2 should be clear that any application will be considered in the context of major development and applications outside of the SDNP also must assess the potential impact they would have.	

## Modifications to Policy MII Recommendations

The table below sets out an updated assessment for Policy MII as revised by proposed modification SMM4, SMM5, SMM6 and SMM7.

SA of Submission MII	SA of Modifications in SMM4, SMM5, SMM6 and SMM7
As stated above, the SA assessments indicate that the most sustainable strategy is likely to be a combination of the options that allows for all potential sites and sources to come forward, where they are available, over the plan period. Policy M2 incorporates a hierarchy of decision making and the SA recommendations set out above.  The requirements for M11 are assessed in this context. Policy M11 should be clear that sites will be assessed in the context of the all policies within the JMLP, and other relevant policies in the development plan. The adopted policy includes a series of 'Development Principles' for the allocation at West Hoathly Brickworks. It is recommended that these are included of all soft sand allocations and that these follow the outcomes of the technical assessments and the HRA.	forward.

## Modifications to Policy MII and Development Principles for each Site Allocation

The table below sets out an updated assessment for each Site Allocation as revised by proposed modification SMM4, SMM5, SMM6 and SMM7. Refer to Table I on page I for the key to symbols and colour coding used.

SA Objective	Chantry Lane	SMM7	East of West Heath	SMM4 and SMM5	Ham Farm	SMM6
I. To protect and, where possible, enhance health, well- being and amenity of residents, neighbouring land uses and visitors to West Sussex.	0/-?	0/-?	0/-?	0/-?	0/-?	0/-?
2. To protect and, where possible, enhance recreation opportunities for all, including access to the countryside, open spaces and Public Rights of Way (PROW).	0	0	+?	+;	-?	-;
3. To protect, sustain, and where possible, enhance the vitality and viability of the local economy.	+	+	+	+	+	+
4. To conserve minerals resources from inappropriate development whilst providing for the supply of aggregates and other minerals sufficient for the needs of society.	+	+	+	+	+	+
5. To protect, and where possible, enhance the landscape, local distinctiveness and landscape character in West Sussex.	-	-	-	-	-	-
6. To protect, conserve and enhance biodiversity including natural habitats and protected species.	-?	+?	- <u>;</u>	+;	-;	+?
7. To protect and conserve geodiversity.	-?	-?	0	0	0	0
8. To conserve, and where possible, enhance the historic environment.	-?	-?	-;	-?	-?	-?
9. To protect and, where possible, enhance soil quality, and minimise the loss of best and most versatile land.	0	0	0	0	-	<u></u>
10. To reduce air pollution and to protect and, where possible, enhance air quality.	-?	-?	-;	-?	-?	-?
II. To protect and, where possible, enhance water resources, water quality and the function of the water environment.	?	+?	?	+;	?	+?
12. To reduce vulnerability to flooding, in particular preventing inappropriate development in the floodplain.	0?	+?	-;	+?	0?	+?
13. To minimise transport of minerals by roads. Where road use is necessary, to reduce the impact by promoting use of the Lorry Route Network.	-		0	0	-	-
14. To reduce the emissions of greenhouse gases.	-?	-?	-;	-?	-?	-?

#### Cumulative impact of sites

The sites put forward within the Submission SSR have not changed through the Modifications and are:

- Ham Farm
- East of West Heath
- Chantry Lane Extension

Two sites are in reasonable proximity (Ham Farm, Chantry Lane Extension) and one site is some distance away. Modifications SMM4 to SMM7 are supported by the SA for the Submission SSR which stated that the potential for cumulative impacts needs to consider existing minerals development as well as the impact of the combination of sites proposed. The modifications increase the robustness of the development principles in relation to the SA Objectives.

#### Next steps

This SA Addendum will be available for consultation alongside the SSR Modifications Consultation between November 2020 and January 2021.

Following this stage any comments on the SA will be submitted to the appointed Planning Inspector, along with the representations related to the Modifications. The SA and any comments will then be considered by the planning inspector who will review the representations and issue his report. If the SSR, as modified, is considered sound, it will be adopted, and the Authorities will prepare and publish an Adoption Statement.



## Addendum to the Habitats Regulation Assessment for the Soft Sand Review Proposed Modifications to the SSR (October 2020)

This document should be read in conjunction with the Regulation 19 Habitats Regulation Assessment (HRA) of the Soft Sand Review, September 2019 [Examination Document Library reference SSR.OSD.008]. The table below considers the proposed modifications to the Soft Sand Review in turn against the test for Likely Significant Effects. The outcome of the consideration against the test for Likely Significant Effects is that none of the modifications proposed alter the conclusions of the original HRA document.

SMM Ref	SSR Ref	JMLP Para/Policy	Proposed Modification	Reason for Proposed Modification	Likely Significant Effects Test
SMM1	SSR3	6.2.13	New paragraph number: 6.2.14.  The current 10 year average sales value is much higher than for sharp sand and gravel, at 293,737 288,718 tonnes per annum (2008 – 2017 2009-2019), and other relevant local information suggests average demand may be as high as 372,459 371,869 tonnes per annum. Total permitted reserve of land-won soft sand in West Sussex is 2,754,000 2,300,437 which currently provides a landbank of 7.4 6.2 years, based on the 10 year average sales, taking account of other relevant local information. Current reserves are not sufficient to meet demand over the Plan period (up to 2033). Planning Guidance (NPPG, para 064) states that MPA's should also consider average sales over the previous three years, to identify the general trend of demand. The 3-year average of soft sand sales is 295,115 315,560 tonnes (2015-2017 2016-2019). Based on this 3-year average and current reserves, the landbank (taking account of other relevant local information) is currently 9.3 7.3 years.	Updated figures as contained in the Local Aggregate Assessment 2019 (May 2020) [SSR.OSD.005a]	This modification sets out amendments as per the latest LAA figures. The nature of these changes are such that this modification does not alter the conclusions of the Submitted HRA.
SMM2	SSR4	6.2.14	New paragraph number: 6.2.15.  The relevant strategic objectives are:  1: To promote the prudent and efficient production and use of minerals and to ensure a steady and adequate supply, having regard to the market demand and constraints on supply in the Plan area.  3: To make provision for soft sand, silica sand and sharp sand and gravel, to meet the need, from outside the South Downs National Park, where possible; and only allow development within the national park in exceptional circumstances and where it is in the public interest.	To fix a typographical error and retain the Strategic Objectives as adopted in the Joint Minerals Local Plan.	This modification is correcting a typographical error for consistency with the adopted JMLP. The nature of this change is such that <b>this modification does not alter the conclusions of the Submitted HRA</b> .
SMM3	SSR5	New para 6.2.16	In order to inform the strategy for the provision of land won soft sand, the Authorities considered the opportunities for extraction: within West Sussex but outside of the SDNP  outside of West Sussex¹  from other sources  from within the SDNP, within West Sussex  a combination of the options  Footnote 1: where these opportunities are included in emerging or adopted mineral plans, or exist as sites that hold current planning permissions.	For clarity in response to representations raised by Hampshire County Council.	This modification is a matter of contextual clarification. This modification does not alter the conclusions of the Submitted HRA.
SMM4	SSR36	-	New paragraph number: 7.2.8.  East of West Heath Common (Extension), Rogate (Policies Map 9): Located near to Rogate, Chichester, the extension to West Heath Quarry is located within the South Downs National Park, and used for agricultural purposes. The site is approximately 14 hectares in size and would provide 950,000 tonnes of soft sand. The area available for extraction may be limited by the development principles set out below, including the results of the hydrogeological survey. Materials would be exported from the extension site to the existing quarry by conveyor or pipeline, for processing, before transport by road using the existing quarry access and routing provision. Development of this site should avoid and minimise any impact on West Heath Common and the River Rother Local Wildlife Site. Development should also contribute to the Petersfield to Pulborough via Midhurst nonmotorised route. The after use for this site would be to create a low level water environment that should maximise nature conservation and informal recreation. Any restoration scheme should be fully integrated with the restoration scheme on the existing site. The restoration proposals should also take account of the opportunities to improve long distance trails and key public Rights of Way. Restoration proposals should clearly relate to landscape projects in the wider South Downs National Park <sup>1</sup> .  Footnote 1: SSR Landscape Assessment (2019).	<ul> <li>a) To include wording agreed with the Environment Agency.</li> <li>b) To provide additional references to West Heath Common and the River discussions at the Hearings.</li> </ul>	These additions are positive with regards to ecology, and provide clarification and strengthening to the criteria. This modification does not alter the conclusions of the Submitted HRA.

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SMM Ref	SSR Ref	JMLP Para/Policy	Proposed Modification	Re	ason for Proposed Modification	Likely Significant Effects Test
SMM Ref SMM5	SSR Ref SSR38	-	New paragraph number: 7.2.9. The development principles for the East of West Heath Common site are as follows:  i. Development principles for the East of West Heath Common site are as follows:  ii. III. He A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites;  iii. III. He A landscape and visual impact assessment should inform the development of proposals for the extraction of minerals from the site (including the use of conveyors or pipeline), taking into account and seeking to minimise adverse impacts on the South Downs National Park;  iv. III. The Landscape and Visual Impact Assessment should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;  v. III. We-Existing hedgerows, mature trees and vegetation along perimeters and within the site, should must where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;  vi. We-There should be phasing of working and restoration to minimise impacts associated with unrestored open execavated areas;  viii. WH-Proposals should ensure that there are no significant adverse impacts on the nearby Scheduled Monuments bridges and structures on relevant parts of the road network;  viiii. WH-A pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;  iii. X-III. A hydrological assessment should be completed, evaluating and seeking to avoid and minimise the impact from the proposals on ground water and watercourses, including the River Rether SNC1: Where necessary. changes to the development boundary will be made to prevent i	a) b) c) d)	The development principles for the site amended to included recommendation from the Environment Agency.  To insert a new development principle to require net gain in biodiversity for consistency with national policy.  To strengthen wording in relation to submitted development principles iv, vii and xii.  To amend a drafting error and add the requirement for a site liaison group as a separate development principle.	These additions are positive with regards to ecology, and provide clarification and strengthening to the criteria. This modification does not alter the conclusions of the Submitted HRA.

SMM Ref	SSR Ref	JMLP Para/Policy	Proposed Modification	Reason for Proposed Modification	Likely Significant Effects Test
SMM6	SSR34	-	New paragraph number: 7.2.7.	a) To insert a new development principle to require	These additions are positive with regards to ecology,
			The development principles for Ham Farm are as follows:	net gain in biodiversity for consistency with national policy.	and provide clarification and strengthening to the criteria. This modification does not alter the
			i. Development proposals must identify and incorporate opportunities for net gains in biodiversity:	h) To strengthen wording in relation to submitted	conclusions of the Submitted HRA.
			ii. i. A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites		
			iii. ii A Landscape and Visual Impact Assessment should inform the development of proposals for the extraction of minerals from the site, taking into account and seeking to minimise impacts on the South Downs National Park and its setting, and Wiston Park;		
			iv. iii. The LVIA should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;		
			v. ivThe access should be carefully sited to ensure lines of mature broadleaf trees remain intact. A tree survey and arboricultual impact assessment in accordance with "BS5837 Trees in Relation to Design, Demolition and Construction 2012" should be provided to ensure that retained trees are adequately protected from site operations and that any to be removed are clearly identified and appropriate mitigation proposed;		
			vi. v. The entrance to the site should be carefully designed to minimise adverse impacts upon the South Downs National Park and its setting;		
			vii. ViDuring excavation there should be screening, such as perimeter mounding and planting of native trees and shrubs (including native evergreen species) along the eastern and southern boundaries to strengthen and reinforce existing screening of views into the site from the A283, Cherrytree Rough to the north and surrounding open farmland should be considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be designed to be consistent with local landscape character in order to minimise unintended additional impacts on landscape character from incongruous screening features;		
			<u>viii.</u> <u>vii.</u> Existing hedgerows, mature trees and vegetation along perimeters and within the site, <u>should must</u> , where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;		
			ix. viii. There should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;		
			x. ix. A historic building setting impact assessment of nearby listed buildings (including but not limited to Horsebrook Cottage and Wappingthorn Manor) should be carried out and mitigation provided, if required;		
			xi. x At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;		
			xii. xi. A hydrological assessment should be completed, evaluating and seeking to avoid and minimise the impact from the proposals on ground water and watercourses, including but not limited to, Alderwood Pond and Wiston Pond;		
			xiii. xii A flood risk assessment should be carried out and mitigation provided, if required;		
			xiv. xiii. The transport assessment should consider the net impact of changing the land use from agricultural (maize production) to mineral and include allowances for the importation of materials for restoration and importation of feedstock for anaerobic digestion at Wappingthorn Farm;		
			xv. xiv. A HGV routing agreement is required, including a robust approach to monitoring adherence, to ensure that HGVs travelling to/from the site avoid the villages of Steyning and Storrington;		
			xvi. xv. If the traffic from the site could have a negative impact on the Air Quality Management Area in Storrington High Street, then an Air Quality Assessment is required;		
			xvii. xvi. Vehicular access to the site to be created at the existing gated access and shall be designed to accord with the standards and guidance within the Design Manual for Roads and Bridges and Roads in the South Downs;		
			xviii. xvii. There should must be an assessment of the cumulative impact associated with other development (e.g. other minerals development) including landscape and transport considerations, such as the A24/A283 Washington roundabout and mitigation, if required;		
			xix. xviii. Any loss of potentially high quality agricultural land should be considered and mitigation provided, if required;		
			xx. xix. There are known power cables, power lines and water mains within and adjacent to the site which should be diverted or protected, as necessary;		
			xxi. xxA lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;		
			xxii. xxi. Options for restoration could include reinstating the original profile of the site and returning it to agricultural use and restoring the structure of hedgerows and hedgerow trees, with the aim of maximising farmland habitat value, and connectivity with the surrounding structure of hedgerows and lines of trees. Long term restoration should aim to maximise the habitat value by taking opportunities to link the surrounding hedgerow and woodland structure; and		
			xxiii. xii. A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.		

MM Ref	SSR Ref	JMLP Para/Policy	Proposed Modification	Reason for Proposed Modification	Likely Significant Effects Test
MM7	SSR40	-	New paragraph number: 7.2.11. The development principles for the Chantry Lane Extension are as follows:	To insert a new development principle to require net gain in biodiversity for consistency with national policy.	These additions are positive with regards to ecologe and provide clarification and strengthening to the criteria. This modification does not alter the
			i. Development proposals must identify and incorporate opportunities for net gains in biodiversity:	b) To strengthen wording in relation to submitted	conclusions of the Submitted HRA.
			ii. i A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites;	development principles vi, ix and xii.	
			iii. ii A Landscape and Visual Impact Assessment (LVIA) should inform the development of proposals for the extraction of minerals from the site, taking into account and seeking to minimise impacts on the South Downs National Park;		
			iv. iii. The LVIA should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;		
			v. iv. The entrance to the site should be carefully designed to minimise adverse impacts upon the South Downs National Park and its setting, and designed to accord with the standards and guidance within the Design Manual for Roads and Bridges and Roads in the South Downs;		
			vi. v.—During excavation there should be screening, such as perimeter mounding and planting of native trees and shrubs (including native evergreen species) along the boundaries to strengthen and reinforce existing screening of views into the site from the A283, and surrounding open farmland should be considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be designed to be consistent with local landscape character in order to minimise unintended additional impacts on landscape character from incongruous screening features;		
			<u>vii.</u> vi. Existing hedgerows, mature trees and vegetation along perimeters and within the site, should must, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;		
			viii. viiThere should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;		
			ix. viii. At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;		
			x. ix. A hydrological assessment should be completed, evaluating and seeking to avoid and minimise the impact from the proposals on ground water and watercourses, given its location close to the Arun Valley SPA;		
			xi. x. An HGV routing agreement is required, including a robust approach to monitoring adherence, to ensure that HGVs travelling to/from the site avoid the village of Storrington;		
			xii. xi. If the traffic from the site could have a negative impact on the Air Quality Management Area in Storrington High Street, then an Air Quality Assessment is required;		
			<u>xiii.</u> xii. There should must be an assessment of the cumulative impact associated with other development (e.g. other minerals development) including landscape and transport considerations, such as the A24/A283 Washington roundabout and mitigation, if required;		
			xiv. xiii. Any loss of potentially high quality agricultural land should be minimised and mitigation provided, if required;		
			xv. xiv. There are known power cables, power lines and water mains within and adjacent to the site which should be diverted or protected, as necessary;		
			xvi. xv. A lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;		
			<u>xvii.</u> Proposals for restoration should be informed by a landscape and ecosystem services led strategy agreed with the SDNPA. The strategy should be informed by relevant technical assessments, contribute to the purposes of the SDNP and form a cohesive scheme with the existing quarry site.		
			xviii. xvii A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.		

#### Next steps

This HRA Addendum will be available for consultation alongside the SSR Modifications Consultation between November 2020 and January 2021.

Following this stage any comments on the HRA will be submitted to the appointed Planning Inspector, along with the representations related to the Modifications. The HRA and any comments will then be considered by the planning inspector who will review the representations and issue his report. If the SSR, as modified, is considered sound, it will be adopted, and the Authorities will prepare and publish an Adoption Statement.

# Revised Policy M2 and supporting text Soft Sand

- 6.2.13. Land won soft sand is of a particular quality that cannot be substituted by other minerals. The soft sand resource is heavily constrained due its location within or adjacent to the South Downs National Park.
- 6.2.14. The <u>current</u> 10 year average sales value <u>is much higher than</u> for <u>sharp</u> sand and gravel, at 288,718 tonnes per annum (2009 - 2018), and other relevant local information suggests average demand may be as high as 371,869 tonnes per annum. soft sand is 313,210 tonnes (2007) - 2016) (based on January 2017 data), which is higher than for sharp sand and gravel. In 2017, t The total permitted reserve of land-won soft sand in West Sussex is 2,300,437 3,354,800 tonnes which currently provides a landbank of 10.7 6.2 years<sup>1</sup>., based on the 10 year average sales, taking account of other relevant local information. The supply and demand picture shows that additional supplies of 2.36mt of soft sand are likely to be needed towards the latter half of the Plan period. Current reserves are not sufficient to meet demand over the Plan period (up to 2033). Planning Guidance (NPPG, para 064) states that MPAs should also consider average sales over the previous three years, to identify the general trend of demand. The 3-year average of soft sand sales is 315,560 tonnes (2016-2018). Based on this 3-year average and current reserves, the landbank (taking account of other relevant local information) is currently 7.3 years.
- 6.2.15. The relevant strategic objectives are;
  - 1: To promote the prudent and efficient production and use of minerals and to ensure a steady and adequate supply, having regard to the market demand and constraints on supply in the Plan area.
  - 3: To make provision for soft sand, silica sand and sharp sand and gravel, to meet the identified need, from outside the South Downs National Park, where possible; and only allow development within the national park in exceptional circumstances and where it is in the public interest.
- 6.2.16. <u>In order to inform the **strategy** for the provision of land won soft sand,</u> the Authorities considered the opportunities for extraction:

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This does not take account of other relevant local information concerning future levels of house building and road construction as set out in the Local Aggregates Assessment.

- within West Sussex but outside the SDNP
- outside of West Sussex<sup>2</sup>
- from other sources
- from within the SDNP, within West Sussex
- a combination of the options
- 6.2.17. The Authorities have engaged in discussions under Duty to Cooperate with all Mineral Planning Authorities across the South East culminating in the agreement of a joint Position Statement for Soft Sand. Further Statements of Common Ground have been prepared on the issue of soft sand provision, as necessary, and the Authorities will continue to engage with other MPAs on the issue given to constrained nature of soft sand in West Sussex.
- 6.2.18. In light of this work, site allocations through Policy M11 make provision for soft sand to meet the shortfalls set out in the latest LAA.
- 6.2.19. The **strategy** for the provision of land won soft sand is:
  - to allocate a new site inside of West Sussex and outside of the South Downs National Park (see Policy M11)
  - to allocate two extensions to existing soft sand sites within the South Downs National Park (see Policy M11)
  - to continue to work with Mineral Planning Authorities across the South East to identify potential alternative sources of soft sand (land won, marine won or substitute materials) to ensure that sites provision is made for soft sand outside of protected landscapes in the first instance.
- 6.2.20. This strategy accords with national policy as it seeks to make provision for non-energy minerals from outside of protected areas in the first instance NPPF para 205(a). In future, provision for soft sand may be available from beyond West Sussex and from alternative sources. This information will form part of the assessment of any planning application that comes forward on allocated or unallocated sites.
- 6.2.21. Any application for soft sand extraction within the SDNP, that is determined to be major development, will be assessed to determine whether or not exceptional circumstances exist and whether a proposal would be in the public interest.

7.1.1.

Where these opportunities are included in emerging or adopted mineral plans, or exist at sites that hold current planning permissions.

6.2.22. Policy M2 will be used to determine all planning applications for soft sand extraction in West Sussex, including extensions of time and physical extensions on allocated and unallocated sites.

Any proposals for land-won soft sand extraction submitted before the adoption of the single issue soft sand review of the Plan, will be considered on its merits and against Policy M2 and other policies in this Plan

#### **Policy M2: Soft Sand**

- (a) Proposals for land won soft sand extraction, including extensions of time and physical extensions to existing sites, will be permitted provided that:
  - i. The proposal is needed to ensure a steady and adequate supply of soft sand and to maintain at least a seven year land bank, as set out in the most recent Local Aggregates Assessment; and
  - ii. The site is allocated within Policy M11 of this Plan, or if the proposal is on an unallocated site, it can be demonstrated that the need cannot be met through the site/s allocated for that purpose; and
  - iii. Where transportation by rail or water is not practicable or viable, the proposal is well-related to the Lorry Route Network.
- (b) Proposals located outside the South Downs National Park that accord with part (a) must not adversely impact on its setting.
- (c) Proposals located within the South Downs National Park that accord with part (a) and constitute major development will be refused other than in exceptional circumstances and where it can be demonstrated to be in the public interest.

Proposals for land-won soft sand extraction, including extensions of time and physical extensions to existing sites, will be permitted providing that the proposal is needed to meet the shortfall of soft sand of 2.36 million tonnes (or as calculated in the most recent Local Aggregates Assessment) over the Plan period and maintain at least a seven year landbank.

The Authorities will commence a single issue soft sand review of this Plan within 6 months of the adoption of this Plan. The Plan Review will be submitted for examination within two years from the commencement of the review and address the shortfall of soft sand at that time (as calculated in the most recent Local Aggregates Assessment). In the event that the reviewed Plan is not submitted within two years then the Plan, in terms of soft sand, will be deemed to be out-of-date.

- 6.2.23. The Authorities' Monitoring Report will be updated annually to contain the latest information about the status of the allocated sites. The landbank calculation for the purposes of Policy M2(a(i)) will be made by using the reserve and annual demand information set out in the most recent published Local Aggregate Assessment.
- 6.2.24. Site allocations are set out in policy M11. The <u>Soft Sand Site Selection</u>
  Report, <u>Sustainability Appraisal</u> and <u>Major Development Background</u>
  Paper set out how the Authorities undertook the site selection process.
  For development proposals on unallocated sites a clear preference will be given to sites with the least impact on the SDNP in line with national policy.
- 6.2.25. Sites outside of the boundary of the SDNP will be assessed for their impact on the setting of the SDNP in line with Section 62 of the Environment Act 1995 which requires all relevant authorities, including statutory undertakers and other public bodies, to have regard to the purposes of a National Park.
- 6.2.26. Sites within the South Downs National Park that are assessed as constituting major development will need to demonstrate exceptional circumstances exist and the development would be in the public interest before planning permission is granted.<sup>3</sup>
- 6.2.27. Physical extensions to existing sites generally benefit from established infrastructure (e.g. access roads, processing plant and offices) which means that it may be more appropriate to continue activities, rather than develop new sites. The acceptability of extending existing sites will also depend on the cumulative impacts of continued working, considered in more detail by Policy M22.
- 6.2.28. Proposals to extend existing sites will only be supported where the existing site does not have any outstanding or unresolved issues in relation to planning controls aimed at ensuring that the site operates without harm. For example, if a site that should have been partly restored in accordance with a phased restoration scheme were to be extended, this would exacerbate the ongoing impact on the landscape.
- 6.2.29. The shortfall of supply, as calculated at the time when the planning application is determined, will be a material consideration. The landbank calculation for the purposes of Policy M2 will be made by using the

<sup>7.1.1.</sup> 

<sup>&</sup>lt;sup>3</sup> West Sussex and South Downs Major Development Topic Paper

reserve and annual demand information set out in the latest Local Aggregate Assessment.

- 6.2.30. The single issue review of the Plan required under Policy M2 will address the strategy to maintain a steady and adequate supply of soft sand, the supply and demand for soft sand, and the approach to meet any shortfall, including the potential need to allocate sites. Although the Plan Review will address these matters, it will not change the end date of this Plan.
- 6.2.31. Policy M2 sets out the timeframe for the commencement and submission of the Plan Review. 'Commencement' is defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012. If the Plan Review is not submitted within two years from commencement, the soft sand parts of this Plan will be deemed to be out-of-date.

Implementation and Monitoring	
Actions	Key Organisation(s)
Annual monitoring of sand and gravel sales data from operators.  Annual production of Assessment of Need for Aggregates (Local Aggregate Assessment)	WSCC, SDNPA, minerals operators, South East England Aggregates Working Party.
Measure/Indicator	Trend/Target
<ul> <li>Soft sand sales</li> <li>Permitted soft sand reserves</li> </ul>	Trends: Soft sand continues to be adequately supplied to the construction industry in West Sussex. 100% of decisions made on planning applications for soft sand extraction are consistent with Policy M2.  - Declining landbank within the South Downs National Park  - Soft sand continues to be adequately suppled to the construction industry in West Sussex
Intervention Levels	Actions

New soft sand reserve permitted
within the South Downs National
Park (contrary to approach of
managed retreat)

- Work with the Aggregates Working Party to monitor supplies of soft sand in the south east
- Review policy

Lack of sites coming forward that are able to demonstrate exceptional circumstances

#### Revised Policy M11 and supporting text

## 7. Strategic Minerals Site Allocations

### 7.1. Introduction

- 7.1.1. This chapter identifies the mineral sites that has have been allocated in the Plan in pursuit of the following strategic objectives; 1: To promote the prudent and efficient production and use of minerals and to ensure a steady and adequate supply, having regard to the market demand and constraints on supply in the Plan area. 3: To make provision for soft sand, silica sand and sharp sand and gravel, to meet the need, from outside the South Downs National Park, where possible; and only allow development within the national park in exceptional circumstances and where it is in the public interest.
- 7.1.2. Paragraph <u>204</u> <u>143</u> of the NPPF requires that Local Plans should allocate sites to promote development and flexible use of land. Specifically in relation to planning for aggregate minerals, paragraph 145 of the NPPF states that Mineral Planning Authorities should plan for a steady and adequate supply by, amongst other things, identifying specific sites, preferred areas and/or areas of search and locational criteria as appropriate.
- 7.1.3. Allocation of a site gives certainty to the mineral industry and local communities about the acceptability 'in principle' of the use of an identified site for mineral extraction. However, all planning applications must be judged on their merits and the allocation of a site in the Plan does not mean that a proposal for the allocated use will automatically be granted planning permission; the proposal must be acceptable in its own right taking into account all the material considerations. This includes the application to the proposed development of the relevant use-specific and general development management and policies of this Plan. It should also be noted that wider (non-land use planning) controls may apply to development proposals, for example, the environmental permitting regime.
- 7.1.4. Development within the SDNP will need to consider its impact on the purposes of the SDNP<sup>4</sup> at each stage of development. Restoration of sites within or nearby to the SDNP should consider their ability to contribute to ecosystem services and biodiversity net-gain. The SDNPA will prepare a

<sup>7.1.1.</sup> 

<sup>4</sup> As set out in the National Parks and Access to Countryside Act 1949, as amended by the Environment Act 1995.

- guide to restoration of mineral sites within the SDNP and proposals should take account of this in the preparation of any planning application.
- 7.1.5. Although the allocated sites are currently available for mineral uses during the Plan period, circumstances may change and they may not come forward as expected. Private sector businesses (and, therefore, commercial considerations) will determine whether extraction will actually take place. Therefore, the Plan potentially allows, under the use-specific policies in the preceding chapter, for other sites to come forward for mineral extraction. Such provision will provide additional flexibility and compensate for any allocated sites that do not come forward for minerals extraction. Accordingly, the fact that a site is not allocated in the Plan does not mean that a proposal for mineral extraction at that site will not receive planning permission at some future date.
- 7.1.6. Following technical work and discussions with the mineral industry, statutory and other consultees, and resident and community groups, a number of guiding principals have been identified for the location of new mineral extraction sites. These sites are needed to address likely demand shortfalls for meeting needs for soft sand in West Sussex as identified in Chapter 6.
- 7.1.7. There are five six key guiding principles that have been used to guide the identification of the allocated sites:
  - **First principle:** Places where there are opportunities to restore land beneficially, for example a net-gain in biodiversity.
  - **Second principle:** Places without a sensitive natural or built environment and away from communities, in order to protect the amenity of businesses, residents and visitors to West Sussex
  - **Third principle:** the new sites should have good access to the Lorry Route Network (LRN). Access from the site to the LRN should be acceptable 'in principle', that is, there should not be any technical issues, with regard to highway capacity and road safety, that cannot be overcome.
  - **Fourth principle:** The need to protect and enhance, where possible, protected landscapes in the plan area, particularly ensuring that any major minerals development will only be considered within designated landscapes in exceptional circumstances and in the public interest.
  - **Fifth principle:** A preference for extensions to existing sites rather than new sites, subject to cumulative impact assessments.

• **Fifth Sixth principle:** The need to avoid the needless sterilisation of minerals by other forms of development

## 7.2. Strategic Mineral Site Allocation

- 7.2.1. A detailed technical assessment of the site has been undertaken that has not identified any overriding or fundamental constraints to the proposed forms of development on the allocated sites. This includes, for example, the potential impact of the development on amenity and character, and risk to the natural and historic environment. It is considered, therefore, that any potential unacceptable impacts can be prevented, minimised, mitigated, or compensated for to an acceptable standard. Restoration forms a key part of any application for mineral extraction and proposals should ensure appropriate mitigation through the extraction period as well as the proposals for the final land use. Pre-application advice should be sought to ensure each site is brought forward in the most appropriate way, as set out in Policy M24 Restoration and Aftercare. Accordingly, the site allocated in Policy M11 is acceptable 'in principle' for the allocated use/s.
- 7.2.2. Proposals for development on the allocations within the SDNP that are considered to be major development will need to demonstrate exceptional circumstances exist and the development would be in the public interest before planning permission is granted in line with policy M2.

#### **Policy M11: Strategic Minerals Site Allocations**

- (a) The following site is allocated for the extraction of clay for brick making and is acceptable, in principle, for that purpose:
  - Extension to West Hoathly Brickworks (Policies Map 1)

(b) The following sites are allocated for soft sand extraction and are acceptable, in principle, for that purpose:

- Ham Farm, Steyning (Policies Map 8)
- East of West Heath Common (Extension) (Policies Map 9)
- Chantry Lane Extension (Policies Map 10)
- (bc) The development of the allocated sites must take place in accordance with the policies of this Plan and satisfactorily address the 'development principles' for that site identified in the supporting text to this policy.
- (ed) The allocated site will be safeguarded from any development either on or adjoining the sites that would prevent or prejudice the development of its allocated minerals use or uses.

Implementation and Monitoring			
Actions/Activities	Key Organisation(s)		
Development management process	WSCC, minerals industry		
Monitoring the 'take-up' of allocated sites through the AMR	n/a		
Measure/Indicator	Trend/Target		
Number of applications for minerals working on allocated sites permitted per annum.	n/a		
Type of facilities permitted on allocated sites per annum	In line with the requirements of the Plan area as set out in Policy M11		
Intervention Levels	A downward trend in applications on allocated sites (compared with applications on unallocated sites).  Loss of allocations to non-minerals uses or use for minerals determined as being undeliverable.		

- 7.2.3. The broad locations of the sites allocated in Policy M11 is shown on the Policies Maps 1. The boundary of each the allocated site is identified on the Policies Maps 1. The following paragraphs identify 'development principles' for the sites, that is, specific issues that will need to be addressed at the planning application stage, as and when proposals come forward for the allocated sites. Policy M11 requires these principles to be satisfactorily addressed in addition to any requirements within the use-specific and general development management policies of this Plan. Application of the Development Principles should take place alongside full consideration of the Development Management policies set out in Chapter 8.
- 7.2.4. **Extension to West Hoathly Brickworks, West Hoathly (Policies map 1)**: Located in West Hoathly, Mid Sussex, the site is used for agricultural purposes and is approximately 9 hectares in size. The site would provide a 2-3 year supply of Wadhurst clay to the existing brick factory. The after use for this site would be a return to agricultural uses, or restoring part, or all, of the land to woodland. Restoration should seek to reinstate the original profile of the site.
- 7.2.5. The development principles for the Extension to West Hoathly Brickworks are as follows:
  - (i) Phasing of clay extraction and restoration so that a series of small areas are developed in sequence, to reduce visual intrusion;
  - (ii) careful siting of extraction and infrastructure on the lower areas to the northwest of the site to reduce visual intrusion on the village and Historic Park and Garden to the south;
  - (iii) perimeter mounding (using topsoil and overburden) and then planting of native trees and shrubs along the southern and eastern boundary, including some evergreen species, to screen/filter views of the village to the southeast, and Top Road to the south;
  - (iv) perimeter mounding should be carried out and then planting of native trees and shrubs along the north western boundary, to reduce visibility from views along the valley and the hills to the northwest within the wider AONB;
  - in order to minimise negative impacts on mature trees and watercourses, appropriate buffers, where no development shall take place, should be created and retained along the watercourse, and around the mature trees and ancient woodland within and adjacent to the site around these features;
  - (vi) in areas where no excavation is to occur, existing hedgerows, mature trees and vegetation should be protected and linked by new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas and reducing overall visibility across the site from surrounding areas;

- (vii) an assessment of the impact on the Ancient Woodland (Blackland Wood, Front Wood and Cookhams Shaw); should be carried out, appropriate buffers incorporated, and mitigation provided, if required in accordance with Natural England and the Forestry Commission's standing advice;
- (viii) an assessment of the impact on the Ashdown Forest SPA/SAC, and Wakehurst & Chiddingly Woods SSSI and Weir Wood Reservoir SSSI should be carried out and mitigation provided, if required;
  - (ix) an assessment of the impact on nearby listed buildings (including Aldern House, Old Coombe House and Blackland Farmhouse) and the Historic Parkscapes (Courtlands and Northwood House) should be carried out and mitigation provided, if required;
  - at pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;
  - (xi) a flood risk assessment should be carried out, and mitigation provided, if required;
- (xii) potential impacts on the Crawley AQMA resulting from site operations and HGV traffic should be identified and mitigation set out if required;
- (xiii) opportunities should be sought to enhance future public access.;
- (xiv) access to the site should be through the existing brickworks;
- (xv) as the site contains Grade 3 Agricultural Land Quality, an assessment should be undertaken of the of potential for high quality agricultural land should be undertaken, and mitigated provided, if required;
- (xvi) the power line and BT line should be diverted or protected, as necessary;
- (xvii) the site shall be restored either to agricultural or woodland use in accordance with the following principles, either:
  - a. Reinstate the original profile of the site and returning it to agricultural use. Long term restoration should aim to restore and reinforce existing landscape elements in keeping with the surrounding pattern, including the structure of hedgerows and hedgerow trees. It should aim to maximise the farmland habitat value and connectivity with the surrounding structure of hedgerows and woodland. It should also include the creation of ponds, a notable feature of the local landscape and important component of the habitat diversity of the area, or,
  - b. restoring all or part of the site to woodland following extraction. Long term restoration should aim to maximise the habitat value by taking opportunities to link it into the surrounding structure of hedgerows and woodland. It should also include the creation of ponds, a notable feature of the local landscape and important component of the habitat diversity of the area.

- (xviii) A site liaison group involving the local community should be established if necessary, by the operator to address issues arising from the operation of the site.
- 7.2.6. Ham Farm, Steyning (Policies Map 8): Located in Steyning, Horsham, the site is used for agricultural purposes, and is approximately 7.9 hectares in size. It would provide 725,000 tonnes of soft sand. Materials would be exported from the site by road. The after use for this site would be a return to agricultural use, and restoration would consider enhancement of the existing woodland within the site.
- 7.2.7. The development principles for Ham Farm are as follows:
  - i. <u>Development proposals must identify and incorporate opportunities</u> <u>for net gains in biodiversity;</u>
  - ii. A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites
  - iii. A Landscape and Visual Impact Assessment should inform the development of proposals for the extraction of minerals from the site, taking into account and seeking to minimise impacts on the South Downs National Park and its setting, and Wiston Park;
  - iv. The LVIA should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;
  - v. The access should be carefully sited to ensure lines of mature broadleaf trees remain intact. A tree survey and arboriculture impact assessment in accordance with "BS5837 Trees in Relation to Design, Demolition and Construction 2012" should be provided to ensure that retained trees are adequately protected from site operations and that any to be removed are clearly identified and appropriate mitigation proposed;
  - vi. The entrance to the site should be carefully designed to minimise adverse impacts upon the South Downs National Park and its setting;
  - vii. During excavation there should be screening, such as perimeter mounding and planting of native trees and shrubs (including native evergreen species) along the eastern and southern boundaries to strengthen and reinforce existing screening of views into the site from the A283, Cherrytree Rough to the north and surrounding open farmland should be considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be designed to be consistent with local landscape character in order to minimise unintended additional impacts on landscape character from incongruous screening features;
  - viii. Existing hedgerows, mature trees and vegetation along perimeters and within the site, must, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;
    - ix. There should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;

- x. A historic building setting impact assessment of nearby listed buildings (including but not limited to Horsebrook Cottage and Wappingthorn Manor) should be carried out and mitigation provided, if required;
- xi. At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;
- xii. A hydrological assessment should be completed, evaluating and seeking to avoid and minimise the impact from the proposals on ground water and watercourses, including but not limited to, Alderwood Pond and Wiston Pond;
- xiii. A flood risk assessment should be carried out and mitigation provided, if required;
- xiv. The transport assessment should consider the net impact of changing the land use from agricultural (maize production) to mineral and include allowances for the importation of materials for restoration and importation of feedstock for anaerobic digestion at Wappingthorn Farm;
- xv. A HGV routing agreement is required, including a robust approach to monitoring adherence, to ensure that HGVs travelling to/from the site avoid the villages of Steyning and Storrington;
- xvi. If the traffic from the site could have a negative impact on the Air Quality Management Area in Storrington High Street, then an Air Quality Assessment is required;
- xvii. Vehicular access to the site to be created at the existing gated access and shall be designed to accord with the standards and guidance within the Design Manual for Roads and Bridges and Roads in the South Downs;
- xviii. There must be an assessment of the cumulative impact associated with other development (e.g. other minerals development) including landscape and transport considerations, such as the A24/A283 Washington roundabout and mitigation, if required;
  - xix. Any loss of potentially high quality agricultural land should be considered and mitigation provided, if required;
  - xx. There are known power cables, power lines and water mains within and adjacent to the site which should be diverted or protected, as necessary;
- xxi. A lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;
- xxii. Options for restoration could include reinstating the original profile of the site and returning it to agricultural use and restoring the structure of hedgerows and hedgerow trees, with the aim of maximising farmland habitat value, and connectivity with the surrounding structure of hedgerows and lines of trees. Long term restoration should aim to maximise the habitat value by taking opportunities to link the surrounding hedgerow and woodland structure; and
- xxiii. A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.

7.2.8. East of West Heath Common (Extension), Rogate (Policies Map 9): Located near to Rogate, Chichester, the extension to West Heath Quarry is located within the South Downs National Park, and used for agricultural purposes. The site is approximately 14 hectares in size and would provide 950,000 tonnes of soft sand. The area available for extraction may be limited by the development principles set out below, including the results of the hydrogeological survey. Materials would be exported from the extension site to the existing quarry by conveyor or pipeline, for processing, before transport by road using the existing guarry access and routing provision. Development of this site should avoid and minimise any impact on West Heath Common and the River Rother Local Wildlife Site. Development should also contribute to the Petersfield to Pulborough via Midhurst non-motorised route. The after use for this site would be to create a low level water environment that should maximise nature conservation and informal recreation. Any restoration scheme should be fully integrated with the restoration scheme on the existing site. The restoration proposals should also take account of the opportunities to improve long distance trails and key public Rights of Way. Restoration proposals should clearly relate to landscape projects in the wider South Downs National Park<sup>5</sup>

# 7.2.9. The development principles for the East of West Heath Common site are as follows:

- i. <u>Development proposals must identify and incorporate opportunities</u> <u>for net gains in biodiversity;</u>
- ii. A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites;
- iii. A landscape and visual impact assessment should inform the development of proposals for the extraction of minerals from the site (including the use of conveyors or pipeline), taking into account and seeking to minimise adverse impacts on the South Downs National Park;
- iv. The Landscape and Visual Impact Assessment should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;
- v. Existing hedgerows, mature trees and vegetation along perimeters and within the site, must, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;
- vi. There should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;
- vii. <u>Proposals should ensure that there are no significant adverse impacts on the nearby Scheduled Monuments bridges and structures on relevant parts of the road network;</u>

7.1.1.

- viii. At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;
- ix. A hydrological assessment should be completed, evaluating and seeking to avoid and minimise the impact from the proposals on ground water and watercourses. Where necessary, changes to the development boundary will be made to prevent impacts on the water environment;
- x. The potential for impact on the Wealden Heaths Phase II SPA and East Hampshire Hangers SAC should be considered, and mitigation applied to ensure no harm occurs;
- xi. Any loss of potentially high quality agricultural land should be minimised and mitigation provided, if required;
- xii. A lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;
- xiii. Consideration must be given to ensuring mitigation measures are applied to Public Footpath 861, which is 500m west of the site, and may be impacted by the use of conveyors;
- xiv. Proposals for restoration should be informed by a landscape and ecosystem services led strategy agreed with the SDNPA. The strategy should be informed by relevant technical assessments, contribute to the purposes of the SDNP and form a cohesive scheme with the existing quarry site.
- xv. A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.
- 7.2.10. Chantry Lane Extension, Storrington (Policies Map 10): Located near to Storrington, Horsham, the extension to Chantry Lane is located within the South Downs National Park, and used for agricultural purposes. The site is approximately 2.5 hectares in size and would provide 1,000,000 tonnes of soft sand. Extraction of material at this location would be linked to an holistic revised restoration scheme and lower levels of extraction at the existing site. The after use for this site could be a return to agricultural use, and restoration would consider enhancement of the existing woodland within the site. The restoration proposals should also take account of the opportunities to improve long distance trails and key public Rights of Way. Restoration proposals should clearly relate to landscape projects in the wider South Downs National Park<sup>6</sup>.
- 7.2.11. <u>The development principles for the Chantry Lane Extension are as</u> follows:
  - (i) <u>Development proposals must identify and incorporate opportunities</u> <u>for net gains in biodiversity;</u>



- (ii) A project level Appropriate Assessment is required to assess potential impacts and demonstrate how this site will be delivered without any adverse effect on the integrity of any Natura 2000 sites;
- (iii) A Landscape and Visual Impact Assessment (LVIA) should inform the development of proposals for the extraction of minerals from the site, taking into account and seeking to minimise impacts on the South Downs National Park;
- (iv) The LVIA should cross reference all other relevant studies within the Environmental Statement in order to ensure that it is fully integrated and considers both direct and indirect impacts from any proposals;
- (v) The entrance to the site should be carefully designed to minimise adverse impacts upon the South Downs National Park and its setting, and designed to accord with the standards and guidance within the Design Manual for Roads and Bridges and Roads in the South Downs;
- (vi) During excavation there should be screening, such as perimeter mounding and planting of native trees and shrubs (including native evergreen species) along the boundaries to strengthen and reinforce existing screening of views into the site from the A283, and surrounding open farmland should be considered as part of the Landscape and Visual Impact Assessment process. Any screening landform and/or planting should be designed to be consistent with local landscape character in order to minimise unintended additional impacts on landscape character from incongruous screening features;
- (vii) Existing hedgerows, mature trees and vegetation along perimeters and within the site, must, where possible, be retained and linked to new planting to create continuous corridors of trees and vegetation, connected to wider networks of hedges in surrounding areas;
- (viii) There should be phasing of working and restoration to minimise impacts associated with unrestored open excavated areas;
- (ix) At pre-application stage, a Lidar survey should be undertaken and an assessment of the impacts on buried archaeological remains should be carried out including archaeological field evaluation and mitigation measures where required;
- (x) A hydrological assessment should be completed, evaluating and seeking to avoid and minimise the impact from the proposals on ground water and watercourses, given its location close to the Arun Valley SPA;
- (xi) An HGV routing agreement is required, including a robust approach to monitoring adherence, to ensure that HGVs travelling to/from the site avoid the village of Storrington;
- (xii) If the traffic from the site could have a negative impact on the Air Quality Management Area in Storrington High Street, then an Air Quality Assessment is required;
- (xiii) There must be an assessment of the cumulative impact associated with other development (e.g. other minerals development) including landscape and transport considerations, such as the A24/A283 Washington roundabout and mitigation, if required;
- (xiv) Any loss of potentially high quality agricultural land should be minimised and mitigation provided, if required;
- (xv) There are known power cables, power lines and water mains within and adjacent to the site which should be diverted or protected, as necessary;

- (xvi) A lighting, noise, dust, odour and vibration management plan should be completed, setting out how unacceptable impacts will be avoided;
- (xvii) Proposals for restoration should be informed by a landscape and ecosystem services led strategy agreed with the SDNPA. The strategy should be informed by relevant technical assessments, contribute to the purposes of the SDNP and form a cohesive scheme with the existing quarry site;
- (xviii) A site liaison group involving the local community should be established by the operator to address issues arising from the operation of the site.



#### Agenda Item 10 Report PC20/21-38

Report to	Planning Committee
Date	II March 2021
Ву	Director of Planning
Title of Report	South Downs National Park Authority's (SDNPA) response to the Submission (Regulation 16) Consultation on the Twyford Neighbourhood Plan (TNP)
Purpose of Report	To agree the content of the SDNPA response to the Submission consultation on the TNP

Recommendation: The Committee is recommended to agree the Table of Comments as set out in Appendix 2 of the report, which will form the South Downs National Park Authority representation on the Twyford Neighbourhood Plan (TNP) Submission consultation.

#### I. Introduction and Summary

- 1.1 The SDNPA actively promotes and supports community led planning, particularly Neighbourhood Development Plans (NDP) where growth needs to be accommodated and planning issues exist. On adoption, NDPs form part of the development plan for the neighbourhood area, alongside strategic planning policies of the South Downs Local Plan (SDLP).
- Twyford Parish Council (TPC) is the 'qualifying body' with responsibility for preparing the TNP. TPC submitted the TNP (**Appendix I**) to the SDNPA for examination on 21 December 2020. An eight-week publicity period commenced on 28 January 2021 and runs until 25 March 2021, during which time local residents and other stakeholders are invited to submit representations to the SDNPA. These representations will be collated and submitted to the Plan's Examiner.
- 1.3 The progression of the TNP to pre-submission stage is to be welcomed and is a result of a considerable amount of hard work by the Parish Council and volunteers. This is an example of an NDP almost entirely prepared by local volunteers and Parish Councillors. The preparation of the TNP has taken a considerable length of time with several delays occurring mainly due to circumstances beyond the control of the Neighbourhood Planning group or TPC. The SDNPA would therefore like to commend all those involved for their patience and perseverance
- 1.4 The SDNPA's comments (**Appendix 2**) were prepared using input from SDNPA officers. They set out the proposed representation to be submitted to the examination of the TNP.

#### 2. Background

- 2.1 The TNP covers the plan period 2019 to 2033 and has been prepared for the designated neighbourhood area, which follows the Twyford parish boundary. The area was designated by SDNPA in January 2015. The designation map is attached as **Appendix 3**.
- 2.2 In 2015 TPC took the decision to prepare an NDP for Twyford. The parish council convened a number of parish councillors and local volunteers to support the preparation of the TNP. A steering group was formed to oversee the development of the plan and a number of working groups were tasked to gather evidence and information to inform the different aspects of the TNP. The Neighbourhood Planning group have collected and commissioned a wide range of evidence to inform the TNP including a housing needs survey and landscape assessment.
- 2.3 TPC have carried out extensive public consultation throughout the preparation of the TNP. Initially the group held a public exhibition in February 2015 to gather local opinions. The group have carried out consultation on housing site options, following a local housing needs survey to establish the level of local housing need. A community open day was held in September 2016 to present the first draft of the TNP, and the views collected have informed the preparation of the Pre Submission draft.
- 2.4 Following the preparation of a draft TNP, TPC requested a screening opinion for a Strategic Environmental Assessment (SEA) and a Habitats Regulation Assessment (HRA). The SDNPA concluded that a SEA and HRA would be required for the TNP and these documents would need to inform the preparation of the Pre-Submission Plan. TNP contracted a consultant to prepare the SEA and HRA and consider their findings in the preparation of the Pre-Submission TNP.
- 2.5 TPC published the TNP for pre submission consultation between 06 January and 24 February 2020. A full exhibition of the Plan and supporting documents was held at the Twyford Social Club on 23rd January and 1st February with Parish Council representatives being present to provide advice. For those unable to attend the exhibition, the Draft Plan and a downloadable comments form were provided on the website. A total of 140 people visited the exhibition and over 480 separate individuals viewed the Plan and supporting documentation via the website.
- 2.6 The SDNPA response to the TNP Pre Submission consultation was agreed by Planning Committee on 13 February 2020. The Pre Submission representation from the SDNPA was comprehensive, the majority of recommendations have been accepted by TPC and the submission plan has been modified accordingly. The Submission TNP also incorporates a series of other modifications in response to representations from other parties.
- 2.7 The following stages in the preparation of the TNP have been completed. Links to all relevant documents are included below and more detailed information on each stage completed so far, including public consultation is on the Twyford Parish Council website at <a href="https://www.twyfordneighbourhoodplan.com/">https://www.twyfordneighbourhoodplan.com/</a>

Stage	Detail	
Designated the Neighbourhood Area	12 January 2015	
Pre-submission consultation on the plan (Reg 14)	6th January to 24th February 2020	
Submitted to SDNPA and published for consultation (Reg 16)	TNP submitted 22 <sup>nd</sup> December Regulation 16 consultation 28 <sup>th</sup> January 2021 to 25 <sup>th</sup> March 2021	

Independent Examination	To follow

2.8 The SDNPA representation, together with any further changes agreed by the Planning Committee, will be submitted to the independent Examiner following approval at Planning Committee.

#### 3. Submission and Examination

- 3.1 The SDNPA is required under the Town and Country Planning Act 1990 (as amended) to support communities in the preparation of NDPs, this includes taking the plan through the process of independent examination.
- 3.2 All representations made on the TNP, including those of the SDNPA, are collated by the SDNPA and passed to an independent examiner to consider as part of the Examination of the TNP. The independent Examiner for the Neighbourhood Plan is required to consider whether the TNP meets the "Basic Conditions" set out in law under the Localism Act 2011. In order to meet the Basic Conditions, a Neighbourhood Plan must:
  - Have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - Contribute to the achievement of sustainable development;
  - Be in general conformity with the strategic policies of the development plan for the area;
  - Be compatible with EU obligations and human rights requirements; and
  - Be compatible with the requirements of Regulation 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017

#### 4. Twyford Neighbourhood Development Plan - SDNPA response

- 4.1 The Neighbourhood Planning Regulations state that a NDP must be in general conformity with the strategic policies contained in the development plan for the area. Therefore, it is a requirement that the TNP is in general conformity with the South Downs Local Plan.
- 4.2 Twyford is included in the list of settlements in Policy SD25 of the South Downs Local Plan where the principle of development will be supported and where there should be a defined settlement boundary. Policy SD26 sets out a proposed housing provision of 20 for the settlement. This is the final NDP to progress to Regulation 16 that allocates land for housing development in line with Policy SD26 of the Local Plan. Therefore, once this and Rogate NDP are made there will not be any policy gaps in the development plan for the South Downs.
- 4.3 The SDNPA formal representation to the TNP Submission consultation is set out in **Appendix 2**. The following key points are raised in the representation:
  - A number of the TNP policies refer to policies within the South Downs Local Plan (SDLP), for example many TNP policies include policy requirements to comply with a specific policy of the SDLP. If the TNP successfully passes Examination and Referendum it will form part of the Development Plan, therefore it is not necessary to make reference to SDLP policies. These policy references should be deleted.
  - TNP policy SBI sets the Settlement Policy Boundary for the parish. As currently
    proposed the Settlement Policy Boundary excludes two significantly developed areas of
    the village, namely the Hazeley Enterprise Park and Twyford School. Whilst the TNP has
    other policies which relate to these sites (BE2 and BE3) it would be appropriate to
    incorporate these two areas into the Settlement Policy Boundary.
  - Policy MA2 of the TNP seeks to apply parking standards for the Parish which are based on standards adopted by Winchester City Council and Hampshire County Council, which are no longer extant. Therefore, the SDNPA is recommending that this policy is deleted or amended to reflect the SDNPA's own parking standards set in the Parking SPD due to be adopted in April 2021.

• The SDNPA recommend the deletion of a number of policies which are not considered land use policies, or could not be applied in the determination of planning applications. The TPC may want to consider presenting these policies as community aims, rather than removing them from the TNP completely, but it is important that only land use policies are presented as policy in the TNP

#### 5. Planning Committee

5.1 This is the second occasion that the TNP has been presented to Planning Committee. It is being presented to Planning Committee as the plan allocates land for housing development in line with Policy SD26 of the South Downs Local Plan.

#### 6. Next steps

6.1 If agreed the SDNPA response to the Submission consultation will be collated with all other representations and submitted to an independent examiner to be considered as part of the Examination of the Twyford NDP.

Stage	Timescale & further details			
Examiner appointment	The Examiner is in the process of being appointed to examine the TNP			
Examination	Examination is expected to take 6-8 weeks including preparation and issuing of the final report.			
Examiner issues final report	The Examiner will make one of the following recommendations:			
	The Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements			
	The Neighbourhood Plan, as modified, should proceed to Referendum			
	The Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.			
Decision on a Plan Proposal	If time allows <sup>1</sup> , Planning Committee will be asked to consider the Decision Statement which sets out the modifications to be made to the plan in response to the Examiner's report.			
Referendum	Subject to a successful examination and the approval of the Decision Statement, there will be a referendum when the community are asked:			
	"Do you want the South Downs National Park Authority to use the neighbourhood development plan for Twyford to help it decide planning applications in the neighbourhood area?"			
	If over 50% of those who vote say yes, the TNP will automatically become part of the Development Plan and the SDNPA is then under a duty to 'make' the neighbourhood plan within 8 weeks of the referendum.			

#### 7. Other Implications

Implication	Yes/No
Will further decisions be required by another	Yes – Agreement of the Decision Statement and agreement to 'Make' the TNP at a subsequent Planning Committee if a Referendum is

<sup>&</sup>lt;sup>1</sup> Government regulations now require Decision Statements be published within 5 weeks of an Independent Examiner's report being issued. If there is insufficient time to take the Decision Statement to Planning Committee, it will be delegated to officers.

Implication	Yes/No		
committee/full authority?	successful.		
Does the proposal raise any Resource implications?	Yes - The SDNPA has invested staff resources in supporting the development of the TNP by regularly attending steering group meetings and providing comprehensive feedback and comments on early drafts of the TNP.		
	The cost of Neighbourhood Planning to the SDNPA is currently covered by the grants received from MHCLG. However, there are signs that these are going to start to reduce as Neighbourhood Planning increasingly becomes part of the mainstream. Currently within the National Park the cost of producing a plan ranges from around £8,000 (including the Examination and referendum) to £50,000		
	Once a NDP is made, a Parish Council is entitled to 25% of Community Infrastructure Levy (CIL) collected from development within the neighbourhood area, as opposed to the capped 15% share where there is no NDP. The Parish Council can choose how it wishes to spend these funds on a wide range of things which support the development of the area.		
Has due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Due regard will be taken of the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010. Twyford Parish Council who have the responsibility for preparing the neighbourhood plan have prepared a Consultation Statement to support the submission version of the TNP setting out how all sections of the local community (people who live, work or carry out business in the neighbourhood area) including hard to reach groups, have been engaged in the plan's production		
Are there any Human Rights implications arising from the proposal?	None		
Are there any Crime & Disorder implications arising from the proposal?	None		
Are there any Health & Safety implications arising from the proposal?	None		
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy:	The qualifying body with responsibility for preparing the neighbourhood plan must demonstrate how its plan will contribute to the achievement of sustainable development. Please note that the sustainability objectives used by qualifying bodies may not be the same as used by the SDNPA, but they will follow similar themes.		
Sustamability Strategy.	Strategic Environmental Assessment  It was concluded that an environmental assessment of the Twyford		
	It was concluded that an environmental assessment of the Twyford Neighbourhood Plan is required due to the sensitive nature of the		

Implication	Yes/No
	parish and proximity of international designations.
	Twyford Parish Council has undertaken a SEA/SA in support of their NDP.
	Twyford Parish Council has undertaken a HRA in support of their NDP.

## 8. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
The NDP does not meet the basic conditions	Low	Medium	SDNPA planning officers have been contributing to the preparation of the emerging TNP and are comfortable that it meets basic conditions. This will be tested by the examination of the plan and should issues be identified there are a number of mechanisms available through which they can be addressed.
There is a reputational risk for the SDNPA associated with raising areas of concern about the TNP. Communities are sometimes frustrated by the perception that their hard work and effort in producing such plans is not fully appreciated and taken into account. However, to not highlight the views of the Authority at this stage in the plan preparation would be failing in our duty to support such groups and potentially result in a plan that does not deliver outcomes that meet the needs of both the community and the SDNPA.	Low	Medium	SDNPA planning officers have been contributing to the preparation of the emerging TNP and will continue to do so as it progresses.

#### **TIM SLANEY**

## **Director of Planning**

## **South Downs National Park Authority**

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Appendices I. Twyford Submission Neighbourhood Plan 2019 - 2033

2. SDNPA Response to the Submission Twyford Neighbourhood Plan

3. Neighbourhood Area Designation map

**SDNPA** Consultees Director of Planning, Legal Services. Consultation with statutory bodies

has been undertaken by TPC.

Background <u>Twyford Neighbourhood Plan – Consultation Statement</u> **Documents** 

Twyford Neighbourhood Plan - Basic Conditions Statement

Twyford Neighbourhood Plan Strategic Environmental Assessment

Twyford Neighbourhood Plan Habitats Regulation Assessment





Twyford Neighbourhood Plan Plan period 2019 - 2033 Submission December 2020



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# Twyford Neighbourhood Plan



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MA6 Historic Rural Roads

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Making the Plan and supporting information: See the Neighbourhood Plan website twyfordneighbourhoodplan.com



## Introduction

# $\frac{\overline{\omega}}{2}$ 1.1 Twyford – a village community in the South Downs National Park

Twyford is a parish of about 1650 people and 660 houses, one of a family of settlements, which lie on either side of the River Itchen, south of Winchester. Unlike its immediate neighbours however, it sits entirely within the South Downs National Park at its western edge.

Twyford is a village with a long and well recorded history and has a large conservation area. The ecology, particularly the River Itchen and its valley, is of national and international significance. Its landscape contains classic downland, a chalk river and ancient woodlands. All of this supports its designation as National Park in which the protection and enhancement of its natural beauty is the highest priority. With this designation, development within it is significantly constrained.

Different parts of the village retain their own identity, stemming back to the ancient division between the north and south parts of Twyford. Twyford grew by about 9% in the 10 years between 2001 and 2011, both in number of houses and population.

Twyford has always had an unusually wide range of social and community facilities for its size, including a local shop and post office, primary school, social club doctors and dental surgeries and pharmacy; a village hall, two churches, two pubs and a sports ground with pavilion. It is dependent on nearby Winchester and other towns for most shopping and services and also secondary schools.

Twyford has an exceptionally large employment base. Twyford Preparatory School is the largest employer and there is a large commercial estate at Northfields. There are over 100 firms in the parish and many people are selfemployed or work from home. Most residents work outside the village.

#### 1.2 Twyford — a connected parish

Twyford lies astride lines of communication to the north, south, east and west, both modern and historic; the River Itchen and its valley form the western boundary. Both features are of importance in the sub-regional context, and have to be integral to this plan.

Twyford sits astride the B3335 which is a major sub regional traffic route and also a source of conflict with daily life. It gives direct access to the M3 and to Winchester to the west of the parish. The M3 motorway junctions are the only ones in the National Park. Moreover planned works to the M3 will extend over several years causing disruption to normal traffic patterns and alterations to the landscape. The station at Shawford is on the London/Southampton main line. For all these reasons, Twyford is an important gateway to the National Park. Through traffic affects the three main roads of the village.

The River Itchen flows from its source 15 miles north east, through Winchester and into Twyford in a broad corridor of immense ecological, cultural and landscape significance. Flowing through the Parish, it passes as a largely green flood plain through dense urban development.

The large urban centres nearby to the north (Winchester) and south of Twyford (Eastleigh) are growing strongly, leading to increased pressure on the parish, its services and the countryside. One effect of its location and facilities is to make Twyford a popular village for people relocating from Winchester and London resulting in high house prices.

#### 1.3 What is this plan and why do we need one?

A Neighbourhood Plan is prepared by the local community. It is a plan for the next 14 years to 2033. It is a part of the statutory planning system which gives powers to parish councils to create their own planning policies. Local plans prepared by district and city councils and now the South Downs National Park, have not had the resources to look at the needs of communities in such detail. As one of the primary duties in all National Parks is the fostering of the social and economic life of its local communities, a Neighbourhood Plan is an ideal tool for this purpose. In Twyford the Parish Council is the local democratic body which has undertaken the task of preparing a plan, involving local people as much as possible.

Twyford is a settlement within a National Park where there is increasing pressure from many forms of modern living; the sustained growth of the settlements north, south and west of the Parish pose particular challenges this plan seeks to address.





## Introduction (continued)

The parish has a number of problems which a Neighbourhood plan can address. One major concern is affordability. The very high price of houses in Twyford disadvantages many families who have long standing connections to the village, and are part of the community. There is a strong support for additional housing for those unable to afford either purchase or private renting.

Another key decision for Twyford is the allocation of one or more sites for a minimum of 20 dwellings between 2019 and 2033, set for Twyford by the South Downs National Park Authority. This plan will determine the location of the new homes and its policies will influence their size and design and how they will contribute to the need for affordable dwellings.

The Parish also faces longstanding issues; of these the most important are:-

- 1. The effects of housing and population growth on Twyford village and its facilities
- 2. The impact of traffic.
- 3. The lack of car parking for those using the facilities at the village centre.
- 4. The periodic flooding of the Hazeley Bourne and the associated surcharging of foul sewers.

#### 1.4 The area of the Plan

The Twyford Neighbourhood Plan (TNP) covers the whole area of the Parish. Refer to Map 1 for details.

#### 1.5 How is the plan being prepared?

Following the decision by the Parish Council to prepare a Neighbourhood Plan, a Technical Committee was set up to organise the work. These local volunteers have brought considerable knowledge of the Parish and key skills to the task. Consultants have been used to carry out a number of studies. Details of how the work has been undertaken are provided on the Twyford Neighbourhood Plan website;

https://www.twyfordneighbourhoodplan.com

#### 1.6 Engaging with the community

At every stage the Parish Council and the Technical Committee have sought to involve the Twyford community in decision making. Public comment was sought on potential housing sites. Proposals have been widely circulated, advertised and discussed. The Pre-submission draft of the plan was published for formal consultation in January 2020. Details of previous consultations undertaken to-date are shown on the Neighbourhood Plan website. These consultations have resulted in modifications to many individual policies and proposals.

#### 1.7 The strategy for locating development

One of the central issues for the TNP has been to decide on one or more sites for 20 new houses in addition to infilling. A number of major constraints that limit opportunities were identified as the Parish is within a National Park where it is essential to avoid harm to the landscape. Natural beauty is to be preserved and enhanced and where sustainable development must be achieved access is also a factor. The process is described in this plan and its evidence base.

#### 1.8 Fitting in with other plans

Twyford is within the area of the South Downs National Park Authority (SDNPA) which is the planning authority supervising and advising on the Neighbourhood Plan.

The South Downs Local Plan (SDLP), for the whole of the National Park, was adopted in July 2019 replacing policies of earlier plans prepared jointly with Winchester City Council. For other purposes such as housing provision, highways, flood and river control other bodies in particular Winchester City and Hampshire County have the responsibility.

The TNP follows the SDLP. In a few instances where local circumstances differ from the SDNP as a whole, the TNP has put forward its own approach while remaining in general conformity with the SDLP.

Not all policies of the SDLP have equal weight. Some are strategic and some are for development management. It is the former to which the TNP has to

## Introduction (continued)

3

be in general conformity while it has more discretion about local variations to the latter. In general because the objectives of Twyford as a community and South Downs Authority are so close, the alignment of TNP with the SDLP poses no major issues. The two plans will together comprise the Development Plan for Twyford. The aim of the TNP is to present a coherent and readable statement of the planning policies which affect Twyford, without repeating which is fully dealt with in the SDLP. The relationship between the policies of the respective plans is clearly stated.

To the south, north and west of Twyford Winchester City Council has embarked on a review of its own Joint Core Strategy and Part 2 Local Plan. It is hoped that the policies of the new local plan will harmonise with those of the TNP.

#### 1.9 Strategic Assessment

Prior to the publication of the TNP in its pre-submission form, it was subject to both Strategic Environment Assessment (SEA) and Habitats Regulations Assessment (HRA) under the respective regulations. The Assessments were carried out by independent experts appointed by the SDNPA. They tested the plan against reasonable alternatives and also by consultation with the appropriate statutory authorities. Both studies endorsed the policies and proposals of the TNP with only minor modifications. Subsequent changes will have to be scrutinised but as the TNP has accepted the SA's and HRA's recommendations and has made no major changes, it is hoped the changes will be endorsed.

#### 1.10 Status of the Twyford Neighbourhood Plan

The Twyford Neighbourhood Plan has been agreed by Twyford Parish Council following wide consultation on the Pre-Submission Plan. The comments have all been analysed and a number of significant changes made to the TNP. The plan has been substantially changed in response to a series of detailed points made by SDNPA. As the plan progresses through its statutory stages, it will become of greater significance in deciding planning applications. When the TNP is adopted the SDLP and the TNP, will together form the Development Plan for Twyford Parish.

## 2. Vision and Objectives

## 2. Vision and Objectives

#### 2.1 Our vision for Twyford Parish

By 2036 Twyford Parish will be a more vibrant, attractive and safe place to live, work and visit. It will have retained and enhanced its special village character and landscape, within the South Downs National Park, through sustainable, community led development.

#### 2.2 Objectives of the Plan

- 1. To retain the size and rural character of the Parish of Twyford as a village within the South Downs National Park.
- 2. To enhance a vibrant and thriving community life, by providing new housing and employment to meet local needs, and supporting retail, community and sports provision,
- To strengthen a dynamic village centre, integrating other parts of the parish, particularly through the location of new developments, community facilities and improved access.
- 4. To manage and reduce traffic impact on the village, improving road safety, minimising car usage and meeting parking needs, especially through new developments and by improvements to walking and cycling routes.
- To improve the quality of the built environment by conserving and enhancing existing heritage assets and their setting, protecting existing special qualities, and promoting high quality design and layout in new developments that make positive contributions to local character and distinctiveness.
- 6. To conserve and enhance the National Park landscape and its relationship to the Parish by providing for open spaces, wildlife habitats, and green areas, minimising the impact of development and promoting the protection of wildlife.

## 2. Vision and Objectives (continued)

- 7. To sustain and enhance the character and appearance of the Conservation Area and the significance of the heritage assets of Twyford Parish and their settings.
- 8. To improve the village infrastructure, particularly flooding and sewerage.

#### 2.3 Landscape and the special qualities of the National Park

The whole of Twyford Parish sits within the South Downs National Park. It is therefore important that the special qualities of the National Park are protected and enhanced through the TNP. These special qualities in the Park include:

- 1. Diverse, inspirational landscapes and breath taking views.
- 2. A rich variety of wildlife and habitats including rare and internationally important species.
- 3. Tranquil and unspoilt places.
- 4. An environment shaped by centuries of farming and embracing new enterprise.
- 5. Great opportunities for recreational activities and learning experiences.
- 6. Well conserved historical features and a rich cultural heritage.
- 7. Distinctive towns, villages and communities with real pride in their areas.

In order that Twyford Parish sustains and enhances its contribution to the special qualities of the National Park, this Plan will ensure that all development within the Parish conserves and where possible enhances, the special qualities of the landscape.

All assessments of development proposals should have regard to the South Downs Partnership Management Plan.

# 3.4 Landscape definition

Landscape is defined in the European Landscape Convention (ELC) 2004 as "an area, as perceived by people, whose character is the result of the

action and interaction of natural and/or human factors". The ELC refers to the following area types which are all considered to be included within the definition of landscape:

- 1. Natural, rural, urban and urban fringe areas:
- 2. Land, inland water and marine areas; and
- 3. Landscapes that might be considered outstanding as well as every day or degraded landscapes.

#### 2.5 Plan outcomes

If well looked after, the National Park will continue to provide its communities with some of the essentials of life, such as clean air and water, food, fuel and raw materials. Management plans will help regulate the climate, manage flood waters, filter pollution, and provide opportunities for improving health and well-being.

The TNP aims to support achievement of the South Downs National Park Partnership Management Plan outcomes, as updated in 2019, within the Parish. These are:

- The landscape character of the South Downs, its special qualities, natural beauty and local distinctiveness have been conserved and enhanced by avoiding or mitigating the negative impacts of development and cumulative change.
- 2 There is increased resilience within the landscape for its natural resources, habitats and species to adapt to the impacts of climate change and other pressures.
- 3. A thriving and connected network of habitats and increased population and distribution of priority species now exist in the National Park.
- 4 Cultural heritage of the National Park is enhanced and widely understood and enjoyed.
- Outstanding experiences for communities and visitors are supported by high quality access and sustainable transport networks. (PTO page 9)





## 2. Vision and Objectives (continued)

- 6. Widespread understanding of the special qualities of the National Park and the benefits it provides.
- 7. The South Downs National Park is a well used and recognised asset for sustaining mental and physical health and wellbeing.
- 8. More responsibility and action is taken by visitors, communities and businesses to conserve and enhance the special qualities and use resources more wisely.
- 9. Communities in the National Park are more sustainable with an improved access to essential services and facilities.
- 10. A diverse, sustainable dynamic economy which is positively linked to the special qualities of the National Park.

## 3. The Policies

This section sets out the policies of the Twyford Neighbourhood Plan. The policies conform to the Government's National Planning Policy Framework and to the South Downs Local Plan [3.1].

Most importantly, policies attempt to reflect the views of the Twyford Parish Community where views have been obtained through a series of consultations. Formal consultations with service providers has taken place at pre-submission stage and has resulted in changes. These policies also rely on a range of technical studies undertaken to inform policy decisions.

Land use plans such as the TNP can only deal with how land should be used and the physical development that can take place on it. For instance, the policies of the TNP identify key designations, both in the built environment and in the countryside and secure their protection. In some cases, these designations will form the basis for enhanced management, for instance, conservation areas and sensitive environmental habitats.

The Plan identifies inadequacies in infrastructure and in some cases proposes remedies, for instance by service providers or, in the case of flooding, perhaps by further development including mitigation schemes.

The Plan can also give guidance to those proposing development and to the utilities and services that will be required to support development.

Decisions by the planning authorities when considering planning applications will be based, in the first instance, on the TNP, for as long as it is the most recently approved part of the Development Plan. Where the TNP does not deal with an issue, the planning authority will apply the relevant policy set out in the South Downs National Park Local Plan.

## The Policies - SB The Settlement Boundary

# $\stackrel{\square}{\omega}$ Policy SB1 - The settlement boundary policy

Purpose of the policy

A settlement boundary separates the developed or urban area from the countryside. It is a fundamental tool for protecting the character of a settlement and conserving the landscape and countryside around it.

Within the settlement boundary, most uses and buildings are permitted, provided they comply with other policies. Development will not normally be permitted outside settlement boundaries i.e. in the countryside. The exceptions are carefully defined and are set out in separate policies.

Twyford has a settlement boundary, which has been established for at least 20 years but has never been reviewed. Some changes are necessary to take account of developments in that period and because Twyford is now within the National Park.

An independent review of the existing boundary was carried out by consultants, Terra Firma in late 2015, using the methodology for the review of settlement boundaries adopted by the South Downs National Park Authority itself. Ten changes were recommended, all of which are incorporated in this policy. A full description of these changes and reasons for them are shown under the Housing tab on the Twyford Neighbourhood Plan website. A contraction of the settlement boundary within Twyford Preparatory School is also undertaken and instead a specific development policy for the school, BE3, is incorporated into the Plan.

The TNP is required to allocate land for a minimum of 20 dwellings. This will be on land currently outside the settlement boundary. The boundary will be changed to include this housing but only when the development is complete.

There is strong support for maintaining Twyford's character with some concerns over the detail of the boundary.

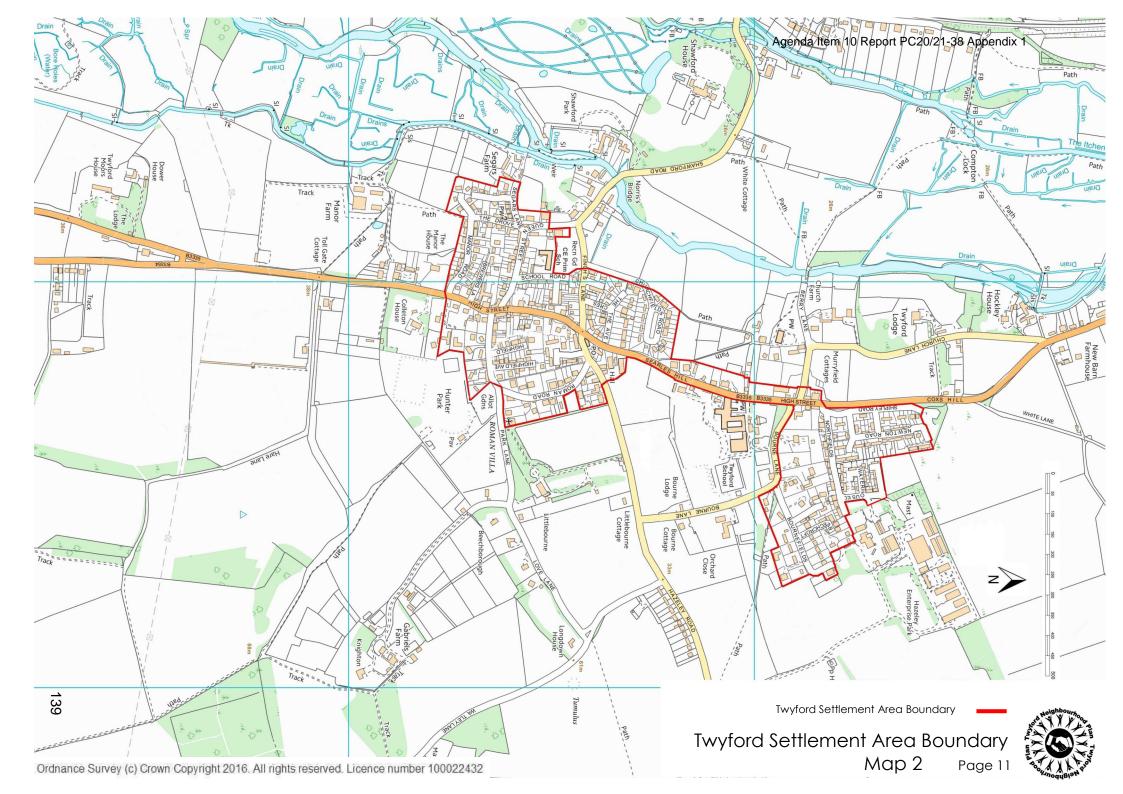
The new boundary established by the TNP replaces that in the existing policies.

#### Relationship to the SDLP

The current policies for settlement boundaries and their implications for development, both inside and outside, are set out in the South Downs Local Plan SD 25.

#### Policy SB1 - The settlement boundary policy

- Within the settlement boundary (shown on Map 2), development and redevelopment will normally be permitted subject to other policies of the Development Plan.
- Within the area of the TNP but outside the settlement boundary, development will normally only be permitted as specified by other policies of the Development Plan.



## 3. The Policies - SB The Settlement Boundary (cont)

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#### Policy SB2 - Development outside the settlement boundary.

Purpose of the Policy

The general policy for the countryside, that is the land outside Twyford's settlement boundary, is for restraint except in specified circumstances.

The general principle is that no proposals for new development will be permitted, other than change of use unless they can demonstrate the need for a countryside and National Park location and justify the choice of Twyford, as well as how they both contribute to National Park objectives and benefit the local community. They will then have to show how they will enhance the landscape of the National Park.

Relationship to the SDLP

Development outside the settlement boundary is controlled by a series of policies within the SDLP. The principle ones are as follows:

- SD 12 Historic Environment
- SD 14 Climate Change Mitigation and Adaptation of Historic Buildings
- SD 22 Parking Provision
- SD 25.2 Development Strategy
- SD 34 Sustaining the Local Economy
- SD 39 Agriculture and Forestry
- SD 40 Farm and Forestry Diversification
- SD 41 Conversion of redundant Agricultural or Forestry Buildings
- SD 42 Infrastructure
- SD 43 New and Existing Community Facilities
- SD 44 Telecommunications and Utilities Infrastructure
- SD 46 Provision and Protection of Open Space, Sport & Recreational Facilities and Burial grounds / Cemeteries
- SD 49 Flood Risk Management
- SD 51 Renewable Energy

However there are several instances where the SDLP policies have been adapted to the particular circumstances of Twyford. The TNP's bespoke policies for development outside the settlement boundary are:

- 1. for housing:
  - HN2- Housing provision and allocation of land
  - HN4 Rural Exception Sites
  - HN6 Staff for large houses and institutions
    - Annexes for elderly and family members,
    - Subdivision of large houses
    - Racing stables hostel
- 2. Economic Development: BE1, BE2, BE3, ST1
- 3. Facilities: Sport Hunter Park.

For other types of development outside the settlement boundary, the policies of the SDLP will apply.

#### Policy SB2 – Development outside the settlement boundary

 Development outside the settlement boundary will be permitted subject to the following policies of the TNP as set out in detail as follows:

Housing: HN2: Housing provision and allocation of land

HN4: Rural Exception Sites

HN6: Housing outside the Settlement Boundary

HN7: Orchard Close

Business and Employment:

BE1: Employment and Business provision

BE2: Northfields Farm & Hazeley Enterprise Park

BE3: Twyford Preparatory School

Tourism: ST1: Visitor and Tourism Facilities



## The Policies - HN Housing

#### Policy HN1 - Local housing needs and housing mix

Purpose of the Policy

Because of Twyford's many advantages of community, accessibility, facilities and environment, its houses are in high demand and are therefore expensive both to rent and to buy. Prices are further inflated by shortage of supply, as is normal in rural villages. The consequence is that many people who have been born and brought up in the Parish can no longer afford to live in it and are priced out by the market. This is seen by all as an undesirable consequence, both for the individuals concerned and for the character of the Parish, which is so valued by residents.

In the past, the principle means of maintaining the social structure of the village community has been by the provision of housing for rent, primarily by the public sector or housing associations. Twyford has had a good stock of social rented housing, but this has been depleted by the right to buy. New build has not made up for losses and the affordability gap has widened.

There are a number of policies which a neighbourhood plan can use to increase the supply of housing for local needs. These are:-

- Allocating land for more housing. 1.
- Tailoring the size of new houses to identified need.
- 3. Allowing infill and redevelopment.
- 4. Requiring affordable housing as a percentage of market housing.
- 5. Allowing for exception sites for local social housing.
- Providing for special cases in the countryside.

The Housing Needs Study carried out in April 2015 by Action Hampshire and Winchester City Council (as Housing Authority) for the Twyford Neighbourhood Plan, confirmed these trends. It shows a significant unmet need in the Parish from those unable to compete in the housing market, a conclusion supported by the Housing Authority and by views from the Twyford community. In addition to small family housing with 2 and 3 bedrooms, it identified → a shortage of homes for single people and for the elderly wishing to down-4 size

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The SDNPA and WCC recognize the dominant need for smaller family homes which WCC puts at 65% for 2 and 3 bed and SDNPA at 95% for 1, 2 and 3 bed houses.

The duty of the National Park, after the safeguarding of its special qualities and promoting enjoyment and understanding, is to foster the economic and social well-being of its local communities. Existing plans recognise that there is also a strong need for a mix of housing to meet local needs and for affordable housing for local people, particularly social rented accommodation.

Relationship to the SDLP and other policies

The minimum dimensions of new housing shall accord with nationally described space standards.

The mix of houses is set out in SDLP SD 27. However this does not set any size limit for the individual units either as minima (to accord with the nationally described space standards) or as maxima and so may not be effective in securing the objective of small and more affordable housing. TNP proposes size limits as set out in HN1.

This approach is also being taken by New Forest National Park Local Plan which places a limit of 100 sq m on all new dwellings. In this plan the limit is set at 20% in excess of the National Standard, rounded up in the case of 4 bed dwellings to 150 sa m.

#### Policy HN1 - Local housing needs and housing mix.

- 1. The mix of homes shall be as specified in SDLP SD 27
- 2. New housing for one, two, three or four bedroom houses will be permitted with maximum floor areas of 80 sq. metres; 100 sq. metres, 120 sq. metres and 150 sq. metres, other than in accordance with HN6, respectively unless permitted by other policies. (Areas are gross internal i.e. excluding external walls)



## Policy HN2 (HN2 & 3 amalgamated)- Housing provision and allocation of land.

Purpose of the Policy

The SDNPA have carried out a number of studies to inform decisions about what number of houses should be delivered in different parts of the National Park. The assessment of evidence, including the capacity of the landscape and the availability of services and facilities within towns and villages, led to housing requirements for a number of villages within the National Park. The policy for housing provision for Twyford is set by SDLP Policy SD 26, including the allocation of additional land for 20 dwellings and by infilling and redevelopment in the plan period.

Twyford Parish Council has accepted this total as reasonable and so an allocation is to be made. This figure does not meet all the needs identified in the Housing Needs Survey. However, these needs can be met in several other ways, as described above, both in the village and in the surrounding settlements outside the National Park in which full provision is made.

In addition to the allocation of 20 dwellings, housing will also be provided within the settlement boundary and in the countryside subject to other policies of this plan. Where proposals result in an increase in the number of dwellings, for example, if Stacey's garage develops as housing, this would be counted as windfall, and would be in addition to the allocation.

Site selection: The allocation of additional land has to be outside the settlement boundary as there is no undeveloped land within the settlement boundary and no suitable brown field sites outside it. A comprehensive survey of all the sites around the village was carried out and local people were asked to say which they considered the best locations for housing. Sites were assessed and ranked using the SDNPA's own site assessment criteria with the addition of two others; firstly proximity to village facilities and secondly potential to provide a minimum of 11 dwellings to ensure on-site delivery of the maximum level of affordable dwellings.

The land adjacent to the Parish Hall and Surgery has been selected because of its closeness to village facilities and its potential to deliver further benefits, in particular, increased parking for the village centre and open space. It is also large enough to apply the affordable housing criteria for on-site provision. The development of this site provides the opportunity to incorporate flood mitigation on site and to support off site works required for the benefit of the whole Parish.

The dwellings would be small (in accordance with housing Policy HN1) and so at a high density. The site is constrained by a clump of trees on the higher ground, which should remain as a feature and foil to new building. Flooding also affects the lower ground as identified in policy WE1 Flood Risk Management.

The boundaries of the site have been set following detailed design advice commissioned by Twyford Parish Council and further analysis of landscape impact.

The site selection process is fully described in the Evidence base.

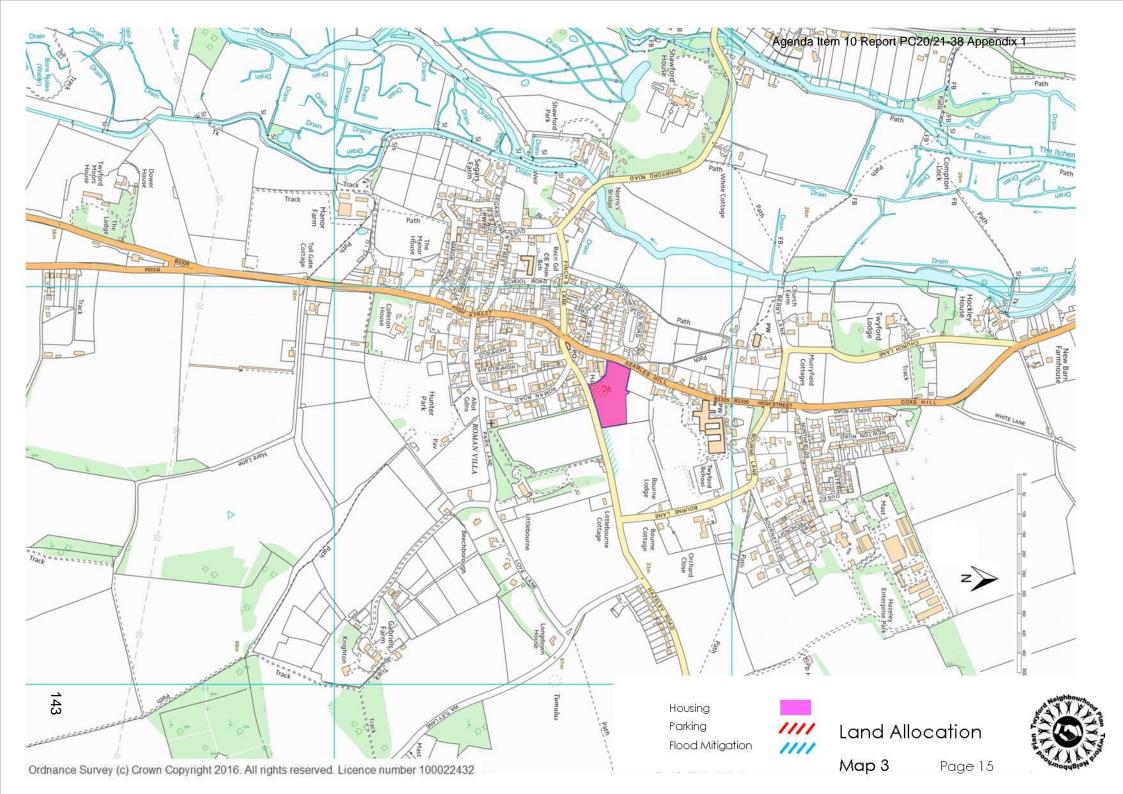
Relationship to the SDLP

The methods for allocation of land follow long established planning practice and the guidance of the SDLP, particularly SDLP SD 26. The detailed policy for site 26, DB1, explains how the landscape and flooding issues have been addressed and how they are to be resolved.

## Policy HN2 – Housing provision and allocation of land

Land is allocated for 20 houses on Site 26 adjacent to the Parish Hall as shown on Map 3. Policy DB1 sets out the requirements for its development.





## Policy HN3 (4 previously) - Affordable provision on allocated and windfall sites

Purpose of the Policy

As explained in Policy HN1 "Local Housing Needs and Mix", the provision of affordable housing is essential in order to meet local housing needs.

Providing affordable housing is a principal objective of the TNP, with the strong preference for social rented housing provided to eligible households at a reduced cost or rent. Provision is to be through Housing Associations and other social providers.

Affordable housing policy is a well-established feature of Local Plans including the SDLP. A target of at least 50% affordable housing is set by SD 28 for new sites of 11 dwellings or more with a sliding scale for smaller sites. The SDLP policy is applied to new housing sites in Twyford Parish.

The occupation of affordable housing will be limited to people with strong local connections to Twyford Parish. The eligibility criteria are those agreed for the most recent scheme at Hewlett Close (Ref WCC 10/00589/FUL sec 106 Agreement 159609 Sch 4 pp 43-45). Priority is to be given to those born and educated in the Parish and those who have been resident in the Parish for a long time and have close relatives in the Parish.

Where the application of this policy makes the development of a site non-viable, the requirements of HN1 will be varied in preference to those of SDLP SD 28 para 7.65.

Relationship to the SDLP and existing policies

Policies for affordable housing provision on new housing sites are established by national planning policy and incorporated into the SDLP SD 28. The TNP follows SDLP SD 28 and applies specific locally devised criteria for occupants.

#### Policy HN3 - Affordable provision on allocated and windfall sites

Provision for affordable housing will be made in accordance with SDLP SD 28 subject to eligibility criteria as agreed for Hewlett Close.



#### Policy HN4 (5 previously) - Rural Exception sites

Purpose of the Policy

As explained in Policy HN1 "Local Housing Needs and Mix", the provision of affordable housing for those with a strong local connection to Twyford Parish is essential in order to meet local housing needs. This is a principal objective of the TNP. There is a strong preference locally for social rented housing to be provided to eligible households at a reduced rent, through housing associations and other social providers.

While some affordable housing can be supplied though the allocation of land, the number of dwellings this would provide is below current evidence of the Housing Needs Survey. Furthermore the conditions which have created the need for social rented accommodation are likely to continue into the future. Twyford's allocation for 20 houses is for the whole of the 14 year period of the TNP, so further affordable housing cannot be provided by additional allocations. The planning policy which addresses this is for exception sites. This allows for land outside the settlement boundary but contiguous to it, to be granted consent, provided it is for 100% affordable housing for local people and secured for that purpose in perpetuity.

The SDLP allows for a proportion of higher value housing on exception sites in certain circumstances requiring detailed justification. As Twyford is a village with high house prices and there is continuing demand for affordable houses, one or more exception sites are likely to be needed over the period of the TNP. It is also likely that landowners will need some additional incentive to bring land forward.

Relationship to the SDLP and existing policies

Policies for affordable housing provision by housing developers are established by national planning policy. Recent government changes have introduced some uncertainties. The Twyford Neighbourhood Plan takes its lead from the SDLP.

### Policy HN4 - Rural exception sites

- 1. Proposals for rural exception sites will be permitted with SDLP SD29.
- 2. The eligibility for occupation will be as set out in HN4 1.

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#### Policy HN5 (previously 6) - Housing within the settlement boundary

Purpose of the Policy

Housing development within the settlement boundary takes place continually, through a large number of individual initiatives, as owners modernise, adapt and extend their houses and properties to suit their needs. Such development takes many forms and is often outside planning control. Other developments require planning consent, such as larger extensions, or the creation of separate plots or change of use or redevelopment, sometimes with a larger building or with several houses. All these have cumulative effects and have the potential to alter the character of the village.

Extensions enlarge houses, makes them more expensive and so less affordable for people on lower incomes. The SDLP imposes a limit of 30% on extensions by SD 31 and on redevelopment outside the Settlement Boundary by SD 30. TNP imposes the same limit on all individual dwellings. Subdivision of plots and infill is possible in a number of sites within the village. This can lead to loss of trees and of gardens, which can increase the impact on the immediate locality and wider countryside, especially if the new building is larger and taller, or in a prominent position.

Furthermore, infill, redevelopment and extensions within the village are often the cause of the greatest upset between neighbours. So rules need to be clear and applied evenly. In all cases applicants will be expected to consult the neighbours and seek agreement.

The policy context for the Twyford Neighbourhood Plan is set by policy SB1 which allows for further development and by HN1 which addresses Twyford's housing needs and by design policies. The policy does not impose density limits, high or low, except in areas of predominantly detached housing and those with infrastructure limitations. The TNP leaves the choice of proposal to the individual to justify. This is for two reasons; firstly the introduction of higher density, especially if the houses are smaller, has social advantages for the village; secondly because the fabric of the

village, as shown in the Village Character Assessment is so varied, no single design rule appears to be justified. The requirement is therefore for quality in design and materials, following careful appraisal and the preservation of key features, such as walls, trees and roadside vegetation.

For the few larger plots in excess of 0.1 ha, with capacity for more than one additional dwelling, there will be an impact on the character of the area plus additional traffic on the substandard lanes and roads of the village. This has to be reconciled with the continuing demand for additional housing often from owners and others seeking to downsize. There may be opportunities for accommodation for the elderly with less impact than general market housing. These sites should prepare design briefs to establish the appropriate solution.

That part of the Conservation Area inside the settlement boundary is defined for its historic, architectural and environmental character, including the many gardens of village and grander houses. All development within this area must both preserve and enhance, but subdivision of plots is usually accompanied by changes which harm character. The Twyford Conservation Area was established in the 1970s. It is the subject of a policy of its own as LHE4.

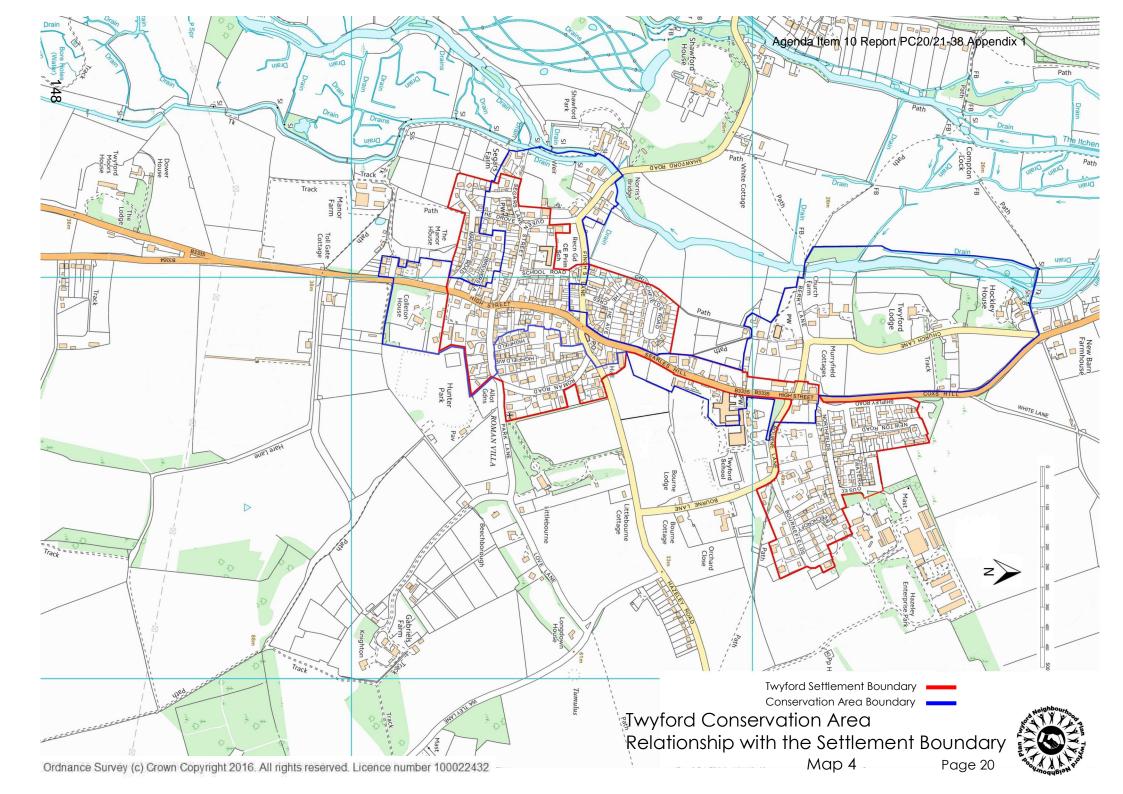
Relationship to the SDLP and existing policies

This policy relates to many of the SDLP policies, for instance on landscape, protection of key features, standards and new development. These include SD 5 Design; SD 15 Development in Conservation Areas; SD 25 Development Strategy; SD 27 Mix of homes including for the elderly and SD 30 (extensions). The policy note, Twyford Conservation Area 1976, published by WCC is still valid; new developments should have regard to it.



#### Policy HN5 (6) Housing within the settlement boundary.

- 1. Within the settlement boundary, (shown on Map 2), the following housing development will be permitted:
  - a) Extensions.
  - b) Changes of use of buildings (other than those which are subject to BE1 and CP1).
  - c) Subdivision of single dwellings.
  - d) One for one replacement
  - e) Single plot infill on plots less than 0.1 ha.
- 2. Development is subject to the following restrictions:
  - a) for categories 1 a,1 b and 1 d, the increase in floor space is limited to 30% and accords with SD 31.
  - b) for category e, new detached houses should not exceed 150 m2
  - c) within the Conservation Area there is to be no loss of garden land or walls.
- 3. On sites in excess of 0.1 ha, or where more than one new dwelling is proposed, housing development will be permitted subject to SD 27, and a detailed layout plan to set the appropriate numbers of dwellings and housing mix in accordance with HN1. Preference will be given to schemes making provision for those with special needs and the elderly; where a scheme is wholly for special needs or the elderly, the provisions of SD 28 (affordable housing provision) will not apply.



#### Policy HN6 (previously 7) - Housing outside the Settlement Boundary

Purpose of the policy

New housing is permitted outside the settlement boundary in a number of cases where certain conditions are satisfied. Most of the exceptions to normal policy are set out in detail in the SDLP. The following additions are justified by local circumstances:

- 1. Annexes for dependent relatives
- Hostel accommodation for racing stables
- The subdivision of larger houses.

Housing Policies HN3, HN5 and HN8 are three such cases. This policy sets out the conditions for other categories.

Granny annexes are a frequent means for older relatives to prolong their independence and for families to provide care for relatives. In view of the difficulties of many local people in affording their own home and the general shortage of housing, this same policy is extended to dependent relatives of the householder. The risk is that they can be used to create a separate dwelling which is contrary to established countryside policy. Consent for the annex to their property will be controlled by conditions to prevent subsequent subdivision and sale away from the main house. Temporary accommodation may also be permitted.

In racing stables, of which there is one in the Parish, the horses are exercised by stable lads and lasses daily from early in the morning for many hours, and to do so they need accommodation on site although this is of hostel type rather than permanent residential. It is a special category and is to be tied to the operation.

The subdivision of large houses may lead to a number of harmful consequences, in particular, where the property is isolated, the dependence of a greater number of people on private cars and the fragmentation of the property and its management, to the detriment of its appearance. It is a less sustainable outcome than continued single family use. Proposals will have to demonstrate need and how such issues are to be overcome and, in addition, how subdivision would be to the benefit of the special qualities of the SDNP and to the community of Twyford Parish.

In all cases, the design, landscape and heritage policies of the TNP and SDLP will be applied. Where there is an increase in the number of dwellings provision of social, affordable housing will be sought in accordance with HN4.

Relationship to the SDLP

SDLP permits new development outside the settlement boundary in the following policies, namely:

SD 30: Replacement dwellings

SD 31: Extensions to existing dwellings and provision of annexes and outbuildings

SD 32: New Agricultural and Forestry workers dwellings.

These policies limit replacement dwellings and extensions to a 30% increase in size (SD 30 & SD 31). Policy SD 30 also allows for two houses to replace one, provided the new dwellings are small and the extra floor space is no more than 30%. In the TNP applies the 30% increase for both extensions and redevelopments to all dwellings, and does not limit the application to small dwellings and those not causing landscape harm. The aim is to maintain the stock of medium sized houses as well as of small ones and to limit the progressive enlargement of larger houses on grounds of affordability as well as possible landscape harm both individual and cumulative.

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### Policy HN6 (previously 7) – Housing outside the Settlement Boundary

- 1. Residential development outside the Settlement Boundary will be permitted in the following cases subject to the demonstration of need in each case:
  - a) For extensions and replacement dwellings, policies SD 30 and SD 31 will apply with the 30% limitation in each and every case.
  - b) Annexes for close family members
    The extension is not to exceed 60 sq. m.
    Temporary accommodation may also be permitted.
  - c) At racing stables, hostel accommodation tied to the operation.
  - d) Subdivision of large houses will be permitted where:
    - i) marketing has demonstrated lack of demand for use as a single house
    - li) the proposal is to the benefit of the special qualities of the SDNP.
    - lii) The existing landscape structure can be retained and enhanced and subsequent management will be for the property as a whole.

## Policy HN7 (previously 8) Orchard Close

Purpose of the Policy

Orchard Close has been a residential home: it has provided assisted living accommodation for older people for over 60 years. Originally established by Catherine Cusack in her own home, it is owned by Abbeyfield Winchester Society Ltd, a non profit organisation and charity. It is and has been the only such facility in the village. Orchard Close is shown on Map 5.

The Abbeyfield Winchester Society Ltd. has however now closed Orchard Close. However the rise in the number of elderly is a factor both locally and nationally and is identified as an issue for local and neighbourhood plans. The South Downs Local Plan support for increased provision within the National Park is set out in SDLP paragraphs 7.45 and 7.46 and Fig. 7.4.

Twyford's older population is currently above the national and district average and predicted to remain so. Consequently there may be an alternative operator who is prepared to meet the demand for additional facilities for the elderly which Orchard Close has provided up to now.

Orchard Close is located outside the settlement boundary and it's further expansion requires a specific policy. The site is relatively large and has capacity for further buildings. The usual planning criteria would apply, with additional consideration being given to the ability of Bourne Lane to provide satisfactory access in terms of its width, footways, street lighting, use and conservation value.

#### Alternative Use

If the site is acquired for alternative use, the policy is set out by SD 25.2 which is very general terms and applies to all development in the National Park, outside the settlement boundary. Orchard Close however has a number of individual characteristics which should inform of the landscape-lead design of proposals for new development and which justify a more focused policy. These are:

- The Edwardian gardens as described by Hampshire Gardens Trust.
- The trees both surrounding and within the site.
- Bourne Lane is a historic sunken lane.
- Bourne Lane has no footway or lighting and is substandard width.
- Bourne Lane is heavily used.
- The existing community focussed use for the elderly.
- The continuing need for elderly provision including downsizing within Twyford.

Applying these to an alternative use for the site there should in the first place be no new vehicular access to Bourne Lane to accord with MA5 and SD 21.2. There should be no increase in traffic generation above that already associated with the care home; this allows for a small amount of residential development. (PTO)





There are several dwellings close to Orchard Close, so the change to residential use is acceptable. However, because of its current use for the elderly and the need for new provision for the elderly shown for instance in the Twyford Housing Needs survey, the continued use of the site for provision for the elderly is to be preferred to general housing, subject to demand.

Residential use or other uses may take place by conversion of one or both of the existing buildings. If redevelopment is proposed, new building should be limited to the footprint of the existing buildings, or to the immediate surrounds. The aim of this is to minimise the impact on the historic garden which was designed around a building near the top of the garden. Proposals both protect the integrity of the garden and its features and secure its continued management are to be addressed in all proposals and to be preferred.

The requirements for affordable housing will be in accordance with HN4 and SD 28.

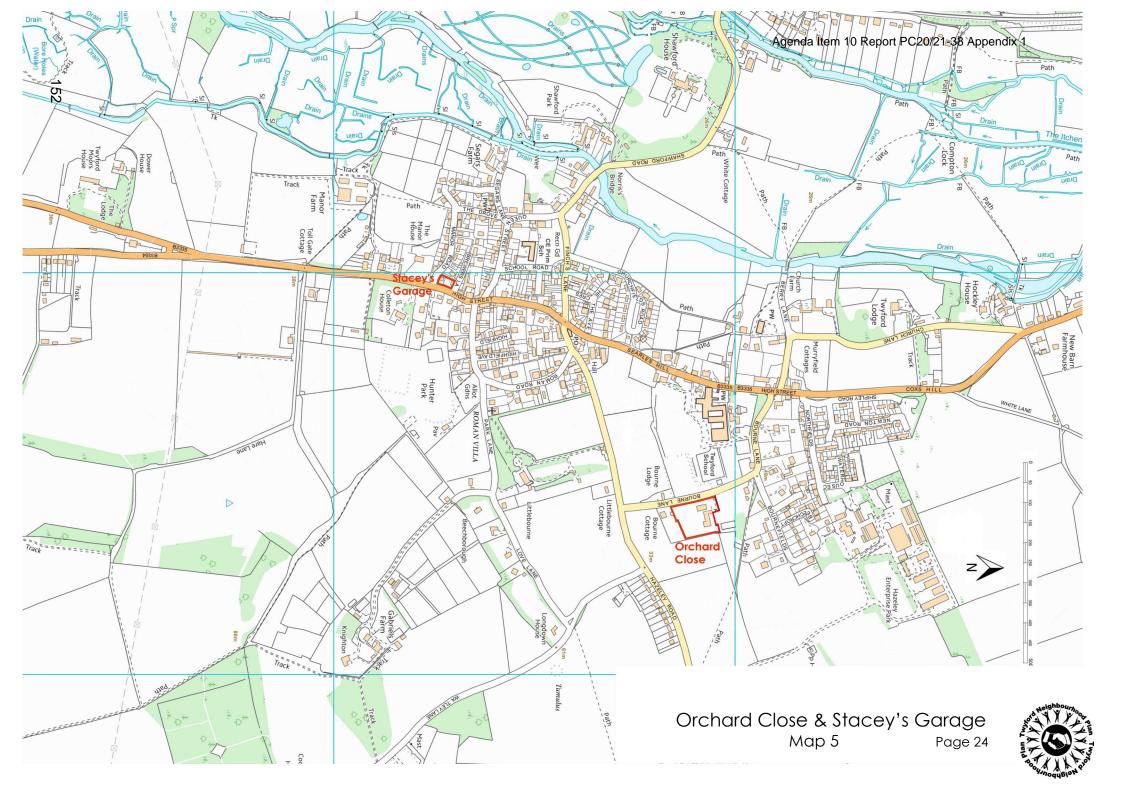
The improvements to pedestrian access would be an advantage but is likely to require third party land.

The location outside the settlement boundary, associated with the constraints of access and the sensitivity of the historic garden and its trees all indicate a small scale scheme, determined in part by viability to secure the design objectives and the reuse of the site.

#### Policy - HN7 (8) Orchard Close

- 1. The expansion of Orchard Close to provide additional facilities for the elderly will be permitted provided:
  - a) It forms part of Orchard Close.
  - b) It is justified by local need.
  - c) Landscape, access and design constraints are properly addressed.
  - d) Provision is made for medical care.
- 2. The change of use or redevelopment of Orchard Close to residential will be permitted provided
  - a) A landscape led design brief is first prepared retaining the existing landscape garden with its trees.
  - b) Any new buildings to be within or close to the footprint of the existing buildings.
  - c) There is no increase in traffic generation.
  - d) No new vehicular access point is formed.
  - e) The Edwardian house may be retained or replaced as a private house.
  - f) New dwellings to be for the elderly
  - g) Affordable housing to accord with HN4/SD 28.

Note: Hampshire Garden Trust research on this garden is at HGT/ Orchard Close.



## 3. The Policies - BE Business and Employment

#### Policy BE 1 Employment and business provision

Purpose of the Policy

Twyford Parish has over one hundred businesses and employers and consequently offers a significant range of employment and business provision both in the village and outside. The biggest concentration of firms is to be found at Hazeley Enterprise Park/Northfields Farm. The number of firms fluctuates; it was 27 in 2017 and in spring 2020 was 18. The largest employer, with over one hundred employees is Twyford Preparatory School. The village primary school (Twyford St. Mary's), Twyford Surgery, Abbeyfields Care Home, the smaller businesses, shops, pubs and farms offer a wide range of full and part-time employment. Many in the Parish work from home, usually as self-employed. Many of the larger houses employ domestic cleaners and gardeners. The elderly may also have carers.

There is no dominant business or business type. While many of the companies have no need to be located in the Parish, they consider Twyford a good base for their operations.

There is little match between the jobs available in the Parish and its working population. The 2011 Census registers only 170 residents (out of 758 employed) who both live and work in the village of which many will be working from home. Most of the jobs in the village are filled by those residing outside the Parish. The 78% of Twyford residents working outside the Parish have a huge range of employment choices within easy reach, in the urban centres of Winchester and South Hampshire, many commute to London. This pattern of working has been confirmed by a survey of local firms and employers carried out in 2016 by TNP.

There is an outstanding consent for a 131 bed care home and commercial buildings to replace the Feed Mill at Northfields Farm and a further consent granted in 2017 for the redevelopment of existing land and buildings at Northfields. These could add about three hundred jobs to the Parish and provide for the expansion of existing firms and for new ones. Consequently, ano further business land will be allocated in the period of this Plan.

One of the key TNP objectives, in-line with its National Park status and higher level policies, is to focus on social and economic needs of the local community. In Twyford there is no need for further employment and its encouragement would simply draw more people in from outside. Few of the firms in the Parish have their primary function in meeting local needs, though some are used by local people. For their expansion there are many opportunities in the adjoining urban areas, and in Twyford itself as the outstanding consents provide local opportunities.

In summary, while the expansion and redevelopment of businesses and employers serving the needs of the Twyford Community land-based enterprises (e.g. farms, golf course etc.) and the special categories of business identified in the SDLP, are supported (subject to other requirements of the Plan), the expansion or intensification of other commercial premises, whether of sites or buildings, is resisted.

As detailed in the Infrastructure policies, Twyford Parish has significant deficiencies in its infrastructure so that some commercial premises are relying on roads of inadequate width with no footways or lighting. In all cases further development should be accompanied by measures to remedy existing deficiencies in infrastructure, provided this will not cause harm to the landscape, and by structural landscaping.

Historic Rural roads are identified by SDLP SD 21.2 as of special importance in the landscape of the National Park. Many of Twyford's roads are historic and several serve as routes for business traffic. The policy to be applied is set out in MA6.

Because of their size and importance in the Parish and their countryside location, Twyford Preparatory School and Northfields Farm/Hazeley Enterprise Park are subject to more detailed policies, but in both cases the principles set out in this policy are applied. Visitor facilities are also dealt with in a separate policy.



# 3. The Policies - BE Business and Employment (continued)

## Relationship to the SDLP

Policy SD 35 allocates no additional employment land to Twyford and safeguards existing employment sites. Existing land and buildings in use for economic purposes are to be retained and will be subject to SD 35.

Employment and business are encouraged by SDLP SD 34 in limited circumstances subject to their fostering "the economic and social well being of local communities". However, the evidence base for Twyford Parish shows firstly that the community is more than fully provided for in employment; that few of the businesses in the Parish provide services for the community and that recent outstanding consents provide the opportunity for expansion and modernization of existing firms, as well as new ones.

Policies BE1, BE2 and BE3 apply the aims and objectives of the SDLP and of SD 34 and SD 35 in particular to the particular circumstances of Twyford Parish. In all cases, there should be no additional impact on historic, rural roads.

### Policy BE1 – Employment and business provision

- 1. Within the settlement boundary, development, including change of use and redevelopment for economic purposes will be permitted, in accordance with SD 35.
- 2. Outside the settlement boundary including BE2, new development, redevelopment and expansion, whether of site area or buildings will be permitted in accordance with SD 34, and the uses specified in SD 34 (a—d and g only). In other cases re-development will be permitted on a 'like for like' basis. Changes of use for commercial purposes will be permitted provided that no additional heavy traffic is generated.



# 3. The Policies - BE Business and Employment (continued)

### Policy BE 2 - Northfields Farm and Hazeley Enterprise Park

Purpose of the Policy

The site is a large complex; the site area (shown on Map 6) is approximately 5.5 ha. It is in single ownership and over the last 15 years has been turned from an agri-industrial egg farm with offices, sheds and a feed mill to a mixed use commercial complex. Some of the chicken houses (sheds) have been redeveloped as modern office and industrial units, while others, and the former farm offices have been converted and are now tenanted by various businesses; there is also a transport yard. The site was home to about 27 firms in 2016 but this is now 18 (in 2020) with a wide spread of types of business. The feed mill remains. Its operations have had various harmful environmental effects over many years and continue to do so.

Although Northfields/Hazeley Enterprise Park is not identified as a strategic area by SDLP, it is of more than local significance to Twyford in providing land and premises for a wide range of businesses and employment. It is dominant within the TNP in the provision of business space. Few of the jobs are filled by Twyford or South Downs area residents.

The mill and other land within this site have the benefit of several planning permissions; two have yet to be constructed or brought into use. One is for redevelopment of the mill for further commercial space and a 131 bed space care home, with employment predicted to grow by about 300 people. This cannot be implemented until the mill has been removed with 2026 as its end date. A second more recent consent permits the development of additional land and buildings with redevelopment of commercial buildings; the area overlaps the care home consent. The consent is not tied to the demolition of the mill. It will generate a significant number of extra jobs.

Consents have been granted on a piecemeal basis for different parts of the site and have failed to secure overall control of hours of working, traffic, cycle or pedestrian movement or landscaping.

The site with its many buildings is on high ground to the north east of the village and is visible over a wide area from many vantage points. When the mill is demolished it is planned to be replaced by the care home, which will be prominent in the landscape. Proposals to reduce the impact of the care home on the landscape and on the village would be encouraged.

Principle access to the site is from Hazeley Road with a secondary one through the housing at Northfields. A routing agreement directs heavy lorries away from the village through the National Park via the Hazeley Road onto the Morestead Road by narrow C class roads. This is a substantial diversion from the shortest route to the trunk road system and is intended to avoid the village centre. There is also a s 106 agreement with the Highway Authority. The site includes adjoining undeveloped land which has been put forward for housing by the landowner, and lies between existing housing and commercial land in the same ownership. Policy MA4 supports the proposal for a new access directly into HEP off the B3335.

## Relationship to the SDLP

The site is outside the Settlement Boundary. SDLP Policy SD 35 requires that premises in commercial use should be retained for that purpose. BE1 defines the circumstances in which expansion and new development is to be permitted; applying the principles of SD 34 to the local considerations by excluding the expansion of most sites and buildings as the outstanding consents on this site amply fulfil the objectives of this policy.

If the criteria of SD 34 are all applied to the Estate as a whole, it enables each of the many businesses and buildings to expand on an individual basis. TNP both limits the categories of commercial activity permissible and requires the preparation of a master plan. (continued overleaf)



# 3. The Policies - BE Business and Employment (continued)

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Relationship to the SDLP (cont)

The preparation of a master plan for this major site would provide the context for further applications and be the means of addressing the issues identified in this policy. It applies similar objectives to the SDLP Development Strategy (SD 25.3), and is the only means of securing overall control of key aspects of the sites. The master plan should include land outside the defined boundary but in the same ownership to show landscaping, access to Northfields and Hazeley Road, and proposed land uses.

The provision of a new route to the north west providing a direct connection to B3335 while avoiding the centre of the village is allowed for by Policy MA4; it is supported within the Plan by SDLP SD 1 and SD 19.

The owner has commenced the Care Home development to comply with the conditions but the mill remains active. Pre-submission applications have been submitted for alternative use as a retirement village extending onto existing commercial land. This policy continues to allocate the land as commercial in accordance with SD 35. The following considerations support this as the appropriate use if the care home consent is not implemented.

- 1. The site is a part of an existing, thriving commercial area subject to SD 35.
- 2. The continued use of this area as commercial land would fulfil the objectives of SDLP and comply with SD 34.
- 3. Alternative non commercial uses have multiple drawbacks.

#### Policy BE2.1- Northfields Farm and Hazeley Enterprise Park

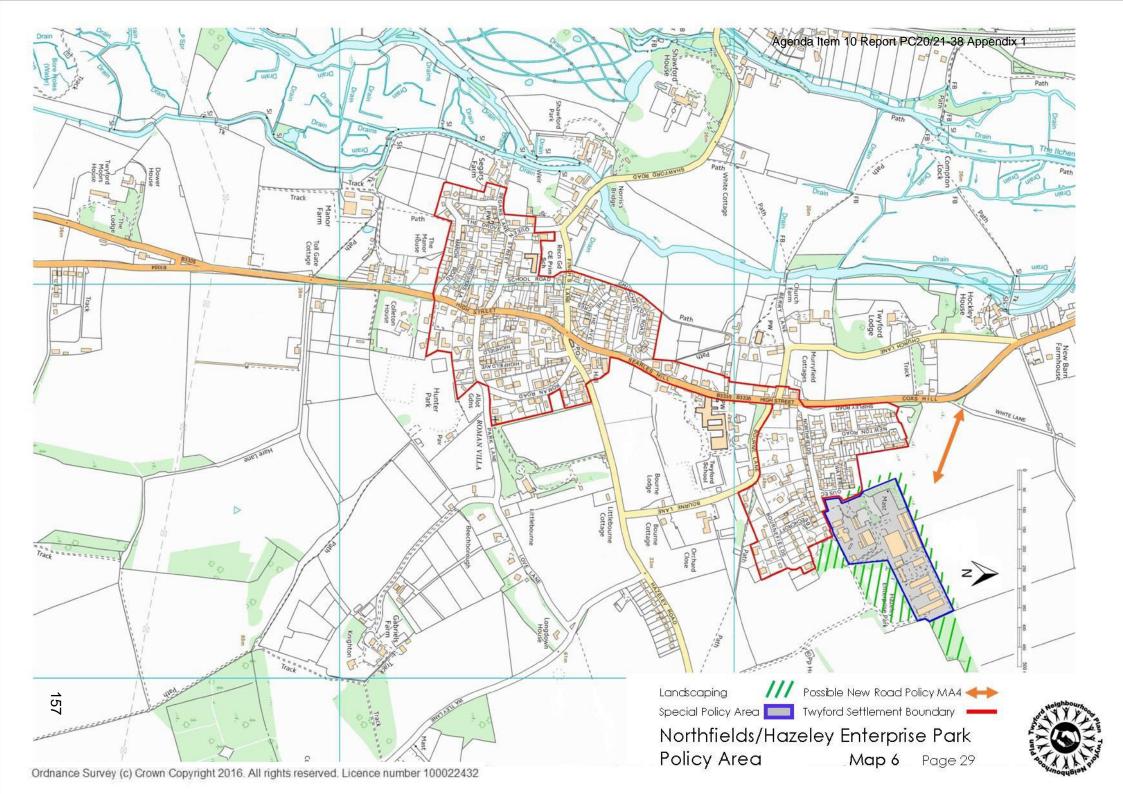
The site as shown on Map 6 is designated as a local employment site, subject to SDLP SD 35.4.

Consents for expansion or redevelopment or change of use will be granted, within the currently developed area as shown on Map 6, in accordance with Policy BE1 and subject to prior agreement of the following:

- a) The removal of the feed mill
- The preparation of a master plan to cover the following matters for the site outlined on Map 6 including:
  - i) Hours of working
  - ii) Traffic and its routing to minimize the impact on the village and the SDNP
  - iii) Landscaping to minimize the impact on the wider landscape including areas of planting identified on Map 6, and satisfying all landscaping requirements.
  - iv) Pedestrian and cycle routes.

Any redevelopment should relate well to the existing village and its facilities. Development should be in accordance with the agreed master plan. Land outside the designated area in the same ownership should be included within the landscaping and access proposals.





# 3. The Policies - BE Business and Employment (cont)

## Policy BE 3 - Twyford Preparatory School

Purpose of the Policy

Twyford Preparatory School (shown on Map 7) is a long established Institution with a national reputation and is clearly flourishing. It occupies a large and prominent site in the heart of the village. The school site is of landscape importance with many fine trees, contains several listed buildings and important archaeology. Twyford Preparatory School has been in existence for over 200 years on the same site, and is of historic interest as an institution. It has over 400 pupils and is the largest employer in the village.

The school was originally based on a property fronting the historic High Street and this part is within the Conservation Area. However it now occupies the majority of the block bordered by Bourne Lane, Hazeley Road and the High Street, most of which is open playing fields and is part of the countryside. The school has now (August 2020) purchased the playing field to the north of Hazeley Road.

The school has grown in size significantly over the last 10 to 15 years and changed in character from a boarding school to a day school, with flexiboarding for older pupils. Originally for boys only it is now for both sexes, while extending the age range to include younger children. The larger numbers also need more play space which has been provided on leased land. The original school buildings have been added to in order to provide both classroom space and better facilities.

Currently about 12% of pupils are from Twyford itself and about half of the pupils live within 15 minutes drive time. The rise in numbers has resulted in a significant growth in twice daily traffic which impacts in particular on Bourne Lane and its use by other traffic and pedestrians. Most staff also live outside the Parish.

Although Twyford is not the primary source of either staff or pupils, Twyford School forms an integral part of the village by supporting village facilities, employment and of education. Over the period of the TNP, there are likely to be a series of proposals requiring planning consent. The policy proposed considers the school as a whole and allows for a wide range of possible

developments provided it is for school purposes. The types of development envisaged, besides playing fields and educational and ancillary buildings, could include a small number of tied staff flats. Any increase in pupil numbers should show that there will be no additional traffic, foul sewerage or other environmental or infrastructure impacts. There should be continuing efforts during the life of the TNP to reduce the impact of traffic. All of these issues are to be addressed in a master plan which has been under consideration by the school for some years.

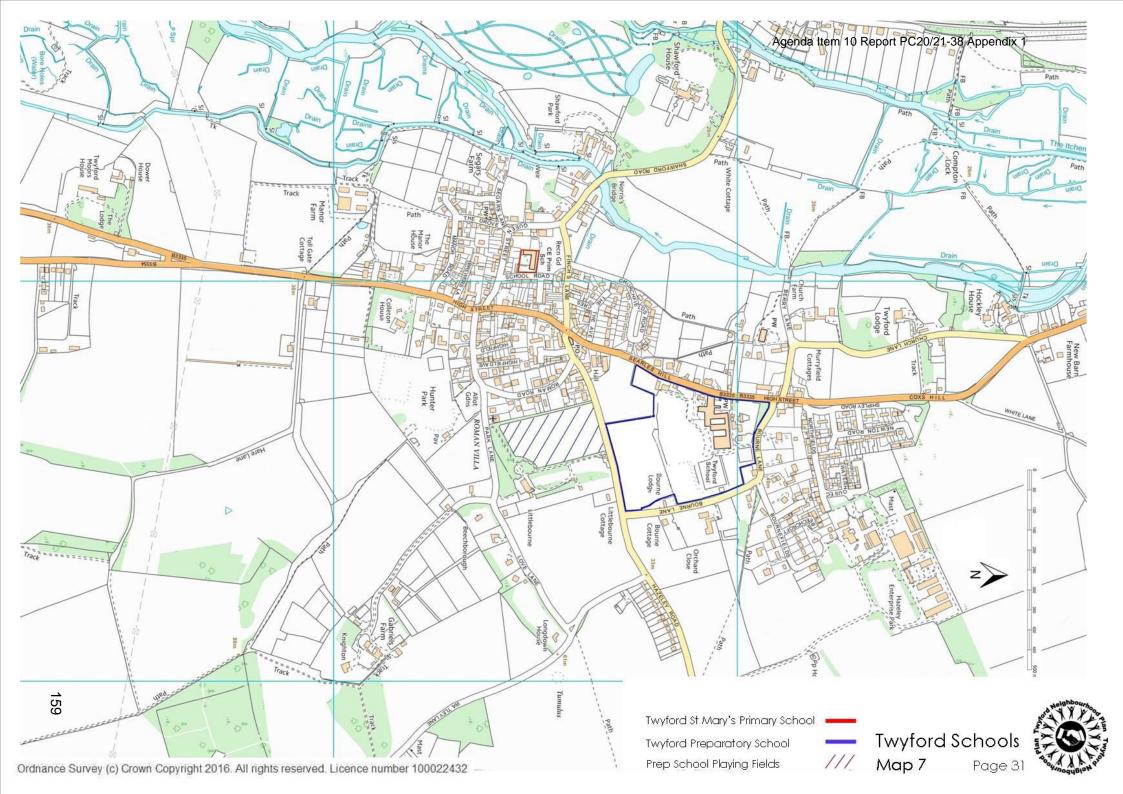
#### Relationship to the SDLP

National Park policy SD 43 (new and existing community facilities) supports the retention and development of schools subject to constraints including sustainable transport and limiting impacts on the surrounding environment and communities. Development has to be landscape led.

### Policy BE3 - Twyford Preparatory School

- 1. Further development of the school will be supported subject to the prior preparation of a master plan to incorporate:
  - a) Proposals for access and movement which reduces both the use of the car and the current impact of pupil related traffic on the village and local roads
  - b) A landscape and design strategy
  - c) A strategy for the historic fabric and archaeology
  - d) A strategy for the location of additional buildings.
- Development will be permitted provided it conforms to this plan.
- On account of the openness of the lower land (now playing fields) consents for new buildings are likely to be limited to the upper parts of the site in close proximity to existing buildings.





## The Policies - ST Sustainable Tourism

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Twyford Parish's landscape and rich cultural heritage attract many visitors, including residents and those from further afield. Leisure and tourism are important to the local economy.

Attractions include both natural and man made features such as the Itchen Navigation, Berry Meadow and the Meads, which are visited for dog walking, swimming, fishing and enjoyment of the countryside, and Twyford Waterworks Trust, a working industrial heritage site and environmental attraction managed by volunteers, and of course St. Mary's church. The extensive footpath network connects to long distance routes in all directions. Other attractions include the picturesque village with its historic buildings; private fishing, golf, stables, local food producers and retailers, two popular pubs and diverse community events.

Some attractions and their facilities are private or commercial, such as the pubs, café, B&B, and golf course; volunteers or public bodies such as the Parish Council maintain others. The two pubs and Twyford Waterworks have dedicated car parking but provision does not meet current needs in all cases. Twyford Waterworks also requires improved pedestrian, public transport and cycle access.

Access to Twyford village is available to visitors and tourists generally by a wide range of transport methods, including walking access from the railway station at Shawford. Just outside the National Park there are facilities such as a wide range of visitor accommodation in Winchester, and Park and Ride car parks that enable walkers and cyclists to access the SDNP/Twyford footpath network.

## Policy ST1 - Visitor and tourism facilities

Purpose of the policy

Visitor pressure in Twyford is likely to increase as the population in the surrounding area grows, and as a result of raised awareness of the National Park and of Twyford's rich heritage. In line with National Park purposes,

opportunities for public understanding and enjoyment of the special qualities of the Park should be promoted. However, any developments must not damage the special qualities of the Park, and should contribute to its protection and enhancement, adding value to the local community. Nor should there be cumulative harm as a result of visitor pressure. Local people place a high value on protecting the quality of the local environment.

This policy provides for the improvement of facilities for existing attractions, with provisions for development both inside the settlement boundary and the surrounding countryside. The further development of Twfyord Waterworks is assisted by this policy. It helps to improve the quality of the historic environment by protecting and enhancing existing special qualities and develops sustainable access and engagement opportunities for residents and visitors to the National Park.

Visitor accommodation is permitted within the Settlement Boundary and by conversion of agricultural buildings. It may include holiday homes, but not second homes and it is important that planning conditions ensure that approved holiday accommodation is not used as a person's sole or main place of residence. The purpose of this element of the policy is to help to maintain Twyford as a sustainable village community with a vibrant tourism economy, respecting its position within the protected landscape of the National Park.

#### Definitions:

In planning terms, a 'holiday home' is usually defined as one used for short term lettings, not used as sole or main residence, or used for business purposes, education. A 'holiday' is an extended period of recreation, away from a person's home.

A 'second home' is a home not used as sole or main residence, but owned by someone for exclusive personal, family or friends' use.



## The Policies - ST Sustainable Tourism (continued)

#### Relationship to the SDLP

These policies are in line both with SDLP SD 23 and give effect to the purpose of the National Park to increase awareness and enjoyment of its special qualities. Because of the multiple pressures which the Parish of Twyford has to balance, new visitor attractions are only encouraged where they relate to the specific National Park qualities for which Twyford itself is well known, rather than ones which are general to the Park as a whole: or could be better located elsewhere.

Provision is made for visitor accommodation only within the Settlement Boundary or by conversion of farm buildings under SD 41.

### Policy ST1: Visitor Attractions and Tourism Facilities

- The enhancement of existing visitor attractions will be permitted in accordance with Policy 23. Twyford Waterworks is designated as a Visitor Attraction.
- New visitor attractions will be permitted in accordance with SD 23 provided:
  - a. The proposal is justified by Twfyord's particular assets.
  - b. There is a need for the development in that location.
- Visitor accommodation will be permitted only within the settlement boundary.

## The Policies - ST Sustainable Tourism (continued)

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### Policy ST2 - Visiting and enjoying Twyford

Purpose of the policy

Supporting the statutory purposes of the National Park, the TNP aims to promote opportunities for the understanding and enjoyment of the special qualities of the Parish for those who live and work in, or visit the Parish. This includes building a 'sense of place'; to promote and protect what makes Twyford Parish special.

Recreational use of the countryside is high locally, but awareness of the special heritage, landscape and wildlife in the parish, and the need to protect and enhance this, appears relatively low. Appropriate National Park Authority (SDNPA) signage and/or local interpretation within the parish, following best practice to avoid visual intrusion or signage 'clutter' would provide some orientation for residents or visitors to highlight local cultural or natural sites of interest, or to encourage responsible use of the countryside. A nature trail and related interpretation at Twyford Waterworks, (a charging attraction), provides some formal information and interpretation about the local environment and wildlife.

Negative visitor impacts on Twyford Parish countryside currently include parking pressures, path maintenance, unauthorised events, vandalism, litter, fly tipping and dog fouling. Some popular but ecologically sensitive river sites are at risk of damage. Influencing visitor behaviour and providing a more informed experience in the National Park is important in order to ensure that residents and visitors enjoy the landscape responsibly.

Developing opportunities for heritage and wildlife learning and engagement is best undertaken in partnership with village organisations and landowners, including the Church, local schools, neighbouring parish councils, Twyford Waterworks Trust and with relevant specialist agencies working locally, including Natural England, the Hampshire and Isle of Wight Wildlife Trust and the SDNPA.

#### Relationship to the SDLP

The South Downs National Park Partnership Management Plan 2020—2025 includes a series of objectives which include "Outstanding Experiences" for those visiting the National Park. It will be for Twyford Parish Council and all local landowners and organisations to work with the SDNPA on such matters as:

- Appropriate and sensitively sited signage, orientation and visitor information (at visitor information points and online) is to be provided for key sites of interest in the Parish, linked to key transport and access routes and compliant with other TNP policies.
- Sustainable visitor behaviour is to be promoted to users of paths and trails using appropriate resources, signage and interpretation at key sites.



# 3. The Policies - CP Community Provision - Open Space

## Policy CP1 - Provision & Protection of Open Space, Sports & Recreation facilities and burial arounds.

Purpose of the policy

Twyford is a village with a strong and lively community highly valued by its residents. Generally it is well provided with social, cultural and sports facilities and open space, which are well used. However, there is a need to resist their loss, improve and update them and, in one or two cases, to find opportunities for further provision.

For public open space the village has its own park with sports facilities, a further playing field, three equipped play areas for young children, and allotments, all run by either the Parish Council or trustees; all function also as amenities. There are three reasonably well distributed play areas in the Parish, two of which, at Hunter Park and Ballard Close, are equipped to LAP and LEAP standard respectively. Northfields play area is also now equipped to LEAP standard and with improved access arrangements serves the whole of the Northfields area of the village. Twyford's open spaces are in excess of current standards.

Other organisations that benefit the village to a degree include Twyford Waterworks Trust, Twyford Preparatory School, Hockley Golf Club and surrounding stables.

Easy access to the countryside from all parts of the village by the extensive footpath network which now includes permissive paths, is a major benefit to all. The Parish Council owns farmland close to the village which is heavily used for enjoyment of the countryside by villagers and others. The area round the Locks is used informally for swimming, picnicking and fishing.

There is a need for further provision of facilities for young people and easier access for the elderly. Additional car parking space is required for this purpose at the village centre to accommodate high usage of the Parish Hall at the Surgery and the many other facilities accessed by car.

Sports, play provision and open space provision is up to standard, but is concentrated in the southern part of Twyford village.

The housing allocation (HN2 and DB1) and any other new development should make provision for open space provision on site.

Parish Council records show that there is currently a waiting list of 10 for a village allotment and the average waiting time is currently 4 years.

Relationship to the SDLP

Planning policies have long put the provision and protection of open space as a central element of local plans. The SDLP implements this with Policy SD 46. This policy applies the SDLP policy to the local circumstances of Twyford.

## Policy CP1—Community and sports facilities and open spaces

Twyford's community, sports facilities and open spaces are identified in Table 1 and Map 8, and will be subject to SDLP SD 46.

## 3. The Policies - CP Community Provision (continued)

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## Policy CP2 - New and Existing Community Facilities

As with open space provision community facilities are a vital component of village life. Planning policies have long protected them from loss to alternative uses, unless there is sound justification. This is continued by SDLP policy SD 43. This policy applies SD 43 to the local circumstances of Twyford Parish.

There are several facilities which are central to village life; Twyford Parish Hall, Twyford Stores (the shop, post office and Bean Below Café), Twyford Surgery and Pharmacy, Twyford St Mary's Primary School, St Mary's Church, and the Methodist Chapel, The Bugle and Phoenix Inn, Twyford Social Club, and Twyford Tennis and Bowls Clubs.

The Cecil Hut was for many years in community use but has been unused since its purchase by Twyford Surgery.

Other organisations that benefit the village to a degree include Twyford Waterworks Trust, Twyford Preparatory School, Hockley Golf Club and surrounding stables. The above facilities also shown on Table CP2 will be subject to Policy SD 43.

New powers under the Localism Act 2011 also give communities the right to identify a building or land that they believe to be of importance to their community's social well-being, with the right to bid for it if put up for sale.

Twyford Parish Council will separately decide whether Twyford Post Office and Stores, the Bugle, the Phoenix, Twyford Social Club, The Cecil Hut and Twyford Lawn Tennis and Bowls Club should in addition be identified as Community Assets as defined in the Localism Act 2011 and be subject to those procedures.

## Policy CP2 - New and Existing Community Facilities

Twyford's Community Facilities are as set out in Table 2 and Map 8, and will be subject to the policies of SDLP SD 43.

## 3. The Policies - CP Community Provision (continued)

Table 1 – Open Spaces in Public or Charitable Ownership or subject to formal agreement

Name	Ownership
Hunter Park	Twyford Parish Council
Ballard Close	National Playing Fields Association (managed by trustees)
Northfields Play Area	Twyford Parish Council
Hewlett Close Open Space	Humphrey Family (under Planning Condition) Winchester City Council
Churchfields Green Play Area	Twyford Parish Council
Allotments	
Churchyard	St. Mary's/Diocese of Winchester
Pumphrett Bank	Private Individual

## Table 2: Community Facilities

Twyford Post Office Twyford Stores Bean Below

Twyford Lawn Tennis & Bowls Club

Twyford Surgery and Pharmacy

The Bugle Inn The Phoenix Inn

Twyford Waterworks (as run by Twyford Waterworks Trust)

Cecil Hut

## **Public Halls and Meeting Places**

Parish Hall and Car Park

St Mary's Church and Graveyard

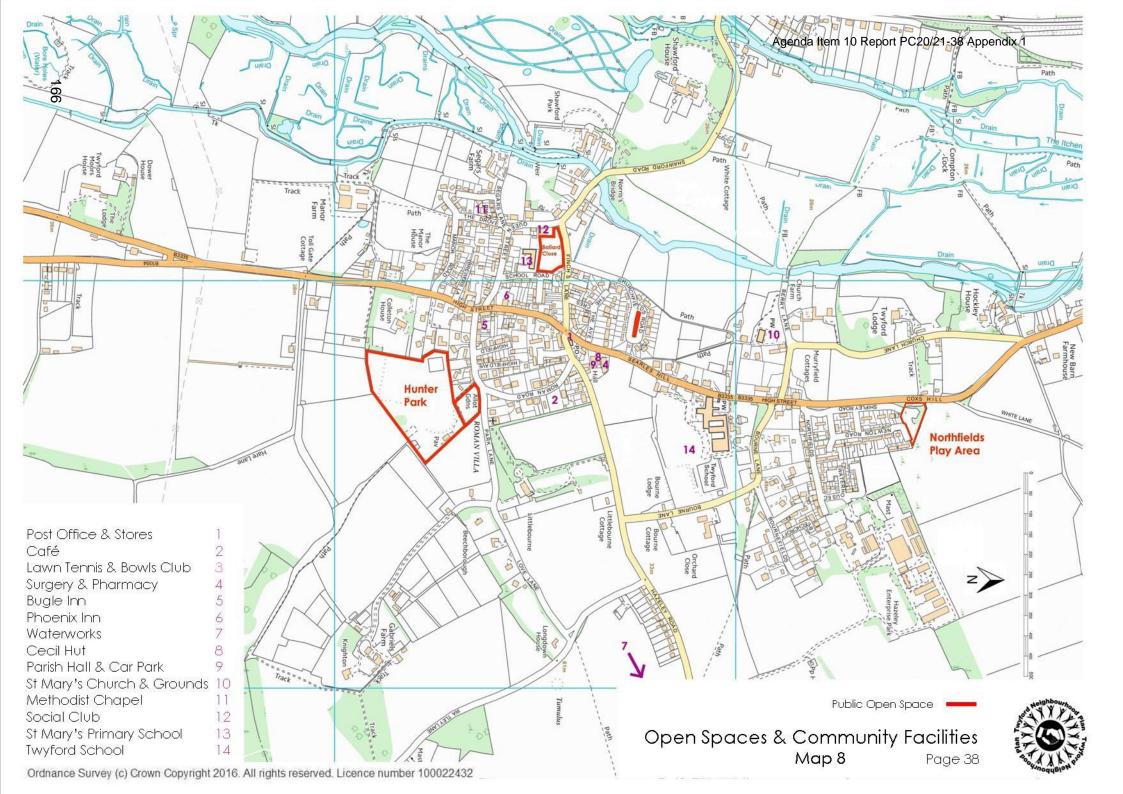
Methodist Chapel

Twyford Social Club

#### **Schools**

Twyford St Mary's Primary School

Twyford Preparatory School



#### Policy CP3 - Twyford St Mary's Primary School

Purpose of the policy

The village primary school (shown on Map 7) has been at the heart of the local community since its foundation in about 1850 and its value today cannot be overstated; consequently the school's needs are seen as a priority. There are currently approximately 160 pupils enrolled of which about 80% come from the Parish.

The school still occupies its original site and buildings which were designed for about half the current number. They are listed and are within the Twyford Conservation area. With the expansion in numbers, additional classrooms have been added.

There are currently seven year groups ranging from Reception (4+) to Year 6 (10+) located in four permanent classrooms and a temporary classroom. Outside space is severely limited although this is partly offset by Ballard Close which is an open space for the use of children under 14 years old. The school feels lack of space constrains the range of educational opportunities it would like to provide for the children. The school's principle access is via School Road, an un-adopted and unmade up road with on-street parking, that serves many dwellings. Limited parking in the vicinity of the school leads to daily occurrences of traffic congestion and concerns about safety have been expressed.

## Relationship to the SDLP

SD 43 provides the framework for the further improvement of Community Facilities which include Twyford St. Mary's Primary School. The inclusion of a special policy for the school makes clear the paramount importance of the Primary school as a key community asset.

Development which is for the maintenance and improvement of the School including measures to improve the access to the School, will be supported.

#### Policy CP3—Twyford St Mary's Primary School

- 1. Development which is for the maintenance and improvement of the School's facilities for Twyford children will be supported.
- 2. Measures to improve the access to the school will be approved.

# 3. The Policies - LHE Landscape, Heritage & Ecology

Twyford Parish is included within the South Downs National Park because of the quality of its landscape, ecology and its rich cultural heritage. The Neighbourhood Plan vision and objectives reflect those of the South Downs National Park. Protection and enhancement of Twyford's special village character and landscape is a primary objective of this Plan. Twyford Parish's topography and historic landscape exhibit the key features of the South Downs – extensive farmed chalk hills with long horizons and small intimate valleys with the village low down and close to the river.

As part of the Neighbourhood Plan development, the Parish Council commissioned a full study of the parish landscape from Terra Firma Consultants. Their Parish Landscape Assessment Part 1: Landscape Character Assessment December 2015 builds on earlier studies by Winchester City Council, Hampshire County Council and by land use consultants for the National Park Authority. It is available on the Twyford Neighbourhood Plan website.

The policies below reflect issues raised during community consultation in 2015 and 2016. Key points emerging from this include:

- Strong support for protection and enhancement of local landscape, heritage, ecology and environment.
- 2. Perception that these rural qualities are what makes Twyford Parish 'special'.
- 3. Concern to retain the rural setting and character of the village
- 4. Support for environmental management measures to protect wildlife, and to ensure clean air, water and tranquillity.
- Support for recreational use of green space but with a need for better management of the impacts of these activities.

The policies are consistent with the vision and objectives of the TNP, as set out in Section 2, and with the SDLP.

## Policy LHE1 - Protected gaps

Purpose of the policy

It is a key objective of the TNP to maintain the rural character of the village. Retaining the open and undeveloped countryside between Twyford and adjoining settlements is an important way of keeping the sense of place and character of the village, and in preventing erosion of the countryside and landscape of the National Park and its relationship to the village.

Although historically developed in two parts, the village has one centre and functions as a single community. The built-up area of the village is relatively well defined except for three outlying groups of housing along Hazeley Road, at Hockley and at Twyford Moors, which are separated from the village by open countryside. Twyford and its individual parts are described in the Landscape Character Assessment (2015 Terra Firma).

Twyford's Neighbourhood Plan aims to retain the green and open character of the parish and its 'green buffer zone'. This is consistent with existing planning policies which state that the form, location and scale of development must support the objectives of the National Park. Policy SD25 of the South Downs Local Plan sets out a development strategy that is concerned to maintain the character of settlements and the character of the countryside. This policy provides for specific protection of gaps between Twyford and the neighbouring settlements of Shawford and Colden Common.

Relationship to the SDLP

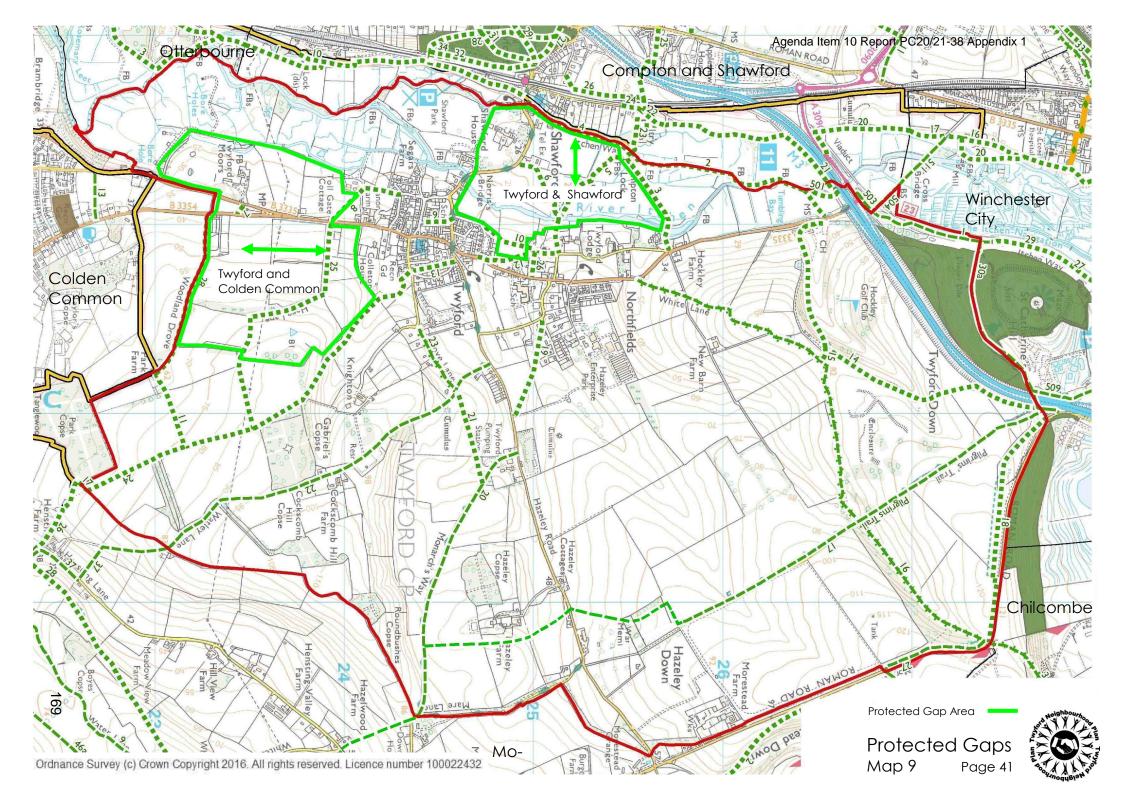
This policy is based on SDLP SD 4.3

### Policy LHE1 - Protected Gaps

- The open and under-developed nature of the following gaps (shown on Map 9) will be protected to prevent coalescence, retain the identity of the Twyford settlement and protect the character of the landscape between:
  - a) Twyford and Colden Common.
  - b) Twyford and Shawford
- Development will only be allowed within the gaps if it does not reduce the physical separation of the settlements or compromise the integrity of the gap, individually or cumulatively with other existing or proposed developments.







# 3. The Policies - LHE Landscape, Heritage & Ecology \_\_ (continued)

#### Policy LHE2 - Landscape Features and Views

#### Purpose of the policy

Twyford is a gateway village at the western end of the South Downs National Park, making a significant contribution to the vision and objectives of the National Park. Terra Firma's Twyford Parish Landscape Assessment Part 1: Landscape Character Assessment (December 2015) provides a transparent, consistent and robust approach to landscape considerations. It sub-divides the landscape immediately adjoining the settlement boundary of Twyford village into seven landscape areas, which are assessed for their key characteristics, sensitivities and management considerations.

The impact of development can be limited by confining it to Twyford's settlement boundary, although the internal landscape and character of the village has also to be considered as contributing to the natural beauty of the National Park. Outside the settlement boundary the impact of development is strongly related to the contours of the landscape and visibility from viewpoints. This policy aims to protect the Parish's important local landscape and its special features. The views and designed landscapes listed in Table 3 have been informed by the consultation in 2016 and survey.

### Relationship to the SDLP

Landscape protection and enhancement is a central policy of the South Downs Local Plan. Policy SD4 on Landscape Character and Policy SD6 on Safeguarding Views are adopted for Twyford. The allocation of land adjoining the Parish Hall has taken full account of these principles.

#### Policy LHE2 - Landscape Features and views

Development proposals which take full account of Twyford's landscape and the important parish views, and land mark features identified in Table 3 and designed landscapes identified in Table 3 will be permitted in accordance with South Downs Policies SD4 (1), (2), (3) and (5), and SD 6.



# 3. The Policies - LHE Landscape, Heritage & Ecology (continued)

#### Table 3 - Important Parish Features and Views

#### Visual landmarks and features

- The river Itchen and adjoining water meadows.
- St Mary's Church and its spire and church yard.
- Numerous listed buildings along the village edge and at its entrances.
- Twyford Waterworks Scheduled Monument.
- Elevated and sculpted downland within and adjacent to the parish particularly Twyford Down and St Catherine's Hill.
- The high ground at Northfields and Hazeley Enterprise Park
- The setting of the village in its landscape.

#### Key views of the Parish

- To listed buildings from the B3335 at the entrance to the village from the south.
- Of St Mary's Church and listed houses on Berry Lane and Church Lane where the landscape provides a distinctive setting.
- To listed buildings along Shawford Road where the landscape provides a distinctive setting.
- Of the river Itchen and water meadows from footpath,10 running southwards from St Mary's Church.
- Of and across the water meadows from Shawford Road.

- From Hunter Park to Gabriel's Copse footpath 24, across fields to Knighton and Gabriels Farm.
- Across Churchfields meadow from Churchfields/Finches Lane

## Key Views from wider landscape

- St Mary's Church and the northern edge of the village from Shawford Down.
- Long distance views of the landscape from Hazeley Road.
- Views of the village from the numerous public rights of way surrounding the village including Itchen Way and Monarch Way

## Designed landscapes including major gardens:

- Twyford House
- Twyford Moors House
- Twyford Lodge
- Hockley House
- The Elms
- Orchard Close

# The Policies - LHE Landscape, Heritage & Ecology (continued)

#### Policy LHE3 - The historic environment

Purpose of the policy

Twyford has a particularly rich heritage; it shows signs of continuous occupation from the Neolithic and Bronze Age (2000 BC).

Designated (protected) heritage assets in the Parish (see Map 10) include: Seven Scheduled Ancient Monuments, from a Bronze Age barrow to the 20th century Twyford Pumping Station, over 70 listed buildings dating from the 14th century to the 19th century. There is an extensive Conservation Area (see Maps 4 & 10).

There are in addition many unlisted assets which include buildings structures and features in the parish. Some are protected by inclusion in Twyford's Conservation Area but others are not. Twyford's historic environment includes landscape features exhibiting the influence off many ages of settlement and land use. These include the fords of Twyford, ancient tracks (some still in use as foot ways), Roman roads, ancient woodland, downland, a manorial Grange, water meadows and so on. While the whole parish contains features of interest, the water meadows of the Itchen Valley (17th century), Twyford Park (12th century) and Hazely camp (1916-17) are examples of historic landscape which are not protected in other ways; areas containing historic assets not otherwise protected are shown on Map 10 as Areas 3—6.

Areas of archaeological potential, an aspect of the historic environment can be easily overlooked. Recent discoveries include 6th to 8th century cemetery in Twyford Preparatory School and bronze and iron age remains south of the Waterworks. Currently unidentified sites are unlikely to be identified in future and the National Planning Policy Framework is clear that consideration of archaeological implications should be included in development land allocations, with archaeological investigations occurring well in advance of development. The following areas are identified as most likely to reveal significant evidence of earlier settlement, and are further explained in the Evidence Base, Historic Rural Settlements in 2004. This included a detailed review of Twyford. This has been further reviewed and updated. The areas identified are shown on Map 10 as Nos 1—5.

- 1. South Twyford
- 2. North Twyford
- 3. Fields north and south of Hazeley Road
- 4. Water meadows
- 5. Hockley Golf Course and Twyford Down.
- 6. South East Twyford

Twyford's built and archaeological heritage is important to people who live, work in and visit the community and there is a wish to protect it further. Conserving the historic environment contributes to the character of the Parish, improves the quality of the built environment and protects its special qualities. This policy ensures that the character and integrity of important local heritage assets will be protected, addressing the connections between people and places and ensuring the integration of any new development into the historic environment.

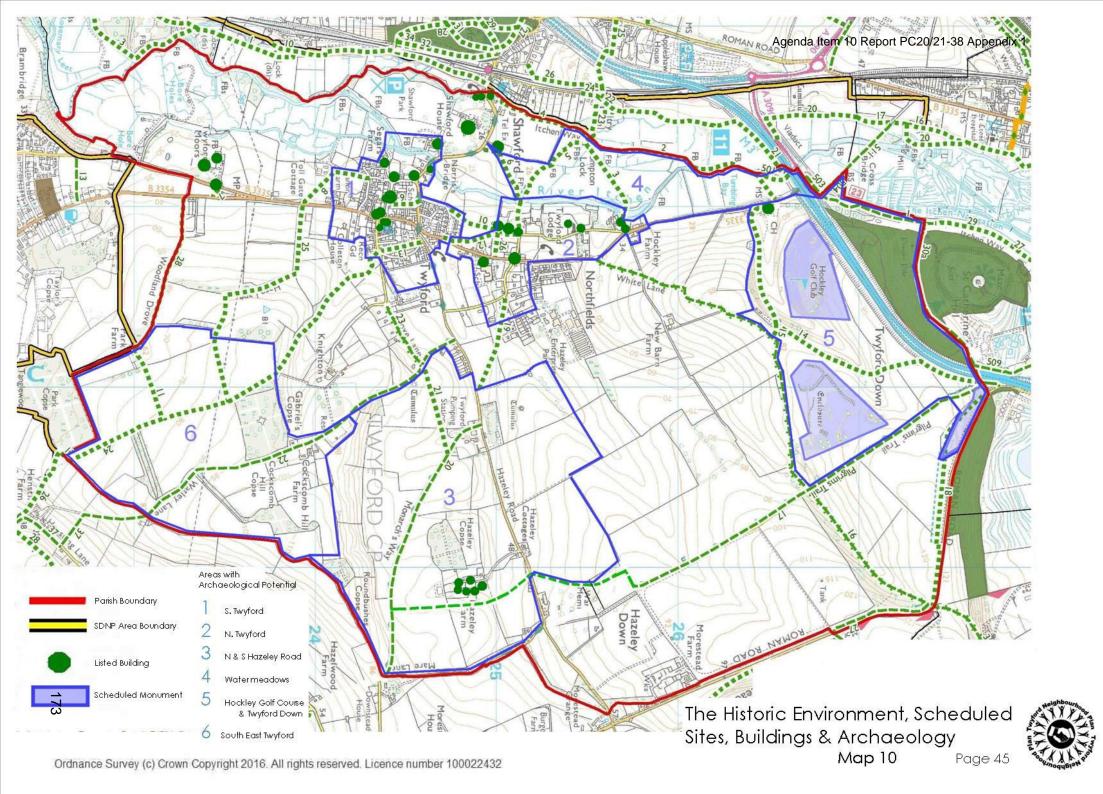
#### Relationship to SDLP

The South Downs Local Plan following National Guidance, sets in Policy SD12 a broad approach to protecting the historic environment within the context of the National Park, including Historic Assets, with more detailed policies for listed buildings in SD13, and SD14, for archaeology in SD16. The Conservation Area is addressed in a separate policy.

### Policy LHE3 - The historic environment

- 1. Areas 1—5 as shown on Map 10 are identified as having particular archaeological potential; development proprosals are subject to SD 12 and SD 16.
- 2. Areas 3—6 as shown on Map 10 contain significant heritage assets; development proposals are subject to SD 12 and will be required to prepare a Heritage statement.
- 3. Twyford's historic buildings are to be preserved and enhanced for their individual and collective contribution to the natural beauty of the SDNP. They are subject to SD 13.





# 3. The Policies - LHE Landscape, Heritage & Ecology (continued)

### **LHE 4 Twyford Conservation Area**

There is an extensive conservation area (see Maps 4 and 10) which incorporates the older parts of the village, both North and South, and the three village fords. Twyford's Conservation area was designated in about 1980 by Winchester City Council with an appraisal of its historical architectural and landscape assets and their significance. It includes a large number of listed buildings. Since then the significance of the Conservation Area has been increased by its inclusion within the National Park, and by a range of studies on the history of Twyford, its archaeology and individual buildings. The City Council also adopted a series of policies which remain in force. These are all in line with current national policy and so can be endorsed and restated in this plan.

The conservation area is in need of further work in these respects:-

- it includes some land which does not appear to have merit
- it excludes areas of the village which do have merit, in particular the surroundings
- no detailed study has been done to guide development
- there is no programme of enhancement
- Heritage England have placed it on the "Heritage at Risk" Register

SDNPA have now completed a comprehensive appraisal of the village with the intention of reviewing the current designated area and extending it. This document is now in draft and will form part of the evidence base for the TNP.

#### Relationship to the SDLP and other policies

The WCC Conservation Area designation and policies of 1980 will apply and will be subject to SDLP policy 15.

SDNPA are currently revising Twyford's Conservation Area until that process is complete.

## **Policy LHE4 Twyford Conservation Area**

- 1. Twyford's Conservation Area will be protected in accordance with Winchester City Council's 1980 designation and policies; development will be subject to SDLP SD 15.
- TPC will work with SDNP to produce more detailed advice and guide new development and to work out a programme of enhancement.

# The Policies - LHE Landscape, Heritage & Ecology (continued)

#### Policy LHE5 - Green Infrastructure

Purpose of the policy

The character of Twyford owes much to its close relationship to the surrounding countryside and to green areas with the village, protected by general landscape policies of the TNP and the SDLP. There are numerous green wildlife corridors and green areas, mostly on private land with no permissive access, such as other fields within the water meadows and fields located between the north and south parts of the village that are also important to the village landscape character.

Of particular importance is the flood plain of the Itchen Valley within Twyford Parish. The river is a special area of conservation; with its valley land, it is subject to multiple designations and is the focus of a number of public studies and measures to safeguard its value and the species which use it. These cover landscape, urban fringe, ecology, historic landscape, water environment, and flood risk.

The valley is a corridor which connects the Itchen Estuary with the interior, in a continuous undeveloped strip hemmed in in part by development and crossed by roads and railways. It is therefore of wider importance beyond the Plan area and needs to be integrated into a wider strategy.

The valley through Twyford Parish is a key part of the whole occupying most of the valley width for 4 km. It is managed for conservation for most of this length and links to land north and east which is similarly managed e.g. St. Catherine's Hill, Twyford Down and Hockley Golf Course.

This information is collated by Hampshire Biodiversity in their Ecological Network Mapping for Twyford. This map identifies both statutory and nonstatutory designations and network opportunities. However no formal study has been carried out by SDNPA to identify other key areas of green infrastructure. Until this has been done all open land will need to be considered for its green infrastructure impact and potential in development proposals.

#### Relationship to the SDLP and other policies

This policy links SD 45 Green Infrastructure and to the following SDLP policies:

SD 2 Eco System

SD 4 Landscape Character

SD 9 Biodiversity and Geodiversity

SD10 International Sites

SD12 Historic Environment

SD17 Water Environment

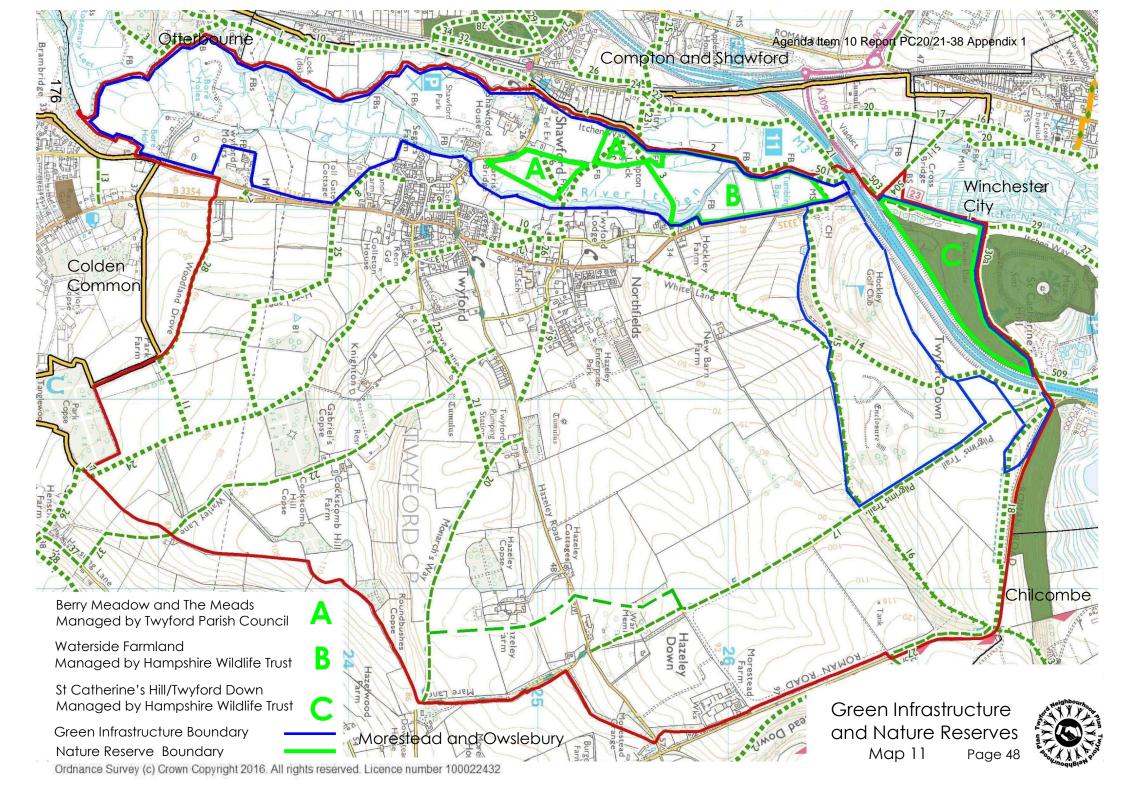
SD47 Local Green Spaces

SD49 Flood Risk

The policy will support SDNPA, WCC and other agencies in their initiatives on Biodiversity, the Itchen Valley and the environs of Winchester.

## Policy LHE5- Green Infrastructure

- The Itchen Valley together with Twyford Down and Hockley Golf Course are designated as Green Infrastructure of wider importance as shown on Map 11 and will be subject to SD 45.
- All development on open land is to be considered for its impact on and potential contribution to Green Infrastructure and will be subject to SD 46.



# 3. The Policies - LHE Landscape, Heritage & Ecology (continued)

## Policy LHE6- Local Biodiversity, Trees and Woodlands

Purpose of the policy

#### **Biodiversity**

Twyford Parish's ecology is of national and international importance. The River Itchen including its multiple channels are designated as a Special Area of Conservation. These are two Sites of Special Scientific Interest (SSSIs) and numerous Sites of Interest for Nature Conservation (SINCs) (see Map 12). The Parish is also home to a number of priority habitats as defined in the Biodiversity Action Plan for Hampshire.

The River Itchen is a chalk stream of exceptional quality, home to rare insect and plant communities. Its protection is secured by designation of both its watercourses as SAC and adjacent flood plain as SSSI. Twyford Parish also has several areas of biologically rich downland, some with designations. There are several small ancient woodlands, all of which are designated as Sites of Importance for Nature Conservation.

Trees, hedgerows, small fields, open spaces and large gardens in and around the village provide additional habitat networks and form buffers to human activity. They contribute to the special character of the Parish and need to be recorded and protected. Green infrastructure corridors, such as woodland or well maintained hedgerows, provide important wildlife habitats and cover for the movement of wildlife. These are protected by policy LHE5.

The Winchester Biodiversity Action Plan (BAP) identifies priority local sites and habitats, with action plans. It also highlights the contribution that local community based action, including improving existing habitats such as gardens, can make towards protecting and conserving the natural environment. Education and awareness raising is also important. National and local agencies involved in environmental management in the Parish include the Environment Agency, DEFRA, (working through Natual England) and the Hampshire and Isle of Wight Wildlife Trust, working with land-owners.

This policy seeks to assist the implementation of the local BAP and to ensure that developments complement or enhance biodiversity in the village. The policy also encourages members of the community to become involved in the care and maintenance of the Parish's natural environment.

The Parish Council owns land of high ecological value in the Itchen Valley and will seek to designate it as a local nature reserve extending to land owned by Hampshire & Isle of Wight Wildlife Trust. Designation as Local Nature Reserves provides additional protection for important ecology. Future management plans shall aim to address both public access and conservation needs.

#### Trees and Woodlands

Over the last 30 years or so the tree cover within and around the village appears to have reduced significantly. There have been multiple causes, Dutch Elm, Horse Chestnut Dieback, age, storm damage and the increasing concern of residents about light, root damage and possible danger. Ash Dieback now threatens a further major component of the local land-scape. Coordinated action is required to replace what is being lost, and to ensure the enhancement and resilience of trees and woodlands for Twyford Parish's biodiversity and ecology and landscape benefit, both within the settlement boundary and in the countryside. SD 11 provides the appropriate policy to be applied to all planning proposals. In addition to the procedures set out in SD 11, the Parish Council will promote schemes of planting in the village. Opportunities for planting of new trees, woodland and hedgerows will be taken on public land and in conjunction with land owners.

(continued overleaf)

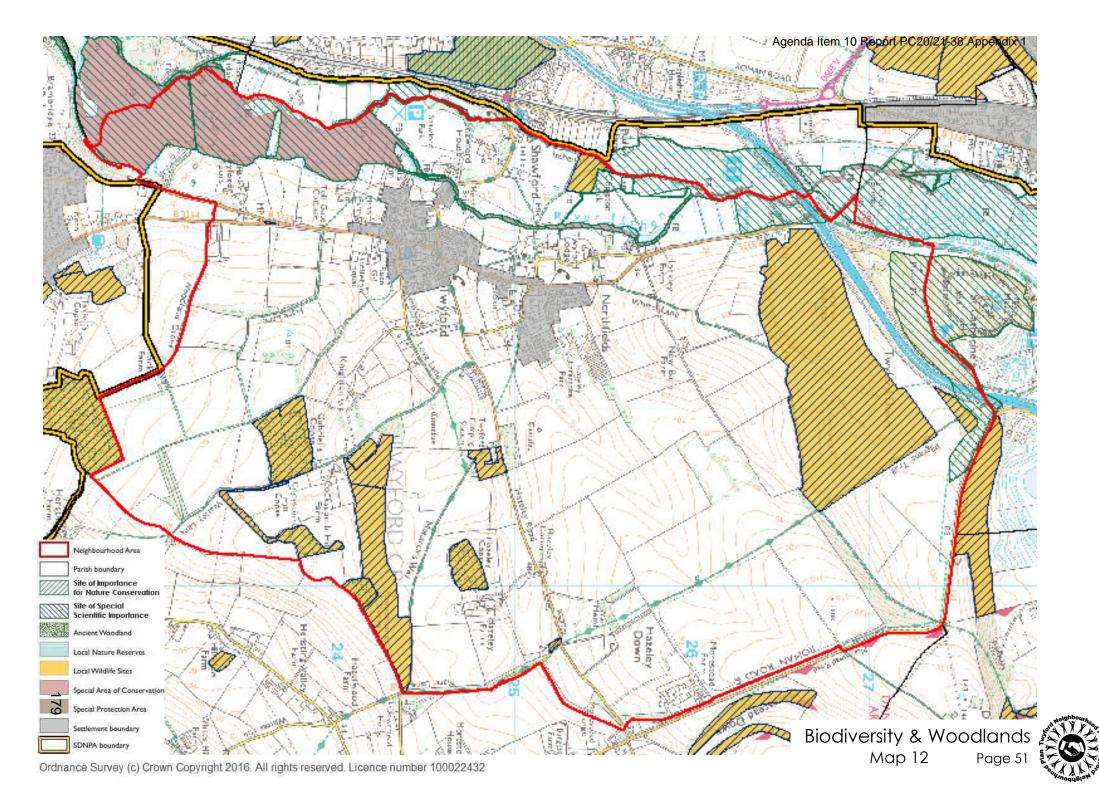
# 3. The Policies - LHE Landscape, Heritage & Ecology (continued)

Relationship to the SDLP and other policies

SD 9 and SD 11 cover these topics. The policies to be applied are those of SD 9, Biodiversity and Geodiversity. Trees, Woodland and Hedgerow are protected by SD 11 particularly within the settlement boundary and the Conservation Area.

#### Policy LHE6 - Local biodiversity, trees and woodlands

- The designated sites identified in Map 10 together with the many undesignated sites and features together with the species which depend on them, are identified for their importance for biodiversity, locally, nationally and internationally. Development proposals are to take account of them, in accordance with SD 9, Biodiversity and Geodiversity.
- A cross border policy will be prepared jointly with Winchester City Council and SDNPA to ensure the conservation and enhancement of the River Itchen SAC.
- Trees, Woodland and Hedgerow within Twyford are to be protected particularly within the settlement boundary and the Conservation Area will be subject to SD 11.



# The Policies - LHE Landscape, Heritage & Ecology (continued)

#### Policy LHE7 - Dark Night Skies

Purpose of the policy

A key characteristic of the South Downs National Park is its status, since 2016, as an International Dark Sky Reserve (IDSR). SDNPA will use its planning authority to protect the dark skies above the National Park, as well as the landscape on the ground. Artificial light pollutes the night sky, also threatening the survival of nocturnal wildlife such as moths and bats.

SD9 of the South Downs Local Plan includes specific lighting requirements for development. In addition, the National Planning Policy Framework (paragraphs 95 and 97) supports a low carbon future by reducing unnecessary energy use.

This policy aims to protect the dark skies above Twyford Parish and to reduce light pollution. It applies to any proposal which involves the installation of external lighting and where the design of developments may result in light spill from internal lighting. It will also apply to specific lighting schemes which require planning permission or listed building consent, including car parks and sports pitches. As such, no new developments in the Parish should feature street lighting unless it is required to mitigate a potential road safety hazard, with support given only to minimal lighting and designs suitable for a rural environment.

Most of the Parish lies in Dark Zone area E1, an area of Intrinsic Rural Darkness. The standards are set in SDLP/SD8, and include:

- 1. Taking note of ILP guidance,
- 2. Assessment of landscape impact.
- 3. Maximum Lux level (10 Lux suggested).
- 4. An evening curfew.

Part of the Parish sits in Transition Zone E1 (b). In this part, an evening curfew will not apply.

Relationship to the SDLP

The Dark Night Sky status of Twyford Parish is set out in the SD interactive map. SDLP SD 8 will apply.



### 3. The Policies - WE Water Environment including flood risk

### Policy WE1 - Flood Risk Management

Purpose of the policy

Twyford Parish's water environment is a key component of its natural beauty and role in the typical landscape of the South Downs. One consequence of this is periodic flooding.

In most years the existing infrastructure is adequate for the purpose but exceptional rainfall over a sustained period has caused flooding in the village. The worst affected area included the Parish Hall and its car park necessitating road closure and emergency procedures to be implemented. This took place in the winters of 2000/01 and 2013/14. This flooding is caused not by rivers as surface water run off but by the surcharging of the chalk aquifers. These have specific hydrological characteristics. Ground water levels rise and emerge as springs. The major springs are those above the Morestead Road and flowing as surface water along the line of Hazeley Road. Further springs emerge in the village itself, in the fields and properties fronting Hazeley Road and Finches Lane. For much of the 20th century a large ditch ran alongside Hazeley Road to the Post Office and village shop but in more recent years much of this was replaced by a piped system only capable of accommodating road drainage and not the flows associated with the Winterbourne.

Surcharging of foul sewers in the same area is aggravated by the topography and the design of the gravity system through these low lying areas. (See under Infrastructure IDC1 and WE2 Foul Sewerage including surcharging).

An emergency flood management plan has been put in place by the Parish Council in partnership with other authorities and was updated following the 2013/14 incident.

Studies carried out by the Environment Agency, Hampshire County and Winchester District Council led to the identification of Flood Zones. In 2001/2 HCC replaced the storm drains west of the B3335 with a 750 mm pipe which had sufficient capacity for the 2014 flood flows. Further studies by HCC (2017) indicate that Twyford's periodic flooding to the east of the B3335 can be mitigated;

Twyford Parish Council is currently investigating solutions and costs and will actively seek to carry out the necessary works in co-operation with HCC as Land Drainage Authority and the Environment Agency. The scheme should be in parallel with Site 26.

The periodic flooding of the water meadows of the River Itchen along its valley in the Parish is a normal part of its annual cycle and is of high ecological benefit and landscape value, but requires active management of water channels. The Parish Council will seek to maintain the water meadows to retain their capacity for flood mitigation. Moreover further development should not aggravate flooding problems and should contribute to mitigation in line with policy SD 49.

Relationship to the SDLP and other existing policies

SD 17 protects the water environment. Government policy clearly sets out that development on flood land is to be avoided in proportion to the risks created taking account of the type of flood and mitigation. SDLP Policy 49 covers these issues. The Itchen and Hazeley valleys are designated as a flood risk zone by the Environment Agency (see Map 13 for Category 3 Flood Zone).

### Policies WE1 Flood Risk Management of the water environment

- Twyford Parish Council, in partnership with Hampshire County Council
  As Highway & Land Drainage Authority will bring forward a flood
  mitigation scheme to the east of the B3335 as
  - a) Development will be approved provided it incorporates the requirements of this scheme
  - b) Development in the area affected by flood should only come into use when provision has been made for flood mitigation measures
  - c) Land identified in Map 3 is to be safeguarded for the flood mitigation scheme.

### The Policies - WE Water Environment (continued)

# $\overset{\infty}{\mathsf{Policy}}$ WE2 - Foul Sewerage including surcharging

Purpose of the policy

When the Hazeley Winterbourne rose in 2000/01 and 2013/14 and flooded the village centre, flood water penetrated and overcharged the foul sewer in Hazeley Road. As a result of this, sewage backed up into houses in Army Row and St. Mary's Terrace and discharged into Hazeley Road and the Village Car Park rendering residents' toilets unusable for several weeks.

The flood drainage improvements proposed in Policy WE1 would reduce the likelihood of this problem occurring in the future and support for this should be sought from Southern Water. However the risk of flooding and infiltration of the foul sewer would not be removed and other measures to prevent ingress of water into the sewer should also be sought. Development applications demonstrating drainage plans will either utilise an existing mains drainage system at the nearest point of capacity or by a small package treatment plant. These will need to demonstrate that there is no hydrological connectivity from the proposed package treatment plant to the River Itchen. The plan should assess if there are existing watercourse, local drainage channels or a high water table in the area of the proposed treatment that will mean that the proposed treatment would not be effective and would result in there being a high risk that phosphorous transferred into the protected watercourses (the River Itchen SAC and SSSI). If emission of phosphorous from the new development could not be prevented, the scheme would not be supported until a suitable solution is identified.

A similar problem of water penetrating and causing backing up of sewage into adjoining houses occurs in Finches Lane and St. Mary's Terrace after particularly heavy storms. In times of flooding, the sewer system has been subject to hydraulic overload and rendered unusable in these and other locations. Surcharging also occurs in the Drove and Segars Lane.

In 2015 Ofwat called for improvements in the water companies response to sewer flooding and Southern Water initiated a 'Flood Reduction Project' to help achieve this in its area of operation, but Twyford has not yet been included in the initiative. As part of the initiative, Southern Water developed an 'Infiltration Reduction Plan' for St. Mary Bourne. A similar plan might be of benefit to Twyford.

The intention is that Southern Water and the relevant authorities will work together, with developers while appropriately:

- To ensure that the sewage problems of Twyford are fully recognized and the causes identified by Southern Water.
- 2. Seek for Twyford to be added to Southern Water's Flood Reduction Project.
- 3. To secure infiltration reduction measures in the foul sewers in the lower lying parts of the village which are affected.
- 4. Ensure that the current situation is not aggravated by further connections.

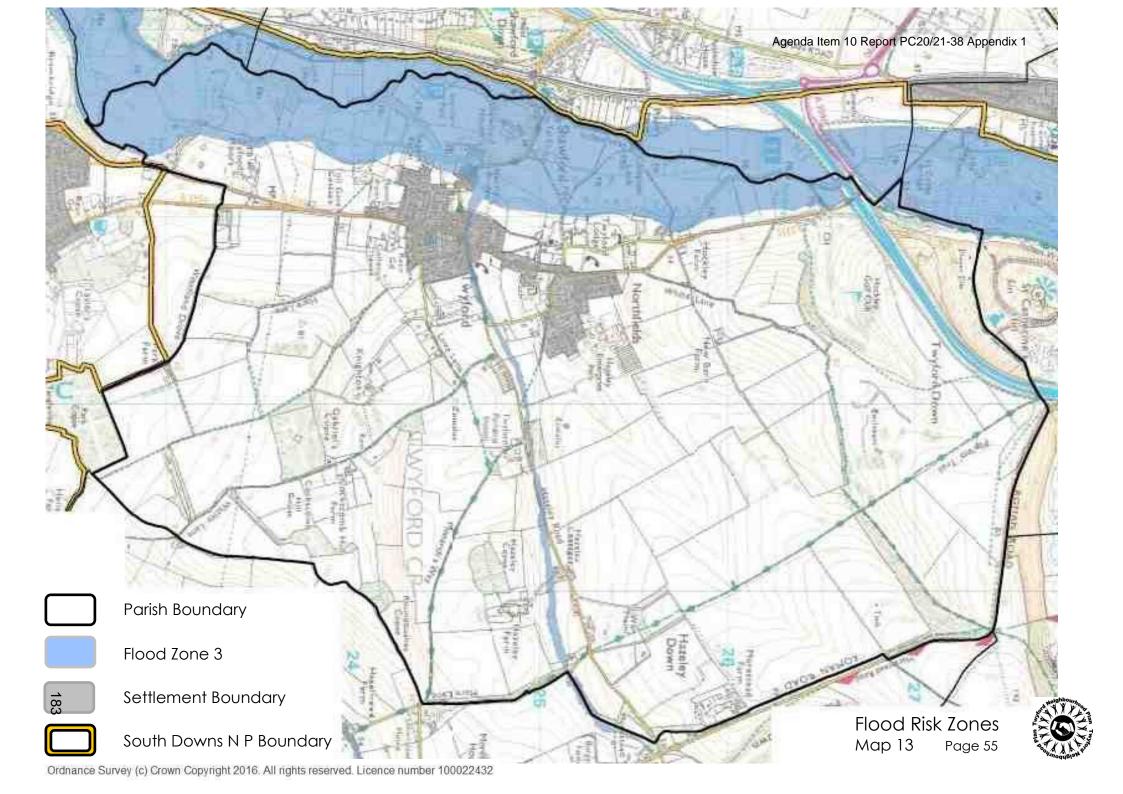
Relationship to the SDLP and other policies

This policy complements South Downs Policies SD 50 and 54.

### Policies WE2 Foul Sewerage including surcharging

Applications are to provide a drainage plan to show that the drainage associated with the site will either utilise an existing foul sewer for mains drain only at the nearest point of capacity or will be dealt with by a small package treatment plant (or similar). Details of the proposed means of surface run off disposal to be in accordance with Part H3 of the Building Renovations Hierarchy as well as acceptable discharge points, rates and volumes to be agreed by the lead Local Flood Authority, in consultation with Southern Water.





### 3. The Policies - MA Movement and Accessibility

8

Twyford, because of its location in a valley, has road traffic funnelling through and it also forms a gateway to the South Downs National Park. This brings many problems to the village with high volumes of traffic, many of which are goods vehicles passing through the village.

The ability to move easily and conveniently within the village lies at the heart of maintaining a vibrant community within Twyford and the Neighbourhood Plan aims to enhance that ability. It is compromised by the B3335 / B3354 north – south road through the middle of the village which is also designated as a Conservation Area. The road is used by many large goods vehicles to gain access to the motorway. Control of the use of this road is beyond the scope of the Neighbourhood Plan and so it is essential to protect and enhance the way this road is used to ensure there are adequate facilities for pedestrians to cross safely and for the vulnerable road users like cyclists to travel safely.

The following policies are called 'Movement and Access' as those are the only traffic related matters the Neighbourhood Plan can influence. Most transport decisions are made by other authorities. Each policy addresses relevant matters raised during the public consultation exercise undertaken in February 2015 and August 2015 and modified in line with comments received during the public consultation in September – November 2016. The policies seek to satisfy the objectives set out in Section 2 of this Plan.

### Policy MA1 – Rights of Way, Walking and Cycling

Purpose of the Policy

Twyford Parish has many public rights of way, but no purpose built cycling routes. Walking and cycling opportunities are generally reliant on some use of roads or pavements. In places there are some significant gaps in the footways (i.e. pavements) alongside roads. It does, however, have a number of important footpaths with the named routes of the Itchen Way, the Pilgrims Trail and the Monarch's Way all passing within the parish boundary, and others acting as feeder links such as the long distance South Downs Way that runs just outside the north-eastern boundary of the parish.

There is a need to maintain and improve this network in places to enhance connections across the village and particularly to the village centre and

the school and also to enhance opportunities for recreation and enjoyment of the countryside. New development should contribute to provision, either directly or through financial contributions.

The B3335/B3354 functions as a major traffic route into Winchester and could form the basis for a cycle route to and from the village and the communities to the South. The TPC is designing this with HCC and WCC help. Most of the land is within the highway but some widening may be required. This Policy addresses the need to protect and enhance facilities for pedestrians, cyclists and the less mobile members of the community.

Relationship to the SDLP and other policies

This policy complements Strategic Policy SD 20, 4, 5 and 6 of the South Downs Local Plan. The policies of Hampshire County Council as Highway Authority are also applied.

### Policy MA1 – Rights of Way, walking and cycling

- 1. Rights of Way will be extended and enhanced to secure the objectives of SD 20, 4; 5; & 6.
- 2. TPC working with HCC and WCC will improve cycling facilities along the B3335/B3354 through the village from Hockley traffic lights to Colden Common. Land adjacent to this route will be safeguarded for this purpose.

**Terminology**:- A footway (commonly known as the pavement) is the area alongside a road on which pedestrians walk. A footpath is a completely separate Right-of-Way usually across fields or through woods exclusively for the use of pedestrians.



# 3. The Policies - MA Movement and Accessibility (continued)

### Policy MA2 - Parking

Purpose of the policy

Twyford Parish is in a rural area and the use of a car is very important for most journeys. It has limited bus connections. It's access to a mainline rail station only gives options for travel along a single corridor. Thus, alongside locating development so as to minimise the need to travel by car, adequate car parking is nevertheless needed in all new development. Public car parking within the village, particularly around the centre (village hall, surgery, post office, village stores) is also essential. The existing Parish Hall car park and on-street spaces are over-capacity and additional provision is required in the centre. Parking provision for cyclists throughout Twyford is poor and opportunities need to be taken to redress this.

Good parking provision contributes to improving the quality of the built environment, promoting a village that functions as a single community and to improving the safety for those who walk and cycle. Various surveys have been undertaken of the Village Hall car-park. These included numerous observations of the total usage of the car-park at various times throughout the day and a continuous 11hr survey in April 2016 when the usage, turnover and duration of stay were determined. Full details of this survey are set out on the Neighbourhood Plan Web site but the main findings were:

- 1. Maximum occupancy was 46 vehicles\* despite there being only 35 marked spaces. This occurred mid-morning.
- 2. 2/3rds of all users stayed less than 30 minutes.
- 3. Extensive on-street parking occurs on Hazeley Road and Dolphin Hill.

(\* at a time when the area in front of the Village Hall (7 spaces) was cordoned off)

Based on the findings of these surveys and the likely demands created by the users of the surgery, the Parish Hall and Gilbert Rooms, possible diversion of some users to adjoining residential streets and repressed demand, it is considered that there is a need for at least 20 additional offstreet spaces at the outset. To provide some flexibility the policy suggests the provision of land for up to 40 spaces.

The Parish Council has considered the possibility of additional parking in the vicinity of Park Lane, Queen Street, School Road and Hill Rise but sees no opportunity of delivering or implementing any such measure.

Relationship to the SDLP and other policies

This policy complements Strategic Policy SD 22 of the South Downs Local Plan. Current parking standards are set by HCC as Highway Authority and WCC as Parking Authority; SDNPA are now revising these and will set their own.

### Policy MA2 - Parking Provision

Parking will be provided in accordance with SD 22 and the following:

- 1. Until SDNP parking standards are adopted, the standard WCC (for residential) and HCC (for all other land uses) will apply.
- 2. Development proposals that result in a loss of existing car parking spaces will only be permitted if it can be demonstrated that suitable alternative provision can be made in the vicinity.
- 3. Land to accommodate up to 40 additional car parking spaces is reserved on land adjoining the existing Parish Hall car park.



# 3. The Policies - MA Movement and Accessibility (continued)

#### Policy MA3 - Minor Traffic Management Improvements

Purpose of the policy

In May 2016 HCC advised that, because of severe budgetary restrictions, the traffic management resources available to the Highway Authority will be prioritised towards road safety schemes only, with no money for minor traffic management matters, which, henceforth, would be implemented on the initiative of and with funding from, the local community. They will relax their current approach to delivery, and where a local community wishes to introduce measures they will design and implement such proposals, provided they are fully funded by the local community. Such measures may include improved or rationalised signing; vehicle activated speed limit repeaters, carriageway markings and lining alterations, bollards to prevent misuse of verges and footways, and informal crossing points for pedestrians.

Excessive speed and on-street parking reduce the amenity and safety within the village but are controlled by the Highway Authority and so remain as 'aspirational' polices (see policy MA5). Moreover Twyford, in its role as 'gateway' to the National Park, needs to protect its minor roads from unwanted parking by visitors.

Funding for these works will come from developer contributions (or village precept). With an adopted Neighbourhood Plan, some 25% of any developer contribution is put at the disposal of the Parish Council for spending on projects of its choosing.

Relationship to the SDLP and other policies

This policy sets out the aspirations of the Parish Council and complements the aims of the South Downs Local Plan.

### Policy MA3 – Minor traffic management improvements

- Minor roads in the Parish will be protected from excessive speed and unwanted parking by the introduction of minor traffic management measures, identified by the Parish Council and endorsed by the Highway Authority.
- 2. Pressure will continue to be put on the Highway Authority by the Parish Council, to introduce measures along the B3335 /B3354 to control its use by heavy goods vehicles.
- 3. Any new development in the village will be required to mitigate the impact of additional traffic and movement created by that development.



# 3. The Policies - MA Movement and Accessibility (continued)

### Policy MA4 - Access to Northfields/Hazeley Enterprise Park

Purpose of the policy

Traffic to and from Northfields Farm /Hazeley Enterprise Park has to use Hazeley Road for access. There is an existing Traffic Regulation Order, (TRO) prohibiting large goods vehicles over 7.5 tonnes from using the western section of Hazeley Road between the Northfields access and the crossroads in the middle of the village. This is not always complied with and large vehicles continue to make the tight turn across the front of the General Stores/ Post Office and use the narrow section of Hazeley Road that has numerous parked cars between the Post Office and Parish Hall car park. The owner of Northfields/Hazeley Enterprise Park has also erected signs advising all large goods vehicles to turn left out of the access and has installed a monitoring system.

The formation of a new direct link from the bottom of Whites Hill into Northfields Farm/Hazeley Enterprise Park would provide environmental benefits to the village and reinforce the existing weight restriction along the village end of Hazeley Road.

Relationship to other Policies

This policy complements the aims of the South Downs Local Plan in protecting the most sensitive parts of the SDNP.

### Policy MA4 - Access to Northfields Farm/Hazeley Enterprise Park

The principle of a new highway access from B3335 Whites Hill into Northfields Farm/Hazeley Enterprise Park is supported (see Map 6).

#### Policy MA5 – Transport in the Parish

Purpose of the policy

Whilst most of the policies are relevant to land use, there are a number of policies which do not affect land use directly but are important aspirational policies that the Parish Council will pursue in order to try and realise the TNP's vision. The implementation of these is mainly in the control of others but are retained in this Plan and referred to as aspirational policies.

This includes the items identified by the Parish Council in their submission to Winchester City Council/Hampshire County Council in September 2011 for inclusion in their Local Plan Review /Transport Plan.

Relationship to the SDLP and other policies

Aspirational Policy require the action of others. However its aims are those of the South Downs Local Plan to protect the most sensitive parts of the SDNP. It also seeks to satisfy the objectives of the TNP.

### Policy MA5 – Transport in the village

Pedestrian movement

- 1. The highway authority will be encouraged to create enhanced pedestrian provision along sections of public highway road that currently lack such facility, including:
  - a) Finches Lane towards Shawford railway station.
  - b) Hazeley Road east of Bourne Lane.
  - c) Bourne Lane between Hazeley Road and Bourne Fields
  - d) The provision of improved pedestrian crossing facilities across the B3335 near The Phoenix and Bugle Inns.
  - e) Enhanced pedestrian facilities on Park Lane, Queen Street.
  - f) Additional 'tactile' drop-kerb crossing points in existing footways.
  - g) 'Virtual' (i.e. painted) footway across Norris Bridge or road narrowing allied with a vehicle priority TRO. (PTO)

# The Policies - MA Movement and Accessibility (continued)

#### Policy MA5 – Transport in the village

Pedestrian movement (continued)

- h) Informal crossing points for pedestrians.
- i) Any new development should contribute to the extension of the pedestrian network by adding well signed walking and cycling routes in and around the village, separate from roads where possible.

Cycle routes and cycle movements

- 2. The Highway Authority will be encouraged to develop a cycle way from the north side of the village to connect with Viaduct Way at Hockley and to continue this through the village to Colden Common.
- 3. Consideration will be given to removing the existing TRO prohibiting cyclists from Church Path.

General traffic management and vehicle speeds

- 4. The following traffic management system will be supported:
  - a) Improved village gateways.
  - b) Additional or improved signing.
  - c) Vehicle-activated speed limit reminders.
  - d) Bollards to protect parking or turning on footways and white lining alterations.
  - e) Limited extension of the 2-hour parking restrictions near the General Stores/Post Office.
  - f) Introduce 40mph restriction between Hockley Link and the existing 40mph restriction at the northern end of the village.
  - g) Reduction of existing 50 mph to 40 mph between south side of village and north end of Colden Common.

### Public transport

5. The provision of more frequent and late-night buses will be encouraged.

#### Policy MA6 - Historic Rural Roads

Purpose of the policy

Historic Rural Roads are a major feature of Twfyord's landscape and contribute to the diversity and natural beauty of the National Park. Many are sunken lanes and have significant hedgerows. Most are narrow and lack footpaths and despite inadequate width and alignment are still heavily used. SDLP classifies Historic Rural Roads as shown on the second edition of the OS (1891-1914). This shows Twyford's road layout to be little changed.

Relationship with SDLP

Policy SD 21.2 protects Historic Rural Roads and sets criteria for their identification.

#### Policy MA6 - Historic Rural Roads

The following historic rural roads in the Plan Area will be protected in accordance with policy SD 21.2:

Mare Lane

Hazelev Road

Morestead Road (part only)

Highbridge Road

High Street

Queen Street

The Drove

Segars Lane

Watley Lane

Church Lane

Finches Lane (part)

Bourne Lane

Park Lane

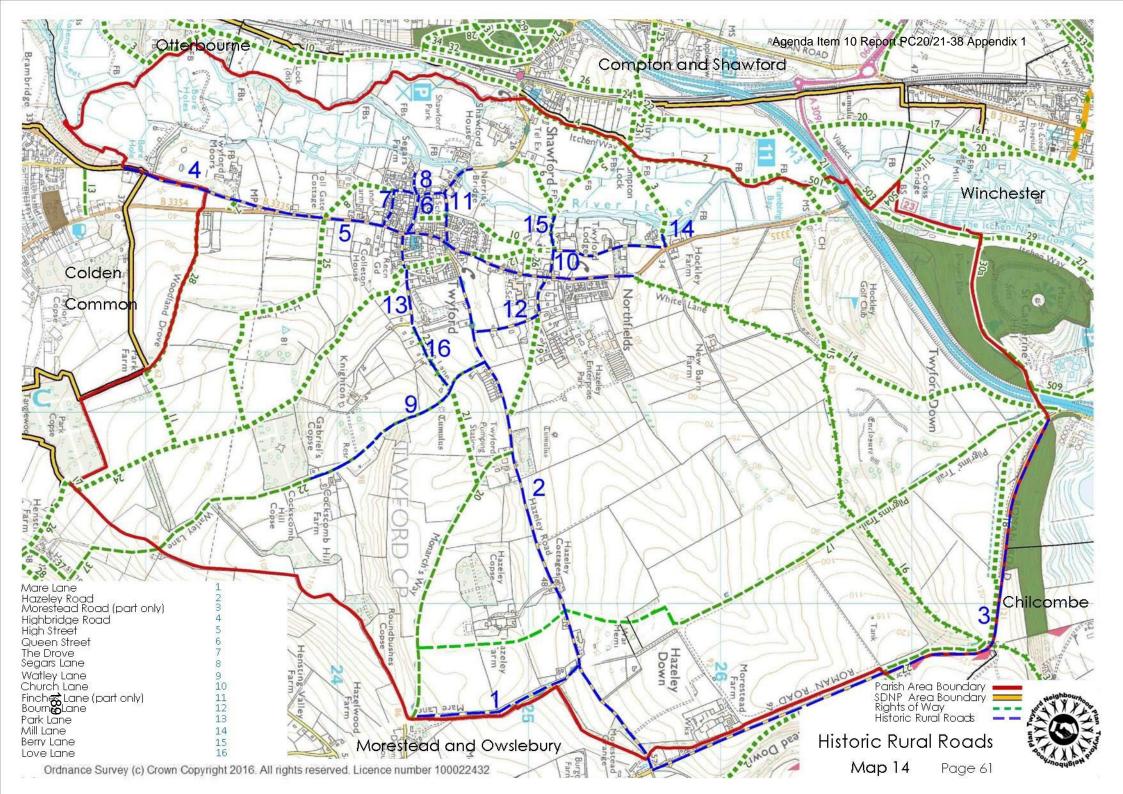
Mill Lane

Berry Lane

Love Lane







### 3. The Policies - SS Sustainability

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### Policy SS1 - Renewable Energy

Purpose of the policy

Climate change poses a global challenge for which we are all responsible. At a local level the impacts of climate change could have lasting impacts upon the environment and landscape. Central to the National Planning Policy Framework is the concept of sustainable development and central to this is the need to mitigate and adapt to climate change.

Micro-generation technologies are increasingly used to produce clean electricity and heat from renewable sources. The installation of these across the parish is supported in order to promote viable and sustainable forms of energy generation. Ensuring that proposals for, or that include, this type of development comply with the criteria as set out in this policy will ensure that they do not have a negative impact on Twyford Parish's special qualities.

Where appropriate, the energy gathering infrastructure and its installation should comply with the Micro-generation Certification Scheme or equivalent standard.

However the position of Twyford at the western extremity of the SDNP and its visibility from both inside and outside the SDNP, makes its landscape less able to absorb any significant renewable energy developments, such as wind turbines or free standing solar arrays without harm to the Natural beauty of this part of the National Park.

Relationship to SDLP and other policies

SDLP covers various types of renewable energy in SD 51; TNP excludes wind turbines and solar arrays for the reasons set out for the reasons above.

### Policy SS1 Renewable Energy

Development proposals for renewable energy schemes other than free standing wind turbines and solar arrays will be supported in accordance with SDLP 51.

### Policy SS2 - Sustainable and Adaptable Buildings

Purpose of the policy

Ensuring that all new development is both highly energy efficient and sustainable is considered important by the Twyford community. There are a number of codes and mechanisms for achieving this. This policy strongly encourages sustainable design and zero carbon developments. New developments should not exacerbate flooding risks and have a neutral impact on surface water.

All new development should incorporate sustainable design features to reduce the impact on the environment. This is to be achieved through SDLP Policy 48.



### The Policies - PO Pollution and Contaminated Land

### Policy PO1 - Pollution and Contaminated Land

The purpose of the policy

The main sources of pollution in Twyford are:

- the B3335 especially in the village (nitrous oxide, noise and vibrations).
- Northfields Farm Feed Mill (odour)
- M3 (Noise and emissions)
- Aircraft (Noise)
- Rubbish at Compton Lock.

The high levels of traffic using the B3335 emit Nitrous Oxide along the length of the village, exceeding recommended levels on occasions south of the Post Office. As the B3335 continues to become busier, pollution levels are set to increase. The Hazeley Farm Feed Mill gives rise to smell which is wind dependent and noise. Other pollution includes noise from aircraft and road vehicles using the M3.

Excessive nitrate infiltration to rivers is harming the Solent SPA and Itchen SAC. Increased discharges from, for instance, new housing, developers must therefore take measures to avoid any increase in nitrate emissions. TPC will seek to reduce existing levels of pollution and mitigate further rises.

Contaminated land is likely to occur only to a very limited extent in the Parish.

Relationship to the SDLP — Policy 54 deals with Pollution.

SDLP SD 54 provides the policy for dealing with pollution and for mitigation including the new concerns on nitrate emissions. SDLP SD 55 deals with Contaminated Land.

### Policy - PO1 Pollution and Contaminated Land

- Development proposals potentially affected by pollution as set out above and/or any additional impacts from on new developments; will be required to assess and mitigate their effects and will be subject to SD 54.
- 2. Development proposals will be required to quantify additional nitrate emissions and mitigate their effects upon the Solent SPA.



### 3. The Policies - DE The Design of Development

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### **DE** - The Design of Development

Purpose of the policy

In their layout and in the use of materials, Twyford's buildings have been influenced by the landscape and its resources. Future development, whether this is of a traditional or more modern design, will need to complement these connections. This can be achieved through a landscape-led and ecosystems services approach.

Design is a crucial aspect of this for all scales and types of development and proposals need to address the advice in this supporting text and the policy criteria.

It is vital that all new development meets the highest standards of sustainable development. This goes beyond the architecture and form of a development and includes the cultural connections between people and places and the landscape, as well as the social wellbeing of communities. They must be used in order to achieve exceptional design, fit for a national park.

The layout of Twyford is complex and design of its buildings and gardens is immensely varied. This is because of its long gestation, the varied function of its buildings, the wide spread of wealth of property owners and the relatively small scale of estate housing. Older buildings are predominantly of a local redbrick, with tiled roofs, with use of flints in many cases. Timber framed buildings are generally plastered and whitewashed. Later buildings use a wide variety of bricks and roofing materials, many with render. These can be seen in the Twyford Village Character Assessment (see TNP website).

The Twyford Neighbourhood Plan does not intend to prescribe detail, impose architectural styles or particular tastes or stifle innovation, originality or initiative. However it is vital that each proposal should consider the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Local distinctiveness should be identified in each case and form the starting point for proposals. Great weight will be given to outstanding or innovative designs which help raise the standard of design more generally in the area

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Permission should not, however, be refused for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility within an existing townscape, if those concerns have been mitigated by good design.

Landscape guidance is provided by the Twyford Parish Landscape Assessment (Terra Firma 2016). Guidance on Local Distinctiveness and building in design is provided by the Twyford Village Character Assessment and the Conservation Area Appraisal of 1980 and the revised draft of 2020.

Relationship to the SDLP

Achieving high-quality design is a core principle of the National Planning Policy Framework, as outlined in paragraph 17. Paragraph 56 also places 'great importance' on the design of the built environment and that it should contribute positively to making places better for people.

A central feature of The South Downs Local Plan is to achieve high-quality and inclusive design for all development. Policies SD 4 and 5 provide a comprehensive design framework. The Conservation Area designation and appraisal of WCC and SDNPA's draft are also important.

### Policy DE1 - Design

Development proposals are to take account of the distinctive village character and be informed by the Twyford Village Character Assessment, the Twyford Parish Landscape Assessment and the Conservation Area Appraisal, and to accord with SDNP policies SD 4 and SD 5.



### 3. The Policies - IDC Infrastructure

#### Policy IDC1 - Infrastructure

Purpose of the policy

Developers need to ensure that all services and utilities are provided for new development and in particular for the additional housing. Development should contribute to providing infrastructure and community facilities within the Parish; however it cannot be required to remedy existing deficiencies. The Community Infrastructure Levy (CIL) provides an opportunity for contributions to a wide variety of community and infrastructure needs.

Current deficiencies in Twyford Parish are as follows:

- 1. Surface water system east of the B3335 resulting in periodic flooding.
- 2. Surcharging of foul sewers in lower lying parts of Twyford in times of high rainfall and/or flooding.
- 3. Inadequate parking in the village centre and other parts of the village.
- 4. Lack of footways along the village roads
- 5. Lack of cycle ways.
- 6. Upgrading of the Parish Hall.
- 7. Traffic Management

Managing the drainage of new development of Site 26 (the land east of the Parish Hall car park) is inextricably linked to addressing existing problems of surface water affecting this site by the periodic flooding of the Bourne. (See also policy WE1 above).

Surcharging of the foul sewers appears to be in part related to the periodic rise in the water table but also to inadequacies in the system. The existing problems must be investigated; and new development must first demonstrate no additional effect on the system.

Parking in the village centre has been recognised as inadequate for many years. Additional provision is proposed by MA2. Access arrangements to new development should also be used to help manage traffic flows on roads from which development is accessed. Parking in many parts of the village is inadequate.

The priorities for infrastructure and service provision are flood prevention and foul drainage improvements, extending the Parish Hall car park, and traffic management measures. In addition, improvements to sports and play provision, green space, visitor management, ecological enhancement, heritage protection and interpretation (including the conversation and the engineered studies of the Itchen Valley), facilities for community activities, and walking and cycling networks are required.

The Parish Council will closely monitor infrastructure and community needs during the period of the TNP and will use developer contributions to meet those needs.

The deficiencies in adequate reasonable and necessary infrastructure in Twyford are set out in 1 - 7 above.

Relationship to the SDLP

SD policy 42 (Infrastructure) applies. This policy requires adequate reasonable and necessary infrastructure investment to be secured prior to development.

### Policy IDC1- Infrastructure

- Development proposals will be required to assess their impact on the current deficiencies listed as 1—7 above (as appropriate), and ensure that no additional harm is caused or can be mitigated. Where a scheme of mitigation is being taken forward by the Local Authorities, developers will be expected to co-operate in the implementation.
- 2. Provision of new and improved utilities and other infrastructure set out in 1-7 above will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan.

### The Policies - DB Development Briefs

### **®licy DB1- Land Adjacent to the Village Hall (Site 26)**

Site 26 is the principle site for allocation of new houses in the Neighbourhood Plan, and is to provide 20 houses (see HN3) of which 8 are to be affordable (see HN3) and additional car parking (see MA2).

The reasons for the selection of this site are explained in HN3. The main reasons are that the field next to the Parish Hall is central to the village and close to all its facilities. In addition it is able to provide important infrastructure for some of Twyford's existing problems (car parking, flooding and open space).

### Landscape Impact

The Parish Council recognizes that this is a sensitive site; it has taken extensive advice on the landscape impact of development on the site, both from Terra Firma Landscape Architects and from Urban Desian Planners, Spindrift on layout and design, and from photomontages of the Spindrift layout. As a result, the development area has been limited in its extent and also excludes the tree clump in the centre of the site; this is to be kept as a major feature of the village centre. Further planting will also be required along the line of Hazeley Road.

The design work has shown that development will be seen from key viewpoints. It is seen as part of the village, screened on 3 sides by development and by existing trees on the north and west boundaries. The design advice considered by the Parish Council and its evaluation, is set out in the evidence base.

### Access and the village centre

- a) Car Parking: The shortage of car parking for the multiple uses of the village centre has been recognised for a long time. Policy MA2 recognises this and MA2 (2) provides for an extension of the car park. This is on land which forms part of Site 26. The estimate is that a further 40 spaces are required, possibly in two phases.
- b) Access to Hazeley Road: A new access to Hazeley Road is shown at the eastern end of the site.
- c) Traffic Management in the village centre: This will be required to ensure the new car park is fully used as intended for short term parking; this is as proposed by MA5. It is likely that TPC will take the initiative on

Agenda Item 10 Report PC20/21-38 Appendix 1 this in partnership with HCC and WCC.

### Flooding:

The periodic flooding of Twyford along the Hazeley valley is fully addressed by policy WE1 Flood Mitigation. The flood land affects a narrow strip along the bottom of the site and this will need to be integrated into the Flood Mitigation scheme of which it forms a key link. The solution to the wider flooding needs to have been agreed prior to the development of Site 26 as set out in WF1.

#### 4. Foul sewerage

The sewerage problems in the lower part of the village are identified in WE2. Before further houses are added to the existing foul system, this matter needs to be fully investigated to ensure the existing problems are not made worse.

### 5. Dwelling sizes and mix

The houses to be permitted should be small and at higher density. Smaller dwellings will be more affordable for local people, and more suitable for the elderly. The mix is prescribed by SDLP in SD 27, Mix of Homes, maximum and minimum and the sizes by HN1.

In summary, the public benefits which Site 26 is capable of delivering are:

- A comprehensive plan for the whole site
- 10 social houses in the village centre
- Up to 12 market houses in the village centre to accord with Policy HN1.
- 4. A car park for around 20 cars and space for a further 20 cars or community use in the future.
- Measures to assist prevention of further flooding of the village centre from the Hazeley Bourne.
- Safeguards on foul drainage.
- Retention of clump of trees on top of site as open space. 7.
- Integration with the Parish Hall/surgery site. 8.
- 9. Access from Hazelev Road.
- Additional landscaping along Hazeley Road and the eastern 10. boundary of the site.

The brief ensures that these benefits will be delivered.

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### 3. The Policies - DB Development Briefs (continued)

As described in the introduction to HN3, Twyford Parish Council commissioned layouts to show both the capacity of the site and how the site might be developed, while incorporating the policies of the brief and the site specific community benefits. The brief is expected to incorporate these design principles unless there are clear advantages for an alternative.

<u>Landscape Mitigation:</u> The effects of the development on the landscape are mitigated by the retention of the tree clump on high ground in the centre of the site and by further planting to the east outside the development site.

Affordable housing is set at 50% by SDLP SD 28. The policy recognises that there may be circumstances in which this may be compromised by the viability of the scheme. This is possible for the site as the number of houses are low and the infrastructure requirement is high. This will be a matter for the developer to agree with the Planning Authority at the planning application stage.

Proposals for the management of the high rising land in the north east of the site which is excluded from this proposal, should be put forward.

### Policy DB1 - Development Brief for Land adjacent to the Parish Hall

The land adjoining the Parish Hall Car Park, (as shown on Map 15), is allocated for the development of 20 houses, subject to the preparation of a development brief to incorporate:

- a) A minimum of 50% affordable dwellings.
- b) A mix of houses in accordance with policy HN1.
- c) Additional parking for around 20 cars, with further land for an additional 20 spaces, or other community use adjacent to the existing car park.
- d) The area of the tree clump as open space.

- e) The preparation of a comprehensive landscape scheme incorporating land to the east in the same ownership.
- f) The retention of boundary trees.
- g) Flood management measures as part of a comprehensive scheme for the land between B3335 and Bourne Lane.
- h) Foul sewerage scheme which does not impact on that part of the system which malfunctions in periods of high surface water flows.
- Design is a) to relate positively to the Surgery and Parish Hall
   b) to follow the principles of the layout (shown on Map 15)
   unless there are clear advantages of an alternative layout.
   c) accord with DE1.
- j) Management of the land excluded from development.
- k) Adherence to a Construction Environmental Management Plan coupled with careful design and the utilisation of standard pollution guidance to ensure adverse water quality effects on the River Itchen SAC is avoided.
- A drainage plan must be provided to show that the drainage associated with the site will either utilise an existing foul sewer for foul drainage only at the nearest point of capacity or will be dealt with by a small package treatment plant (or similar). Details of the proposed means of surface water run-off disposal to be in accordance with Part H3 of Building Regulations hierarchy as well as acceptable discharge points, rates and volumes to be agreed by the Lead Local Flood Authority, in consultation with Southern Water. If the decision is to use a small package treatment plant then the drainage plan will need to demonstrate that there is no hydrological connectivity from the proposed Package Treatment Plant to the River Itchen for example are there existing watercourse or local drainage channels or a high water table, in the area of the proposed package treatment plan that will mean that the proposed package treatment would not be effective and would result in there being a high risk that phosphorous transferred into the protected River Itchen SAC and SSSI.

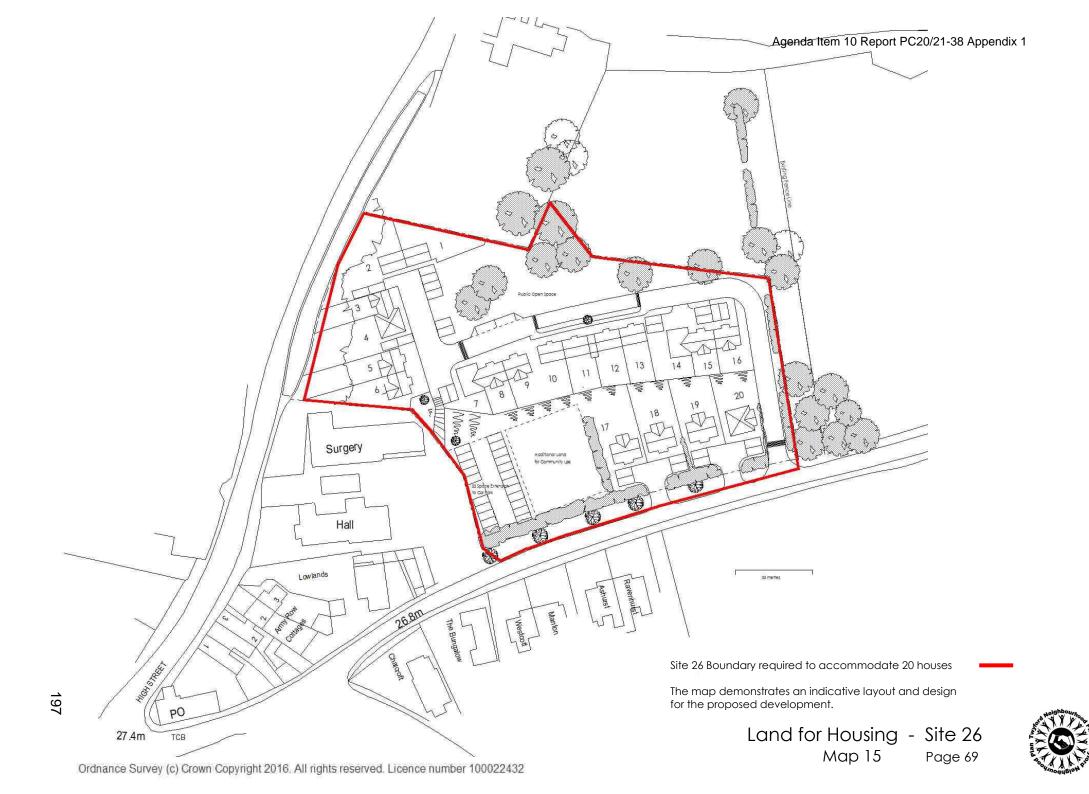
### Policy DB2 - Site Redevelopment: Stacey's Garage

Stacey's garage has been a feature of the village for many years, serving petrol and with car repair facilities. As the road has become busier, with changing regulatory requirements and customer expectations, the small site and poor access has proved a major constraint. The sale of fuel and the repair of cars have ceased and the site is used for specialised motor sales. The appearance of the site is poor and is now out of keeping with the Conservation Area. This policy provides for its development in the event of the current use ceasing.

Other policies of TNP seek to retain business uses but in this case, this is likely to continue the current appearance and the use of the access to the B3335. The design would need to protect the new dwellings from traffic noise and pollution. Contamination from the past use may also need to be dealt with.

### Policy DB2 - Site Redevelopment: Stacey's Garage

- 1. The redevelopment of Stacey's garage for other purposes including housing (shown on Map 5) will be permitted provided that:
- 2. Contamination from past use can be dealt with. Facilities for pedestrian movement along the High Street frontage are provided.



### 4. Implementing & Monitoring the Plan

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The Plan can be put into practice in a number of ways.

All those considering some form of development in Twyford will need to take account of these policies and shape their proposals accordingly. People and businesses will look to the Plan to know the amount and location of development, particularly when buying houses or setting up businesses.

In addition to the CIL receipts, The Parish Council is setting up a capital fund and programme to ensure that the proposals of this Plan can be implemented. Where no other agency is prepared to take an initiative proposed in this Plan, the Parish Council will explore whether it has the powers and means to do so. In all cases, the Parish Council will seek to act in partnership with other Authorities and Agencies to seek grants and innovative ways of investment where it is needed.

Decisions on planning applications are made by the South Downs National Park Authority; Winchester City Council has an agency agreement with SDNP who retain the right to 'call-in' applications for its own considerations. Those decisions will have to be made in accordance with the policies of this Twyford Neighbourhood Plan.

Utilities and service providers will take account of housing and business allocations in the Plan in planning their own services.

Community facilities and services will be provided by the Parish Council and senior Authorities, financed in some cases by developer contributions, and particularly through the Community Infrastructure Levy. The levy is split according to a formula set by Government. The South Downs National Park Authority will be deciding on the allocation of its share of the receipts. The Parish Council decides how it will spend its share, based on a schedule of schemes agreed with the SDNPA.

Those involved with the management of open and green spaces, rights of way and areas of biodiversity, including the South Downs National Park Authority, Hampshire County Council, the Parish Council and Winchester City Council, will reflect the designations in their management policies and future provision.

The implementation of development sites will be down to landowners with Housing Authorities and Housing Associations involved in affordable housing projects.

Progress in implementing the TNP will be monitored by the South Downs National Park Authority as part of their monitoring of planning policies across the park. The results will be included in their Annual Monitoring Report. The Parish Council will also monitor the Plan, particularly the outcomes of the Plan for Twyford and how far the vision and objectives of the Plan are being achieved.

### Proposed SDNPA comments on the Twyford Submission Neighbourhood Plan

Reference	Comment	SDNPA Recommendation
General comments	The Parish Council and Neighbourhood Planning group should be commended on progressing the Twyford Neighbourhood Plan (TNP) to this stage. The preparation of the TNP has been complex due to the sensitive local environment and having to consider the sensitivity of internationally designated sites, and balancing this with the community's aspirations for development to meet locally identified housing need.	
	The SDNPA also recognise the hard work and effort which has gone into selecting a site for housing, identifying a site which offers a range of community benefits as well as much needed housing. The site will require careful consideration in its development and we welcome the Parish Council's involvement in the Pre application process to date.	
General Comments	As previously stated in the SDNPA response to the Regulation 14 consultation there are a number of TNP policies which simply refer to a policy within the South Downs Local Plan (SDLP) and stipulate that the SDLP policy must be considered. As the SDLP will form part of the Development Plan, alongside the TNP, these references are not necessary. The SDNPA appreciate TPC have moved a large number of these policy references to the supporting text, but there are still policies which include signposting to a particular SDLP which isn't necessary, such as policy HN1.	Remove references to SDLP policy from TNP policies. If necessary and appropriate SDLP policy reference could be included within the supporting text of each TNP policy.
General Comments	As currently drafted the TNP policies include reference to policy numbers of previous version of the TNP. This could cause confusion for the reader and it is suggested that reference to previous policy numbers is removed.	Remove older policy references in policy title, for example at HN2 the older policy references should be removed Policy HN2 (HN2 & 3 amalgamated)

Section 1.3	The second sentence refers to the remaining 14 years of the plan period, however, the plan period remaining is currently 12 years.	It is a plan for the next 142 years to 2033
Section I, Paragraph I	Reference to a minimum of 20 dwellings should amended to read approximately as per SDLP policy SD26.	Another key decision for Twyford is the allocation of one or more sites for a minimum of approximately 20 dwellings between 2019 and 2033
Policy SBI	The supporting text to policy SBI refers to a minimum of 20 dwellings, this should be amended to read approximately 20 dwellings as per Policy SD26	The TNP is required to allocate land for a minimum of approximately 20 dwellings
	As currently drafted Policy SBI, supported by Map 2 exclude two significant developed areas of the parish, namely Hazeley Enterprise Park and Twyford School. The Settlement Boundary Review states that the SDNPA has left decisions on the review of settlement boundaries to the Neighbourhood Planning Group, while suggesting our own review methodology as a model. By placing the two sites outside the settlement boundary they are defined as open countryside under Policy SD25: Development Strategy of the Local Plan. That would mean that any development proposals would need to meet at least one of the exceptional circumstances set out in criterion 2 and both parts of criterion 3 of the Policy. It is recommended that both sites apart from the school playing fields should be included in the settlement boundary so that the NDP is in broad conformity with Policy SD25 of the Local Plan.	Review the Settlement Policy Boundary to incorporate the Hazeley Enterprise Park and Twyford School. The Twyford School playing fields should not be included within the Settlement Policy Boundary
Policy SB2	The supporting text to this policy lists several SDLP policies to which this policy relates. However, many of these policies are not specific to development outside the settlement boundary, they are also concerned with development inside	Review the list of SDLP policies in the supporting text

	the settlement boundary, therefore this list should be revised or deleted.  As currently drafted this policy does not make it clear that development outside the settlement boundary (in open countryside) will only be permitted in exceptional circumstances. This will ensure the reader understands that development outside the identified Settlement Boundary will only be permitted in exception circumstances, which include a range of policies set out in the TNP and SDLP.	Development outside the settlement boundary will only be permitted in exceptional circumstances as per subject to the following policies of the TNP as set out in detail as follows:
Policy HNI	Part 3 of the policy requires maximum floor areas for new housing. It would be helpful if the supporting evidence provided more explanation of the rationale for this, other than New Forest Local Plan. There would also need to be evidence to support such a requirement in Twyford. The additional text does not provide sufficient justification for this approach	Provide additional evidence to justify the policy requirement for maximum floor areas for new housing
Policy HN4	Part 2 of the policy seeks to control the eligibility for occupation of the new affordable housing. However, as currently drafted it is not clear what these eligibility criteria are. The policy states that the eligibility for occupation is as set out in HN4-I, however, HN4 – is only a reference to SDLP policy SD29. Clarification is required as to whether TPC are setting occupation eligibility as per the requirements in the SDLP. If HN4 is only signposting to SD29 and also referring to the occupation conditions set out in SD29, this policy is not required as it offers no more detail than policy SD29 of the SDLP.	Policy HN4 - Rural exception sites  1. Proposals for rural exception sites will be permitted with SDLP SD29.  2. The eligibility for occupation will be as set out in HN4 - 1.  [HN4 - 2]
Policy HN5	Part 2 of the policy places extra policy restrictions in relation to the previous policy clauses set out at HN5 -1. Many of these additional requirements would be required by policy in the TNP or policies in the SDLP, therefore many of the	I. Development is subject to the following restrictions:

	additional criteria are not necessary and should be deleted. Point a is already covered by policy SD31. Point b is already covered by policy HN1, therefore these policy requirements can be deleted. Part 2c) should be presented as a separate policy relating to development in conservation areas. This will need to be addressed in order for the plan to meet the basic condition of conformity with the local plan and national planning policy; where plans should set out a positive strategy for the conservation and enjoyment of the historic environment. An assessment of how the loss of garden and walls within the Conservation Area will impact on the heritage assets is required.	<ul> <li>a) for categories 1 a,1 b and 1 d, the increase in floor space is limited to 30% and accords with SD 31.</li> <li>b) for category e, new detached houses should not exceed 150 m2</li> <li>c) within the Conservation Area there is to be no loss of garden land or walls</li> </ul>
Policy HN6	Part Ic of the policy appears to prioritise two particular types of institution. It is not clear why these particular institutions are referred to in the policy, it is recommended that this aspect of the policy is removed.	c) At racing stables, hostel accommodation tied to the operation.
Policy HN7	The intention of is to be welcomed given the support for increased provision of elderly care as set out in the SDLP. However, there are a number of policy criteria which seem restrictive given the nature of the facility.  Policy Criteria Ib states that the expansion of the facility must be justified by local need. It is likely that people from outside the parish may want to live in any expanded facility, and the wider need for elderly care provision needs to be taken into consideration.  Part 2 of this policy, specifically Policy criteria 2a requires a	Consider deletion or amendment to policy HN7 Ib.  2. The change of use or redevelopment of Orchard Close to residential will be permitted provided  a) A landscape led design brief is first prepared Any redevelopment should seek to retaining the existing landscape garden with its trees.  b) Any new buildings to be within or close to the footprint of the existing buildings.  c) There is no increase in traffic generation.
	landscape led design brief to be prepared. The SDNPA would require a landscape led approach to any expansion of the facility, but not necessarily a separate design brief.  Policy clause 2c requires no increase in traffic generation as a result of redevelopment, given the potential range of	d) No new vehicular access point is formed. e) The Edwardian house may be retained or replaced as a private house. f) New dwellings to be for the elderly

	redevelopment opportunities this may significantly restrict possible redevelopment  Part 2 policy clause g only serves to repeat policy requirements covered by other policies in the TNP and SDLP and can therefore be deleted	g) Affordable housing to accord with HN4/ SD 28.
Policy BEI	As currently drafted Policy BE I part I offers no further policy requirement than SDLP policy SD35. Therefore, this part of the policy is unnecessary as it only duplicates SDLP policy.	Within the settlement boundary, development, including change of use and redevelopment for economic purposes will be permitted, in accordance with SD 35.
	Part 2 of the policy, applies SDLP policy to the specific local requirements, which is welcomed. However, the policy only allows for redevelopment on a like for like basis outside of the uses specified, this is considered too restrictive and should be deleted.	2. Outside the settlement boundary including BE2, new development, redevelopment and expansion, whether of site area or buildings will be permitted in accordance with SD 34, and the uses specified in SD34 (a—d and g only). In other cases re-development will be permitted on a 'like for like' basis. Changes of use for commercial purposes will be permitted provided that no additional heavy traffic is generated
Policy BE2	The SDNPA welcome the designation of the site as a local employment site as per paragraph 7.140 of the SDLP.  Northfields Farm is identified as site W1 in the Employment Land Review Update (2017) as both an existing and potential employment site with the following commentary:  'Fully occupied mostly high quality business park for local businesses; adjacent to potential housing site in draft Twyford NDP; protected by draft general safeguarding policy in NDP; part of site permitted for new B uses.'  As stated previously, the site should not be excluded from the settlement boundary as this will unduly restrict future development on the site.	Consideration should be given to redrafting the policy so that it does not seek to control an extant planning permission. The provision of a Master plan is only relevant where proposals for the development of the entire site are submitted.

	Criterion 2 of Policy BE1 is unduly restrictive as it only allows like for like replacement of buildings on the estate.	Delete Criterion 2 of the policy
	The supporting text refers to a new route to the north west of the site but no details are provided on the viability or feasibility of this new route.	Review supporting text specifically reference to a new route to the North West of the site, insufficient detail on this potential route. Provide further information or remove reference from supporting text
	The site allocation should not include the area which is currently subject to an extant planning permission as this would not conform to Planning Practice Guidance which states the NDPs should not seek to affect extant planning permission. The site identified on Map 6 should be amended accordingly.	
	Policy BE2.1b requires the preparation of a Master plan covering a wide range of matters. This is considered to be appropriate, if the entire site is proposed for development, however, the requirement for a Master plan is not necessary if a development proposal is submitted for a part of the site.	
Policy LHE2	Supporting text for policy LHE2 refers to the adoption of SDLP policy SD4 and SD6 for Twyford, these policies will apply to Twyford as part of the development plan for the park so this reference is not necessary.	Delete reference to adoption of SDLP policies for Twyford
	The policy refers to SDLP policy SD4 and specific policy criteria. However, it omits policy clause 4 from part 2 of SDLP policy SD4. Policy clause 4 of SD4 is particularly important as it seeks to safeguard blue and green corridors.	If references to SDLP policies are to be included in the TNP policy (although this is not necessary) reference to the relevant aspects of the policy is important
	A number of the views set out in Table 3 relate to the Conservation Area and heritage assets within the parish. Reference within the policy is made to Policy SD4 of the	Further clarification of how policy SD4 is to be applied in Twyford, it should set out how SD4 2) is applicable to Twyford and how the Parish Council has demonstrated their

	SDLP. However, to be in general conformity with the policies within the SDLP, it should set out how SD4 2) is applicable to Twyford and how the Parish Council has demonstrated their understanding of the design principles of the landscape or illustrated how the protected views set out in Table 3, where heritage assets are listed, have been identified.	understanding of the design principles of the landscape or illustrated how the protected views set out in Table 3, where heritage assets are listed, have been identified.
	More information on how these views contribute to the significance of the heritage assets as well as allowing an appreciation of the wider historic environment should be provided within the supporting text or a signpost to a document submitted as an evidence paper.	
Policy LHE3	This policy lacks focus of the various heritage assets located within the parish and refers solely to SDLP policies. The policy remains generic with little detail and it is not clear the purpose of the policy itself. There is no particular reference to what the areas are within the supporting text and the policy refers to a map which does not clearly define the areas listed in the key. It is also not clear where the supporting evidence can be found and the key conclusions/recommendations of this evidence. Policy LHE3 suggests that only the areas on the map are covered by the policy rather than all the heritage assets and the historic environment within the parish. In order to be in compliance with national planning policy, it is recommended Policy LHE3 should set out a positive strategy for the conservation and enjoyment of the historic environment. National Planning Practice Guidance states 'neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the local plan into action at a neighbourhood scale'.	Consider revision of policy wording to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the local plan into action at a neighbourhood scale

Policy LHE4	In line with the National Planning Policy Framework (paragraph 185), plans should set out a positive strategy for the conservation and enjoyment of the historic environment. In developing their strategy, plan-making bodies should identify specific opportunities within their area for the conservation and enhancement of heritage assets, including their setting.	In order to be in conformity with national planning policy, it is recommended that this policy is focussed on facilitating the conservation, enhancement and regeneration of the Conservation Area.
Policy LHE5	Supporting text to policy LHE5 refers to the relationship with a number of SDLP policies, the reference to policy SD2 Ecosystem services is incorrect  Part 2 of policy LHE5 refers to 'open land', is this in reference to undeveloped land, rather than the character of the land being open? Clarification is required in the supporting text to define what the TNP considers to be open land.	SD 2 Ecosystem Services  Provide clarification of the term open land in the context of policy LHE5
Policy LHE6	Part 2 of this policy proposes a cross border policy to ensure the conservation and enhancement of the river Itchen SAC. As drafted this policy cannot be applied in the determination of planning applications and proposes the development of new policy, this is not appropriate for the development plan and should be deleted. The SDNPA is preparing a technical advice note on Habitat Regulation Assessment matters, which will take into consideration international sites such as the River Itchen, as well as the provisions set out in policy SD9 of the SDLP	Delete policy criteria 2 of policy LHE6
	Part 3 of this policy refers to the need to protect tree's hedges and woodland in Twyford, but specifically within the settlement boundary and conservation area. Is the reference to the settlement boundary and Conservation Area necessary, as currently worded the policy suggests that SDLP policy SD11 will only apply within the settlement boundary and Conservation Area	Consider rewording the policy to ensure the policy intention is clear

Policy WEI	It appears that some wording has been omitted before the policy criteria start. A currently drafted the policy does not make sense	Consider whether policy wording has been omitted accidently and reword policy
Policy MAI	already form part of the development plan, therefore repeating the policy is not necessary. The 2 <sup>nd</sup> part of the policy seeks to encourage the highways authority to deliver a local cycle path scheme, this would not be relevant in the determination of a planning application. Therefore it is	·
Policy MA2	The SDNPA's Parking Supplementary Planning Document will provide additional detail to supplement SDLP policy on this matter, therefore part I and 2 of the policy are not necessary and should be deleted.  Part 3 of the policy is covered by requirements set out in Policy DBI of the TNP therefore this aspect of the policy is also unnecessary and can be deleted.	Parking will be provided in accordance with SD 22 and the following:  1. Until SDNP parking standards are adopted, the standard WCC (for residential) and HCC (for all other land uses) will apply.  2. Development proposals that result in a loss of existing car parking spaces will only be permitted if it can be demonstrated that suitable alternative provision can be made in the vicinity.  3. Land to accommodate up to 40 additional car parking spaces is reserved on land adjoining the existing Parish Hall car park.
Policy MA3	As this policy is not related to land use matters it is recommended that the policy is stated as a community aspiration, and clearly distinguishable from planning policies	Delete policy and if appropriate state this as a community aim or aspiration
Policy MA5	Policy MA5 concerns itself primarily with encouraging sustainable forms of transport and traffic management proposals. These are not appropriate for Neighbourhood Plan policy; they are matters for the highways authority to consider when reviewing the road network in the parish. It may be appropriate for these aspects to be stated as	Delete policy and if appropriate state this as a community aim or aspiration

	community aspirations or community aims, clearly identified as separate to land use policies of the TNP. This will allow the aspirations to be recorded within the TNP as a community aim, rather that deleted entirely as they are not appropriate as planning policy	
Policy SSI	As currently drafted policy SSI does not allow for the provision of solar panels or wind turbines. This is considered too restrictive and would not allow for small scale solar array or small scale wind turbines as per SDLP policy SD5I	Consider review and amendment to policy SSI to align with the approach in SDLP policy SD5I
Policy DBI	The supporting text to Policy DBI states that 8 of the new homes are to be affordable, this does not comply with policies of the SDLP or TNP, this should state that 10 homes will be affordable.	Site 26 is the principle site for allocation of new houses in the Neighbourhood Plan, and is to provide 20 houses (see HN3) of which 8 10 are to be affordable (see HN3) and additional car parking (see MA2).
	Part of the boundary of the site is in close proximity to the Conservation Area. It is recommended that the policy includes a reference to the Conservation Area and its setting so that it sets out a positive strategy for the conservation and enjoyment of the historic environment and enables development that will make a positive contribution to the heritage asset and reflect and enhance local character and distinctiveness.	Include a reference to the close proximity of the Conservation Area to ensure the development can make positive contribution to the setting of the Conservation Area.

### Designated Neighbourhood Area Map



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### Agenda Item 11 Report PC20/21-39

Report to	Planning Committee
Date	II March 2021
Ву	Director of Planning
Title of Report	SDNPA response to the National Planning Policy Framework changes and the National Model Design Code consultation proposals
Purpose of Report	Explain and set out the key issues in the SDNPA response

### The Committee is recommended to:

- I) Approve the SDNPA response to the National Planning Policy Framework and National Model Design Code consultation proposals set out in Appendix I of this report.
- 2) Delegate authority to the Director of Planning in consultation with the Chair of Planning Committee to make any minor changes to the response.

### I. Summary

- 1.1 The Government is consulting on draft revisions to the National Planning Policy Framework (NPPF). Most of the revisions seek to address issues raised in the Building Beautiful Commission "Living with Beauty" report published in January 2020. A fuller review of the Framework is likely to be required in due course, depending on the implementation of the Government's proposals for wider reform of the planning system that were set out in the White Paper last summer.
- 1.2 The Government is also consulting on the draft National Model Design Code, which provides detailed guidance on the production of design codes, guides and policies to promote successful design. The main purposes of the National Design Code (and the 2019 National Design Guide) are firstly, to provide generic design guidance as a backstop, where local planning authorities do not have their own guidance and secondly, to provide guidance on the creation of new design policy, guidance and design coding for specific areas within an Authority. While a Design Code for the whole Authority would not be sensible, given the Authority's great diversity, design coding may be appropriate for specific areas (such as for parishes in Village Design Statements) or for large development sites. The focus of both the National Design Guide and National Design Code documents is very urban, but there are still some good principles that can be applied to the rural and urban settlements in the National Park.
- 1.3 A draft letter setting out the key issues that we would like to raise in our response followed by detailed answers to 16 questions are set out in **Appendix 1** to this report. The deadline for responses is 27 March 2021.

### 2. Key issues raised

- 2.1 The key issues raised in our response are that:
  - We strongly support the addition to the NPPF that any development within the setting of national parks and other designated areas should be sensitively located and designed to avoid adverse impacts on the designated landscapes.
  - We state that the major development test is matter to be considered at plan making as well as at the determination of planning applications.
  - We welcome the Government's emphasis on good design and the creation of beautiful places.
  - We object to both options put forward on Article 4 directions restricting the use of permitted development right, particularly in relation to use of buildings for housing.

### 3. Other Implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	No, once agreed the response will be sent to MHCLG
Does the proposal raise any Resource implications?	No, other than officer time spent preparing the response.
Has due regard been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Yes, due regard has been taken.
Are there any Human Rights implications arising from the proposal?	None
Are there any Crime & Disorder implications arising from the proposal?	None
Are there any Health & Safety implications arising from the proposal?	None
Are there any Sustainability implications based on the 5 principles set out in the SDNPA Sustainability Strategy:	Yes, there are some sustainability implications relating to the consultation that we have raised in response. For example, we welcome the inclusion of the 17 Sustainable Development Goals, which lie at the heart of the 2030 Agenda for Sustainable Development adopted by all United Nations Member States in 2015. Goal 13 is to take urgent action to combat climate change and its impacts, which is addressed in paragraph 11 of the NPPF. We urge the Government in our response to set measureable targets on climate change against which progress could be measured both locally and nationally.

### 4. Risks Associated with the Proposed Decision

4.1 The only risk is that the Authority fails to reach agreement on its response and does not submit a response to the consultation.

Risk	Likelihood	Impact	Mitigation
The Authority does not agree the response to the White Paper	Low	Low	Officers follow the strategic steer from Members on the consultations

### **TIM SLANEY**

### **Director of Planning**

### **South Downs National Park Authority**

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email: <u>Lucy.howard@southdowns.gov.uk</u>

Appendices I. Draft SDNPA response to the National Planning Policy

Framework and National Model Design Code consultation

proposals

SDNPA Consultees Legal Services; Chief Finance Officer; Monitoring Officer; Director of

**Planning** 

External Consultees None

Background Documents National Planning Policy Framework and National Model Design Code:

consultation proposals - GOV.UK (www.gov.uk)

Living with beauty: report of the Building Better, Building Beautiful

Commission (publishing.service.gov.uk)





01 March 2021

MHCLG By email only

Dear Sir / Madam

# Subject: National Planning Policy Framework and National Model Design Code consultation proposals

The South Downs National Park Authority welcomes this opportunity to comment on the draft revisions to the National Planning Policy Framework (NPPF) and the draft National Model Design Code. We would like to make detailed comments on four key matters as set out below. Our answers to the 16 questions in the consultation document are set out as an addendum to this letter. We are also signatories to the response by National Parks England, which we support. We look forward to working positively with you on the forthcoming changes to the planning system.

We strongly support the addition to paragraph 175 that any development within the setting of national parks and other designated areas should be sensitively located and designed to avoid adverse impacts on the designated landscapes. National parks do not exist in isolation and have important functional relationships with their surroundings, for example, views in and out of these diverse and inspirational landscapes contribute to their special qualities. Development within the setting of a national park should be consistent with its purposes in line with the duty set out in Section 62 of the Environment Act 1995. This requires all relevant authorities including neighbouring local planning authorities to have regard to these purposes. It would be useful to cite this duty in a footnote to paragraph 175.

We understand that the matter of considering whether development in a national park is major or not is primarily for the development management stage. However, in order to ensure that an allocation is deliverable it is necessary to consider at a high level during the plan making stage whether a development proposal within a designated landscape is major or not and if it is whether it could meet the policy tests set in the NPPF. This is the approach taken by the Authority when preparing the Single Issue Soft Sand Review of the West Sussex Joint Minerals Local Plan and was found sound at our recent examination. This approach follows on from the recent High Court judgment in R (Advearse) v. Dorset Council (Case No: CO/2277/2019) in which paragraph 46 sets out the successive stages for the consideration and implementation of policies in the NPPF.

We welcome the Government's emphasis on good design and the creation of beautiful places both in the amendments to the NPPF and the draft National Model Design Code. This is line with the first purpose of national parks, which is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area. We are currently preparing and will shortly consult on our first Design Supplementary Planning Document (SPD), which will provide guidance on our landscape led approach to design in the South Downs. We have a well-established Design Review Panel that has successfully added value to a number of development

proposals. We have adopted a number of village design statements as SPDs, and have found that they can greatly aid local acceptance of development and ensure good local design standards.

National park authorities have a duty to seek to foster the economic and social wellbeing of local communities. We do not support either of the options given in paragraph 53 on Article 4 directions. Clarity is required on the first option as to what is meant by 'wholly unacceptable adverse impact'. The policy test set in the second option is 'to protect an interest of national significance' is much too high. Article 4 directives are local tools used by local planning authorities to address local issues such as the loss of scarce fit for purpose employment premises. We do agree that article 4 directives should apply to the smallest geographical area possible. The current unprecedented expansion of permitted development rights requires that local planning authorities retain some local controls particularly as the impacts of the wide range of new permitted development rights that have been introduced are not yet clear. We would welcome an analysis by Government of the impacts, both intentional and unintentional, of the recent changes in permitted development.

Please do get back to me if you have any queries on any points that I have raised.

Yours faithfully

Alun Alesbury
Chair of Planning Committee
South Downs National Park Authority
Alun.Alesbury@southdowns.gov.uk

What is your name? Alun Alesbury

What is your email address? Alun.Alesbury@southdowns.gov.uk

What is your organisation? South Downs National Park Authority

What type of organisation are you representing?

Other (please specify): National Park Authority

## I. Do you agree with the changes proposed in Chapter 2: Achieving sustainable development?

We welcome the inclusion of the 17 Sustainable Development Goals, which lie at the heart of the 2030 Agenda for Sustainable Development adopted by all United Nations Member States in 2015. Goal 13 is to take urgent action to combat climate change and its impacts, which is addressed in paragraph 11 of the NPPF. We would urge the Government to set measureable targets on climate change against which progress could be measured both locally and nationally.

### 2. Do you agree with the changes proposed in Chapter 3: Plan-making?

We welcome the change to paragraph 22 that a vision for large scale development should look at least 30 years ahead. The long term vision for the South Downs National Park set in both our Partnership Management Plan and Local Plan goes up to 2050. It could be that the visions developed by all local planning authorities for their areas and not just their major development areas should look ahead by at least 30 years.

We question the addition of 'other statements of national planning policy' to the fourth test of soundness set out in paragraph 35 d. The Government makes a great number of policy statements and many are clearly at an early stage of policy formulation. Although they provide a useful sense of direction in terms of national policy, we do not think that they should be given the same weight as the NPPF.

### 3. Do you agree with the changes proposed in Chapter 4: Decision making?

We do not support either of the options given in paragraph 53 on Article 4 directions. Clarity is required on the first option as to what is meant by 'wholly unacceptable adverse impact'. The policy test set in the second option is 'to protect an interest of national significance' is much too high. Article 4 directives are local tools used by local planning authorities to address local issues such as the loss of scarce fit for purpose employment premises. We do agree that article 4 directives should apply to the smallest geographical area possible. The current unprecedented expansion of permitted development rights requires that local planning authorities retain some local controls particularly as the impacts of the wide range of new permitted development rights that have been introduced are not yet clear. We would welcome an analysis by Government of the impacts, both intentional and unintentional, of the recent changes in permitted development.

Furthermore, the proposed NPPF text does not match the legislation for Article 4 Directions as outlined in Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015. This permits a local planning authority to introduce an Article 4 direction where it considers that the development to which the direction relates would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area. This risks becoming confusing and inconsistent.



# 4. Do you agree with the changes proposed in Chapter 5: Delivering a wide choice of high quality homes

The clarification in paragraph in regard to neighbourhood plans is welcomed.

The deletion of the word 'innovative' from paragraph 80 (e) simplifies this policy test for isolated homes in the countryside so that they simply have to be of an outstanding design. The removal of the word does not mean that such new homes cannot be innovative. Furthermore, with rapid advances in new technology, what is considered innovative design today may well be considered to be mainstream and standard in the future.

## 5. Do you agree with the changes proposed in Chapter 8: Promoting healthy and safe communities

We welcome the added reference to cycle routes in paragraph 92. We agree that access to high quality open spaces can deliver wider benefits for nature and efforts to reduce climate change.

# 6. Do you agree with the changes proposed in Chapter 9: Promoting sustainable transport?

We welcome the added reference to well-designed walking and cycling networks and secure cycle parking.

### 7. Do you agree with the changes proposed in Chapter II: Making effective use of land?

No comments

# 8. Do you agree with the changes proposed in Chapter 12: Achieving well-designed places?

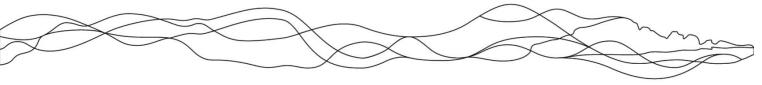
We welcome the Government's emphasis on good design and the creation of beautiful places. We acknowledge that design guides and codes can increase the quality of places delivered, but do question whether their use allows truly innovative design to come forward that speaks to the landscape in which it is located. We agree that securing local buy-in is important but have found, in practice, that local involvement can tend to focus on the architectural style of new development rather than the quality of the new places being created. We are also aware of instances where the enforcement of standards in design codes has proved problematic.

We strongly support the concept set out in paragraph 130 of planting the right tree in the right place and agree with the important contribution trees make to urban and rural areas. However, we would question the drive for all streets to be tree-lined as this may not be appropriate in all circumstances and would appear to be at odds with the concept of the 'right tree in the right place.' The policy test for streets not to be tree-lined in footnote 49 are set very high. Furthermore, it would be helpful to add that the planting of trees should be considered early on in the design process as part of a comprehensive landscaping scheme. We agree that local planning authorities and applicants should work with their local highway authorities. However, our experience is that many laudable schemes for tree lined streets are opposed by county highway departments.

We strongly support the statement in paragraph 133 that development that is not well designed should be refused.

#### 9. Do you agree with the changes proposed in Chapter 13: Protecting the Green Belt?

No comment



# 10. Do you agree with the changes proposed in Chapter 14: Meeting the challenge of climate change, flooding and coastal change?

We welcome the change to paragraph 160 to clarify that the sequential test should take into account all potential sources of flood risk. We also welcomed the change to bullet point (c) of paragraph 160 that flags up the role of green infrastructure in reducing the causes and impacts of flooding and promotes taking an integrated approach to flood risk management.

However, we do think that bolder changes should have been made to this part of the Framework in order to achieve goal 13 of the United Nations Sustainable Development Goals cited in paragraph 7. We would urge the Government to set measureable targets on climate change against which progress could be measured both locally and nationally.

## 11. Do you agree with the changes proposed in Chapter 15: Conserving and enhancing the natural environment?

We strongly support the addition to paragraph 175 that any development within the setting of national parks and other designated areas should be sensitively located and designed to avoid adverse impacts on the designated landscapes. National parks do not exist in isolation and have important functional relationships with their surroundings, for example, views in and out of these diverse and inspirational landscapes contribute to their special qualities. Development within the setting of a national park should be consistent with its purposes in line with the duty set out in Section 62 of the Environment Act 1995. This requires all relevant authorities including neighbouring local planning authorities to have regard to these purposes. It would be useful to cite this duty in a footnote to paragraph 175.

We understand that the matter of considering whether development in a national park is major or not is primarily for the development management stage. However, in order to ensure that an allocation is deliverable it is necessary to consider at a high level during the plan making stage whether a development proposal within a designated landscape is major or not and if it is whether it could meet the policy tests set in the NPPF. This is the approach taken by the Authority when preparing the Single Issue Soft Sand Review of the West Sussex Joint Minerals Local Plan and was found sound at our recent examination. This approach follows on from the recent High Court judgment in R (Advearse) v. Dorset Council (Case No: CO/2277/2019) in which paragraph 46 sets out the successive stages for the consideration and implementation of policies in the NPPF.

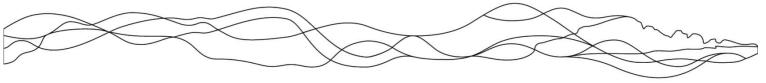
We support the addition to paragraph 179 about enhancing public access to nature.

## 12. Do you agree with the changes proposed in Chapter 16: Conserving and enhancing the historic environment?

The commemoration of historical figures as part of our cultural heritage is a complex and sometimes emotive matter. The Authority is concerned that paragraph 197 has been added to the Framework for political reasons outwith the planning system. We recommend that full consideration of the removal or alteration of historic statues, plaques or memorials is given by the local planning authority, who should in turn consult with all sections of the local community. This consultation on the NPPF also provides an opportunity to add a positive statement on ensuring that historic, current and future diversity is reflected in the public realm with appropriate understanding of the context of the time.

## 13. Do you agree with the changes proposed in Chapter 17: Facilitating the sustainable use of minerals

We agree with the addition of mineral consultation areas to paragraph 209.



We agree with the deletion in paragraph 210 (f) of the requirement for quarries that provide materials to repair heritage assets to be located close to the historic asset in question. In terms of distance, there are quarries, such as the clay tile quarries in East Sussex, that serve historic buildings in London. However, we would question the deletion of the word 'small-scale' as such quarries are often located in sensitive areas and are only acceptable because they are small and they serve a specialist market.

### Proposed changes to Annex I: Implementation

No comments

#### 14. Do you have any comments on the changes to the glossary?

We welcome the addition of blue spaces to the definition of green infrastructure as this recognises the important role of river and canal corridors.

We agree with the definition provided of mineral consultation areas. However, we would like to draw your attention to guidance drawn up by the Mineral Planning Authorities about when they should be consulted on non-mineral applications in mineral consultation areas. Consultation on all applications is unduly onerous on all parties concerned.

Further thought needs to be given to the definition of recycled aggregates as they need to meet a certain specification and not all construction waste can be recycled.

### 15. We would be grateful for your views on the National Model Design Code, in terms of

As stated in our answer to question 8, we welcome the Government's emphasis on good design and the creation of beautiful places. This is line with the first purpose of national parks, which is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

We are currently preparing and will shortly consult on our first Design Supplementary Planning Document (SPD), which will provide guidance on our landscape led approach to design in the South Downs. We have a well-established Design Review Panel that has successfully added value to a number of development proposals. We have adopted a number of village design statements as SPDs, and have found that they can greatly aid local acceptance of development and ensure good local design standards

### a) the content of the guidance

Overall the document is clearly set out and makes good use of illustrations. We would recommend that that it is stressed that some elements of design need to be considered from the beginning of the design process and re-visited iteratively throughout. An obvious example of this is sustainable construction and the orientation of buildings to optimise solar gain without overheating. We agree that nature and green spaces should be woven into the fabric of our villages, towns and cities. However, we would question the inclusion of the overly prescriptive hierarchy of open space provision for children and young people with local areas of play, local equipped areas of play and neighbourhood equipped areas of play. We welcome the expectation that all development schemes should achieve biodiversity net gain, but would ask that 10 per cent should be a minimum expectation. Several references are made to landscape in the document and we would request that this is defined in the glossary using the European Landscape Convention definition: 'an area perceived by people whose character is the result of the action and interaction of natural and/or human factors.'

### b) the application and use of the guidance

We agree that the document could be helpful when local design guidance is not available and in facilitating self-build and custom-build. We also agree that it is important for local planning

authorities to work collaboratively with local communities and developers to develop design guides. However, we would question whether there should be a single, more concise document rather than a suite of documents including the National Design Guide (66 pages), National Model Design Code (51 pages); and Guidance Notes for Design Codes (97 pages).

### c) the approach to community engagement

We agree that it is important to engage local communities in the design of their local neighbourhoods from scoping to master planning. However, it will require considerable resourcing to raise public awareness and understanding of design codes in order to engage local communities meaningfully in their formulation.

16. We would be grateful for your comments on any potential impacts under the Public Sector Equality Duty.

No comments

