

South Downs National Park Public Inquiry
(Re-opened)

Addition 9 Gote Farm

(Section L, Map 8)

Written Rebuttal

by



May 2008

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1 Introduction

- 1.1 The South Downs Campaign (SDC) submits the following written representation in support of the Inspector's recommendation that additional area 9 at Gote Farm should be included in the proposed South Downs National Park within Section L, Map 8 of the proposed South Downs National Park recommended boundary modifications – June 2007 maps.
- 1.2 It is a rebuttal of the objections made during the public consultation over the summer 2007 by Strutt and Parker on behalf of the Trustees of the Glyndebourne Estate (ID No. #763) and comments on the submission made by Ringmer Parish Council.
- 1.3 The SDC is a network of organisations working for the best possible South Downs National Park, representing 150 national, regional and local groups and organisations¹.
- 1.4 This written representation follows a previous submission to the inquiry by the SDC on this area under the title Ringmer (Gote Farm) and should be read in the context of that previous proof of evidence² which remains relevant.

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

² SDC Boundary Proof of Evidence & Appendices, Ringmer (Gote Farm) – Inquiry Document No: 3275/27/1

2 Biographies of Principal Authors

2.1 Paul Millmore

2.1.1 Is currently a freelance conservation consultant. He gained a Combined Honours BA in Geography and Economics at Exeter University in 1971 interspersed with a planning internship in rural Connecticut. After graduating he worked in Zimbabwe, first as a rural planner in Mashonaland and then as economist in the forward planning team for Harare. On his return to the UK he took up a post with East Sussex County Council as an Assistant Planner and helped write an interim rural development strategy for villages prior to the preparation of the County Structure Plan.

2.1.2 In 1974, he became the first Heritage Coast Officer in the UK. Later he became South Downs Conservation Officer for East Sussex and then Countryside Manager for East Sussex, pioneering new initiatives in rights of way management, interpretation, marine conservation, guided walks, dew-pond restoration, eyesore removal and countryside management.

2.1.3 He set up the Volunteer Ranger Service and was involved in improving the rights of way in the East Sussex Downs and lobbying successfully for the South Downs to become one of the first Environmentally Sensitive Areas. The establishment of the Sussex Downs Conservation Board, the High Weald AONB Project, the Rye Bay Project and the Seven Sisters Voluntary Marine Conservation Area are examples of some of the countryside conservation he has had a major hand in. In his spare time he managed to fit in writing the National Trail Guide to the South Downs Way. He left East Sussex County Council in 1995.

2.1.4 He is one of the Vice-Chairmen of the South Downs Campaign and is a longstanding Natural England appointed member of the South Downs Joint Committee (Chairman of its planning committee). He sits on the Executive Committee of The Friends of Lewes, and is a volunteer Flood Warden for Lewes.

2.2 Robert Cheesman

2.2.1 A retired civil servant who has been Chairman of the civic society in Lewes since 1994. During his career he managed the Department of Trade and Industry's office in Cumbria and had experience of the Lake District National Park. From 2001 he has been a member of the South Downs Campaign's Executive Committee. He has taken a particular interest in cultural heritage and is a member of the cultural heritage panel of the South Downs Advisory Forum. In 2007 he was elected to the committee of the South Downs Society.

2.2.2 His leisure activities have always included walking and he was a founder member of Lewes Footpaths Group in 1964. He is familiar with rights of way legislation having been a Local Footpaths Secretary for the Ramblers Association and more recently an Area Access Officer for the South Downs Society. For many years he was an active leader in the Scout Association but currently his role is that of County Chairman in East Sussex.

2.2.3 His experience includes participating in public inquiries and other legal proceedings in addition to briefing Ministers and representing them at relevant meetings, including Community meetings in Brussels and trade policy meetings in Geneva.

3 Addition 9, Gote Farm

3.1 Brief Description of the Area and its Boundary

3.1.1 The area proposed for inclusion lies in Ringmer Parish, east of Gote Lane, south of Potato Lane and west of Neaves Lane, but excludes most of the housing abutting these lanes.

3.2 Inspector's Justification for Inclusion

3.2.1 In his report, the Inspector says:

"...the land in dispute could reasonably be included in the PSDNP as it "reads" as a continuation of the core downland landscapes." (paragraph 7.396, CD #3)

"...It also seems to me that the features of cultural and historical value identified by the objectors support my conclusion that the objection land satisfies the natural beauty criterion. And if that is accepted, the Agency does not dispute that it satisfies the recreational opportunities criterion also. I see no reason to disagree." (paragraph 7.397, CD #3)

3.3 Support for Inspector's Recommendation

3.3.1 The SDC has estimated that 138 respondents to the public consultation, in the summer 2007, supported the inclusion of addition 9 in the South Downs National Park. This includes Ringmer Parish Council.

3.4 Objector's Reasons for Exclusion

3.4.1 As far as the SDC is aware only Strutt and Parker on behalf of the Trustees of the Glyndebourne Estate (ID No. #763) has objected to the whole of this addition being included in the National Park. That said, Strutt and Parker has not submitted any evidence to the inquiry either as a written representation or a proof of evidence to back up its earlier objection at the public consultation stage. Unless otherwise stated, any paragraph numbers referred to in this section relate to its original objection made last summer.

3.4.2 The objector states in its objection that:

"The land here is unremarkable in character. Visually it comprises predominantly agricultural land of ubiquitous form and appearance. The fields are very large, and characterless as a result of modern farming techniques, designed to allow easy access for large farm machinery, and maximise crop output." (paragraph 5.3)

"The Inspector considers the area to be "open agricultural land devoid of built development, save for the Gote Farm complex". This fails to take into account the quantity of man-made electricity pylons and associated power lines which are a

dominant feature across the landscape, detrimentally affecting views of the existing AONB.” (paragraph 5.4)

“The land in question is flat and uninspiring, it is neither rugged, nor remote; nor is the site “relatively wild”. ... The site has a closer relationship to the land north and east than it does to the majority of land included within the AONB and the escarpment of Mill Plain.” (paragraph 5.6)

3.4.3 And in paragraph 5.12:

“...The characteristics of the settlement [Ringmer], including the roads, form a physical barrier between the site and other areas of the proposed National Park. Due to this, the site does not read as apart of the wider downland landscape.”

4 Rebuttal of Objector’s Reasons for Exclusion

4.1 The SDC finds it hard to see how the objector can describe the Gote Farm area proposed for inclusion as ‘*uninspiring*’ (see paragraph 3.3.2 above). While most of the area lies on the Gault clay and therefore has Low Weald characteristics, the sense of place in this area is very strongly associated with the South Downs. Just because it has Low Weald characteristics does not mean that it has a closer association with the rest of the Low Weald. Indeed as the Inspector has said:

“...It is situated immediately to the north of the escarpment, much closer than many other parts of the Low Weald that are included in the PSDNP...” (paragraph 7.396, CD #3)

4.2 The objector is also under the misapprehension that for land to be included in a National Park it must be “*rugged*”, “*remote*” or “*relatively wild*” and implies that the features which would justify inclusion are “*impressive escarpments, natural downlands and rolling hills*” (paragraph 5.6 of the objection). There is nothing in the relevant legislation specifying any such requirements; the only test is whether the land has ‘*natural beauty*’. Indeed, Section 99 of the NERC Act 2006 specifically states that land of a managed appearance is not precluded from having natural beauty.

4.3 The SDC also considers that the objector has unfairly and wrongly criticised the Inspector with regard to his comments on cultural and historical features. The objector states that:

“...The Inspector should not have concluded that any potential archaeological value on the land supported the case for satisfying the natural beauty criterion.” (paragraph 5.14)

4.4 However, the Inspector did not say this. In fact he stated that:

“...It also seems to me that the features of cultural and historical value identified by objectors support my conclusion that the objection land satisfies the natural beauty criterion...” (paragraph 7.397, CD #3)

- 4.5 The subtle difference is that the Inspector accepted that the land met the natural beauty criterion in its own right and did not rely on cultural or historic factors in coming to that conclusion. What he said as shown above is that any cultural or historic features in the area only support this conclusion, not that they were a determining factor in the area meeting the natural beauty criterion as claimed by the objector. The SDC shares this view.
- 4.6 Nevertheless, despite the objector's evidence from the Lewes District Local Plan³, which the SDC considers is out of date, the SDC believes that the objector is underplaying the area's importance from a cultural heritage point of view. In fact, when a major water pipeline was laid through the land in 2007 significant archaeological finds were made as a result of trenching operations and, although an archaeological report is not yet available, it is understood that Iron Age and Roman British settlements were uncovered⁴. This is new evidence which adds weight to the previous view that the area is of historical importance.
- 4.7 Paragraph 5.4 of the objection refers to "*electricity pylons and associated power lines which are a dominant feature across the landscape, detrimentally affecting views of the existing AONB*". Whilst the SDC agrees that such features can be environmentally damaging, in this instance it is considered that their location close to the foot of the hillside helps the landscape to wash over them so that they do not detract significantly from the overall natural beauty of the area. The SDC does not believe that the Inspector's lack of mention of the powerlines in his report means that they were not taken into account. They were certainly discussed during the SDC's appearance at the inquiry in 2004 on this area and therefore would have been considered by the Inspector.
- 4.8 It is also argued in paragraph 5.11 of the objection that "*the settlement [of Ringmer] has a large influence on the characteristics of this area.*" The SDC disputes this. Whilst it is true that Ringmer is visible from the Gote Farm area, because of the lie of the land, along with the presence of mature vegetation⁵, the view of the settlement is not as pronounced as it is from higher locations such as Mill Plain which are within the PSDNP. Nor is the settlement as pronounced as for many other urban fringe sites which have been included elsewhere in the PSDNP, as recognised by the Inspector⁶.
- 4.9 In paragraph 5.12 the objector states that:
- "the characteristics of the settlement [Ringmer], including the roads, form a physical barrier between the site and other areas of the proposed national park."*
- 4.10 The SDC does not deny that Ringmer separates Gote Farm from Ryngmer Park but believes that this is irrelevant as the main connectivity and reasons for including these landscapes in the PSDNP is not their east-west linkages but their connectivity with the downland to the south. Here, there is substantial homogeneity with the PSDNP, with

³ See paragraph 5.13 of objector's original submission to the public consultation

⁴ See inquiry submission by Tom Hollobone, Inquiry Document No: #1033/1/1

⁵ Inspector's conclusions, paragraph 7.397, CD #3

⁶ Inspector's conclusions, paragraph 7.397, CD #3

Cliffe Hill, Saxon Down, Mill Plain, the Holt, etc., particularly since the connection with the Designation Order boundary is quite broad (about 2km in width for Gote Farm).

- 4.11 It is therefore entirely spurious for the objector to infer that the Gote Farm area requires connectivity with the Ryngmer Park area to justify its inclusion in the National Park or to state that roads “*form a physical barrier between the site and other areas of the proposed national park*”⁷. As can be seen from any map of the area, there are no roads separating the Gote Farm area from the PSDNP to the south. The only roads present lie well inside the PSDNP and away from the Designation Order boundary and the Gote Farm area. There are therefore no grounds for the objector to say in paragraph 5.12 of his objection that “*this site does not read as part of the wider downland landscape [because the area is divorced from the PSDNP]*”
- 4.12 In paragraph 5.5 the objector makes a number of claims about why the area was not included in the AONB, the quality of the area and the impact of possible detractors, but provides no evidence to substantiate those claims. The only real evidence submitted of present day impacts consists of a number of photographs. However, the objector has failed to provide a map showing where the photographs were taken from, or provided any information as to the focal length of the camera lens used. Therefore it is difficult to give these photographs much weight as evidence.
- 4.13 Nowhere does the objector provide any evidence to show that the landscape has deteriorated since AONB designation. In any case, it is not for people to speculate on what might or might not have been. It is the quality of the landscape now which is the primary consideration.

5 Implications of NERC Act 2006 and Meyrick Judgment

- 5.1 The NERC Act clarified the factors that should be taken into account when determining whether an area had ‘natural beauty’ by including cultural heritage and wildlife within this definition. The SDC considers that the new archaeological evidence adds weight to the case for this area’s inclusion and reinforces the case made in its earlier proof of evidence (3275/27/1). However, the SDC does not believe that this is a critical issue as it considers that the area meets the natural beauty criterion without having to take into account wildlife or cultural heritage considerations.

6 Additional Considerations

- 6.1 The SDC notes that while the original objection, in paragraphs 5.8 to 5.10, referred to the proposed wind turbine on Mill Plain, which is within the PSDNP, these comments have subsequently been withdrawn⁸. Given that this proposal was ‘called in’ by the Secretary of State and has been the subject of another public inquiry where the decision is awaited⁹, it is difficult to make any comment on this until the outcome of that inquiry is known.

⁷ Paragraph 5.12 of the objection (ID No. #763)

⁸ See letter dated 29 February, 2008 from Strutt and Parker: Inquiry Document No: 763/1/1

⁹ A decision on the wind turbine is expected to be announced by the Secretary of State on or before 11 July 2008

- 6.2 The SDC also notes that Ringmer Parish Council has made a comment in paragraph 1 of its submission of 7 September 2007 (ID No. #1232) about addition 9. This comment strongly supports the principle of including the additional area within the National Park boundary, but objects to the inclusion of the curtilages of three 20th century houses within it. The SDC agrees that it would be appropriate to exclude these houses in the same way as other houses in Gote Lane and Potato Lane have already been excluded and in line with the Inspector's comments in the last sentence of paragraph 7.398 (CD #3).

7 Conclusion

- 7.1 The objector has failed to substantiate many of the claims made about this additional area. Therefore the objector has failed to provide any substantive reason why the area should not be included in the South Downs National Park.
- 7.2 As stated in the SDC's previous proof of evidence the land has a strong sense of place as part of the South Downs, being land that is at the foot of, and still falling away from, the chalk outlier of the Caburn block. It meets both National Park criteria and therefore should be included in the National Park, not least because it also provides a more logical and clearer boundary on the ground.

8 Recommendation

- 8.1 The SDC considers that a substantive case for excluding this area has not been made by the objector and requests that the Inspector confirms his recommendation to the Secretary of State that the South Downs National Park boundary be amended to include this area, excepting the minor boundary adjustment to exclude the three residential cottages on Potato Lane, near its junction with Neaves Lane.