South Downs Local Plan: Pre-submission

Comments of the South Downs Society

The South Downs Society has nearly 2,000 members and its focus is campaigning for the conservation and enhancement of the special qualities of the national park and its quiet enjoyment. Our objectives and geographical area of interest are in line with those of the park authority and, as the national park society for the South Downs National Park, we trust that our comments will be afforded appropriate weight.

The Society has commented in detail at each previous stage of the plan's preparation and at each stage we have enjoyed the benefit of our own meetings with the team responsible for drawing up the plan. This courtesy has been much appreciated.

We welcome the overall structure of the plan and endorse the landscape-led approach and the emphasis on eco-system services. We have found the plan to be comprehensive, well thought through and appropriate in its structure and content to the particular circumstances of the national park. We note that the wording of the draft policies is essentially positive, in line with the intent behind the National Planning Policy Framework, albeit necessarily conditioned by the requirements of the park's statutory purposes and duty.

We endorse the **Vision for the National Park** and the **Local Plan Objectives.**

Core policies

SD1: Sustainable Development

SD2: Ecosystems Services

SD3: Major Development

All supported.

We welcome in particular the wording of **SD3** on the definition of **major development** which reflects the Maurici opinion, the views of this organisation and the work carried out recently on behalf of CNP, CPRE and the National Trust into the workings of the "major development test" across the national parks. It is a fair reflection of the necessity of judging the potential impact of developments in their own setting rather than on a "by numbers" basis.

What appears to be largely absent from the document, however, is a set of clear policies aimed at achieving the park's statutory purposes, other than through the mechanism of responding to planning applications. The policies in the draft plan will make important contributions to achieving national park purposes by dint of control and monitoring, but there should be clear and positive encouragement to those seeking through their efforts to conserve and enhance its special qualities, whether or not a planning application is required. There should be clear statements throughout the plan that such activity is to be supported,

otherwise the plan is nothing more than a reactive device and not as "positively prepared" as it might be. We made this point in commenting on the Preferred Options and are disappointed not to see it taken up.

We note that policies which were, in the Preferred Options draft, listed separately under the headings "Strategic" or "Development Management" are now mixed together in the document with sequential "SD" numbering but apparently retain the previous distinction between "Strategic" and "Development Management". We are no longer clear what this distinction implies, especially – as we indicated earlier – as both of these categories of policy seem more or less entirely reactive.

A Thriving Living Landscape

Policies

SD4: Landscape Character

SD5: Design

SD6: Safeguarding Views

SD7: Relative Tranquillity

SD8: Dark Night Skies

SD9: Biodiversity and Geodiversity

SD10: International Sites

SD11: Trees, Woodland and Hedgerows

SD12: Historic Environment

SD13: Listed Buildings

SD14: Climate Change Mitigation and Adaptation of Historic Buildings

SD15: Conservation Areas

SD16: Archaeology

SD17: Protection of the Water Environment

SD18: The Open Coast

All supported.

We note and welcome in particular the inclusion of policies on areas like tranquillity, dark skies and flood risk alongside more familiar subjects such as landscape, design, historic environment (including cultural heritage) and biodiversity.

SD7 Should include specific reference to the need and means to control land uses and activities with potential to reduce tranquillity and the quiet enjoyment of the park's special qualities by residents and visitors. Examples include, but are not limited to, motor sports, drone flying and outdoor festivals.

We note in reference to **SD9** and **SD10** the weight to be attached to international, including European, wildlife and habitat designations. We regard this as essential and support the national park authority in its efforts to persuade government to incorporate identical or at least equivalent protection in the event of the nation's exit from the EU. The wording of these policies will need updating in the light of events.

Policy SD13: Listed Buildings is accompanied by explanatory text dealing *inter alia* with "enabling development". Para 5.118 commits the NPA to the use of "the detailed and rigorous tests set out by Historic England in order to determine planning applications that propose enabling development". We believe that stakeholders in the development management process would find it helpful to see this more clearly set out. There are, we feel, cases where the environmental price to be paid through enabling development should not be paid. The saving of a listed building should not in all cases override other planning considerations and each case should be determined on its merits. It would be appropriate to incorporate such safeguards into the wording of policy **SD13.**

SD15: Conservation Areas provides an appropriate framework for determining planning applications but, as across the plan as a whole, no encouragement for enhancements for their own sake. What is urgently needed is a resourced programme of conservation area appraisals and management plans, and subsequent implementation.

Absent from the plan is an emphasis on the importance of protecting land in agricultural use for reasons of food security and managing/reducing food miles. Landscape is valued for its visual qualities as a background to our activities but its retention in agricultural use has other significance and should be highlighted in the plan as a possible reason for refusing or conditioning development. We made this point in commenting on the Preferred Options and are disappointed not to see it reflected.

At Preferred Options stage we noted that a number of the draft policies make reference to development proposals that would have an "unacceptable adverse impact". We saw no reason to qualify "adverse impact" in this way. The aim of the plan should be to conserve and enhance the special qualities of the park and to include provisions for a degree of adverse impact would be quite inappropriate and likely to engender unnecessary argument about the acceptability of various levels of damage. The same wording appeared in other policies in the draft plan and we urged that it be amended. We are pleased to see that this change appears to have been taken on board.

People Connected to Places

SD19: Transport and Accessibility

SD20: Walking, Cycling and Equestrian Routes

SD21: Public Realm, Highway Design and Public Art

SD22: Parking Provision

SD23: Sustainable Tourism

SD24: Equestrian Uses

All supported.

We support the wording of **SD19** but note that its aim of locating development close to existing settlements and transport infrastructure to minimise travel will surely be challenged by brownfield sites in rural areas, like Syngenta and the Shoreham cement works.

SD20: Walking, Cycling and Equestrian Routes is worded in an entirely reactive manner and is not "positively prepared". The policy should **encourage** – not merely permit -- the possibility, where justified by demand, of improving the bridleway network to avoid road traffic and the prospect of upgrading some footpaths to bridleways where there is evidence of historic use. Also, there should be specific reference to **encouraging** provision for those using wheelchairs or all terrain scooters.

In our comments on the Preferred Options we welcomed the recognition of the importance of certain rural roads and the role of the planning authority – as distinct from the four highway authorities – in protecting their special qualities. We therefore welcome the inclusion in **SD21** of a policy to that effect. **"Historic rural roads"** needs to be interpreted widely (and explained in the Glossary) to avoid the policy only applying to a small number of selected roads, and this well intentioned policy will need to be sufficiently robustly worded to pick up the implications of both small and large developments. Similar considerations also apply with regard to certain **historic lanes and rights of way in the towns and villages** and it would be helpful to see this recognised here in the supporting statement and the wording of the policy itself – the conservation of the Lewes twittens in the face of proposals for new openings in their high flint walls to enable backland development being a prominent example.

We welcome in **SD21** the support for public art but would stress the proviso in the policy about appropriate locations. The open chalk ridge for example is unlikely to be enhanced by large scale sculptures.

We welcome the reference to **"Roads in the South Downs":** the Society supports the use of the document as guidance and will be urging the highway authorities to help to implement its approach.

SD22: Parking Provision: We suggest the addition of 1d) "the car park site can be linked to other parts of the settlement by attractive walking routes, to allow easy onward journeys on foot."

SD23: Sustainable Tourism stresses the importance of development proposals not having an adverse impact on current attractions or the vitality of settlements. This should be reworded to require applicants to demonstrate a **net benefit** to the local economy.

We welcome the provisions of point 2 in requiring a robust marketing exercise before possible conversion of visitor accommodation to other uses.

Towards a Sustainable Future

SD25: Development Strategy is supported.

We welcome the encouragement for farms and estates to prepare "whole farm plans" or similar as a framework for specific development proposals.

We welcome the provisos attached to the support for the reuse of previously developed land. While broadly supporting the use of such sites for development, the "landscape first" approach is essential. Not all brownfield sites, especially in rural areas remote from public transport infrastructure, will be appropriate for development.

Also, while it is implicit in various parts of the plan that the loss of agricultural land to development is to be avoided where possible, we would wish to see a clearer wording and policy to this effect. With a view to increased food security and reduced food miles we would urge that priority be afforded to conserving and enhancing land in agricultural use.

SD26: Supply of Homes is broadly supported. The Society welcomes the general approach adopted to the provision of housing, and particularly affordable housing, in the national park and recognises the evidence base and the role of the SHLAA in setting out appropriate local targets.

However, there is no specific top down housing target to be met, only an intention to meet "objectively assessed need" and the statutory duty to co-operate with adjoining authorities. The plan must reflect the purposes of the national park and is capacity-based. It follows that, in the event of any of the proposed allocations proving unacceptable on further consideration, or undeliverable, there is no requirement on the plan to make good any shortfall from the currently proposed targets.

SD27: Mix of Homes

SD28: Affordable Homes

SD29: Rural Exception Sites

All supported.

SD29 rightly emphasises the need for effective community engagement. The policy should be reworded to stress that community involvement is essential from the outset and not only in respect of "design, layout and types of dwellings".

Although well intentioned and supported on planning grounds, the Society questions the ability of housing providers to guarantee local connection criteria for affordable homes on a long term basis.

SD30: Replacement Dwellings

SD31: Extensions to Existing Dwellings

It is not clear how the "30% increase" threshold for extended or replacement dwellings has been established. Absolute thresholds may be an inflexible development management tool and can be weakened by appeal decisions, as opposed to guidelines beyond which higher levels have to be individually justified in the circumstances of each case.

SD32: New Agricultural and Forestry Workers' Dwellings

Supported. At 2a) the proposed enterprise should be required to demonstrate *financial* viability. At 4 (temporary dwellings) the applicant must be able to provide *evidence* of the intention to proceed towards the development of an agricultural or forestry enterprise. At the end of any temporary permission it must be demonstrated that the financial viability is proven if any buildings approved under this policy are to be retained.

SD33: Gypsies, Travellers and Travelling Showpeople

To meet the stated intention that proposals relating to travellers' sites should not cause "harm to the special qualities of the National Park", the possibility of utilising previously developed land should be considered.

SD34: Sustaining the Local Economy

SD35: Employment Land

We welcome the commitment to safeguard and allocate sites for commercial and industrial uses and the support for small and micro businesses and superfast broadband. We acknowledge the key roles played in the rural economy of the park by tourism, forestry and food and drink but services are also provided by small enterprises engaged in arts and crafts as well as office work, warehousing, car repairs and re-spraying, pattern making, joinery, recycling, tyre and exhaust fitting and car valeting, to name but a few, and they are a source of local employment, including those not located in the "smart economy". The Authority's determination of the major redevelopment scheme known as the Phoenix Quarter in Lewes, and consequential removal and loss of a wide range of small and micro enterprises was a decision which left many in the town regretting its inclusion in the national park. That decision on its own should be sufficient to highlight the importance of a robust policy that recognises the statutory duty to have regard to the social and economic wellbeing of the park's communities.

SD36: Town and Village Centres

SD37: Development in Town and Village Centres

SD38: Shops outside Centres

All supported.

SD38: The reference to farm shops selling goods which are "40% local, 40% regional and 20% elsewhere", while useful as a guideline, appears inflexible and, in practice, may be unenforceable.

SD39: Agriculture and Forestry

SD40: Farm and Forestry Diversification

Diversification proposals should incorporate a test for financial viability aimed at ensuring that they are indeed intended to form part of a functioning farm unit. The plan must meet the requirement that the diversification contributes to the viability of the business overall.

SD41: Conversion of Redundant Agricultural or Forestry Buildings

The policy supports appropriate conversions to new uses. While the initial conversion may lead to a use regarded as acceptable, it may have the potential for further adaptation in due course – for example, from visitor accommodation or employment to residential. While such applications may be determined on their own merits at the time, it would be helpful if **SD41** could be worded to make this harder.

Also, the policy should allow for the possibility that, in exceptional cases, the condition, size, design and location of the redundant building, including one of heritage significance, may preclude restoration and reuse because of the implications for the special qualities of the national park taken together.

SD42: Infrastructure

Supported.

Absent from the earlier chapter on Sustainable Transport, it is reassuring to see here in the explanatory text a reference to the approach to be taken by the NPA in responding to major transport proposals such as trunk road schemes put forward by Highways England.

SD43: New and Existing Community Facilities

SD44: Telecommunications and Utilities Infrastructure

SD45: Green Infrastructure

SD46: Open Space, Sport, Recreation and Burial Grounds

SD47: Local Green Spaces

All supported.

SD43 does not provide clear guidance on community facilities (such as primary schools, village halls and sports/play facilities) which may sometimes need to be sited beyond the identified built confines of villages (the "village envelope") in locations where development is usually very strictly controlled. As long as they serve the adjacent village, and development is justified by the lack of suitable sites within the built confines, the policy should provide the flexibility necessary to allow such development in appropriate circumstances.

SD48: Climate Change and Sustainable Use of Resources

SD49: Flood Risk Management

SD50: Sustainable Drainage Systems

SD51: Renewable Energy

All supported.

The positive words in the supporting text about meeting high environmental standards in construction, and specifically BREEAM, are disappointingly not carried through into **SD48** which merely encourages, rather than requires, high standards other than for "major non-residential development". **SD48** should be worded as a requirement for a high BREEAM standard **unless** an exception can be individually justified. There should also be a stronger encouragement to the incorporation of renewable energy measures in new developments.

SD51 as drafted is alarming, seemingly offering support almost unconditionally to major renewable energy schemes whatever the visual impact. In fact, this prospect is addressed in the supporting text and its reference to **SD42: Infrastructure** and **SD3: Major Development** but it would be wise to incorporate into the wording of **SD51** the clarification that this policy deals only with schemes of modest scale.

It would be appropriate to include within **SD51** active support for "community renewables", where schemes aim to generate and consume energy locally, with a measure of local community ownership. It may be that this is implied within **SD43: Community Facilities** but it is unclear.

SD52: Shop Fronts

SD53: Adverts

Both supported. However, this section of the plan is headed "Advertisements and Signage" but has no policies relating to signage.

SD54: Pollution and Air Quality

SD55: Contaminated Land

Both supported.

Strategic Sites

SD56: Shoreham Cement Works

Supported.

What is not clear from the plan is whether residential use is ruled out on this site by this policy though the supporting text refers to the acceptability of enabling development. If it is intended to resist residential use, the wording of **SD56** should make that clear.

SD57: North Street Quarter and Eastgate, Lewes

Supported.

Sites and Settlements

The Society notes the process by which sites have been allocated. Generally, we have no comments other than those listed below.

SD64: South of London Road, Coldwaltham

Not supported. The site, in agricultural use, abuts the Waltham Brooks SSSI and is close to an SPA and a Ramsar site which are low lying. Development would impact on landscape quality and threaten biodiversity in this part of the national park.

SD79: Old Malling Farm, Lewes

Not supported. Development of the site would conflict with the principle of the plan being landscape led. This site is in active agricultural use, is highly visible from viewpoints around the town and serves as a valuable tongue of green infrastructure which links the town with the open countryside of the Ouse Valley. These factors contributed to this site, and the town, being included in the national park. The Society would only support this allocation in the event of there being insufficient brownfield sites in the town to meet housing need.

SD84: Lamberts Lane, Midhurst and SD85: Park Crescent, Midhurst

Supported. In developing these sites the opportunity should be taken to establish improved pedestrian access to open countryside, connecting with permissive and statutory rights of way across Cowdray Estate and National Trust lands.

SD92: Stedham Sawmill

Residential allocation not supported. While welcoming the retention of employment uses on this site, the Society objects to the proposed residential allocation. This is not a sustainable location for residential use, being poorly served by public transport. It was previously rejected in the SHLAA process, citing adverse landscape impact. Housing here

would be disconnected from the main settlement of Stedham, with vehicle access proposed only from A272 to the south. We regard the retention of a clear gap between the A272 and the settlement boundary as important in maintaining the character of the village. We have seen the full and detailed response of Stedham with Iping parish council to this allocation and support its objection.