

South Downs National Park Public Inquiry
(Re-opened)

NERC & Meyrick

Inclusion of Ditchling and Lodge Hill

Supplementary Proof of Evidence

by

Ditchling Parish Council
The Ditchling Society



SOUTH DOWNS CAMPAIGN

Working for the best possible National Park

March 2008

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(Annexes – these are all contained in a separate document no. #1147/2/4)

1 Introduction

- 1.1 The South Downs Campaign (SDC) submits the following supplementary proof of evidence to support references made during the SDC's appearance at the inquiry on 14 February, 2008. It includes substantial new evidence with regard to the special qualities of Lodge Hill and Ditchling as well as new evidence on the application of the boundary setting criteria for the village of Ditchling and its inclusion within the National Park.
- 1.2 The SDC is a network of organisations working for the best possible South Downs National Park, representing over 140 national, regional and local groups and organisations¹. This supplementary proof of evidence has been produced in partnership, in particular, with two of these members: Ditchling Parish Council and The Ditchling Society.
- 1.3 This written representation should be read in conjunction with the SDC's proof of evidence submitted to the re-opened public inquiry, on the implications of the NERC Act 2006 and the Meyrick Judgments for the inclusion of Lodge Hill and the village of Ditchling within the South Downs National Park².

¹ SDC Updated Biography – Inquiry Document No: #1147/0/1

² SDC Public Inquiry NERC & Meyrick Proof of Evidence, Ditchling and Lodge Hill – Inquiry Document No: #1147/2/1 and Annexes – Inquiry Document No: #1147/2/2

2 Biography of Principle Authors

2.1 Brian Clutterbuck

- 2.1.1 Brian Clutterbuck is a Chartered Tax Advisor by profession having worked for Lloyds Bank and Black Horse Life Assurance Company until his retirement from full-time employment in 2000.
- 2.1.2 He has lived in Ditchling for over 25 years during which time he has been actively involved with the local community. Previously he was both treasurer and a trustee of the Ditchling Museum. He has also been the Chairman of a Friends Support Group for a Residential Care Home in Woking.
- 2.1.3 Since 1999, he has been a Parish Councillor on Ditchling Parish Council and is currently its Chairman. As Vice Chairman of the Parish Council in 2001/2 he led the working party which produced the document “Ditchling: A weald and downland parish” which formed the submission for the inclusion of Ditchling Parish in the South Downs National Park. He was involved with the implementation of traffic calming in the High Street is now one of two Parish Councillors working with East Sussex County Council on the Local Area Transport Strategy. He is a representative on the Lewes Association of Town and Parish Councils and sits on the East Sussex Association of Local Councils.
- 2.1.4 For the past six years he has been Chairman of the Ditchling Village Association. This is an umbrella organisation for all Village Clubs, Societies etc. It runs monthly Coffee and Cake mornings, an annual newcomers party and older residents Christmas lunch. It also runs an annual inter Village sports day and a bi-annual fair.
- 2.1.5 He is also a Trustee and Treasurer of the Old Meeting House in Ditchling and auditor to many local (and not so local) organisations.

2.2 Tom Dufty

- 2.2.1 Tom Dufty originally qualified as a teacher before spending thirty years working for BP in the Human Resources function. He started out in its Management Training Department in London and subsequently moved to its chemicals factory in South Wales, becoming Staff Manager before ending up in Group Headquarters in London. He retired in 2000.
- 2.2.2 He has lived in Ditchling for nearly 30 years and throughout that time has played an active part in village community life. About ten years ago he chaired the Ditchling Traffic Working Group which developed a case for needing to reduce and calm the traffic flow through Ditchling and for increased pedestrian safety measures. The County Council accordingly developed a comprehensive traffic scheme but only partially implemented it.
- 2.2.3 About three years ago he played an active part in writing and editing a report for the Parish Council, arguing for further measures to reduce and calm traffic flow, eliminate illegal HGV traffic, and increase pedestrian safety. This won County Council support

and the County Council has now committed significant public funds to carrying out a comprehensive survey of traffic movements in and around Ditchling in 2006/7 and to developing a Local Area Transport Strategy for Ditchling in 2008.

- 2.2.4 He is currently chairman of The Ditchling Society; the Ditchling Village Hall; and has both formed and chairs the Ditchling.com website society. He is a trustee of the Friends of St Margaret's Church. He is a member of the Ditchling History Project, a subset of the museum, which researches and records local history. On its behalf he gives talks to external bodies and guided walks around the village. He was the author of a walker's guide to the village published by the Project in 2007 and has contributed to a number of their previous publications. He has also directed four plays for the Ditchling Players.

3 Lodge Hill – New Evidence

3.1 Access

3.1.1 As described at the SDC's appearance at the inquiry on 14 February, 2008, the following information outlines the access that the public has to Lodge Hill. This is new evidence not previously heard at the inquiry and relates to the fact that the information is not apparent from Ordnance Survey maps. The access arrangements to the Lodge Hill area are outlined in the letter and on the map in annex 1 (#1147/2/4).

3.2 Relationship Between Lodge Hill and the Downs

3.2.1 The Ditchling Conservation Area Character Appraisal (CD #39) commissioned by Lewes District Council also specifically mentions the relationship of Lodge Hill with the Downs, stating on page 12 that:

“From the vantage point of Lodge Hill, a few minutes walk from the Village Green, there are good views to the east and a fine view of the pyramidal church spire and the warm-coloured red roofs of the village against the backdrop of the Downs. The view of the village from Lodge Hill across the Downs is at least as important as that of the reverse direction.”

3.2.2 These views are well illustrated by the photos 11 & 12 previously submitted in annex 2, #1147/2/2, in support of the SDC's main proof of evidence on the inclusion of Ditchling and Lodge Hill (#1147/2/1).

3.2.3 The value of Lodge Hill was also recognised in the Ditchling conservation area designation report which was commissioned by East Sussex County Council and written by the County Planning Officer in 1969 (see annex 2, #1147/2/4). Paragraph 3.4 states:

“The Appraisal Map draws attention to Lodge Hill and Lodge Hill Lane both of which are attractive features and popular amenities on the edge of the village. While neither qualify for inclusion in the Conservation Area, which is primarily concerned with buildings, they should nevertheless be preserved as far as possible on their present form.”

3.2.4 Both of these extracts, which represent new evidence highlight the importance and quality of Lodge Hill and its strong relationship with the Downs.

4 The Village of Ditchling – New Evidence

4.1 The Degree to Which the Countryside Penetrates the Settlement

4.1.1 In his report, the Inspector highlighted the importance of assessing “*the degree to which countryside penetrates a settlement...*”³ when determining whether to include a particular village or town. Consequently, at the SDC’s appearance at the inquiry on 14 February, 2008, mention was made that Ditchling is strongly penetrated by the countryside and is one of the features of the Conservation Area. The following extracts highlight this and show how it has been considered an important factor when determining planning appeals.

4.1.2 The Ditchling Conservation Area designation report (see annex 2, #1147/2/4), notes how the village blends into the countryside:

“Specific Observations – Ditchling

“3.1 The village has grown around the cross-roads and the main architectural character extends for a short distance along each road. On the east side of the village there has been considerable development. To the west and south the buildings soon give way to open country...

“3.2 ...The transition between village and countryside is marked by an increasing amount of open space and some significant tree belts. This change of character is especially effective at the ends of South Road [St] and West Street...”

4.1.3 This feeling of the countryside coming right in close to the heart of the village, was a key quality of the Conservation Area highlighted in two recent appeal decisions. Both times the inspectors dismissed appeals on two sites in South Street because of the impact that the developments would have had on the spacious and rural feel of this part of the village. In the first appeal refusal notice from November 2004, the inspector stated that (paragraph 10, annex 3, #1147/2/4):

“This part of the Conservation Area contains buildings of varying age and design and the building line is irregular. However the original Conservation Area declaration identified the transition between village and countryside as being marked by an increasing amount of open space.....in my opinion the increase in built form along this part of South Street would appear cramped and would have an adverse effect on the important and more spacious character of this part of the Conservation Area...”

4.1.4 In May 2007, in another appeal decision, the inspector stated that (paragraphs 8, 9 & 13, annex 4, #1147/2/4):

“Significant areas of garden and open space between buildings in my view contribute to a distinct rural feel in much of the village. Even the more dense

³ Paragraph 3.2, page 40, Part II, CD #3

concentration of older houses, shops and businesses in the vicinity of the crossroads is quite close to open countryside to the south and west...(8)

“...In my view it [development of this area] would seriously diminish an important characteristic of the conservation area, which is the soft undeveloped open nature of the fields and woodland that extend well towards the centre of the settlement... (9)

“...The overall effect would be to further reduce the existing sense of rural openness at this end of the village that in my view contributes substantially to the character of the conservation area.” (13)

4.1.5 More recently, this has been reinforced by a wealth of new evidence from the Ditchling Conservation Area Character Appraisal (CD #39) commissioned by Lewes District Council and published in April 2007, although it has only recently appeared on the Council’s website and gone into print. The following quotes (from CD #39) illustrate the deeply rural nature of the village, its high quality and its integration with the surrounding landscape:

“Key Characteristics:

- The rural setting of the village in pastoral landscape of the South Downs...*
- The area’s trees and other vegetation particularly where this bounds a road, footpath or public place...” (paragraph 2.1, page 5)*

“An area of open land on the outskirts of the village, north of Clayton Road, has been included in the conservation area in order to protect its landscape setting...” (page 7)

“Ditchling lies in a picturesque setting in open countryside. The village sits in a small spur of land, on which St Margaret’s church is prominent, between the foot of the South Downs and Lodge Hill... ..Southward views of the Downs are a particular feature of the village which help to define its distinctive rural character. Conversely, the church spire and village is easily visible from Ditchling Beacon... ..The presence of trees, both within and around the village is notable... ..Ditchling lies just outside the Sussex Downs AONB whose boundary sweeps right up to the built environment of the village, a pointer to the high quality of the surrounding landscape...” (page 12)

“The front gardens of Pardons and East End House bounded by open railings and fence, create an open space with a distinctly rural ambience in East End Lane.....Ditchling benefits from a well-tree’d character where both groups and individual trees are important...” (page 13)

“There are many fine outlooks southward through the village towards the Downs which form a looming backdrop to the village’s trees and buildings...Over a field gate beside no.17 North End there are open views of pasture and trees at the foot of Lodge Hill and from Boddingtons Lane one glimpses open country...Such views from within the conservation area to the wider landscape of pasture and Downs

testify to the conservation area's setting in the landscape and make a significant contribution to overall character..." (page 14)

"...East End Lane is a long, sinuous rural village lane..." (page 21)

"Principal Features [Area 1: The village centre]

- *Views of the South Downs and St Margaret's Church...*
- *Trees and hedgerows at the southern end of South St..." (page 22)*

"Principal Features [Area 2 East End Lane and The Twitten]

- *Views of the South Downs from the southern end of East End Lane*
- *Trees and other vegetation including well tended roadside gardens" (page 24)*

4.1.6 All of the above new evidence highlights how the integration of the surrounding countryside into the village is a key attribute of both the village and the Conservation Area and one that various inspectors have felt important enough to want to protect when considering planning proposals.

4.2 The Recreation Ground

4.2.1 Although, it lies to the east of Ditchling's built up area, the recreation ground is an important focus for village life. Therefore if Ditchling is included in the National Park, the SDC would recommend that the recreation ground should be included also. The photographs in annex 5 (#1147/2/4) demonstrate that the recreation ground has some of the strongest visual linkages with the Downs (to the south) of anywhere in the village.

4.3 Extensions to Ditchling's Conservation Area

4.3.1 The Ditchling Conservation Area Character Appraisal (CD #39) commissioned by Lewes District Council provides substantial new evidence about the quality of Ditchling and its relationship with the surrounding countryside as described above. The appraisal also recommends that the Conservation Area be extended in two areas as can be seen by the Area 5 and Area 6 maps in CD #39 or in annex 6 (#1147/2/4), one along the south side of Lewes Road and the other along Beacon Road.

4.3.2 Both additions are designed to bring within the conservation area important late 19th and early 20th century designed houses. They will also bring within the area houses owned by two famous 20th century artists, calligrapher Edward Johnston and weaver Ethel Mairet. The addition of these areas will result in the total acreage covered by conservation orders, in Ditchling, coming within the top decile of Lewes District towns and villages with conservation areas.

4.3.3 The current status of this appraisal is that it was approved as a Supplementary Planning Document by Lewes District Council in December 2007⁴. The SDC understands that before the extensions and other recommendations with respect to the

⁴ Section 1.2, page 3, Ditchling Conservation Area Character Appraisal – CD #39

Conservation Area can be adopted, it is necessary for there to be another round of public consultation.

4.4 Expansion of Ditchling Museum

- 4.4.1 The Ditchling Museum is an important resource which should fit well with helping the National Park Authority deliver on its purposes, particularly the understanding of the special qualities of the National Park. Located near the heart of the village the Museum not only houses important historic artefacts but has recently launched a new website, houses tourist information and runs lectures and courses.
- 4.4.2 Since the inquiry last heard evidence on Ditchling in 2004, much has happened with respect to the museum⁵. Substantial funds were raised to secure a collection of work by Eric Gill, never before available to the public. More funds have also been secured to employ a part-time collections manager and other staff have been taken on to support the museum's growth.
- 4.4.3 Furthermore, there are plans to physically expand the museum, with steps already having been taken towards achieving this goal. Although the funds have not been secured and planning permission has not been sought, this work is in hand and therefore these plans are a material consideration, which given the drive and energy of the museum trustees and their success to date in securing substantial funds should be given great weight (see annex 7, #1147/2/4). Since the SDC's appearance at the inquiry on 14 February, 2008 and since the letter in annex 7 was written, the museum trustees have appointed an architect to take forward their vision. The architect will be holding a public consultation on his plans over the weekend, May 17 -19, 2008.
- 4.4.4 Given that there have been significant improvements in the museum and an expansion of its work since the last inquiry, greater weight should be given to the role that the village of Ditchling could play in contributing to the life of the National Park and delivering National Park purposes. This is particularly pertinent to the boundary setting criteria 2d and 2g which rely on assessing an area's or settlement's contribution *"to the rural economy and community life within the Park and to the Park's special qualities and purposes"*⁶
- 4.4.5 In addition, with the new clause brought in by the NERC Act 2006 (Section 59) account can be taken *"of the extent to which it is possible to promote opportunities for the understanding and enjoyment of an area's special qualities by the public."*⁷ This allows consideration of possible (recreational) opportunities in the future. Therefore, plans for expanding the museum can, under the NERC Act 2006, be considered also to add weight to the case for Ditchling's inclusion in the National Park.

⁵ See letter from Chairman of the Trustees of Ditchling Museum, Annex 7, Inquiry Document No: #1147/2/4

⁶ Paragraph 2d of the Countryside Agency's Approach to Defining National Park Boundaries as attached to the letter to the Minister, 28 September, 2000 – CD 83

⁷ See paragraphs 55 & 56, Legal Submissions on Topics 1 & 2 on behalf of Natural England – Inquiry Document No: #1330/0/8

5 Overview of the Boundary Setting Criteria for Settlements

5.1 Hobhouse

- 5.1.1 The Hobhouse Report laid out the first National Park boundary setting criteria way back in 1947⁸. The relevant considerations for the inclusion of settlements were:

“(d) Towns or villages should not normally be cut in two by a National Park boundary. The inclusion or exclusion of a marginal town or village should be dependent on its character and beauty and its present or potential value for the accommodation of visitors.

...

In general, boundaries should include, as far as possible, any features which are part of the rural economy and community life within the Park, and should normally exclude areas where the needs of urban or industrial development conflict with, or outweigh, the essential values of the Park...”

5.2 Dartmoor

- 5.2.1 The overarching boundary criteria at the time of the Dartmoor Variation Order Inquiry came from Hobhouse, as indeed it did when the National Park was first established. When deciding to proceed with reviewing National Park boundaries, the Countryside Commission in its 1983 guidance (CD 79) did not really alter the Hobhouse criteria, although it did place greater emphasis on avoiding split settlements⁹ and one or two other aspects of the criteria. This was because of administrative and planning concerns that had arisen in a number of existing settlements split by National Park boundaries such as South Brent in Dartmoor¹⁰.
- 5.2.2 This should not be confused with the policy framework, established by the Countryside Commission at the time, within which National Park boundary reviews were to operate. This framework was in line with government policy at the time as set out in Circular 4/76¹¹ which itself was a response to the recommendations of The Sandford Review¹².
- 5.2.3 The relevance of the Dartmoor National Park Variation Order 1990 to the case for the inclusion of Ditchling is the way that the boundary setting (Hobhouse) criteria were applied with regard to settlements, in particular the town of Ashburton. The Variation Order proposed deleting *“a substantial strip of land some 4.5km in length, extending to an area of some 3.39sq. km...”*¹³. This had the effect of leaving Ashburton, a

⁸ Paragraph 43, page 12, Report of the National Parks Committee, July 1947 – CD 74, and; Annex 1, Countryside Agency Board Paper & Minutes: (AP 00/30), July 2000, Approach to Defining National Park Boundaries – CD 44

⁹ Paragraph 11, page 3, Advice to National Park Authorities on Reviews of National Park Boundaries. 82/40, Countryside Commission, 1982 – CD 79

¹⁰ Paragraph 5.6, Dartmoor National Park Variation Order, Inspector’s Report, September 1993 – CD 68

¹¹ Paragraph 13, Circular 4/76 – Report of the National Parks Policies Review Committee – CD #22

¹² Paragraph 22.2, page 107, Report of the National Park Policies Review Committee, (The Sandford Report), DOE and Welsh Office, HMSO 1974 – CD 86

¹³ Paragraph 3.22, Dartmoor National Park Variation Order, Inspector’s Report, September 1993 – CD68

historic market town, with a population today of around 3,500¹⁴, on the boundary of the National Park for quite some substantial length (see map in annex 8, #1147/2/4).

- 5.2.4 In the Dartmoor Inquiry Inspector's report, in relation to the proposed deletion of land to the south and east of Ashburton, the Countryside Commission was reported as having said that¹⁵:

"...Ashburton Town had been retained within the Park because of its strong Dartmoor associations and its traditional town centre which was also designated an outstanding conservation area."

- 5.2.5 The Inspector in his conclusions and recommendation made no mention of Ashburton but agreed with the Commission's boundary and recommended that the draft Order be confirmed in this area, leaving the town of Ashburton on the boundary of the National Park.

5.3 Countryside Agency's Approach to Defining National Park Boundaries

- 5.3.1 This new approach was outlined in the letter to the Minister in September 2000 (CD 83) as well as in a number of other core documents published since then. The following extracts are relevant to the inclusion of settlements¹⁶:

"2. It shall then in drawing a National Park boundary take account together of the following considerations.

...

d. Boundaries should include land and settlements which contribute to the rural economy and community life within the Park and to the Park's special qualities and purposes. Such areas should however be excluded where activities there, in particular, urban or industrial development, conflict with or outweigh the essential values of the Park.

...

g. Towns or villages should not normally be cut in two by a National Park boundary: inclusion or exclusion should normally depend on their contribution as a whole to the character and purposes of the Park."

- 5.3.2 Along with explanatory note:

"2g. This may include a contribution to the Park's economy and community life, and a value for visitors; e.g. provision of accommodation, access to public transport, information or other services."

- 5.3.3 Although the wording is subtly different, in effect, the new Countryside Agency approach to including settlements was very similar, if not the same, to the previously

¹⁴ From Dartmoor National Park Authority website - <http://www.dartmoor-npa.gov.uk/index/learningabout/lab-factsheets/home/lab-generalfactsheet.htm>

¹⁵ Paragraph 3.25, Dartmoor National Park Variation Order, Inspector's Report, September 1993 – CD68

¹⁶ Table 1 and Table 1 explanatory notes, pages 38 & 39, A South Downs National Park: Public Consultation Report CA89, November 2001 – CD 31

applied Hobhouse criteria used at the time of the Dartmoor National Park boundary review.

- 5.3.4 Therefore the SDC would contest that including the village of Ditchling on the edge of the South Downs National Park, given its high quality historic core and largely intact rural boundaries would be consistent with the approach taken towards retaining the town of Ashburton in the Dartmoor National Park.

5.4 The Application of the Countryside Agency's Policy in the South Downs

- 5.4.1 During the designation of the South Downs National Park, the Countryside Agency expanded on the policy approach defined above as follows:

“The location of the South Downs in a heavily populated region means that, inevitably, there are a number of settlements on the edge of the draft boundary. The inclusion or exclusion of each of these was assessed individually, based on the contribution they would make to national park purposes and whether they are closely linked to the Downs in character (as outlined in the Agency's approach, guidelines 2d and 2g). Villages were assessed in terms of their distinctive and / or historic character and their integration with the surrounding landscape. Towns on the edge of the boundary were individually assessed according to:

- *the integrity of the historic core which contributes to the South Downs identity;*
- *the scale, visual impact, location and type of adverse or intrusive development;*
- *whether the landscape surrounding the settlement meets the statutory criteria;*
- *the relationship (visual, historical, socio-economic) of the town to the Downs;*
- *the contribution of the settlement to the purposes of the national park;*
- *whether the settlement offers strong recreational connections to the Downs;*
- *the contribution the settlement would make to the economy and community life of the national park.”¹⁷*

- 5.4.2 This clearly illustrates that there is a different approach to be applied to villages compared with towns.

- 5.4.3 However, during the first inquiry the Countryside Agency produced a number of Position Papers. In Position Paper 2, (CD 70), the Agency subtly altered its boundary setting approach with regard to villages and towns¹⁸ in the South Downs, arguably making the application of the criteria much stricter and potentially at odds with original boundary setting policies agreed in 2000. While the SDC fully endorses the Countryside Agency's boundary setting criteria as laid out in CD 83, it believes that the criteria have to some extent been misapplied in the South Downs, and in particular

¹⁷ Page 43, A South Downs National Park: Public Consultation Report CA89, November 2001 – CD 31

¹⁸ Paragraphs 38 – 40, pages 19 – 20, Position Paper 2 – The South Downs National Park Boundary, Countryside Agency, July 2003 – CD 70

with regard to Ditchling. The changes to the way that the boundary criteria were applied are shown by the underlining below:

“In the South Down, these approaches [as laid out in paragraphs 5.3.1 & 5.3.2 above] were used to form the basis of a more detailed methodology to assess the merits for including or excluding each settlement on the edge of the boundary. For towns and large villages, this assessment was based on,

- *whether the landscape surrounding the settlement meets the statutory criteria;*
- *the integrity of the historic core which contributes to the South Downs identity;*
- *the scale, visual impact, and type of adverse or intrusive development;*
- *the relationship (visual, historical, socio-economic) of the town to the Downs;*
- *the contribution of the settlement to the purposes of the National Park;*
- *whether the settlement offers strong recreational connections to the Downs;*
- *the contribution the settlement would make to the economy and community life of the national park.*

“For villages, the assessment was based on:

- *their distinctive and / or historic character*
- *their integration with the surrounding landscape.*

“The fundamental basis for the inclusion of a settlement within the boundary was it’s relationship with and setting within it’s wider landscape. As a National Park is a landscape designation, it is not appropriate to include a settlement which is not situated fully within a valued landscape setting regardless of the qualities and contributions that settlement could make to the purposes of a National Park.” [our emphasis]

5.4.4 The main differences are that there has been a slight change in the wording so that the tests that previously were said to only apply to towns has now been expanded to cover large villages, where previously it did not and a new paragraph has been added at the end. This appears to discount including settlements unless they are “*situated fully within a valued landscape setting*”. What exactly this means is not explained but it could be interpreted as meaning that a settlement has to be surrounded by National Park land to be included, regardless of any contribution to the Park that it might be able to make.

5.4.5 The SDC believes that this is a harsher test than that that was agreed by the Countryside Agency in 2000 and is a test that appears to have changed during the designation process as well, and late on in the process at that, after the National Park Designation Order boundary had been set. The SDC does not necessarily dispute the fact that large villages were included in the stricter test, previously reserved for towns, as some villages can be quite large, with a population of up to around 5,000. Given

that there does not appear to be any particular size to define a village or a town, this would not be inappropriate.

- 5.4.6 However, it is concerned that the new paragraph underlined in 5.4.3 above was a change in the way the boundary setting criteria were applied. The SDC would not necessarily agree that all settlements have to be completely surrounded by high value land in order to be included as for smaller settlements the SDC would argue this is an unnecessary restriction.

5.5 What Happened in Ditchling?

- 5.5.1 As described in the SDC's main proof on Ditchling, the Inspector ruled out Ditchling as follows: *"...I am in no doubt that it warrants inclusion in the PSDNP so long as the land to the north of it satisfies the designation criteria. If it does not, the Agency accepts that its approach towards settlements that are situated at the edge of the PSDNP must lead to its exclusion. Settlements such as Ditchling are only included in the PSDNP if they are set within a tract of landscape that satisfies the designation criteria."*¹⁹
- 5.5.2 This highlights the fact that the Inspector was led by advice from the Countryside Agency in his decision to exclude the village of Ditchling.

5.6 Why the Approach to Ditchling Was Wrong

- 5.6.1 While the SDC does not accept that the land to the north of Ditchling fails the statutory criteria, it is not contesting this. Firstly it would argue that Ditchling is set within a valued landscape, particularly if Lodge Hill and the landscape to the west of Ditchling is included, even if the village remains on the edge of the Park. Secondly, the SDC would maintain that the Inspector was wrongly advised by the Countryside Agency that if he excluded the land to the north then he would have to exclude Ditchling as well.
- 5.6.2 As described in the SDC's main proof, Ditchling has a population of only around 1,400²⁰, far smaller than Ashburton in Dartmoor where a conscious decision was taken, in the boundary review process, to keep the settlement within the National Park, despite it lying right on the edge without any land beyond.
- 5.6.3 New evidence from the Ditchling Conservation Area Character Appraisal (CD #39) adds further weight to the classification of Ditchling as a small village. On page 6, CD #39, it is stated that: *"Located at the foot of the South Downs below Ditchling Beacon, Ditchling is a small historic village not far from Brighton in East Sussex...."*
- 5.6.4 It is also worth noting that Lewes District, in which Ditchling lies, includes a number of medium sized towns, villages and hamlets. It does not have cities or large towns within its boundary. To describe Ditchling as a 'small village' in this context is both

¹⁹ Paragraph 7.318, Part II, CD #3

²⁰ Paragraph 5.2.2, page 11, SDC Public Inquiry NERC & Meyrick Proof of Evidence, Ditchling and Lodge Hill
– Inquiry Document No: #1147/2/1

indicative of its relative size and significant in that it is inaccurate for it to be classified as a 'sizeable settlement' (or large village or town).

- 5.6.5 The result is that the SDC believes that the boundary setting criteria have been misapplied with respect to the village of Ditchling. Given that Ditchling is a small village, it is not necessary for it to be surrounded by land that meets the criteria as required in the towns test, before it can be included in the National Park. Therefore, even if the land to the north of the village is excluded, it is still entirely consistent with Natural England's policy on including settlements for Ditchling to be included.
- 5.6.6 Given that Natural England has accepted at the re-opened inquiry that its boundary setting criteria were perhaps rather harshly applied to the village of Ditchling, there would appear to be no dispute on these facts. It also means that there is every reason for the Inspector to legitimately review his previous recommendation to exclude Ditchling, given that it was reliant on the Countryside Agency advice at the time.

Conclusion

5.6.7 The SDC believes that there are four clear reasons why the case for the inclusion of Ditchling needs to be reconsidered:

- Firstly, there is substantial new evidence to support the inclusion of the village of Ditchling and land to the west, including Lodge Hill. This reinforces the already strong case for Ditchling's inclusion as recognised by the Inspector in his report²¹.
- Secondly, the application of the Agency's boundary setting criteria appears to have changed in the first inquiry to a stricter test than outlined by its policy in CD 83 and subsequently in documentation leading up to the Designation Order.
- Thirdly, Ditchling appears to have been incorrectly considered as a large village or settlement, which has prejudiced its proper assessment by the Agency's boundary setting criteria.
- Fourthly, a recommendation to exclude Ditchling would appear to be inconsistent with the decision to retain Ashburton, a historic settlement, significantly larger than Ditchling, in the Dartmoor National Park.

5.6.8 In addition, given that Natural England has accepted at the re-opened inquiry that its boundary setting criteria were perhaps rather harshly applied to the village of Ditchling²², there would appear to be no dispute that Ditchling could be included in the South Downs National Park. This means that there is every reason for the Inspector to legitimately review his previous recommendation to exclude Ditchling, given that it was reliant on the Countryside Agency advice at the time.

6 Recommendation

6.1 That the Inspector review his previous decision to exclude Ditchling and land to the west of the village, with a view to now including them in the South Downs National Park.

²¹ Paragraph 7.318, Part II, CD #3

²² Response to query by the Inspector made by Chris Fairbrother on behalf of Natural England, Thursday, 14 February, 2008