



South Downs Land Managers

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Tim Richings
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Dear Tim,

Response to South Downs Local Plan Consultation and CIL draft proposed charging structure consultation

The SDLMG welcomes the opportunity to respond to the recent consultations on the Local Plan and draft CIL charging structures for the South Downs National Park. The SDLMG speaks on behalf of landowners and land managers within the National Park area. We have over 200 members made up of farmers, foresters, land owners, estates, and other sector professionals such as land agents, NFU and CLA.

The response has been prepared by our Liaison Officer Alison Tingley and endorsed by the Executive Committee. The designation of the South Downs as a nationally protected landscape is in large part due to the long-standing management of the land leading to an environment that has been shaped over many centuries. The future conservation and enhancement of this landscape, along with its habitats, species and cultural heritage, will depend on farms being able to make a profit and reinvest in their businesses in order to maintain competitive advantage. In order to do this many will need to diversify their businesses. They will also need to be able to adapt in response to climate change and other pressures identified in the Partnership Management Plan.

As you rightly say in the introduction to chapter 8 Economy and Tourism 'the challenge is to encourage sustainable development within the limits of the environment and ensuring the National Park purposes are not compromised in meeting the Duty.' National policies and strategic guidance recognise the value of rural economies within National Parks and point to the need to accommodate growth at an appropriate scale and form. We are therefore concerned that policies that require development to be 'consistent with the purposes' are likely to be very restrictive and unlikely to enable the SDNPA to meet the Government guidance for National Parks and the Broads to 'maximise the benefits of a high-quality environment, to provide a broader economic base and foster a more diverse and higher-value employment opportunities.' However, we fully recognise the national importance of the landscape, biodiversity and cultural

South Downs Land Managers

heritage of the area and would suggest that development should 'not be in conflict with' or 'do no lasting harm to' the special qualities of the South Downs.

Specific comments on what it is proposed that the Local Plan will do and options as set out in the consultation are identified below

Chapter	Issue/ option number	Comment
3 Landscape & Natural Resources	1a	Whilst we agree with the principle of conserving and enhancing the landscape this option to restrict development in areas which are especially sensitive to change, could potentially make some areas complete no go areas for any sort of development, which may be overly restrictive and may have a negative impact on a landowner's ability to manage the land. This option is therefore not supported . We would be particularly concerned if the scale of areas defined were to include whole farms or estates and would urge that if classification of landscape sensitivity undergoes a proper consultation process.
	2/2a	Issue 2 correctly identifies the need for "resilience for people, businesses and their environment". However, the proposed GI policy fails to adequately address the stated Issue in respect of resilience for people and businesses (including the land management community), only in respect of the environment. The Green Infrastructure policy needs to be underpinned by an overall strategy that is followed but could also take opportunistic approach. Therefore we do not see 2 and 2a as being mutually exclusive. Any GI strategy needs to be developed in consultation with the relevant landowners.
	3	Where habitats are unmanaged this is usually because it is either uneconomical or impractical to do so. It is not clear in 'what we propose to do' how policies will help habitats to be enhanced through improved management. There need to be incentives to encourage management rather than sticks via Local Plan to force management. The policy needs to refer to the importance to this Issue of supporting successful land management businesses, as these are essential to sustaining the habitats on a landscape scale.
	3b	SDLMG are surprised and disappointed to see this Option included at all. It would directly contradict an assurance given to SDLMG by the Chairman of the SDNPA in 2011 Liaison Meeting that an NIA designation within the Park would not make any difference in planning terms because the National Park was already a higher protection designation than NIA. Therefore, we were assured, an NIA designation would NOT lead to any greater restrictiveness than in other areas of the Park. Based on this assurance SDLMG supported the NIA application which would not otherwise have succeeded. It should also be remembered that the NIA area was not selected because it was more worthy of protection than other parts of the Park. Pragmatic rather than evaluative choices were necessary to achieve a coherent pilot area on the chalk and linked by the South Downs Way. Policies to specify particular types of development that are appropriate within Nature Improvement Areas are unlikely to be able to cover all eventualities and could limit the ability of landowners to manage the land. It should also be noted that NIAs have a finite life that would not coincide with the period of this plan. The SDLMG is strongly opposed to this option.

South Downs Land Managers

	5a	This option is supported . In particular we would want to ensure that policies protected water availability for agricultural purposes, especially livestock farming which is essential to Purpose 1”
	5b ii	The Plan needs to future proof for climate change in terms of both surface and ground water flooding and drought. Demand management/ water efficiency and water storage will be important in the latter. We would hope that agricultural reservoirs would be considered favourably within the Local Plan. Also need to address water quality in terms of run off from new development – a more sustainable approach is needed such as SUDS linked to GI strategy and grey water recycling.
	6/6a	May be more important to require woodland management rather than merely planting new trees, which are invariably neglected after the development is finished. The proposed option is a very general statement not all trees are equal in their value, it may be perfectly acceptable for development in secondary woodland if enhancements made. The proposed policy needs to be qualified by a policy not to impede appropriate tree management by imposing additional cost, complexity or delay.
	6b	This is more focused but again even ancient woodlands benefit from management
	Other options	Is the impact of new major infrastructure projects on landscape & biodiversity dealt any where?
4 Heritage	7 /7a	Both 7 and option 7a recognise that very often buildings are no longer suitable for their original use and that new uses may need to be found in order to maintain them. Whilst we would support 7 - in particular recognition of the need to exploit opportunities to secure repair and enhancement. Option 7a would be strongly supported as it seeks to positively encourage re-use of buildings at risk and provides a more flexible approach to re-use
	8	The optimum use of heritage assets to secure their future is supported .
	8a	A more restrictive approach is not supported . It is important that each case be dealt with on its merits, we believe that it is better to have an economic use for a building, as its upkeep can then be funded rather than it becoming derelict.
	9	A policy seeking to secure the optimum viable use for historic/traditional farm buildings is supported
	9b	Support for 9b in preference to 9a where residential use is permitted in addition to business and community use. Historic buildings in the countryside are often in comparatively isolated locations where greater flexibility is required to find and enable viable ongoing use.
	9 Other options	Rebuilds will be supported where they restore lost features or sustain otherwise unviable features important to the story or appearance of the landscape. (For example where part of a historic farmyard had fallen down, or where it cannot for structural reasons be converted to viable use without a rebuild.)
	10	Encouraging the improvement of energy performance of heritage assets consistent with their character is supported
	10a	SDLMG support production of guidance to provide clarity about potential impacts of various forms of retrofitting and most suitable options could assist property owners and save them time and money. Guidance should be advisory rather than prescriptive, leaving scope for the applicant to select

South Downs Land Managers

		their best affordable option in their local circumstances. We would hope that a simpler and more flexible and simplified approach to planning consent (eg prior notification, which sufficiently gives design check opportunity, rather than full planning application requirement) would be possible where proposals to improve thermal efficiency of listed buildings are in line guidance developed.
	11a	Support 11a. <i>No further co-ordinated attempt to identify non-designated heritage assets & no special policy for their preservation</i>
	11 Other Options	Suggest: 'Protect local list heritage assets from total loss but support sympathetic incremental change.' To allow buildings to continue to evolve sympathetically is the best way to keep them alive and fit for the future.
	12	SDLMG believes that a policy allowing enabling development to address heritage at risk, or other appropriate cases, should be included. Ideally, with no geographical restriction to the enabling development.
5 Design	14	SDLMG support proposed approach of developing and publishing design guidance. The more robust approach of option 14a would in our opinion only be appropriate on larger developments particularly within built up areas. As they stand both 14 and 14a, with their requirement to 'demonstrate how it responds to the local landscape and built environment', whilst acceptable for major applications, could be unreasonably onerous for smaller, including agricultural applications.
	15	SDLMG support this approach of encouragement, however flexibility will need to be left to the applicant in relation to cost and project viability, where appropriate, innovative quality design should not be restricted by the policy.
	16a	This option would not be supported if it were to impact on agricultural barns converted to commercial use.
	17	We support proposal to set minimum space standards for new residential development, but believe that it should consider going further, to setting external space requirements as well.
	18	Within rural areas policies will need to consider the movement of large agricultural machinery in any traffic calming schemes.
	20c	The restriction of new development if it cannot be connected to mains gas could potentially limit development in rural areas much of which is not on mains gas. SDLMG would support this approach if it were to encourage low carbon options; in particular, wood fuel/ biomass by allowing new development that is connected to biomass district heating systems in rural areas, provided that it did not disadvantage smaller development schemes.
	21	Support the development of previously developed land in relation to agriculture, forestry, farm diversification, tourism etc. However, the policy needs to recognise that some development of greenfield land may be necessary in order for farming businesses and rural Estates to remain commercially viable; and employment developments should be supported especially in locations with good transport links. The SDLMG welcomes the inclusion of rural workers as an exception to new residential development.
	21a	This policy is not supported as eg greenfield of little biodiversity value near to major roads and settlements should not be treated the same as greenfield in remote and biodiverse downland locations.
	21b	A differentiating approach is supported . Whilst some specific locations may reasonably be identified for a restrictive approach, in general a criteria based approach will serve the Authority's socio-economic Duty better than the

South Downs Land Managers

		scheduling of specific locations. This should also encompass identifying specific locations that are of LOW landscape sensitivity in which a LESS restrictive approach should apply.
	22a	The allowance of small scale development in tier 5 settlements which does not significantly extend the built form is supported by the SDLMG. We believe that, for the few local services and facilities that remain to be sustained some development is essential in the rural areas.
	23/ 23b	Specific development on brownfield and other sites within Tier 4 settlements and limited extension of settlement to meet community needs is supported . Option 23b is strongly supported a market housing element is essential to the viability of these sites coming forward.
6 Settlements	24b	Allowing some land to be allocated to meet needs of wider housing market areas is supported .
	Other issues	SDLMG would support policies allocating and safeguarding employment land being settlement based.
7 Housing	31e	Size restrictions to extensions and replacement dwellings only to be applied in areas outside settlement boundaries not supported by SDLMG.
	32	SDLMG believe that new agricultural workers dwellings should be exempt from affordable housing contribution requirements as in essence they are providing for a similar need.
	32c	Support . SDLMG would like to see a threshold set, for the contribution towards affordable housing, on market housing sites.
	33/ 33b	Support policies to encourage rural exception sites, including the extended definition of housing allowed to include individual 'self-build' schemes. If taken with issue 15 encouraging the use of local building material, this could help local forestry enterprises by providing markets for local timber.
	34	Support policy permitting new residential development for agricultural and forestry workers; although it needs to be recognized that not all properties are suitable for this purpose and a sale of one property type may not be inconsistent with the new requirement for, say, a smaller property, therefore we would like to see this condition removed.
	34a/b	Size limit and restriction to where there has been no sale of other residential properties not supported.
	35d	The allowance of appropriately sized annexes and freestanding accommodation within existing curtilage is supported
8 Economy & Tourism	Para 8.9	SDLMG argue that the Local Plan should go further than just encouraging economic development that supports the NP purposes. Should in any event permit, and potentially also encourage, all economic development provided does not harm landscape, wildlife or cultural heritage.
	38	<i>What strategic goals should be considered?</i> Farming and forestry is key to maintaining landscape, wildlife and cultural heritage (Purpose 1). Land management also plays an important part delivering the 2 nd purpose of designation it is therefore vital that agriculture and forestry within the Park are to able adapt and diversify in order to remain commercially viability and be able to afford to conserve and enhance the area and maintain the access opportunities.
	40	Location, accessibility and broadband connectivity are all important criteria in determining the location of employment sites
	41	Policies that encourage the sustainable growth and expansion of a range of businesses and enterprises in rural areas through the conversion of existing

South Downs Land Managers

		buildings and well-designed new buildings are supported . However, 'consistent with' or 'meeting' NP purposes should not be the requirement; the requirement should be 'not in conflict with the NP purposes or doing no lasting harm'.
	42	<p>SDLMG welcomes the inclusion of policies to support farm diversification. However, a more flexible approach needs to be taken to the sale of products. Limiting sale of products to those grown on site will make most farm shops uneconomic. The National Farmers' Retail and Marketing Association (FARMA) developed the following recommendations for planning permission for farm shops.</p> <p>Local Component: at least 40% of products should be from the farm, and from the local area defined as up to 30 miles (*) from the farm boundaries.</p> <p>Regional Component: up to 40% of products should be from the region (county and surrounding counties)</p> <p>Flexible Component: up to 20% of products can be sourced from elsewhere. These guidelines are sensible and workable, a blueprint which the SDNPA would do well to adopt, thus making farm shops and tea rooms within the Park able to operate and trade on a level playing field.</p> <p>(*) Given that the Park runs parallel to the coastline: it would be reasonable to flex this 30-mile definition to give an equivalent production catchment area, where farms are less than 30 miles from the sea.</p>
	42b	SDLMG support a more diverse economic use of agricultural buildings. However, they would argue that diversification should not have to promote NP purposes but accept that it should not be in conflict with NP purposes
	43	SDLMG would like to point out that equine related development could in some instances also support Purpose 2 and the Duty by enabling visitors to enjoy the National Park area on horseback and by providing rural jobs
	43a	Guidance on equine development could be useful but would need to reflect that impacts will vary according to the differing landscapes.
	44	Support for development that provides visitor accommodation, recreation, environmental education and interpretation is welcomed. In relation to the loss of visitor accommodation we would see location, types, presence of other accommodation providers, occupancy rates and marketing carried out as suitable criteria to be applied.
	44a	The SDLMG would not want to see development of visitor accommodation restricted to certain parts or areas of the NP such as larger settlements and /or areas in close proximity to visitor attractions as this is likely to disadvantage potential development in rural areas and in particular farm diversification. Such a restriction would militate against Purpose 2 ie the enjoyment of special qualities such as a sense of remoteness and tranquility. As one of the main activities that visitors come to the NP for is walking; accommodation in rural areas is ideally located to make best use of public rights of way.
	44b	Support . It is precisely in some of the less accessible areas that the conversion of traditional farm buildings to holiday accommodation use may most benefit Purpose 2, cultural heritage, and the Duty.
	45	A more flexible approach to tourism and recreational development is supported by the SDLMG. Facilities and services in rural areas are often supported by visitors to the area. Restricting tourism and recreational development to larger settlements or existing visitor attractions may have a harmful effect of village shops, pubs etc, and viable use options for redundant

South Downs Land Managers

		agricultural buildings, in smaller villages or where visitor attractions do not currently exist
	Other issues	A more proactive approach could be taken to the provision of agricultural infrastructure Forestry: the local plan could do more to support forestry industry by encouraging greater use of wood fueled district heating systems. Appropriate infrastructure may be required to support any emerging wood fuel industry
	47	'the acceptability of proposals will be tested against their ability to meet NP Purposes'. Here and throughout this should be replaced by '...tested to ensure 'no significant conflict' with NP purposes, or similar.
9 Communities	48b	Policies supporting the designation of Local Green Space by communities must ensure that prior agreement from the landowner is sought. Without landowner agreement this option is not supported .
	49	The SDLMG supports the requirement for broadband connectivity to be a key requirement of infrastructure packages in rural areas. It may be useful to specify a minimum standard: standard, superfast or ultra fast. In more rural areas other infrastructure such as mobile phone masts may be required in order to provide adequate broadband services.
	50	Priority should be given to renewable energy schemes, such as woodfuel, that help to support purpose 1, over those that may have a negative impact on the landscape.
	51	Allocation of CIL funding across the whole Park area is a huge subject and requires a full and proper consultation with communities. As much of the community infrastructure is provided and maintained by local authorities outside the NP, their requirements will need to be taken into consideration as well.
	51b	SDW improvements are not likely to provide much community benefit. As a public bridleway its maintenance should be funded by Highway Authorities and as National Trail improvements by NE SDLMG do not therefore see this as a priority for CIL. Option 51a is generally preferred to 51b.
	Other issues	Policies on telecommunications development and broadband should be included Water infrastructure should include policies on agricultural reservoirs
10 Transport	53	Whilst the SDLMG recognize the need to encourage sustainable travel options through the creation of cycle routes such as those identified in the plan along disused railway lines, it should be noted that in some instances these railway lines are no longer in public ownership and in some cases have been returned to arable land or woodland. An additional route between Alresford and Kings Worthy has not been identified.
	54a	We would like to see a more flexible approach to rural car parking
	55	Use of settlement hierarchy study and accessibility mapping to determine suitability of sites for housing and business seems to contradict other sections and could lead to smaller villages losing vital services. May want to consider how rural areas could be made more accessible possibly via community transport schemes

South Downs Land Managers

Community Infrastructure Levy Preliminary Draft Charging Schedule

The SDLMG has fundamental concerns regarding the collection of CIL charges by the SDNPA as it is not responsible for providing or maintaining the majority of larger scale community infrastructure requirements such as schools, roads etc. It is not clear from the consultation how the SDNPA will work with the Local Authorities that do have these responsibilities to ensure that communities within the Park are not disadvantaged.

We also have concerns over the proposed timing of the introduction of a CIL charging system, two years prior to the Local Plan being in place. This seems to be contrary to Government guidance which states that: "*The Government expects that charging authorities will implement the levy where their 'appropriate evidence' include an up-to-date relevant Plan for the area in which they propose to charge.*" The guidance goes on to say "... *levy charges should be worked up and tested alongside the Local Plan*".

In response to the CIL draft charging schedule the SDLMG note that charges across the boundaries of the National Park vary considerably, whilst we realise the difficulties of ensuring consistency across 11 districts we believe that the variation between charges for residential development in, for instance, Zone 3 within the National Park @ £200/m² and Zone 3 (market towns and rural areas) @ £80/m² in Winchester City Council district outside the park or Lewes District @ £100/m² will have a significant impact on the viability of market housing in rural parts of the National Park. A new build of say 150m² m in a rural part of Winchester district outside of the Park would cost £18,000 less than a similar sized one inside the NP. This could lead to a situation within the Park where very little market housing comes forward in rural areas.

Further more we would like to see new dwellings built for essential agricultural and forestry workers, exempt from the CIL charges, as the requirement to pay £200 per sq metre is likely to make any such development unviable and it is in essence providing affordable housing for rural workers..

The SDLMG strongly supports the zero rating on agricultural, forestry, employment and retail development including farm shops. Farm building need to be fit for purpose and diversification activities are particularly important to ensure the commercial viability of farming and forestry operations and any additional costs would be likely to have major implications.

Yours sincerely

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Chairman

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