

Appendix – South Downs National Park Authority detailed responses to questions set out in the Department for Levelling-Up Housing & Communities (DLUHC) Consultation on changes to permitted development rights; and a call for evidence on nature-based solutions, farm efficiency projects and diversification.

Consultation Question		South Downs National Park Authority Response
Design Codes		
Q.1	<p>Do you agree that prior approvals for design or external appearance in existing permitted development rights should be replaced by consideration of design codes where they are in place locally?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>No.</p> <p>The detail in Local Planning Authority (LPA) wide design codes will vary considerably depending on the scale and complexity of the LPA Area. Therefore, design codes will not consistently have the level of detail required to be used in the manner proposed. For example, the South Downs National Park stretches from Winchester to Eastbourne and covers 1600 square kilometres of England's most valued and diverse lowland landscapes. The diverse landscapes, land use functions, buildings and culture have created the distinctive towns and villages across the National Park. The creation of a design code to cover these varied landscapes and their functions to the level of detail to be used for prior approvals for design or external appearance would not be viable.</p>
Q.2	<p>Do you think that any of the proposed changes to permitted development rights in relation to design codes could impact on: a) businesses b) local planning authorities c) communities?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	<p>Yes.</p> <p>As stated in response to Q.1, the detail in LPA wide design codes will vary considerably depending on the scale and complexity of the Local Planning Authority Area, and for those LPAs a design code to the level of detail to be used for prior approvals for design or external appearance would not be viable. Requiring the use of design codes for design/external appearance prior approvals in these areas is particularly an issue in protected landscapes such as the South Downs National Park because it will hinder the ability of the National Park Authority through its role as (b) LPA to conserve and enhance the natural beauty, wildlife and cultural heritage of the area, the First Purpose of the National Park. This will in turn negatively impact the</p>

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		(a) businesses and (c) communities of the South Downs that value and rely on (e.g. for tourism businesses) the qualities of the landscape for which the National Park is designated.
Commercial Business and Service uses to dwellinghouses (Class MA of Part 3)		
Q.3	<p>Do you agree that the permitted development right for the change of use from the Commercial, Business and Service use class (Use Class E) to residential (Class MA of Part 3), should be amended to either:</p> <p>a) Double the floorspace that can change use to 3,000 square metres b) Remove the limit on the amount of floorspace that can change use c) No change d) Don't know</p> <p>Please give your reasons.</p>	<p>No change.</p> <p>This permitted development right does not currently apply in national parks. We strongly disagree with the proposal to extend this right into the national park as set out in our covering letter and response to Q.5. For the avoidance of doubt, if this right were to be extended to national parks doubling the floorspace (a) or removing the limit (b) are not supported. This is because the scale of change which could result would have serious consequences for the vitality of our town and village centres. This is particularly an issue in protected landscapes such as the South Downs National Park because this change in function would have consequential change in the distinctive character of our towns and villages, which contribute to the reasons for designation of the National Park and would have negative implications for the tourism and land-based economy of the national park. As a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated.</p>
Q.4	<p>Do you agree that the permitted development right (Class MA of Part 3) should be amended to remove the requirement that the premises must be vacant for at least three continuous months immediately prior to the date of the application for prior approval?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>No.</p> <p>This permitted development right does not currently apply in national parks. We strongly disagree with the proposal to extend this right into the national park as set out in our covering letter and response to Q.5. For the avoidance of doubt, if this right were to be extended to national parks we would not support the removal of this requirement as a way to help safeguard against businesses being displaced or lost in the national park where residential dwellings attract a particularly significant premium and the cumulative impact on the vitality of our town and village centres. This is particularly an issue in protected</p>

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		landscapes such as the South Downs National Park because this change in function would have consequential change in the distinctive character of our towns and villages, which contribute to the reasons for designation of the National Park, and would have negative implications for the tourism and land-based economy of the national park. As a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated.
Q.5	<p>Do you think that the permitted development right (Class MA of Part 3) should apply in other excluded article 2(3) land?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>No.</p> <p>The proposed application of this permitted development right in national parks is not supported. It is noted that paragraph 27 sets out the government's reasoning behind this proposal, specifically <i>'we consider that the right could be acceptable in these areas as it allows only for the change of use and does not permit any operation or building works that would impact the appearance of the premises.</i> This suggests that only appearance is important in these areas, however changes in function can have equal or bigger implications for national parks. This change in function would have consequential change in the distinctive character of our towns and villages which contribute to the reasons for designation of the National Park. The vitality of the town and villages of the South Downs National Park, with a range of Class E uses, are a critical part of the draw of the SDNP as a tourism destination and supports the land-based economy of the SDNP. As a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated. By bringing these types of developments through the planning system in National Parks we can secure significant added value, supporting delivery of a design quality that contributes to conserving and enhancing the National Park and the special qualities for which the South Downs National Park is designated and communities, businesses and visitors value.</p> <p>As demonstrated by research from Nationwide (2022), dwellings located within a National Park attracts a 25% premium over an</p>

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		otherwise identical property. The housing delivered under this proposal is likely to attract a significant premium and importantly will not support the housing needs of our local communities i.e., affordable homes or in support of our land-based economy i.e. rural workers homes.
Q.6	<p>Do you think the prior approval that allows for the local consideration of the impacts of the change of use of the ground floor in conservation areas on the character or sustainability of the conservation is working well in practice?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons. If no, please explain why you don't think the prior approval works in practice?</p>	No response.
Q.7	<p>Do you agree that permitted development rights should support the change of use of hotels, boarding houses or guest houses (Use Class C1) to dwellinghouses?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>No.</p> <p>The visitor economy is a vital industry for national parks and a range of overnight accommodation is important for a thriving tourism industry in the SDNP. This facilitates the understanding and enjoyment of the SDNP, the Second Purpose of national parks. The proposal would seriously undermine and weaken the viability of the tourism accommodation and the services offered in our town and village centres. The visitor economy is interwoven with the land-based economy of national parks, including the SDNP. As a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated.</p> <p>By bringing these types of developments through the planning system in National Parks we can secure significant added value, supporting delivery of a design quality that contributes to conserving and enhancing the National Park and the special qualities for which the South Downs National Park is designated and communities, businesses and visitors value.</p>

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		As demonstrated by research from Nationwide (2022), dwellings located within a National Park attracts a 25% premium over an otherwise identical property. The housing delivered under this proposal is likely to attract a significant premium and importantly will not support the housing needs of our local communities i.e., affordable homes or in support of our land-based economy i.e. rural workers homes.
Q.8	<p>Are there any safeguards or specific matters that should be considered if the change of use of hotels, boarding houses or guest houses (Use Class C1) to dwellinghouses was supported through permitted development rights?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons. If yes, please specify.</p>	<p>No.</p> <p>The application of this proposed permitted development right in national parks is not supported for the reasons specified in response to Q.7.</p>
Q.9	<p>Do you think that any of the proposed changes in relation to the Class MA permitted development right could impact on: a) businesses b) local planning authorities c) communities?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	<p>Yes. A combination.</p> <p>As demonstrated by research from Nationwide (2022), dwellings located within a National Park attracts a 25% premium over an otherwise identical property. Due to this premium, national parks would likely see loss of businesses and tourism accommodation due to relative higher value of market homes versus other uses.</p> <p>This is particularly an issue in protected landscapes such as the South Downs National Park because this change in function would have consequential change in the distinctive character of our towns and villages, which contribute to the reasons for designation of the National Park, and would have negative implications upon the tourism and land-based economy of the national park affecting the (a) businesses and (c) communities of the SDNP. As a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated. The housing delivered under this proposal is likely to attract a significant</p>

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		premium and importantly will not support the housing needs of our (c) communities i.e., affordable homes or in support of our land-based economy i.e. rural workers homes.
Q.10	<p>Do you think that changes to Class MA will lead to the delivery of new homes that would not have been brought forward under a planning application?</p> <p>a) Yes b) No c) Don't know If so, please give your reasons.</p>	<p>Yes.</p> <p>As demonstrated by research from Nationwide (2022), dwellings located within a National Park attracts a 25% premium over an otherwise identical property. Due to the high demand for market homes national parks would likely see loss of businesses and tourism accommodation due to relative higher value of market homes versus other uses. It is important to note that housing delivered under this proposal is likely to attract a significant premium and importantly will not support the housing needs of our local communities i.e. affordable homes or in support of our land based economy i.e. rural workers homes.</p>
Betting offices and pay day loan shops to dwellinghouses and arcades etc. to dwellinghouses (Class M and N of Part 3)		
Q.11	<p>Do you agree that the right for the change of use from hot food takeaways, betting offices, pay day loan shops and launderettes (Class M of Part 3) is amended to:</p> <p>a) Double the floorspace that can change use to 300 square metres b) Remove the limit on the amount of floorspace that can change use c) No change d) Don't know Please give your reasons.</p>	No response.
Q.12	<p>Do you agree that the existing right (Class M of Part 3) is amended to no longer apply to launderettes?</p> <p>a) Yes b) No c) Don't know Please give your reasons</p>	<p>Yes.</p> <p>It is agreed as stated in paragraph 39 that laundrettes can provide a valuable community service. Laundrettes can also provide a useful service for visitors and visitor accommodation businesses in areas such as National Parks which importantly rely on tourism to support the communities and businesses in the National Park.</p>
Q.13	<p>Do you agree that the right for the change of use from amusement arcades and centres, and casinos (Class N of Part 3) is amended to:</p>	No response.

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	<p>a) Double the floorspace that can change use to 300 square metres</p> <p>b) Remove the limit on the amount of floorspace that can change use</p> <p>c) No change</p> <p>d) Don't know</p> <p>Please give your reasons.</p>	
Q.14	<p>Do you agree that the right (Class M of Part 3) should be amended to replace the existing date on which the building must have been in use as a hot food takeaway, betting office, pay day loan shop or launderette instead to a two-year rolling requirement?</p> <p>a) Yes</p> <p>b) No</p> <p>c) Don't know</p> <p>Please give your reasons.</p>	No response.
Q.15	<p>Do you agree that the right (Class N of Part 3) should be amended to replace the existing date on which the building must have been in use as an amusement arcade or centre, or casino instead to two-year rolling requirement?</p> <p>a) Yes</p> <p>b) No</p> <p>c) Don't know</p> <p>Please give your reasons.</p>	No response.
Q.16	<p>Do you think that the permitted development right for the change of use from hot food takeaways, betting offices, pay day loan shops and launderette (Class M of Part 3) should apply in other article 2(3) land?</p> <p>a) Yes</p> <p>b) No</p> <p>c) Don't know</p> <p>Please give your reasons.</p>	<p>Yes.</p> <p>This proposal strikes the right balance between increasing flexibility to allow more homes and avoiding likelihood of harm to the vitality of the distinctive towns and villages of the National Park upon which businesses and communities value and rely upon.</p>
Q.17	<p>Do you think that the permitted development right for the change of use of amusement arcade or centre, or casino (Class N of Part 3) should apply in other excluded article 2(3) land?</p>	<p>Yes.</p> <p>This proposal strikes the right balance between increasing flexibility to allow more homes and avoiding likelihood of harm to the vitality of</p>

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	a) Yes b) No c) Don't know Please give your reasons.	the distinctive towns and villages of the National Park upon which businesses and communities value and rely upon.
Q.18	Do you think that any of the proposed changes in relation to the Class M and N permitted development rights could impact on: a) businesses b) local planning authorities c) communities? a) Yes b) No c) Don't know Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.	No response.
Q.19	Do you think that changes to Class M and N will lead to the delivery of new homes that would not have been brought forward under a planning application? a) Yes b) No c) Don't know If so, please give your reasons.	No response.
Commercial, Business and Service, betting office or pay day load shop to mixed use residential (Class G of Part 3)		
Q.20	Do you agree that the right (Class G of Part 3) is expanded to allow for mixed use residential above other existing uses? a) Yes b) No c) Don't know Please give your reasons. If yes, please say which uses the right might apply to and give your reasons.	Yes. We consider that this right could be reasonably expanded to Class B and Class F uses.
Q.21	Do you agree that the number of flats that may be delivered under the right (Class G of Part 3) is doubled from two to four? a) Yes	Yes. This proposal strikes the right balance between increasing flexibility to allow more homes and avoiding likelihood of harm to the vitality of

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	b) No c) Don't know Please give your reasons.	the distinctive towns and villages of the National Park upon which businesses and communities value and rely upon.
Q.22	Do you agree that the permitted development right (Class H of Part 3) is amended to align with any changes made to the uses to which Class G of Part 3 applies? a) Yes b) No c) Don't know Please give your reasons.	Yes. This proposal is logical.
Q.23	Do you think that any of the proposed changes in relation to the Class G and H permitted development rights could impact on: a) businesses b) local planning authorities c) communities? a) Yes b) No c) Don't know Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.	No response.
Q.24	Do you think that changes to Class G will lead to the delivery of new homes that would not have been brought forward under a planning application? a) Yes b) No c) Don't know If so, please give your reasons.	No response.
Agricultural Buildings to dwellinghouses (Class Q of Part 3)		
Q.25	Do you agree that the smaller and larger home size limits within the agricultural buildings to dwellinghouses right (Class Q of Part 3) should be replaced with a single maximum floorspace limit of either: a) 100 square metres per dwellinghouse b) 150 square metres per dwellinghouse	This permitted development right does not currently apply in national parks. We strongly disagree with the proposal to extend this right into the national park as set out in our covering letter and response to Q.31. For the avoidance of doubt, if this right were to be extended to national parks either (a) or (b) would be preferred to facilitate delivery

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	c) No change d) Don't know	of small to medium size homes which reflects the need in the South Downs National Park.
Q.26	Do you agree that an overall limit on the amount of floorspace that can change use, set at 1,000 square metres, should be introduced for the agricultural buildings to dwellinghouses right (Class Q of Part 3)? a) Yes b) No c) Don't know Please give your reasons.	<p>No.</p> <p>This permitted development right does not currently apply in national parks. We strongly disagree with the proposal to extend this right into national parks as set out in our covering letter and response to Q.31. For the avoidance of doubt, if this right were to be extended to national parks, we do not think the overall limit on amount of floorspace that can change use should increase.</p> <p>Serious concerns are raised regarding the unrestricted loss of agricultural buildings, especially an increased amount of floorspace that could change use and be lost of the agricultural functions they currently serve, and the impact this could have on the viability or agricultural business. This is particularly an issue for protected land landscapes and the South Downs National Park in particular; as a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated.</p> <p>Concern is also raised regarding cycle of harm; as the hope value for new homes result in conversion of existing agricultural buildings, these buildings may need replacing to support the agricultural function of the site, resulting in further built structures across the landscape of the national park.</p> <p>Change of use can have big implications, especially for relatively isolated locations beyond appearance. Change of use results in change of character. Scattered and often relatively isolated new homes will result in domestication of the rural working landscape due to associated domestic features such as garden enclosures, patios, furniture, play equipment, lighting, and parking. This is particularly an issue in protected landscapes including the South Downs National Park, ultimately undermining the landscape, character, and special</p>

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		<p>qualities on which national parks have been designated. By bringing these types of developments through the planning system in National Parks we can secure significant added value, supporting delivery of a design quality that contributes to conserving and enhancing the National Park and the special qualities for which the South Downs National Park is designated and communities, businesses and visitors value.</p>
Q.27	<p>Do you agree that the 5 home limit within the agricultural buildings to dwellinghouses right (Class Q of Part 3) should be increased to allow up to a total of 10 homes to be delivered within an agricultural unit?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>No.</p> <p>This permitted development right does not currently apply in national parks. We strongly disagree with the proposal to extend this right into the national park as set out in our covering letter and response to Q.31. For the avoidance of doubt, if this right were to be extended to national parks, we do not think the limit should increase.</p> <p>Serious concerns are raised regarding the unrestricted loss of agricultural buildings, especially increasing the number of homes delivered within an agricultural unit, and the impact loss of agricultural buildings and their functions could have on the viability or agricultural business. This is particularly an issue for protected land landscapes and the South Downs National Park in particular; as a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated.</p> <p>Concern is also raised regarding cycle of harm; as the hope value for new homes result in conversion of existing agricultural buildings, these buildings may need replacing to support the agricultural function of the site, resulting in further built structures across the landscape of the National Park.</p> <p>Change of use can have big implications, especially for relatively isolated locations beyond appearance. Change of use results in change of character. Scattered and often relatively isolated new homes will result in domestication of the rural working landscape due to associated domestic features such as garden enclosures, patios,</p>

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		<p>furniture, play equipment, lighting, and parking. This is particularly an issue in protected landscapes including the South Downs National Park, ultimately undermining the landscape, character, and special qualities on which national parks have been designated. By bringing these types of developments through the planning system in National Parks we can secure significant added value, supporting delivery of a design quality that contributes to conserving and enhancing the National Park and the special qualities for which the South Downs National Park is designated and communities, businesses and visitors value.</p> <p>As demonstrated by research from Nationwide (2022), dwellings located within a National Park attracts a 25% premium over an otherwise identical property. The housing delivered under this proposal is likely to attract a significant premium and importantly will not support the housing needs of our local communities i.e., affordable homes or in support of our land-based economy i.e. rural workers homes.</p>
Q.28	<p>Do you agree that the permitted development right for the change of use from agricultural buildings to residential use (Class Q of Part 3) should be amended to allow for an extension to be erected as part of the change of use on previously developed land?</p> <p>a) Yes b) No c) Don't know Please give your reasons.</p>	<p>No. Although, as stated in paragraph 75 of the consultation, this proposed PD right change is not intended to apply in national parks, we are concerned about the suggestion in paragraph 66 that the definition of previously developed land be extended to include hardstanding in farmyards. Although the consultation document says this would apply only for this PD right it sets a precedent for changing the general definition which could have significant implications for national parks.</p>
Q.29	<p>Do you agree that a prior approval be introduced, allowing for the consideration of the impacts of an extension on the amenity of neighbouring premises, including overlooking, privacy and light?</p> <p>a) Yes b) No c) Don't know Please give your reasons.</p>	<p>No response.</p>

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Q.30	<p>Do you agree that buildings should have an existing floorspace of at least 37 square metres to benefit from the right?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>Yes.</p> <p>This permitted development right does not currently apply in national parks. We strongly disagree with the proposal to extend this right into the national park as set out in our covering letter and response to Q.31. For the avoidance of doubt, if this right were to be extended to national parks, then a minimum existing floorspace is supported to ensure the building is capable of delivery at least one appropriate dwelling.</p>
Q.31	<p>Do you think that the permitted development right for the change of use from agricultural buildings to residential use (Part 3 Class Q) should be amended to apply in other article 2(3) land?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>No.</p> <p>Application of this right in national parks is not supported and serious concerns are raised about the significant negative impacts this would have on national parks.</p> <p>In 2014 the Government specifically excluded nationally protected landscapes when first introducing this PD right, recognising the fact that nationally protected landscapes warranted a different approach, and this rationale still stands. By bringing these types of developments through the planning system in National Parks we can secure significant added value, supporting delivery of a design quality that contributes to conserving and enhancing the National Park and the special qualities for which the South Downs National Park is designated and communities, businesses and visitors value.</p> <p>The proposals would undermine the 'plan-led' system in national parks. The South Downs National Park has a dedicated Local Plan Policy SD41 which supports conversion of redundant agricultural buildings but via a cascade focusing on the identified needs which are vital to the South Downs National Park in the first instance, such as rural workers housing, diversification for employment, affordable housing, and diversification or visitor accommodation or facilities, then open market housing. Applying this permitted development right in the National Park would seriously undermine the ability of the South</p>

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	<p>Downs National Park ability to support the land-based sector and delivery of the right homes in the right places.</p> <p>As demonstrated by research from Nationwide (2022), dwellings located within a National Park attracts a 25% premium over an otherwise identical property. The housing delivered under this proposal is likely to attract a significant premium and importantly will not support the housing needs of our local communities i.e., affordable homes or in support of our land-based economy i.e. rural workers homes.</p> <p>Serious concerns are raised regarding the unrestricted loss of agricultural buildings and the loss of agricultural functions they currently serve, and the impact this could have on the viability or agricultural business. This is particularly an issue for protected land landscapes and the South Downs National Park in particular; as a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated.</p> <p>Concern is also raised regarding cycle of harm; as the hope value for new homes result in conversion of existing agricultural buildings, these buildings may need replacing to support the agricultural function of the site, resulting in further built structures across the landscape of the national park.</p> <p>Change of use can have big implications, especially for relatively isolated locations beyond appearance. Change of use results in change of character. Scattered and often relatively isolated new homes will result in domestication of the rural working landscape due to associated domestic features such as garden enclosures, patios, furniture, play equipment, lighting, and parking. This is particularly an issue in protected landscapes including the South Downs National</p>

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	<p>Park, ultimately undermining the landscape, character, and special qualities on which national parks have been designated.</p> <p>The SDNP was designated as International Dark Sky Reserve (IDSR) in 2016. It has since been joined by others and is now part of a family of 19 IDSR's around the world. With 2.2 million people living within 10km of the National Park and within easy reach of London and the wider south-east our reserve is one of the most accessible in the world for people to experience a night under the stars. The proposal for unrestricted change of use of dwellings and associated domestic lighting that likely accompanies this unrestricted change in function, would seriously undermine our dark night skies and the integrity of our IDSR designation.</p> <p>The mixed farmed/wooded landscape of the South Downs supports populations of the rarest species of bats found in the UK, many of which use barns and other agricultural buildings. The Sussex Bat SACs support internationally important populations of hibernating and breeding Barbastelle bats. These populations are much less well understood away from their core sites but, based on their habits elsewhere, they are very likely to depend on a range of built and natural structures within their range - including agricultural buildings - which would be functionally linked habitat in the same way as their associated commuting routes and foraging areas. A previously unknown breeding colony of Greater Horseshoe bats was recently discovered in a derelict stable block in West Sussex, after an absence in Sussex of more than 100 years. We also know that hibernating Greater Mouse-eared bats are present here in very low numbers but have no idea of where they spend the summer months and whether they might be breeding here too – in which case this could well be within such a building. Agricultural buildings with open voids could also support populations of the very rare Grey Long-eared Bat which is only found along the southern coast of England, including the southern</p>

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		<p>parts of Hampshire and Sussex. Due to this we are concerned that PD rights could have serious consequences for bat population and if this were to be applied in the SDNP the prior notification procedure with regard to protected species is especially important for agricultural buildings and particularly for buildings which are not listed.</p> <p>Proposals would produce unsustainable development in isolated locations which would have a higher carbon footprint with high reliance on the private car.</p>
Q.32	<p>Do you agree that the right be amended to apply to other buildings on agricultural units that may not have been solely used for agricultural purposes?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>No.</p> <p>Due to the concerns outlined in response to Q.31 we do not think this should apply to other buildings on agricultural units in national parks.</p>
Q.33	<p>Are there any specific uses that you think should benefit from the right?</p> <p>a) Yes b) No c) Don't know</p> <p>If yes, please give examples of the types of uses that the right should apply to</p>	<p>No.</p> <p>Due to the concerns outlined in response to Q.31 we do not think any uses should benefit from this right in national parks.</p>
Q.34	<p>Are there any specific uses that you think should not benefit from the right?</p> <p>a) Yes b) No c) Don't know</p> <p>If yes, please give examples of the types of uses that the right should not apply to</p>	<p>Yes.</p> <p>Any uses on agricultural units should not have permitted development rights to change use to a dwelling in national parks due to the reasons outlined in response to Q.31.</p>
Q.35	<p>Do you agree that the right be amended to apply to agricultural buildings that are no longer part of an agricultural unit?</p>	<p>No.</p>

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	a) Yes b) No c) Don't know Please give your reasons.	Due to the concerns outlined in response to Q.31 we strongly disagree with this proposal. We particularly emphasise points made regarding the impacts on change in function and subsequent character, increased development in isolated unsustainable locations with car reliance, biodiversity impacts and risk of undermining the integrity of the South Downs International Dark Sky Reserve.
Q.36	Do you agree that any existing building must already have an existing suitable access to a public highway to benefit from the right? a) Yes b) No c) Don't know Please give your reasons.	Yes. This permitted development right does not currently apply in national parks. We strongly disagree with the proposal to extend this right into the national park as set out in our covering letter and response to Q.31. For the avoidance of doubt, if this right were to be extended to national parks then this requirement for existing highways access is supported in order to avoid further works which individually and cumulatively are likely to have an urbanising effect and change the character of the landscape, harming the qualities upon which the national park was designated.
Q.37	Do you have a view on whether any changes are required to the scope of the building operations permitted by the right? a) Yes b) No c) Don't know Please give your reasons. If yes, please provide details.	No.
Q.38	Do you have a view on whether the current planning practice guidance in respect of the change of use of agricultural buildings to residential use should be amended? a) Yes b) No c) Don't know Please give your reasons. If yes, please provide details of suggested changes.	Yes. Planning Practice Guidance should address sustainability to ensure that opportunities to maximise sustainability is achieved, particularly in regards carbon emissions. As a safeguard, it should be a requirement that proposals must adhere to or be close to achieving Local Plan policy requirements for sustainability measures and reductions in carbon emissions in the respective area.
Q.39	Do you agree that permitted development rights should support the change of use of buildings in other predominantly rural uses to residential?	No.

Consultation Question		South Downs National Park Authority Response
	a) Yes b) No c) Don't know Please give your reasons. If yes, please specify which uses.	Application of this right in national parks is not supported and serious concerns are raised about the significant negative impacts this would have on national parks as outlined in response to Q.31.
Q.40	Are there any safeguards or specific matters that should be considered if the right is extended to apply to buildings in other predominantly rural uses? a) Yes b) No c) Don't know Please give your reasons. If yes, please specify	Yes. Sustainability measures should be addressed to ensure that opportunities to maximise sustainability is achieved, particularly in regards carbon emissions. As a safeguard, it should be a requirement that proposals must adhere to or be close to achieving Local Plan policy requirements for sustainability measures and reductions in carbon emissions in the respective area.
Q.41	Do you think that any of the proposed changes in relation to the Class Q permitted development right could impact on: a) businesses b) local planning authorities c) communities? a) Yes b) No c) Don't know Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.	Yes. A combination. Applying this permitted development right in the National Park would seriously undermine the ability of the South Downs National Park as (b) LPA in its ability to support the land-based sector and delivery of the right homes in the right places which (a) businesses and (c) communities rely on. See response to Q.31.
Q.42	Do you think that changes to Class Q will lead to the delivery of new homes that would not have been brought forward under a planning application? a) Yes b) No c) Don't know Please give your reasons	Yes. Currently, in National Parks such changes of uses are currently assessed against local plan policies. In the South Downs National Park, buildings suitable for such a change of use are permitted in accordance with SD41 and our cascade prioritising the type of housing that is needed most in National Parks. These proposals would seriously damage ability to implement the adopted Local Plan and deliver the Purposes and Duty.
Supporting the agricultural sector through additional flexibilities		
Q.43	Do you agree that permitted development rights should support the change of use of other buildings in a predominantly rural land use to a flexible commercial use?	Yes. The proposal to expand this permitted development right to other buildings in forestry or equestrian use is supported. The term

Consultation Question		South Downs National Park Authority Response
	a) Yes b) No c) Don't know Please give your reasons. If yes, please specify which uses	'predominantly rural land use' should be defined further for clarity if beyond forestry and equestrian as indicated in paragraph 98 and 99. The proposed application of some of the same conditions and limitations that apply to the existing permitted development right to this wider scope set out in paragraph 100 is supported. For clarity and efficiency in application if this right, all the same conditions that apply agricultural buildings to flexible commercial use, should also apply to the broadened scope of uses including forestry and equestrian uses.
Q.44	Do you agree that the right be amended to allow for buildings and land within its curtilage to be used for outdoor sports, recreation or fitness? a) Yes b) No c) Don't know Please give your reasons.	Yes, but provided prior approval is required for matters of lighting. Lighting is an important issue in designated landscapes and the South Downs National Park in particular. The SDNP was designated as International Dark Sky Reserve (IDSR) in 2016. It has since been joined by others and is now part of a family of 19 IDSR's around the world. With 2.2 million people living within 10km of the National Park and within easy reach of London and the wider south-east our reserve is one of the most accessible in the world for people to experience a night under the stars. The proposal for unrestricted change of use of to outdoor sports, recreation and fitness, and the lighting, often extensive and intensive flood lighting, that accompanies this change in function, could seriously undermine our dark night skies and the integrity of our IDSR designation without prior approval requirements to address this issue.
Q.45	Do you agree that the right be amended to allow buildings to change use to general industrial, limited to only allow the processing of raw goods produced on the site and which are to be sold on the site, excluding livestock? a) Yes b) No c) Don't know Please give your reasons	Yes. This proposal strikes the right balance to achieve greater flexibilities to support the rural economy and is supported.
Q.46	Should the right allow for the change of uses to any other flexible commercial uses? a) Yes	No. No other flexible commercial uses should be allowed this permitted development right to strike the right balance between achieving

Consultation Question		South Downs National Park Authority Response
	b) No c) Don't know Please give your reasons. If yes, please specify which uses.	greater flexibilities that support the rural economy and avoiding harm arising from change in functions.
Q.47	Do you agree that the right be amended to allow for a mix of the permitted uses? a) Yes b) No c) Don't know Please give your reasons	Yes. This proposal seems a reasonable flexibility to support the rural economy by allowing a combination of permitted uses on the site. We flag that the current condition R.3. is important in allowing the opportunity to consider issues of (i) transport and highways impacts and (ii) noise impacts when cumulative change is over 150 square metres. Both impacts may be influenced by different uses on the same site in combination and so condition R.3. should be retained and applied to in combination impacts.
Q.48	Do you agree that the right be amended to increase the total amount of floorspace that can change use to 1,000 square metres? a) Yes b) No c) Don't know Please give your reasons.	No. An increase in unrestricted agricultural buildings of this scale would have a detrimental impact on character and other qualities upon which the national park is designated and application of these proposals in national parks is not supported. This proposal appears to be linked to making farmland more intensive and high production. Productive farmland is agreed to be vital for the county, and indeed also the South Downs National Park, however increasing intensity in such protected landscapes is not appropriate. As a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated. The scale and nature of farming activity is a fundamental component of that. The resulting change from this proposal would have implications for how the landscape functions and subsequent harm to the character and qualities for which the National Park was designated.
Q.49	Is the trigger as to whether prior approval is for required set at the right level (150 square metres)? a) Yes b) No c) Don't know	Yes. The current prior approval trigger sets the right balance between allowing flexibilities to support the rural economy and avoiding potential harm from change in function of floorspace.

Consultation Question		South Downs National Park Authority Response
	Please give your reasons. If not, please say what it should be, and give your reasons.	
Q.50	<p>Do you think that any of the proposed changes in relation to the Class R permitted development right could impact on: a) businesses b) local planning authorities c) communities?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination</p>	<p>Yes. A combination.</p> <p>Expanding the permitted development right to allow the change of use of other buildings in a predominantly rural land use to a flexible commercial use will positively impact (a) rural businesses by providing greater flexibility and (c) the communities which rely on these businesses however it is important that the scope of this be defined should this apply to rural land uses in addition to forestry and equestrian for clarity for (a) businesses, (b) local planning authorities and (c) communities.</p> <p>Proposals for change of use to outdoor sports, fitness, and recreation must have prior approval requirements due to associated lighting and impacts on the designation of the South Downs National Park as an International Dark Skies Reserve accessible to 2.2 million people with 10km and many millions more in London and the South-East. Without prior approval requirements this this would impact (a) business and (c) communities which rely on (e.g. for tourism) and enjoy the dark night skies and significantly undermine the SDNPA as (b) LPA in ensuring the integrity of the Reserve is not harmed.</p> <p>The existing prior approval triggers should remain, particularly in national parks, where changes in function including in combination changes, can significantly impact relatively isolated areas due to change in character, impact on experiential qualities like tranquillity and dark night skies from lighting and traffic, and impact on the land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated. This in turn impacts (a) businesses and (c) communities that rely on these qualities and (b) the ability of the SDNPA as LPA to conserve and enhance the natural beauty, wildlife and cultural heritage of the area, the First Purpose of the National Park.</p>

Consultation Question		South Downs National Park Authority Response
Q.51	<p>Do you agree that the ground area limit of new buildings or extensions erected under the right be increased from 1,000 to 1,500 square metres?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>No.</p> <p>An increase in unrestricted agricultural buildings of this scale would have a detrimental impact on character and other qualities upon which the national park is designated and application of these proposals in national parks is not supported. This proposal appears to be linked to making farmland more intensive and high production. Productive farmland is agreed to be vital for the county, and indeed also the South Downs National Park, however increasing intensity in such protected landscapes is not appropriate. As a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated. The scale and nature of farming activity is a fundamental component of that. The resulting change from this proposal would have implications for how the landscape functions and subsequent harm to the character and qualities for which the National Park was designated.</p>
Q.52	<p>Do you agree that we remove the flexibility for extensions and the erection of new buildings where there is a designated scheduled monument?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>Yes.</p> <p>Removal of this flexibility where there is a designated scheduled monument is supported due to the sensitivity and importance of these sites.</p>
Q.53	<p>Do you agree that the right be amended to allow extensions of up to 25% above the original building cubic content?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>No.</p> <p>The application of these proposals in national parks is not supported. An increase in unrestricted agricultural buildings of this scale would have a significant cumulative detrimental impact on character and views upon which the national park is designated.</p>
Q.54	<p>Do you agree that the right be amended to allow the ground area of any building extended to reach 1,250 square metres?</p> <p>a) Yes b) No c) Don't know</p>	<p>No.</p> <p>The application of these proposals in national parks is not supported. An increase in unrestricted agricultural buildings of this scale would have a significant cumulative detrimental impact on character and views upon which the national park is designated.</p>

Consultation Question		South Downs National Park Authority Response
	Please give your reasons	
Q.55	<p>Do you agree that we remove the flexibility for extensions where there is a designated scheduled monument?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons</p>	<p>Yes.</p> <p>Removal of this flexibility where there is a designated scheduled monument is supported due to the sensitivity and importance of these sites.</p>
Q.56	<p>Do you think that any of the proposed changes in relation to the Part 6 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	<p>Yes. A combination.</p> <p>An increase in unrestricted agricultural buildings of this scale would have a detrimental impact on character and other qualities upon which the national park is designated and application of these proposals in national parks is not supported. This proposal appears to be linked to making farmland more intensive and high production. Productive farmland is agreed to be vital for the county, and indeed also the South Downs National Park, however increasing intensity in such protected landscapes is not appropriate. As a working landscape, land-based economy functions have a vital role in creating, shaping, and maintaining the qualities for which the SDNP is designated. The scale and nature of farming activity is a fundamental component of that. The resulting change from this proposal would have implications for how the landscape functions and subsequent harm to the character and qualities for which the National Park was designated impacting (a) businesses and (c) communities that rely on (for their businesses such as tourism) and enjoy the character and special qualities of the SDNP.</p>
Supporting businesses and high streets through greater flexibilities		
Q.57	<p>Do you agree that the maximum floorspace limit for the extension or alteration to a Commercial, Business and Service establishment on nonprotected land is increased to either 200 square metres or a 100% increase over the original building, whichever is lesser?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	<p>No response.</p>

Consultation Question		South Downs National Park Authority Response
Q.58	<p>Do you agree that the maximum floorspace of a new industrial and/or warehousing building on non-protected land permitted under the Part 7 Class H permitted development right be amended to 400 square metres?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	No response.
Q.59	<p>Do you agree that the maximum floorspace of a new industrial and/or warehousing extension on non-protected land be increased to either 1,500 square metres or a 75% increase over the original building, whichever is lesser.</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons.</p>	No response.
Q.60	<p>Do you think that any of the proposed changes in relation to the Part 7 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	No response.
Q.61	<p>Do you agree that the permitted development right for the temporary use of land should be amended so that markets can operate either:</p> <p>a) 28 days per calendar year (in line with other uses permitted under the right) b) A different number of days per calendar year c) No change d) Don't know</p>	No response.

Consultation Question		South Downs National Park Authority Response
	Please give your reasons. If you have chosen a different number of days per calendar year, please specify what number of days the right should provide for?	
Q.62	<p>Do you think that any of the proposed changes in relation to the Part 4 permitted development rights could impact on: a) businesses b) local planning authorities c) communities?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.</p>	No response.
Ensuring the sufficient capacity of open prisons		
Q.63	<p>Do you agree that the existing Class M of Part 7 permitted development right is amended to additionally apply to open prisons?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons</p>	No response.
Q.64	<p>Do you agree that there should be a prior notification process where the development under the Class M of Part 7 right is being used for open prisons?</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons</p>	No response.
Q.65	<p>Do you think that the proposed changes to the Class M of Part 7 permitted development right in relation to open prisons could impact on: a) businesses b) local planning authorities c) communities?</p> <p>a) Yes b) No c) Don't know</p>	No response.

Consultation Question		South Downs National Park Authority Response
	Please give your reasons. It would be helpful if you could specify whether your comments relate to a) business, b) local planning authorities, or c) communities, or a combination.	
Public Sector Equality Duty		
Q.66	<p>Do you think that the changes proposed in this consultation could give rise to any impacts on people who share a protected characteristic? (Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation).</p> <p>a) Yes b) No c) Don't know</p> <p>Please give your reasons</p>	No response.

Call for Evidence on nature-based solutions

Question		Draft SDNPA response									
Nature-based solutions											
Q.67	What guidance, policy, or legislative changes could help to provide a more supportive framework for planning authorities to determine planning applications within?	No response.									
Q.68	What new permitted development rights, or amendments to existing permitted development rights, would streamline and simplify the process? If referring to an existing permitted development right, please be as specific as possible.	<p>Nature-based solutions are defined in paragraph 172 of the consultation document as ‘<i>projects seeking to use, manage, change or restore an area of land to address environmental issues</i>’. We agree with this definition, but would go further to with this definition to recognise that such projects are often strategic in nature (either individually or cumulatively) (e.g. offsetting for nutrients), are often an alternative to, or supplement, grey infrastructure responses (e.g. wetland creation to address flood risk), and have a commercial element (applicable to the examples given, also carbon offsetting). This makes nature-based solutions different to other conservation activities.</p> <p>To ensure a proportionate, efficient and robust approach, that also recognises the distinction in nature and scale of projects, the following tiered approach is suggested to the Government for further consideration:</p> <table border="1"> <thead> <tr> <th colspan="2">Type of project</th> <th>Planning system approach</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Nature-based solutions projects (as defined above)</td> <td> <p>Full planning permission where currently required.</p> <p>This would apply to proposals above a certain scale, that will deliver commercial gains and/or to provide a solution instead of utilising grey infrastructure, or with likelihood of impacts would need to go through the usual planning route for the necessarily holistic consideration e.g. constructed wetlands, works to wetlands or watercourses, or on or in a certain buffer of a designated site.</p> </td> </tr> <tr> <td>2</td> <td>Conservation projects</td> <td>A new LPA ecologist or qualified ecologist sign off process.</td> </tr> </tbody> </table>	Type of project		Planning system approach	1	Nature-based solutions projects (as defined above)	<p>Full planning permission where currently required.</p> <p>This would apply to proposals above a certain scale, that will deliver commercial gains and/or to provide a solution instead of utilising grey infrastructure, or with likelihood of impacts would need to go through the usual planning route for the necessarily holistic consideration e.g. constructed wetlands, works to wetlands or watercourses, or on or in a certain buffer of a designated site.</p>	2	Conservation projects	A new LPA ecologist or qualified ecologist sign off process.
Type of project		Planning system approach									
1	Nature-based solutions projects (as defined above)	<p>Full planning permission where currently required.</p> <p>This would apply to proposals above a certain scale, that will deliver commercial gains and/or to provide a solution instead of utilising grey infrastructure, or with likelihood of impacts would need to go through the usual planning route for the necessarily holistic consideration e.g. constructed wetlands, works to wetlands or watercourses, or on or in a certain buffer of a designated site.</p>									
2	Conservation projects	A new LPA ecologist or qualified ecologist sign off process.									

			Small scale, localised, for example a parish council seeking to create a small pond and some signage about a newly planted area of wildflower meadow.	Separate to and instead of planning permission for conservation works. The intention is that this more focused style permission would ease costs and technical burden that can be unnecessary for small scale works. We also suggest that proposals should be prepared by a competent person using the same intended definition for completing the small-sites Metric for BNG proposals.
		4	Small scale conservation activities already allowed under PD	Permitted Development This approach is considered to be proportionate and effective as stands.
		The definitions of scale, type and impact that would establish these tiers should be developed with ecology experts.		
Q.69	Would a specific and focused permitted development right expedite or resolve a specific delivery challenge for nutrient mitigation schemes?	No. Most nutrient mitigation schemes are change of use from agriculture to land managed for nature (such as grassland or woodland creation) and does not generally need planning permission therefore permitted development rights would not assist this process. NBS schemes that involve earth works such as wetland habitat creation do require planning permission and we consider this to be wholly appropriate given the technical complexities of such engineering work and the significant potential implications on hydrology of the catchment within which the proposal sits.		
Q.70	Please provide specific case studies (including planning reference numbers where available) which can help us understand what issues farmers and land managers are facing in relation to nature-based solutions	No response.		
Q.71	Would these issues be resolved by amending planning practice guidance or permitted development rights, or any other solutions?	A guide on planning and nature-based solutions, aimed at landowners and land managers who will be providing these. Covering when planning, or any other approval process is required for each type of NBS, and how the process works. Land owners and land managers are currently receiving a lot of material with updates and information about a vast array of ELM policy changes, so we urge that any guidance about planning practice is simple and concise and that the processes involved are simple.		

Q.72	Are there any success stories that we can learn from on individual cases, or in certain local planning authorities?	The Strategic BNG Site, <u>The Iford Biodiversity Project</u> is located just outside Lewes and is an exemplar BNG project, aiming to restore nature across 800ha of the Iford Estate, providing grassland, scrub, woodland and wetland units. The first phase of the project providing neutral grassland, mixed scrub and ponds has been secured by s106 with the South Downs National Park Authority and units are available to purchase immediately. Appropriate template legal agreements and an exceptional Habitat Management and Monitoring Plan (HMMP) have been created ensuring that the transaction to purchase Biodiversity Units is as smooth and timely as possible. The project is endorsed by SDNPA and is recognised by neighbouring LPAs with whom they have had extensive engagement. The Iford Project will be monitored rigorously by the SDNPA for the 30-year term of the agreement.
Q.73	Would you propose different solutions for different sized agricultural units?	No. As outlined in response to Q.68 we consider that any approach to securing sites for nature-based solutions or conservation activities should be based on scale, nature and potential impacts of the activity.
Q.74	Do you foresee any unintended negative consequences that may result from more nature-based solutions coming forward (e.g., impacts to other species, flood risk, wildfire risk, risk to public safety, releasing contaminants from contaminated land or hydrology etc.)? How could these be avoided?	Expertise in Local Planning Authorities is necessary to support the delivery of nature-based solutions and conservation activity, and this requires the necessary funding.