

SOUTH DOWNS NATIONAL PARK - LOCAL PLAN EXAMINATION
POST-HEARING NOTE TO SDNPA FROM THE INSPECTOR
ON MAIN MODIFICATIONS

General Introduction and Guidance

1. At the completion of the last Hearing on 12 December 2018 I explained that I would correspond with the NPA via the PO to establish a single Schedule of Proposed MMs for public consultation.
2. This note need not be placed on the NPA Examination web page because all of its contents arise from matters already in written or oral evidence and the MMs and any supporting evidence will be subject to formal public consultation by the NPA in due course.
3. The following proposals are in two parts:
4. The first part relates to the MMs already suggested and scheduled by the NPA which will form the main basis for the Schedule of MMs for consultation, ultimately to be appended to my Report on the Examination.
5. The second part of the following proposals relates to a small number of prospective additional MMs now proposed by myself on consideration of the evidence I have seen and heard. I give brief reasons for each one and invite the NPA to incorporate further MMs into the Schedule, as appropriate, for me to consider prior to publication.
6. The NPA is now asked to prepare a single Schedule of MMs in Plan order as proposed below, indicating immediately an approximate date when this will be completed. This will necessarily require renumbering in sequence.
7. It is possible that the NPA may be aware of a need for further additional MMs which have been agreed but are not covered in this note, in which case these should be brought to my attention via the PO, together with any other queries or comments.
8. I will then review the Schedule alongside any questions or concerns the NPA may wish to raise before recommending a final version for publication for two months consultation as previously discussed, together with an updated SA and any Policies Map Amendments.
9. I will confirm clear guidance for the presentation of the MMs and the public consultation procedure once the Schedule is agreed.
10. The Schedule should be provided in MS Word for convenience of editing.
11. I would add that I will not be available between Tuesday 15 January and Monday 4 February.

MMs suggested by the NPA in SDNPA.3 of August 2018, referenced below as in that document, and Additional MMs suggested in a separate list after 1 November 2018, referenced below as MMA5 and MMA8-12.

12. ***The Schedule should appear essentially as SDNPA.3 subject to renumbering in Plan order to include MMA5 and MMA8-12 and taking account of the following comments and proposals:***
13. ***MMs2-4*** are comprised in Appendix 1 to the MM document SDNPA.3 and incorporate a range of both MMs and minor changes throughout three extensive sections of the Plan relating to Policies SD9, Biodiversity and Geodiversity, SD10, International Sites and SD11, Trees Woodland and Hedgerows. ***MMs14-16*** are comprised in Appendix 2 to the MM document and incorporate a range of both MMs and minor changes throughout three extensive sections of the Plan relating to Policies SD39, Agriculture and Forestry, SD40, Farm and Forestry Diversification and SD41, Conversion of Redundant Agricultural or Forestry Buildings. Additional changes to these MMs are proposed in the list of 1 November 2018. ***MM59 and MM76*** relate to Allocation Policy SD92, Stedham Sawmill and comprise a combination of stand-alone MMs and a range of textual changes set out in Appendix 5 to the MM document.
14. Notwithstanding that this approach might be convenient in some respects, it complicates presentation and confuses MMs essential to soundness with minor changes which are not for the Report on the Examination. Accepted practice dictates that the two should be separated as far as practicable. Therefore, the changes to the Policies within Appendices 1, 2 and 5 should be scheduled in sequence with the other MMs, albeit grouped under an overarching MM reference as at present, but those narrative textual changes which do not express policy and do not address essential soundness should not appear in the MM Schedule.
15. ***MMs7-10 – SD30-31 – Replacement and Extensions to Dwellings***
As agreed, extend the qualification “approximately” to the 30% permitted size increase to both SD30 and SD31.
16. ***MMs26-31 and AMM5, 8 and 9 - SD64 – London Rd, Coldwaltham***
As agreed, delete ‘existing’ before ‘biodiversity value’ in MM28 and MM29.
17. ***MM56-58 - SD90 – Loppers Ash, South Harting***
Para 1 - retain the original criterion 1(a) requiring a single access to the allocation site from New Lane.
Reason – to minimise the number of entrances onto New Lane and protect the existing hedge bank.
18. ***MM72 – see below re Policy SD3.***

Additional MMs proposed by the Inspector following the Hearings

19. ***The following further proposals should be incorporated into the Schedule:***

20. ***Policy SD3 – Major Development***

Criterion 1 line 2

Instead of (or in addition to) MM72 to para 4.21 (which, incidentally does not appear in the track changes document) insert after 'development' – "including temporary events should they be deemed to constitute development".

Reason: to elevate this consideration to policy status.

Criterion 1 – lines 3 and 4

Delete 'serious' and substitute "significant" in both cases.

Reason: more commonly accepted planning terminology.

21. ***Policies SD9, Biodiversity and SD10, International Sites***

Add the changes as set out in the Position Statement of the Wildlife Trusts on Matter 8.

Reason: for compliance with current policy and guidance.

22. ***Strategic Site Policy SD56 – Shoreham Cement Works***

23. Following discussion at the Hearing session I invite the NPA to consider, perhaps with the site owner/developer, some variation in the wording of SD56 to introduce flexibility as to the combination of uses, including residential where this might appropriately be linked to viability.

Reason: The policy as submitted may not be fully effective in delivering this strategic redevelopment site with the degree of prescription it imposes, with implications for the soundness of the Plan, without prejudice to any final conclusion.

24. ***SD77 – Castelmer Fruit Farm, Kingston near Lewes***

Delete '10 to 12' before 'dwellings' and insert "up to 12"

Reason: uncertain deliverability of the full allocation with respect to site capacity and access.

Finally- regarding Bayards Field, Steyning - proposal for Local Green Space

25. Following submissions and discussion at the Hearing session, the position of a proposed LGS at Bayards Field is unique in the evolution of the development plan, in that the application falls between the SDLP and the LNP and is not currently progressing. However, it is unlikely that it will be necessary or practical to recommend any MM to resolve this matter, within the remit to examine the Plan as submitted. That is given that the application would first require due consideration by the NPA and does not appear to affect the overall soundness of the Plan¹.

Brian Sims

9 January 2019

¹ It would be for the NPA to decide how to respond to the concerns expressed, outside the purview of the Examination.