

# Chichester District Council

**CABINET**

**6 October 2015**

## **South Downs National Park Preferred Options Local Plan Consultation**

### **1. Contacts**

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### **2. Recommendation**

- 2.1 That the Cabinet approves the comments set out in the appendix to this report for submission as the Council's response to the South Downs National Park Preferred Options Local Plan.**

### **3. Background**

- 3.1 The South Downs National Park Authority (SDNPA) is undertaking public consultation on its Preferred Options Local Plan from 2 September to 28 October. The new Local Plan will cover the whole of the National Park including the area within Chichester District. This report summarises the main issues for Chichester District and the Appendix presents detailed comments on the Local Plan.
- 3.2 The new SDNP Local Plan will replace all saved Local Plan policies inherited by the SDNPA when it became the Local Planning Authority in April 2011. It will also replace all joint core strategies relating to the National Park adopted since April 2011. A Habitat Regulations Assessment (HRA) has been undertaken and the draft plan will be accompanied by a Sustainability Appraisal (SA) at the formal consultation stage.
- 3.3 The Preferred Options Local Plan follows the Local Plan Options consultation to which the Council submitted comments in May 2014. Following the current consultation, the SDNPA is proposing to undertake formal pre-submission consultation in Summer 2016 before submitting the Plan for examination in Autumn 2016. Final adoption of the Local Plan is anticipated to be in June 2017.
- 3.4 Members can access the draft SDNP Local Plan either online through the SDNPA website or a hard copy placed in the Members' Room.

#### **4. Outcomes to be achieved**

- 4.1 The new SDNP Local Plan will set out the planning framework for the National Park area over the period to 2032. The draft Plan contains core, strategic, development management and allocation policies focusing on living landscapes, people and places and ensuring a sustainable future within environmental limits. The Plan sets out how the National Park should evolve and manage development taking account of the statutory purposes for national parks specified in the Environment Act 1995.
- 4.2 The Council will wish to ensure that the development strategy and specific planning policies proposed in the emerging SDNP Local Plan will assist in delivering Council policy objectives in the National Park area of the district, including environmental protection, conservation of the landscape and historic environment, delivery of affordable housing, enhancement of community infrastructure and economic development. In addition, the Council will wish to ensure that planning policies proposed in the Plan will not result in any adverse impact on areas of the district outside the National Park.

#### **5. Proposal**

- 5.1 The purpose of this report is to agree the Council's comments on the draft Plan set out in the Appendix. The comments will be submitted to the SDNPA as the Council's response to the draft Local Plan. A summary of the key issues and concerns is presented below.

##### General

- 5.2 As noted above, the draft Plan covers the period to 2032. The objectives and proposed strategy are largely defined by the statutory purposes for national parks set out in legislation. In reflection of this, the Plan is landscape-led and the policies have been formulated to consider landscape first.
- 5.3 Policy SD22 identifies towns and villages within the National Park that are able to accommodate some growth. All settlement boundaries have been comprehensively reviewed as part of the Local Plan process apart from in designated neighbourhood plan areas. All of the settlements within Chichester District that previously had defined settlement boundaries will retain boundaries in the new Plan. However, in most cases the boundaries have been slightly altered following the boundary review.

##### Housing provision

- 5.4 The National Parks Vision and Circular (2010) states that national parks are not suitable locations for unrestricted housing, but that NPAs have important roles to play as planning authorities in the delivery of affordable housing. The expectation is that new housing will be focused on meeting affordable housing requirements and NPAs should work with local authorities and others to ensure that the needs of local communities are met and affordable housing

remains so in the longer term. The SDNP Local Plan reflects this approach, placing the main focus on delivery of affordable housing.

- 5.5 Policy SD23 makes overall provision to deliver approximately 4,596 net additional homes across the National Park as a whole over the period 2014-2032, which is equivalent to around 255 homes per year. This figure is informed by evidence from a Strategic Housing Market Assessment (SHMA) and includes:
- (i) strategic sites and land allocated for housing in the South Downs Local Plan and neighbourhood plans;
  - (ii) existing planning permissions (subject to a discount for non-implementation); and
  - (iii) an allowance for small windfall sites of under 5 dwellings.

- 5.6 The housing figure is not disaggregated by individual district, so there is no specific target for Chichester District. The Plan includes provision for approximately 200 homes (approximately 50% to be affordable) at the former Syngenta site near Fernhurst which is proposed for allocation as a strategic site for sustainable mixed use development (Policy SD33) (part of the site already has prior approval for conversion of office space to 213 flats). The Plan also makes provision for the allocation of additional land for housing in the following settlements in Chichester District (this includes a combination of sites proposed for allocation in the Local Plan and neighbourhood plans and additional sites yet to be identified).

Bury	6*	
Compton	6*	
Easebourne	20*	
Fernhurst	211	(including Syngenta)
Fittleworth	6	
Lavant (inc Mid & East)	20*	
Midhurst	150*	
Northchapel	6*	
Petworth	150	
Rogate	11	
South Harting	8	
Stedham	6*	

\*Sufficient capacity yet to be identified in these settlements for all new homes identified.

- 5.7 In addition to the allocations above, there are current outstanding planning permissions for over 700 dwellings in the SDNP part of Chichester District (including over 400 dwellings at the former King Edward VII Hospital site near Easebourne). Taking account of outstanding permissions, proposed allocations and windfall sites, it is estimated that the total level of housing provided for in the National Park area of Chichester District will be around 1,400 homes. This equates to an average of around 75-80 dwellings per year, which is broadly in line with the figure of 70 homes per year that was

previously assumed for the SDNP part of Chichester District in the recently adopted Chichester Local Plan.

- 5.8 With regard to affordable housing, Policy SD23 sets a target to deliver approximately 1,840 affordable homes across the National Park over the period 2014-2032, whilst Policy SD24 sets a target of at least 40% of all net dwellings on schemes of 6 or more units will be provided as affordable homes in perpetuity. However, the proposed target of 1,840 affordable homes assumes that 40% of all planned housing (4,596 dwellings) will be affordable, whereas Policy SD24 only seeks an affordable contribution on schemes of 6 or more dwellings. This threshold reflects previous national planning policy guidance, which has recently been overturned following the High Court judgment in the case of *West Berkshire DC & Reading BC v DCLG*. This may allow scope to amend the policy to seek affordable housing contributions on sites of less than 6 dwellings, which would increase the likelihood of achieving the Plan's affordable housing target.

#### Employment provision

- 5.9 Policy SD28 provides for around 8 hectares of employment land for B-Class office and industrial uses, based on the employment needs assessed in the SDNP Employment Land Review (ELR). There is already a sufficient supply to meet this requirement in the form of extant planning permissions and sites to be allocated in neighbourhood plans. Policy SD28 proposes to safeguard all existing employment sites and allocations that are fit for purpose against proposals for non-employment uses. The policy requires evidence of a robust marketing campaign of at least 12 months to demonstrate that there is no market demand for business premises.
- 5.10 The safeguarding of existing employment sites is supported. However it is considered that Policy SD28 as currently worded lacks clarity and would benefit from additional guidance on requirements and evidence should be provided by applicants to demonstrate that there is no market demand for business premises (similar to the marketing requirements provided in the Chichester Local Plan). Consideration should also be given to extending the required marketing period from 12 months to at least 2 years and requiring evidence that alternative employment uses for the site/premises have been fully explored. Similar clarification relating to marketing requirements and demonstration of lack of viability also apply to the policies for protection of visitor accommodation (Policy SD20), shops in village centres (Policy SD29) and community infrastructure (Policy SD53).

#### Historic environment

- 5.11 The Plan appears relatively weak in terms of policy on the historic environment and built heritage. The Plan is landscape-led and emphasises conservation of the natural environment. However the statutory purposes of national parks also require conservation and enhancement of the cultural heritage of the area. The Plan policies and references to the historic environment and built heritage appear rather fragmented. It would be helpful

for the Strategic Policies to include reference to a positive strategy for the conservation of the historic environment which could include reference to management of the historic environment, including Conservation Area appraisals, Heritage Risk strategies, Article 4 Directions etc. There is a strategic policy on the historic environment (Policy SD11) and later specific development management policies on conservation areas (Policy SD39) and archaeology (Policy SD41). However, there is no specific policy on listed buildings. The policy on energy performance and historic buildings (Policy SD38) also needs to be supported by more guidance and technical information on evidence/detail requirements needed to support planning applications to ensure that potential harmful impacts have been considered, particularly in relation to heritage assets.

## **6. Alternatives that have been considered**

### **(i) Not to respond to the Local Plan consultation**

- 6.1 This option is not recommended since the summary of key issues above and detailed comments in the Appendix highlight a number of potential officer concerns and areas where the draft Plan policies need reconsidering or could be strengthened.

## **7. Resource and legal implications**

- 7.1 None

## **8. Consultation**

- 8.1 The comments set out in the Appendix have been drawn from internal consultation undertaken with relevant Council officers and are intended to present the Council's response to the draft Plan. Since the draft SDNP Local Plan has been published for general consultation, external organisations and interested parties will have the opportunity to submit comments on their own account.

## **9. Community impact and corporate risks**

- 9.1 The draft SDNP Local Plan sets out planning policies that will have a direct impact on communities and residents living within the National Park in Chichester District. The Plan could also indirectly impact on areas of the District outside the National Park boundary.
- 9.2 The policies contained within the final version of the SDNP Local Plan will impact on the Council's service delivery in the National Park, in particular with respect to housing, economic development and the environment.

## 10. Other Implications

	Yes	No
<b>Crime &amp; Disorder:</b>		✓
<b>Climate Change:</b>	✓	
<b>Human Rights and Equality Impact:</b>	✓	
<b>Safeguarding:</b>		✓

## 11. Appendices

Chichester DC Officer Comments on South Downs National Park Authority Preferred Options Local Plan Document

## 12. Background Papers

South Downs National Park Authority Preferred Options Local Plan  
(September 2015)

**South Downs National Park Preferred Options Local Plan  
Detailed Officer Comments**

**Development Management (National Park Team) Comments**

Core Policies

SD4 – There needs to be a more accurate map clearly defining the boundaries between different areas.

SD8 – Pixelated map is not detailed enough – a more accurate map is required.

SD9 – Pixelated map is not detailed enough – a more accurate map is required.

SD11 – How is the optimum viable use element of the policy to be tested. In most cases a developer will argue that the optimum viable use is a dwelling. Should residential uses be seen as the exception.

SD12 – The supporting text needs to define geo-diversity.

SD16 – The map requires a scale.

SD17 – Sequential testing may not be applicable for all scales of development.

SD20 – Marketing – Further guidance should be provided on the evidence requirements for applicants to demonstrate that visitor accommodation is financially unviable and that any net loss is necessary to allow appropriate relocation or redevelopment (see Appendix E of the Chichester Local Plan for example).

SD22 – There should be acknowledgement of the ‘truly outstanding/innovative’ exception dwelling provision as set out in paragraph 55 of the NPPF.

SD28 – The policy as currently worded lacks clarity and would benefit from additional guidance on requirements and evidence should be provided by applicants to demonstrate that there is no market demand for business premises (see Appendix E of the Chichester Local Plan for example). Consideration should also be given to extending the required marketing period from 12 months to at least 2 years and requiring evidence that alternative employment uses for the site/premises have been fully explored.

SD29 – As above, further guidance should be provided on marketing requirements related to loss of existing retail units in smaller village centres.

DM Policies

SD35 – The amount of open space for new development should be quantified.

SD38 – The use of the term ‘significance’ should be used to be consistent with Historic England guidance and the NPPF. There should be a policy for listed buildings.

SD39 – There should be reference to ‘preserve or enhance’ being a statutory test.

SD45 – Ref to SD6 should also be made to replacement dwellings. The term ‘materially larger’ should be quantified.

SD48 – Terminology – the reference should be to agricultural or forestry workers.

SD49 – Rural buildings are not solely agricultural.

SD52 – Reference should be made to shop front guidance.

SD53 – Further guidance should be provided on the requirements for applicants to support proposals involving the loss of community infrastructure, in terms of

evidence on marketing, lack of viability and lack of need for the existing use (see Appendix E of the Chichester Local Plan for example).

### **Environmental Protection Officer Comments**

Ref SD18

This Policy should also refer to encouraging zero emission and low emission transport.

Ref 6.24 to 6.25

This could include the vision for new long distance paths eg Petersfield – Midhurst – West Dean thus providing connectivity by bicycle to the coast (onwards via the Salterns Way). There are community groups actively working on the practicalities of such a vision now. Should stimulate the economy and foster sustainable tourism and recreation with ancillary health benefits.

Ref 10.82 to 10.84

Over the period of the plan zero emission vehicles will become a much more significant part of the vehicle fleet. As such public parking provision ought to include a proportion of parking bays that have electric vehicle charging infrastructure or are cabled ready to accept such infrastructure.

Ref 10.86 to 10.88

Similar to the comments above the text in these paras ought to be supportive of zero emission and low emission transport.

Ref 10.257

Ground level concentrations of Ozone have frequently exceeded the UK air quality standard at Lodsworth where CDC measure this pollutant.

10.258

This para should also refer to encouraging zero emission and low emission transport.

SD58

This Policy should also refer to encouraging zero emission and low emission transport.

The cumulative effects of development (mentioned in Outcome 1) could be tackled through adopting a low emissions approach such as embodied in the Sussex air quality and emissions mitigation guidance 2013: <http://www.sussex-air.net/> (click link embedded on this page).

Ref SD59

A contaminated land investigation commonly comprises some or all of the following; a desk study, site investigation, risk assessment, remediation and post remediation certification of the work completed. This policy might have more clarity if it made reference to this process.



## Housing Delivery Officer Comments

Page 122 Housing - National Policy Context (para 7.21)

The reference to “low cost market housing” should be removed and replaced with “intermediate housing”. The Community Infrastructure (Amendment) Regulations 2014 Reg 7 49a (2a) does not refer to “low cost market housing”, it states “for the purpose of this regulation a dwelling is a qualifying dwelling if all of the following criteria are met: (a) the dwelling is not sold no more than 80% of its market value at any time is the price which the dwelling might reasonably be expected to fetch if sold at the time on the open market”. “Low cost market housing” do not remain affordable in perpetuity, these types of units are like the ones that will be bought forward on the starter home exceptions sites; whereby the discount will only get passed on the initial purchaser and they are not prioritised for local people. The NPPF defines Intermediate Housing as “homes for sale and rent provided at a cost above social rent, but below market levels, subject to the affordable housing definition. This can include shared equity products (shared ownership and equity loans), other low cost homes for sale & intermediate rent but not affordable rented housing”. Furthermore any registered providers registered with the HCA have to cap the ownership on shared ownership properties to 80%, to ensure the properties remain affordable in perpetuity.

Page 124 Housing - Types of Housing (para 7.33)

There should be a policy on ‘self-build’ housing.

Page 125 Housing - Supporting Text (para 7.36)

“Policy SD23 sets a target for the number of affordable homes to be delivered during the Local Plan period. This is in accordance with Policy SD24, which sets a rate of 40 per cent of all net residential units (C3 use class) to be provided as affordable homes in perpetuity to meet local needs on each site” – Policy SD24 actually states that at least 40% will be required on developments of 6 or more units and does not state what the quota is on developments of 5 units or less.

Page 125 Housing - Strategic Policy SD23 (1)

It states in the supporting text that 40% of all net C3 units will be required to be delivered as affordable, but not all sites of less than 11 under policy SD24 will enable this. However the affordable housing target is 40% of the overall provision. The SDNPA should set out how it would achieve this target.

Page 126 Housing – Strategic Policy SD 23 (4)

Many of the allocations are for 11 or less units which means that they are highly unlikely to deliver affordable housing on site, given the policies set out in SD24.

Page 127 Housing - Strategic Policy SD23 (6)

The plan should be clearer about whether this is both market and affordable housing mix. The CDC SDNP SHMA recommends that smaller market homes should be delivered as these are generally more affordable thus helping retain younger households and will provide suitable housing for people wishing to down size, which in turn will free up the larger family housing. It is recommended that there is reference to the need for smaller homes for local people to support future negotiation with developers and potential appeal cases.

Page 127 Housing - Strategic Policy SD23

It needs to be clarified whether exception sites will count towards the village numbers. Our main concern is that Compton has spent years trying to bring forward an exception site and now the allocation of 6 units may jeopardise this even though the majority will be delivered as market housing which could be argued is against the National Parks Vision and Circular (2010) view that the main focus should be on the delivery of affordable housing.

Page 128-129 Affordable Housing - National Policy Context (paras 7.51 – 7.53)

These paragraphs can be removed as they are no longer applicable following the judgement on the application of West Berkshire District Council & Reading Borough Council v Secretary of State for Communities and Local Government [2015].

Has the SDNP re-considered their thresholds in light of the judicial review?

Page 129 Affordable Housing - Options Considered and Preferred Approach (para 7.57)

“The recent Government changes to the NPPG relating to site-size threshold, similar to Option 32c, have had to be taken into account in setting this policy” – this can now be removed as per comments relating to paras 7.51 - 7.53.

Page 130 Affordable Housing - Options Considered and Preferred Approach 7.60 should refer to Policy SD24 , not SD25.

Page 130 Affordable Housing - Supporting Text (para 7.62)

This should be amended to reflect comments relating to paras 7.51 - 7.53.

A policy is now feasible in respect of developments of 1-5 net dwellings.

Page 130 Affordable Housing - Supporting Text (para 7.64)

Para 7.75 better explains this. The plan should define who / what are host communities.

Para 7.65 should include existing stock and turnover.

Page 131 Affordable Housing - Supporting Text (para 7.66)

In future we may have to consider affordable housing delivery which does not involve a registered provider – Suggest that “could include a lack of registered provider support” is deleted, as the affordable housing could be provided by the housing authority, community land trust or another approved body, otherwise this provides developers with an easy get out clause. We are looking at alternative models of delivery and are very aware that most of our registered provider partners are no-longer interested in schemes of less than 10 affordable units.

With regards to preference 1 & 2 of the “cascading methods”, if it is unviable on the “proposed development site” which would cost in the services etc. it is unlikely that these options would be viable. Furthermore would they have to provide these “alternative sites” in the same parish that the “development” was? If not would they have to be provided in the same housing authority area?

Type - Second preference: “land in lieu will be provided to the SDNPA”

Second Preference – reference to disposing to CLT’s or nominated body should also be made.

Page 131 Affordable Housing - Supporting Text (para 7.67)

“a clawback clause will be included in the Section 106 Agreement to secure higher affordable housing contributions (up to the requirement in Policy SD24) if market conditions improve before the completion of the development – as per comment 7.58 how will this be implemented?”

Page 131 Affordable Housing - Supporting Text (para 7.68)

“minimum floorspace” - We suggest that the SDNPA consider adopting the new optional National Floorspace Requirements. This will require evidence of needs and a viability assessment.

Page 131 Affordable Housing - Supporting Text (para 7.70)

“The SDNPA is not responsible for subsidising affordable housing requirements” – If it is proven on a development that it is unviable to deliver the full affordable housing quota the SDNPA should provide money from the commuted sums pot to deliver these units as affordable housing taking into consideration that affordable housing delivery is their main priority.

Page 131 Affordable Housing - Strategic Policy SD24 (1, 2, 3 & 4)  
SD24 (5)

The affordable housing should be of the same materials and design.

SD24 (6)

Suggest adding “taking into account the most recent needs evidence including housing register figures and any Strategic Housing Market Assessment findings” to the text.

Page 133 Rural Exception Sites - Supporting Text (Para 7.74)

“The NPPF (Annex 2) clarifies that small numbers of market homes may be allowed at the NPA’s discretion, for example, essential to enable the delivery of the site without grant funding” – The SDNPA should use their commuted sum monies to enable the developments rather than allowing market housing. As once on is allowed it will set a precedent.

Page 133 Rural Exception Sites - Supporting Text (Para 7.78)

Second sentence should be changed to “This should include liaison...”.

Page 133 Rural Exception Sites SD25 (1d)

‘Effective communication’ needs to be defined.

Page 133 Rural Exception Sites SD25 (3)

How will the partnership with the Local Authority work? Some authorities do not manage their housing registers and most operate choice based lettings systems in partnership with registered providers and other authorities. Furthermore if grant funding is received from the Homes & Communities Agency the dwellings must be allocated in line with government guidance.

Page 134 Evidence

The needs evidence in the 2015 SHMA is based on the Coastal West Sussex SHMA 2012. We consider that this will soon be out of date and needs to be reassessed.

The “Housing Requirements Study DTZ, 2011” is based on the 2001 census and the 2009 ONS mid-year census population estimates, which do not reflect the current circumstances.

The SHMA 2015 is based on the housing register figures from 2011 which are not reflective of the current need. Furthermore this document is not yet available to view on-line.

Page 177 Syngenta - A vision for the site (para 8.61)

Unrestricted market housing will not be acceptable. Housing not needed to meet local family housing needs should be limited to an amount that can be demonstrated to be necessary to ensure the viability of the scheme and an appropriate social mix” – this statement is contrary to policy SD24 (2) which states at least 40% should be delivered as affordable housing and policy SD33 (a) which requires that 50% should be delivered as affordable housing.

Page 177 Syngenta - A vision for the site (para 8.63)

“Tourism accommodation, including overnight accommodation such as self-catering units or a hotel, and facilities for the visitors such as bike hire and a visitor centre, will be provided.” – If there is a viability issue what will take precedent: employment or housing?

Page 178 Syngenta - Strategic Site Policy (1a)

It refers to that 50% should be delivered on site as affordable housing, however the supporting text states that there should be no market housing unless it is proved unviable to deliver the scheme. It is advised that this policy is re-worded to make it clearer.

Page 178 Syngenta - Strategic Site Policy (1a – 1f)

Which will take priority in a viability assessment?

Page 193 Midhurst

Consideration should also be given to WSCC depot, coach station sites and land adjacent to the canal.

Page 206 Easebourne - Policy SD-WW01 (Opportunities)

Will this be predominantly affordable subject to viability?

### **Conservation and Design Officer Comments**

Page 15 - Suggest including Conservation Area Appraisals in relevant documents

Page 16 - General Comments. The Plan is very Landscape led in its approach which is understood but it could include built environment in terms of settlements, buildings and monuments/features that form part of the landscape – including farmsteads, churches and manorial groups. Historic environment also has significance in its own right.

Page 28 - Not sure why conservation areas are identified with a leaf – I assume these are areas designated under the P(LBCA)Act 1990 rather than

sites of importance for nature conservation – there may be a more appropriate motif.

#### Key challenges

Habitat and Heritage do not really sit well together – suggest 2 separate strands. There are very different issues affecting them.

Terminology Plan uses “cultural heritage” throughout which is not conventional planning/historic environment terminology as used in the relevant legislation and NPPF which uses “historic environment” and “heritage assets”.

In some places historic environment seems to be an afterthought for example “and heritage” added to sections primarily about the natural environment, ecosystems and ecology.

#### 3.2 Objectives to meet the National Park Vision

2. To conserve and enhance the cultural heritage and large areas of high-quality and well-managed habitat to form a network supporting wildlife throughout the landscape. (What does this mean – is cultural heritage here a reference to historic environment and if so what role does it play in wildlife networks?)

Suggest separate reference focusing on the role of the historic environment to place making and the economy (regeneration/tourism)

#### Core Policies

##### Sustainable Development

Ecosystem Service Not clear why cultural heritage is included within an ecosystem service but not the policy (SD2).

- 4.25 It should be impact on natural and historic environment – if heritage is to be part of the ecosystem service.

National Policy Context – should include NPPF in relation to historic environment reference should be made to Para 7.

Sustainable Development :-

“environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

And Para 17 conserve heritage assets in a manner appropriate to their significance.

##### Major Development in the South Downs National Park

Policy SD3 Terminology: – would” harm” be better that “adverse impact” to be consistent with NPPF?

## Achieving the Vision for the National Park across the five Broad Areas

Not all the areas have a description of the historic environment and settlement characteristics in their “Special Qualities” while others do. Particularly the Coastal Plain would benefit from this additional information given the acknowledged development pressure which has potential to impact on heritage assets and settlement character. With respect to Coastal Plain is there need for policies in relation to impact of development adjacent to the National Park on the Park’s special character/qualities.

### Strategic Policies

Landscape Character/Design sections are considered very good.

### Historic Environment

5.95 Should be Scheduled Monuments and not Scheduled Ancient Monuments

5.99 Buildings can also be identified as heritage assets through the planning process and not just archaeology

5.101 Suggest “historic building” rather than “old building”. Now “Historic England” instead of “English Heritage”

5.102 Should be “heritage assets” and not “historic assets” Planning Applications should include applications for LBC/Advertisement Consent etc.

5.103 NPPF refers to “harm” not “impact” – Impacts could be beneficial as well as harmful and a substantial beneficial impact could be good. Could define the term palimpsest for the benefit of non historic environment professionals

5.104 Use “harm” not “impact”

Policy SD11: use historic environment rather than cultural heritage in this context.

Point 2. Duties include those under the P(LBCA)Act 1990

Point 3. Should use “harmful” in this context

General – Strategic Policies should include a reference to a positive strategy for the conservation of the historic environment which could include reference to management of the historic environment, including CA appraisals, Heritage Risk strategies, Article 4 Directions etc..

Policy SD18 Identifying Historic Rural Roads as heritage assets is a good idea. Should include historic streets and paving – for example Lombard Street in Petworth. Suggest adding “and Market Towns” to SD18 – Item

## Page 151 Midhurst/Petworth History

7.165 Midhurst was not a Saxon Manor. It was not a place of pilgrimage. This section should be rewritten.

## Climate Change and sustainable construction

Table 7.4 Other measures include orientation of buildings and roofs – although this is recognised in supporting text

## Chapter 8 Strategic Sites

Syngenta Agree with looking at this site in connection with King Edward VII hospital and could look at how the sites can complement each other in terms of infrastructure and service provision and extent to which employment uses can be accommodated on the site, beyond the construction phase, to mitigate the unsustainable characteristics of the site due to its location.

Policy SD33. Should include retail uses to service the site – convenience store/newsagents – could consider a settlement hub linked to the community uses to create a critical mass to facilitate a genuine mixed-use development. Encouraging flexible workspaces and live-work units is supported to encourage business start-ups.

## Chapter 9 – Site Allocations

Land at New Road, Midhurst

Constraints include proximity to conservation area, to the north of the site. There are also trees to the north of the site and one on the site

## Chapter 10 Development Management

The Historic Environment section appears fragmented some included with policies relating to Woodland and Hedgerows and a separate section for archaeology. I would suggest a Historic Environment Section structured in a similar way to other sections with an Introduction, Supporting text, policy and evidence. This may allow for some rationalisation of the text/supporting text. The “Partnership Management Plan Outcomes” identified under Archaeology apply to the whole historic environment. Reference should be made to NPPF, NPPG and Historic England Good Practice Advice Notes in Planning (GPANs).

There should be a separate policy on Listed Buildings to include impact of development on the setting of listed buildings and curtilage buildings and structures.

With respect to the specific policies:-

SD38: Energy Performance and Historic Buildings.

Energy performance covers a wide range of application, including renewables, retrofitting insulation and how the buildings are used. I would be cautious about an overly general policy given the wide range of issues –

including replacing traditional windows with double-glazing and retrofitting either external wall insulation or installing renewable energy products from ground-source heat-pumps through to solar panels and wind-turbines. There should be some technical information – either in the policy or supporting text that addresses problems associated with installing wall insulation and the effects on the breathability of traditional construction. The policy should require adequate evidence/detail be provided in support of applications so that we can be sure that the potential harmful impacts have been considered, particularly in relation to heritage assets. Reference could be made to recent BRE research (Solid wall heat losses and the potential for energy saving – BRE May 2014) that confirms the complexity of traditional buildings and gaps in understanding how they perform. There are particular uncertainties about the medium and long-term consequences of applying insulation to solid walls made of traditional materials—the change in the performance of the envelope could lead to changes in the whole building performance (balance of moisture, hydrothermal performance), in the indoor environment conditions and in the overall building condition (decay and damage). I would therefore be cautious about suggesting such proposals will be encouraged.

#### SD 39: Conservation Areas

Would like a commitment to resist demolition of buildings or structures that contribute positively to the character and appearance of the conservation area and suggest that these are defined as part of the character appraisal process. They can also come to light as a result of the planning process. Could include a reference to a requirement for heritage statements to support applications as mentioned for archaeology.

#### Enabling Development

Para 10.43 The first sentence is incomplete

SD40 Should include a reference to the use of legal agreements to secure the restoration of the asset prior to completion of the enabling development.

#### Archaeology

10.48 Walls are not generally regarded as ‘finds’.

10.49 The wording may lead to confusion over the definition and status of non-designated heritage assets. I recommend deletion of the words ‘may be referred to as non-designated heritage assets and’ from the fourth sentence.

10.50 It would be valuable here to reiterate the wider significance of the archaeological resource, perhaps by the insertion of e.g. ‘and its contribution to the wider historic environment’ to the penultimate sentence.

10.51 Usually ‘desk-based’ rather than ‘desktop-based’.

10.52 I would avoid the phrase ‘archaeologically sensitive areas’ which was previously used by WSCC for non-designated areas of significance. Perhaps remove the word ‘archaeologically’.



10.54 This section seems confused: the significance of relevant archaeological remains should be established in a desk-based assessment whereas the proposed methodology for their preservation should be outlined in the written scheme of investigation.

10.56 This seems to contain two completely separate issues that should be in their own sections.

### Other Comments

#### Highways and Parking

Reference could be made to Building for Life in terms of road hierarchy for new developments and use of a mix of parking provision and avoiding long rows of end-on parking, particularly in front of houses.

#### SD45 Replacement Dwellings

It often comes to light that a dwelling proposed for demolition as part of a proposal for a replacement dwelling is found to be of special architectural or historic significance and as such found to be heritage assets identified through the planning process. Where this is the case demolition is likely to be resisted – this should be reflected in the policy. Look at conversion of agricultural building section which makes the distinction between buildings treated as heritage assets and those that are not.

#### SD52 Shopfronts

This policy may sit better with the HE/Conservation area policy and grouped with Advertising and Signage.