

South Downs National Park Public Inquiry  
(Re-opened)

Part 2: Boundaries

**Addition 23**  
**Toads Hole Valley**  
*(Section P, Map 7)*

Written Rebuttal to Objectors

*by*



March 2008

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

## **1 Introduction**

- 1.1 The South Downs Campaign (SDC) submits the following written representation in support of the Inspector's recommendation that additional area 23 at Toads Hole Valley should be included in the proposed South Downs National Park (PSDNP) within Section P, Map 7 of the proposed South Downs National Park recommended boundary modifications – June 2007 maps.
- 1.2 It is a rebuttal of the objections made by:
  - Falmer Parish Council (ID No. #1123)
  - Sussex Enterprise (ID No. #728)
  - Brighton & Hove Economic Partnership (ID No. #1933)
  - On behalf of J.W. Cook Estates Ltd and Pecla Investments Ltd (ID No. #970)
- 1.3 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 organisations<sup>1</sup>.
- 1.4 This written representation follows previous submissions to the Public Inquiry by the SDC on Toads Hole Valley and should be read in the context of this previous proof of evidence<sup>2</sup> which remains relevant.

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

<sup>2</sup> SDC Boundary Proof of Evidence: Toads Hole Valley – Inquiry Document No: 3275/7/1

## **2 Biography of Principal Authors**

### **2.1 Ben Perkins**

- 2.1.1 Born and bred in Sussex. An experienced walker, he has written a number of books describing walks in the Sussex countryside, several of which have included circular routes in the Western Weald. He also (with Aeneas Mackintosh) devised and co-authored the first route description of the Sussex Border Path. He writes regular walking articles for the Brighton Argus newspaper.
- 2.1.2 He has been a member of the South Downs Society for many years and is currently chairman of the Access and Rights of Way Committee of the South Downs Society. He is also a long-standing member of the Ramblers' Association and past chairman of the Sussex Area of the Ramblers' Association.

### **2.2 Chris Todd**

- 2.2.1 Chris Todd has been the Campaign Officer for the South Downs Campaign since the post was created in 2001. He has lived for most of his life in Sussex, in view of the Downs and since 1990, in Brighton & Hove. He has an honours degree (B.Eng) in Aeronautical Engineering from the University of Bristol and a post-graduate diploma in Environmental Impact Assessment from the University of Brighton.
- 2.2.2 Since 1993 he has been an active member of many local environmental and transport organisations and has acted as a freelance consultant for Friends of the Earth and Transport 2000 amongst others. From 1997 - 1999, he was co-opted, as a representative of the Brighton & Hove Environment Forum, to sit on the new Brighton & Hove Council Planning Sub-Committee, to speak on sustainability issues.
- 2.2.3 In 1998 he initiated the setting up of the South East Forum for Sustainability (SEFS), a regional environmental network, in response to the changing regional government agenda. He was then elected as one of the first three environmental representatives on the South East England Regional Assembly (SEERA) for one year.
- 2.2.4 In 2004 he was co-opted onto the Brighton & Hove City Council's Sustainability Commission. In the same year he was also elected to serve as a Community and Voluntary Sector Forum representative on the Brighton & Hove Local Strategic Partnership (LSP) and was elected Vice-Chair of the LSP in 2005. He currently chairs the LSP's climate change working group.
- 2.2.5 In 2005 and 2006 he was heavily involved in responding to the draft South East Plan and appeared at the Examination in Public in late 2006 / early 2007, not just for the South Downs Campaign but also for SEFS (of which the Campaign is a member). The Campaign, together with its partners in SEFS, was instrumental in convincing the Panel that significant changes should be made to a number of policies and that the integration of landscape and countryside issues within the Plan should be improved. He has also been an elected member of the South Downs Advisory Forum's Executive Panel since its inception in 2005.

### **3 Addition 23: Toads Hole Valley**

#### **3.1 Brief Description of the Area and its Boundary**

3.1.1 Addition 23 comprises 43 hectares south of the A27 bypass. It is in the form of triangle bounded by Downland Drive and the Hangleton Estate to the south-west, by King George VI Avenue to the south-east. It is bounded on the north by the A27 Brighton bypass. Also included is a tongue of land extending westwards from the north-west corner of the triangle to the bridge carrying the Dyke Trail over the A27 bypass.

#### **3.2 Inspector's Justification for Inclusion**

3.2.1 The Inspector justifies the inclusion of addition 23 both for its natural beauty and recreational opportunities.

3.2.2 On the question of natural beauty, while agreeing that the A27 has tended to physically sever the land from landscape to the north of the road, the Inspector notes:

*"...there remains a clear and obvious visual connectivity between this land and the wider Downs..." (paragraph 7.694, Part II, CD #3)*

3.2.3 He goes on to say (in the same paragraph) that:

*"...Toads Hole Valley reads as part of the wider tract of downland landscape to the north of the A27. The road is not itself a conspicuous feature and the passing traffic is a relatively minor landscape detractor within this large-scale and expansive landscape. At 43ha Toads Hole Valley cannot be described as a small area of 'left-over' downland severed from the wider Downs by the construction of the road. It is a significant tract of land in its own right."*

3.2.4 While noting that the intrinsic quality of the land has deteriorated in recent years he attributes this to:

*"...superficial damage due to trespass and unauthorised motor cycle use..." (paragraph 7.695, Part II, CD #3)*

3.2.5 And goes on (in the same paragraph) to say that, nevertheless:

*"...Toads Hole Valley remains a large and distinctive area of open land at the edge of the urban area; land that exhibits a strong downland character due to its underlying landform and open and exposed character..."*

3.2.6 Noting also that the south-western flank is identified as being of ecological value, he concludes that that the natural beauty criterion is satisfied.

3.2.7 Turning to recreational opportunities, he notes that:

*“...the south-western flank of the valley is open access land under the CROW Act and a right of way at the edge of the valley leads to the long distance Monarchs Way. In my view Toads Hole valley is reasonably described by objectors as one of the gateways into the South Downs...” (paragraph 7.697, Part II, CD #3)*

- 3.2.8 Noting that elsewhere in the PSDNP, other far less visible and accessible land has been deemed to provide a markedly superior recreational experience, he concluded the recreation criterion is satisfied.

## **4 Objections to Addition 23**

### **4.1 Summary of Objectors’ Reasons for Exclusion**

- 4.1.1 All objectors focus mainly on the suggestion that Toads Hole Valley does not merit inclusion because it has been cut off from the main body of the Downs and that it is of poor landscape quality. All objections concentrate on the large open section of the area and appear to largely disregard the steeper sloping bank, along the south-west border of the site, designated as a Site of Nature Conservation Interest (SNCI) and as Open Access Land.

### **4.2 Falmer Parish Council’s Objection**

- 4.2.1 Falmer Parish Council (ID No. #1123) bases its written objection (dated, 25 August 2007) on the contention that Toads Hole Valley *“is not part of the open countryside”* and is *“clearly cut off by the A27”* and describe it as *“a large field within an urban setting”*. It states that *“the road is very much a conspicuous feature and the passing traffic is a major distraction”*. It also challenges the Inspector’s view that it is one of the gateways to the South Downs (see paragraph 3.2.7 above).

### **4.3 Sussex Enterprise’s Objection**

- 4.3.1 Sussex Enterprise (ID No. #728) bases its objection on the need to establish a principle that:

*“the A27 is a visual and physical impediment and, therefore, forms an easily distinguishable boundary for the PDSNP.”*

- 4.3.2 Sussex Enterprise also claim that Toads Hole Valley:

*“...does not constitute ‘natural beauty’, is visually unattractive and falls short when compared with other areas in the PDSNP.”*

- 4.3.3 It also notes that:

*“The land is ideally situated for development either for residential or commercial purposes.”*

#### **4.4 Brighton and Hove Economic Partnership's Objection**

4.4.1 Brighton and Hove Economic Partnership (BHEP) (ID No. #1933) base their objections on the following main points:

- *“Toads Hole Valley is physically and visually disconnected from the wider Downs...”*
- *“It is private property and access to the public is prohibited and affords no legal opportunities at all for peaceful recreation (even without the traffic noise)”*
- *“It is exceptionally poor landscape quality that does not read as part of the wider Downs landscape.”*
- *“The constant traffic noise from the A27 prevents any peaceful enjoyment...”*

4.4.2 BHEP also *“...appreciates that the Meyrick judgements accommodate the inclusion in National Parks of private estates, which are not accessible to the public but this tract of land is on the every edge of the proposed park and there seems little point in its inclusion if it cannot be legally used by the public.”*

#### **4.5 Objection Made on Behalf of the Owners (J.W.Cook Estates and Pecla Investments)**

4.5.1 There are two main proofs of evidence that have been submitted, one on landscape by Philip Russell-Vick #970/1/1 and one on planning by Martin Carpenter #970/1/2. That said, there appears to be a lot of overlap between the two proofs. In addition there are a series of appendices which contain further evidence on other issues such as archaeology.

4.5.2 The main grounds for objection, as with other objectors, focus on the concept of the A27 as a physical barrier and also the *“dominating urban presence”* around Toads Hole Valley. This, it is said, means that the area has low landscape quality and therefore, despite having downland characteristics, cannot meet the natural beauty criterion. These are illustrated by the following quotes:

*“...whilst [Toads Hole Valley] THV has some representative downland landscape characteristics, by virtue of geology and topography, this aspect should not be confused with its landscape quality, which is low and inadequate to meet the demanding test of national quality.” (paragraph 3.7, #970/1/1)*

*“...it is in a poor state of repair and does not demonstrate integrity with the unspoilt downland to the north.” (paragraph 3.9, #970/1/1)*

4.5.3 In his summary of findings from his work in September 2007, Philip Russell-Vick quotes:

*“3.4 The A27 embankment was designed to reduce its overall impact by widening the landtake from the minimum required for engineering purposes, to give the embankments slightly more sympathetic gradients. However, this has not been fully successful due to the significant height of the embankment (some 20m*

*at its highest) and, most importantly, because the road crosses the valley perpendicular to its grain, effectively damming the continuity of the valley in most views. The constant passage of heavy traffic not screened by planting or by landform, is visually and aurally intrusive and it only reinforces the break in the flow of the landform...*” (paragraph 4.3, #970/1/1)

4.5.4 However, later on in his report, the embankment appears to have grown as it is quoted at least twice as follows: “...the A27 is on an embankment’ up to 25m high, for much of its length as it cuts across this valley.” (paragraphs 4.21 & 6.8, #970/1/1)

4.5.5 The recreation criterion is mainly tackled in Martin Carpenter’s proof of evidence, stating that:

*“There is no public access to the majority of the site. The CROW land comprises 18% and non-public access is 82%.”* (paragraph 3.7 #970/1/2)

*“I have stated earlier, the objectors are wrong to say that the site has or is in public use. Any public uses of the site... are unlawful...”* (paragraph 3.17, #970/1/2)

*“...It is incorrect for the objectors to suggest that public access or any public management of THV is in any way possible.”* (paragraph 3.17, #970/1/2)

*“The majority of the site is not publicly accessible and therefore open-air recreation opportunities are not available now or in the future.”* (paragraph 6.1, #970/1/2)

4.5.6 He also cites a survey of recreational use in the area, in particular the number of people using the public rights of way and access land:

*“The survey establishes that THV is not used as a gateway to the Downs. The gateway is clearly the line of the old railway and in any event it is difficult to describe THV in such terms as it is not open to public access apart from the CROW land.”* (paragraph 6.10, #970/1/2)

4.5.7 The other main issues covered in the objection are cultural and ecological considerations. In both cases it is felt that there is little of no interest in the site:

*“Chris Place of Place Archaeological Consultants was responsible for the archaeological and cultural heritage report. He very firmly concludes that there are no particular or special cultural heritage associations with this land.”* (paragraph 4.13, #970/1/1)

*“Apart from the SNCI land on the steep western bank the site is generally devoid of any ecological or archaeological value. The recent reports from EPR and Place Associates confirm this.”* (paragraph 8.2, #970/1/2)

4.5.8 There is also some mention of the lack of tranquillity on the site.

## **5 Rebuttal of Objectors' Reasons for Exclusion**

### **5.1 Overview of Objectors**

5.1.1 While a number of organisations have objected to the exclusion of Toads Hole Valley, most have not submitted any evidence to substantiate their claims. Indeed most have not submitted any further documentation to the Inquiry, relying on their original representations made during the public consultation over the summer 2007. Only the landowners and their agents have submitted further evidence.

5.1.2 Of the objectors Falmer Parish Council deserves special mention since it is rather unusual for a Parish Council be commenting on an area quite some way away from its jurisdiction. The SDC believes that this is a hangover from the proposed Falmer football stadium, when Toads Hole Valley was put forward as an alternative site. Given that the football stadium has been approved (at Village Way North, Falmer) the consideration of alternative sites is now no longer relevant. Therefore, while this does not invalidate the Parish Council's comments, the SDC is somewhat surprised that it has commented on addition 23.

### **5.2 Natural Beauty Criterion - Landscape**

5.2.1 None of the objectors have provided sound evidence that the area does not meet the natural beauty criterion, all citing the severance and impact of the A27 as the main reason for excluding Toads Hole Valley from the SDNP. Philip Russell-Vick, while pointing out that it crosses the valley "*perpendicular to its grain*", acknowledges that:

*"the A27 embankment was designed to reduce its overall impact by widening the landtake from the minimum required for engineering purposes" (see paragraph 4.5.3 above).*

5.2.2 In the same extract he also states:

*"The constant passage of heavy traffic not screened by planting or by landform, is visually and aurally intrusive and it only reinforces the break in the flow of the landform..."*

5.2.3 In the opinion of SDC, the road designers and engineers have been remarkably successful in ensuring that Toads Hole Valley remains very much a part of the broad sweep of the downland as it descends from the north into Toads Hole Valley. It is also the understanding of the SDC that planting was deliberately avoided across Toads Hole Valley so as not to draw attention to the road at a broad landscape level. Planting alongside the road would have disrupted the flow of the landscape and the visual connectivity of Toads Hole Valley with the wider Downs. It would have made the embankment appear even larger than it is and the effect of the foliage and shadows cast by any such screening would have caused far greater visual impact. Therefore the SDC cannot agree that the openness of the construction of the A27 bypass reinforces the break in the flow of the landform. While the A27 obviously has some impact this has been minimised to an acceptable level.

5.2.4 Philip Russell-Vick also describes the “*dominance of the urban edge*” in relation to Toads Hole Valley. The SDC does not accept this assertion. The housing alongside both Downland Drive to the south-west and King George VI Avenue to the south-east is relatively unobtrusive and set back from the edge of Toads Hole Valley on the other side of these two roads. Additionally, the housing along Downland Drive is partially screened from Toads Hole Valley by trees along the top edge of the Toads Hole Valley site and a hedge is already gradually evolving between Toads Hole Valley and King George VI Avenue. If anything, it is this significant tract of downland landscape which dominates the urban edge and the surrounding roads rather than the other way round.

5.2.5 Sussex Enterprise (ID No. #728) while making similar points to Philip Russell-Vick in relation to the A27 and the urban edge also suggests that:

*“a principle should be established that the A27 is physical impediment and therefore forms an easily distinguishable boundary for the PDSNP.”*

5.2.6 The Minister’s Decision Letter from the New Forest National Park Inquiry<sup>3</sup> is relevant in this context, relating to a comparable trunk road and a situation where there is landscape continuity on both sides of the road. The relevant section of this paragraph reads as follows:

*“While the inclusion of a small area north of the A36 gives a less straightforward boundary, the Minister has decided that the use of a strong feature as the boundary, such as the A36, is not sufficient reason to exclude land that meets the criteria for a National Park and that it is evidently connected to woodland that stretches across the A36.”*

5.2.7 This statement can be precisely applied to the situation at Toads Hole Valley by substituting ‘A27’ for ‘A36’ and ‘downland’ for ‘woodland’.

5.2.8 The SDC agrees with Philip Russell-Vick that in assessing Toads Hole Valley for landscape quality that it should be judged on its present state rather than in some potential or projected state (unless there are firm plans and funding in place to effect change). However, the SDC would assert that the present scarring, described by the Inspector in his report as ‘superficial damage’, is already showing signs of softening following increased perimeter security measures and that this improvement should continue. The current look of the landscape can be put down purely to short-term neglect.

5.2.9 Philip Russell-Vick when describing the landscape quality of Toads Hole Valley, appears to selectively ignore the substantial south-western segment of Toads Hole Valley, occupying a slope of patchy grass, woodland and scrub. This area is designated as Site of Nature Conservation Interest (SNCI) and should, in the SDC’s view, be included in any overall assessment of the landscape quality and beauty of the area. This is an area cherished by local people as it is a popular and accessible open space, more so since the building of the bypass. The importance of the area can be

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<sup>3</sup> Paragraph 21, Minister’s Decision Letter on the New Forest National Park – CD 203

seen by the fact that Friends of Toads Hole Valley, a local organisation, was actively engaged with the management of the site until it was instructed to stop working on the site by the landowner.

- 5.2.10 Philip Russell-Vick also sympathises with the view that other prominent ridges which flow across the A27 should be included in the PSDNP<sup>4</sup>. In doing this he cites a number of other areas around the Brighton & Hove urban fringe. Although he admits that the valley sides form part of longer ridgelines, he appears to dismiss Toads Hole Valley, because the valley itself is not high ground, even though it is contained within two prominent ridgelines, creating a sweep of landscape that flows across the A27.
- 5.2.11 None of the objectors have, in the view of the SDC, convincingly countered the statement, made in the original submission by SDC to the inquiry, that Toads Hole Valley “*retains an integral relationship with the main dip slope of the Downs*” and is “*not in any way dominated visually either by the A27 or the built up area*”<sup>5</sup>, a view with which the Inspector concurred when recommending inclusion of Toads Hole Valley within the SDNP. The Inspector’s, overall view is reflected in this statement from his report.

*“In my opinion Toads Hole Valley reads as part of the wider tract of downland landscape to the north of the A27. The road is not in itself a conspicuous feature and the passing traffic is a relatively minor landscape detractor within this large-scale and expansive landscape.”*

### **5.3 Natural Beauty Criterion – Other Matters**

- 5.3.1 Martin Carpenter raises a number of other issues related to natural beauty, such as archaeology, ecology and tranquillity. The SDC does not believe that these make a material difference to the case for or against the inclusion of Toads Hole Valley, certainly on the evidence submitted in #970/1/2 and #970/1/3.
- 5.3.2 On archaeology (appendix 12, #970/1/3), Chris Place appears to have done little more than a desk top study, so his conclusions about there being nothing of value in the area would appear somewhat speculative. Similarly, the ecological survey of the main valley area (appendix 13, #970/1/3), did not appear to cover the whole site but focussed on the part of the site north-east of the SNCI. Therefore, what value it adds is debateable, particularly since swathes of downland within the PSDNP probably have less ecological value than Toads Hole Valley.
- 5.3.3 Finally, on tranquillity, while the site might be noisier than the more remote parts of the South Downs, it is probably no different to many other areas which are included around the periphery of the PSDNP. In any case, tranquillity is not a pre-requisite for designation as a National Park as the designation criteria are based on a basket of

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<sup>4</sup> Paragraph 4.15, Landscape Evidence for Toads Hole Valley by Philip Russell-Vick – #970/1/1

<sup>5</sup> Paragraph 2.2.2, SDC Boundary Proof of Evidence, Toads Hole Valley – Inquiry Document No: 3275/7/1

indicators, not all of which have to be met all of the time. The SDC does not agree with the conclusion in the Tranquillity Report<sup>6</sup> that it is “*unsuitable for walking*”.

#### **5.4 Recreational Opportunities Criterion**

- 5.4.1 None of the objectors provide convincing reasons why Toads Hole Valley cannot act as a gateway to the wider National Park and fails the recreational criteria. Falmer Parish Council (ID No. #1123) disagrees that it can act as a gateway but provides no evidence to substantiate its claim.
- 5.4.2 BHEP (ID No. #1933) states that there is no legal public access to Toads Hole Valley (see paragraph 4.4.1 above) but this ignores the open access land on the south-west bank. This status has been confirmed since the last Inquiry and therefore represents new evidence. BHEP also ignores the bridleway, which is part of Monarch’s Way, which lies within the spur of land to the north of the school and connects Toads Hole Valley to the bridge carrying the Dyke Trail over the A27. This piece of land also forms part of addition 23. Therefore BHEP’s statement on access is fundamentally wrong.
- 5.4.3 Similarly, the proof of evidence submitted by Martin Carpenter (#970/1/2) is inconsistent in describing the recreational opportunities afforded by the addition. It acknowledges in places that some access is available on the site while in others stating that there is no access available. It is also quite wrong to suggest that just because there is not public access across the whole of the site, that it fails the recreational criteria (see paragraph 4.5.5 above). This point was accepted by Judge Sullivan in the Meyrick Judgment<sup>7</sup>.
- 5.4.4 Martin Carpenter also includes evidence of a pedestrian and horse rider survey carried out by Steer Davies Gleeve (Appendix 19, #970/1/3). Rather peculiarly, considering that the Monarch’s Way is a bridleway, there appears to have been no count of cyclists. Given that the Dyke Trail is promoted for cycling it would be surprising if cyclists were not using these routes. Therefore the survey is not a reliable guide of the recreational use of the area and it is hardly surprising that horse riders were not present coming into an urban area.
- 5.4.5 In any case, the SDC does not believe great weight should be attributed to the survey, as the presence of the Monarch’s Way and the access land show that there is the possibility of promoting recreational opportunities, even if it is currently not as well used as it could be. This is a change in the law since the previous inquiry which has come about due to Section 59 of the NERC Act and allows a slightly broader interpretation of the recreational criterion.
- 5.4.6 With regard to the use of the area, the SDC is including new evidence (annexes 1 - 3) which details the new cycle route connecting the Dyke Trail at Hangleton with the seafront in Hove. It is the new Regional Route 82, part of the National Cycle Network which is currently being constructed and close to completion. Vegetation has been cut

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<sup>6</sup> Paragraph 5.6, Appendix 18, Joint Appendices for Toads Hole Valley – Inquiry Document No: #970/1/3

<sup>7</sup> Paragraph 24, Meyrick Judgment – High Court: CD #9

back along the Monarch's Way, where it passes through addition 23, to widen the path and the route has been signed through here and along Downland Drive and then all the way down to the seafront. Some parts of the route have required substantial engineering works, including cycle lanes and new crossings. The only part of the route that won't be completed by the summer will be the short section which it was hoped would pass through the bottom corner of Toads Hole Valley. Nevertheless, in May of this year the Council is distributing 15,000 maps of the route and encouraging people to start using it. This is likely to increase use of this route with the result that the area will better function as a gateway to the Downs.

- 5.4.7 In the original representation (Appendix 16, #970/1/3) it is suggested that the Inspector, in his report:

*“erred in law by having regard to views into the site when considering the statutory test of promoting opportunities for enjoyment of the area.”*

- 5.4.8 This is an unfair criticism of the Inspector and no evidence has been forthcoming to substantiate this accusation. The SDC submits that the views enjoyed when passing through any area of countryside are importantly and inextricably linked to the opportunities for public enjoyment as in this case.

- 5.4.9 In the same representation (Appendix 16, #970/1/3) the Inspector is again accused of having:

*“acted unlawfully in having regard to and placing weight upon acts of trespass when considering the opportunities for enjoyment.”*

- 5.4.10 Again this is an unfair attack on the Inspector, with his comments having been taken out of context. SDC note that the Inspector in the same sentence, pointed out that the land is not available to the public, thus making clear that he was using the term *de facto* simply as 'in reality', describing the present status quo.

- 5.4.11 In the view of SDC, the south-western slope of Toads Hole Valley provides one of the best available public access routes from the edge of the built up area on to the Downs. From King George VI Avenue and at three points along Downland Drive, access is provided on to a pleasant path within the CROW access land. The path is completely segregated from all roads as it contours along the hillside within the part of Toads Hole Valley designated as a CROW access land, a designation confirmed since the Inquiry. The path, within an SNCI, contours along the hill, feeding directly into a bridleway which continues to cross a bridge over the A27. It is part of the Monarch's Way, a nationally important long-distance trail and feeds directly into another locally promoted trail along the old Devil's Dyke railway (see annex 4). With the new cycle route (Regional Route 82) about to be launched this summer, this will further strengthen Toads Hole Valley's role as a gateway to the wider Downs.

- 5.4.12 In the context of the recreational enjoyment of the south-western slope of Toads Hole Valley, the enjoyment of the area is greatly enhanced by the presence of the open valley area of Toads Hole Valley and the views across it to the unobtrusive line of the A27 and the higher downs beyond.

## **6 Conclusion**

- 6.1 Whether Toads Hole Valley, currently designated as AONB, should be included within the South Downs National Park hinges on the assessment of the area's natural beauty and its integration with the surrounding downland. It is clear from reviewing the evidence above that should the natural beauty criterion be met, then the recreational criterion will also be met, given the opportunities available on and surrounding the site, reinforced by the new (cycle) Regional Route 82 being launched this summer.
- 6.2 Overall, the SDC does not believe that the above objections have any sound basis. No objector has produced substantial evidence that the area does not meet the statutory criteria and that, therefore, there are no sound reasons as to why addition 23 (Toads Hole Valley) should not be included in the proposed South Downs National Park.

## **7 Recommendation**

- 7.1 The SDC considers that a substantive and compelling case for excluding this area has not been made by objectors and requests that the Inspector confirms his recommendation to the Secretary of State that the South Downs National Park Designation Order boundary be amended to include addition 23.