

Planning Policy Team  
Chichester District Council  
East Pallant House, 1 East Pallant  
Chichester  
West Sussex  
PO19 1TY

16 March 2023

Dear Sir/Madam

### **Chichester Local Plan Review 2035 – Regulation 19 Consultation**

Thank you for consulting the South Downs National Park Authority (SDNPA) on your Pre-Submission (Regulation 19) draft Local Plan Review. As you are aware, the SDNPA and all relevant authorities (including Chichester District Council) are required to have regard to the purposes of the South Downs National Park (SDNP) as set out in **Section 62 of the Environment Act 1995**. The purposes are:

- 1) To conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and
- 2) To promote opportunities for the understanding and enjoyment of the special qualities of the national park by the public.

### **The Duty to Cooperate**

We support Chichester District Council's continuing liaison with neighbouring authorities, including the SDNPA, to ensure cross-boundary strategic priorities are fully addressed. We would take the opportunity to highlight the SDNPA's strategic cross-boundary priorities, which provide a framework for these discussions:

- Conserving and enhancing the **natural beauty, wildlife and cultural heritage** of the National Park and its setting
- **Biodiversity restoration** at all scales and making nature bigger, better and more joined up
- Mitigation and adaptation to **climate change**, including nature based solutions
- **Sustainable travel** into, within and across the National Park
- The **local economy** and jobs particularly in land management and the visitor economy
- New **homes** including accommodation for Travellers, focusing on affordable homes for local communities
- Green and grey **infrastructure** serving communities in and around the National Park

We can confirm that we are committed to continued liaison and joint working towards achieving effective outcomes. Below, we set out our comments on several matters in the pre-submission Local Plan Review subject to this regulation 19 consultation.



## Overall comments

### Summary of key points

- The following changes are sought to address the duty of regard in Section 62 of the Environment Act 1995 and NPPF paragraph 176:
  - Suggested amendment to Strategic Objective 2, and reference in the Chapter 3 Spatial Strategy introductory text to address the South Downs National Park and its setting
  - Replacement of terms such as ‘natural landscapes’ with landscape character for clarity, accuracy, and consistency with the evidence base and European Landscape Convention definition of landscape.
  - An additional criterion to be added to Policy NE2 Natural Landscape, and potential new policy, for conserving and enhancing the South Downs National Park and its setting and special qualities.
  - Clarification on LVIA requirements in policy NE2.
- Support for:
  - Criteria 3 of Policy NE13 Chichester Harbour AONB which addresses intervisibility between the two protected landscapes
  - Policy NE4 Strategic Wildlife Corridors
  - The reference to the Mens SAC, Ebernoe Common SAC and Singleton & Cocking Tunnels SAC conservation area zones and the Sussex Bat SAC Planning and Landscape Scale Enhancement Protocol.
- We request reference is also made specifically of views in and out of the South Downs National Park in policy NE1 Stand-alone Renewable Energy.
- We note the housing target identified in the Plan and the commentary that due to constraints the Plan will not be able to address unmet need arising from the South Downs National Park part of Chichester District.
- Concern regarding the housing figures for Southbourne (1,050 homes), Wisborough Green (75 homes), (Kirdford (50 homes) and Boxgrove (50 homes) to be identified through Neighbourhood Development Plans or a future Site Allocations DPD as many of the potential sites to meet these figures are likely to be in the setting of the South Downs National Park and NPPF paragraph 176 will need to be addressed.
- We note the findings of the GTAA.
- We note the transport assessment but are unclear about potential impacts to key Midhurst junctions, including Rumbolds Hill AQMA, from the published document.

### **(1) Conserving and Enhancing the Natural Beauty, Wildlife and Cultural Heritage of the National Park and its setting**

The landscape is the foundation for all other special qualities of the South Downs National Park, including its setting, views, tranquillity, and unspoilt places and its distinctive towns and villages. With this in mind, the South Downs National Park covers approximately two thirds of Chichester District. Parts of the Chichester District plan area are within the setting of the South Downs National Park. Development within the setting of the National Park must be sensitively located and designed to avoid or minimise any adverse impacts on the National Park in line with Paragraph 176 of the National Planning Policy Framework (NPPF).

#### Chapter 2 Vision and Strategic Objectives

We are pleased to see the South Downs National Park reference alongside the Chichester Harbour AONB in the ‘Issues and opportunities facing the plan area’ section. We note that the strategic objectives of the Plan do not address the National Park designation. We suggest that Strategic Objective 2 (Natural Environment) be amended to include conserving and enhancing the South Downs



National Park and its setting to reflect the duty of regard in Section 62 of the Environment Act 1995 and Paragraph 176 of the NPPF.

### Chapter 3 Spatial Strategy

We are pleased to see the South Downs National Park referenced in paragraph 3.19 and 3.21, particularly highlighting the area north of the A27 in provide a transition to the South Downs National Park. However, we advise that these paragraphs would benefit from acknowledging the setting of the South Downs National Park as a consideration in these areas.

### Policy for conserving and enhancing the South Downs National Park and its setting

The principle and broad content of Policy NE2 Natural Landscapes is welcomed. However, there are some key matters which we advise should be addressed:

1. The term 'Natural Landscapes' is unclear, does not reflect the landscapes referenced, and is inconstant with the European Landscape Convention (2004) definition of landscape which is:

*'an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors'*

Natural England have publishing guidance on integrating the European Landscape Convention into plans, policies and strategies:

<http://publications.naturalengland.org.uk/publication/6361194094919680?category=31019>

Much of the landscape character of Chichester District, including the South Downs National Park and its setting, have been shaped by their role as a working landscape, shaped by people. For clarity in language, we recommend the references to 'natural landscapes' and 'rural character' (both in this policy and elsewhere in the Plan) be replaced with 'landscape character'.

2. We welcome criteria 1 of Policy NE2 Natural Landscape that requires no adverse impact on views, including the setting of Chichester Harbour AONB, and the South Downs National Park. We note criteria 5 of this policy for the setting of the AONB and the lack of an equivalent policy criteria for the South Downs National Park and its setting and we advise that this is an important omission. In light of the pressure for development near to the National Park, plus target figures identified for settlements at the edge of the National Park, to ensure the plan is effective, consistent with national policy, and addresses the duty of regard, we strongly advise that an equivalent criterion is added to this policy.

We also note policy NE13, a dedicated policy for addressing the AONB and its setting and suggest that an equivalent policy covering key matters relevant for the South Downs National Park would be appropriate.

Key matters to address in NE2 and/or a SDNP equivalent to NE13 include (but are not limited to):

- Development on land that contributes to the setting of the South Downs National Park should conserve and enhance the visual and special qualities, dark night skies, tranquillity and landscape character of the National Park and its setting.
- Development proposals in the setting of the National Park should be sensitively located and designed, should reinforce and respond to rather than detract from the distinctive landscape character and special qualities of the National Park, should be consistent with National Park purposes and must not significantly harm the National Park or its setting.



- Assessment of such development proposals will also have regard to the South Downs Partnership Management Plan and South Downs Local Plan and other adopted planning documents and strategies.

We would welcome the opportunity to work with colleagues a CDC in the drafting of policy amendments.

3. The second unnumbered paragraph in policy NE2 states '*for larger schemes in identified character areas, Landscape and Visual Impact Assessments (LVIA) may be required*'. As worded here, we are unclear what 'identified character areas' are and where these are set out for applicants. We also advise that need for LVIA is not limited to larger schemes, for example LVIA would be appropriate for 'smaller' developments in the setting of the National Park.

### Policy NE13 Chichester Harbour AONB

Reference to intervisibility (into and from the South Downs National Park) is welcomed and supported.

## **(2) Biodiversity Restoration**

### Policy NE4 Strategic Wildlife Corridors

We very much welcome and support the inclusion into policy of the strategic wildlife corridors which traverse the district connecting the two protected landscapes of the Chichester Harbour AONB and the South Downs National Park. The wording of this policy seeking to protect the integrity, function, connectivity and ecological value of the corridor are important for the effectiveness of the policy and are strongly supported. The final criteria regarding taking opportunities to extend and enhance the corridors is positive and will help support nature recovery.

### Policy NE6 Chichester's Internationally and Nationally Designated Habitats

We particularly welcome and support the reference to the Mens SAC, Ebernoe Common SAC and Singleton & Cocking Tunnels SAC conservation area zones and the Sussex Bat SAC Planning and Landscape Scale Enhancement Protocol.

### Policy NE17 Water Neutrality

The policy for water neutrality is noted and the South Downs National Park Authority welcomes the continued joint work with CDC and with the other affected Local Planning Authorities.

## **(3) Mitigation and Adaptation to Climate Change**

The policy requirement for demonstrating no significant adverse impact upon landscape or townscape character is welcomed in Policy NE1 (Stand-alone Renewable Energy). We request reference is also made specifically of views in and out of the South Downs National Park.

## **(4) The Delivery of New Homes**

### Numbers

We note that policy HI (Meeting Housing Needs) sets out a housing target of 10,350 up to 2039 and the supply figure identified is 10,359 dwellings (9 over the target figure). We also note the introductory paragraphs 5.1-5.4 that explain that due to constraints the Chichester District Council Plan area is



now unable to accommodate any unmet need from the South Downs National Park part of Chichester District.

The South Downs National Park Authority has commissioned an evidence study of development need, and this will assess housing need using a methodology consistent with the standard method, incorporating demographic change and affordability levels based on the best available data at geographies appropriate for creating local population estimates for the National Park area.

#### Allocations

It is noted that a substantial number of new homes are proposed on the A259 corridor between Emsworth and Chichester. This is a sensitive stretch of land in the coastal plain between the coast, the south coast railway and the A27. This corridor provides the connection, including intervisibility, between the protected landscapes of the South Downs National Park and Chichester Harbour AONB, for example views of the channels within the Harbour from the Trundle and Stoke Clump. The amendments to policy set out earlier in this consultation response will help to ensure that development coming forward in this sensitive area positively addresses the South Downs National Park and its setting.

It is noted that several settlements around the South Downs National Park have been given a figure to be identified through either Neighbourhood Development Plans or through a potential future Site Allocations DPD. We particularly note Southbourne (1,050 homes), Wisborough Green (75 homes), (Kirdford (50 homes) and Boxgrove (50 homes). We raise concern about these figures and the challenge neighbourhood planning groups may have as many potential sites in these areas are likely to be in the setting of the South Downs National Park. It will be important that attempts to meet these target figures address the requirements of NPPF paragraph 176 on setting.

We welcome reference in policy A9 Land at Westhampnett/North East Chichester to provision of green links to the South Downs National Park (criterion 4) and the need for design with special regard to the landscape sensitivity of the site.

#### Travellers

We note the findings of the latest GTAA (2022) which is for the area of Chichester district outside the SDNP. The additional pitch provision needs set out in Table 5.1 and 5.2 are for Chichester outside the SDNP only.

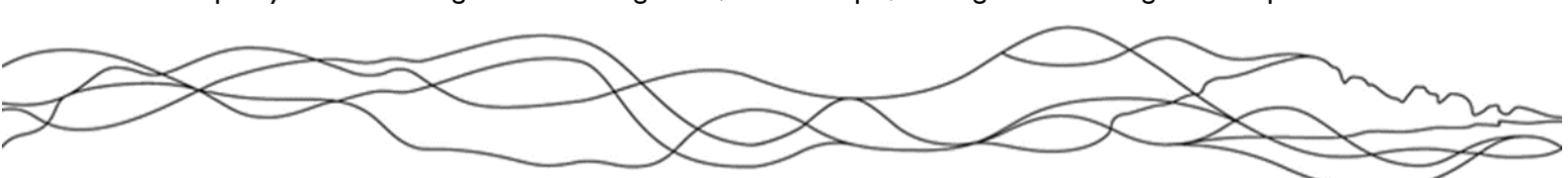
We would highlight that there is limited capacity in the National Park to allocate sites for Gypsies and Travellers through duty to cooperate, given significant landscape constraints. Indeed, the protection afforded to National Parks is such that unmet need in the South Downs National Park may be displaced to other (non-designated) authorities outside the National Park.

Policies H11, H12 and H13 are supported, including the mechanisms for making provision for travellers accommodation, i.e. provision of pitches on new strategic allocations and appropriate intensification of existing authorised sites.

We'd welcome continued joint working between the coastal authorities and the South Downs National Park Authority in regard to addressing the need.

#### **(4) Sustainable Travel**

We would highlight that the transport assessment carried out to inform the South Downs Local Plan. This indicated a potential severe impact on the Petersfield Road / Bepton Road / Rumbolds Hill junction in Midhurst of additional development in the town, in the context of junctions already becoming over-capacity due to background traffic growth, for example, arising from strategic development in



neighbouring planning authorities. Rumbolds Hill in Midhurst is also a designated Air Quality Management Area which came into force in January 2020.

It is noted from the Transport Assessment that there is expected to be some increase in traffic on the A286 towards Midhurst, although it is not clear from the study how this will impact the relevant junctions in Midhurst, including the designated Rumbolds Hill AQMA. SDNPA may seek further assurance that such potential impacts have been looked at, and appropriate mitigation sought.

We would like to wish you well in the progression of your Local Plan and would welcome further dialogue on the strategic cross boundary matters raised. If you have any questions on the content of this letter, please do not hesitate to contact me.

Yours sincerely



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