

TOWN AND COUNTRY PLANNING ACT 1990

PROPOSED SOUTH DOWNS
NATIONAL PARK

**TOPIC 3: ALTERNATIVE NATIONAL PARK
BOUNDARY RUNNING NORTH FROM
PETERSFIELD AND EAST OF
PULBOROUGH**

STATEMENT OF CASE

By: White Young Green Planning
On behalf of: Phillips (Build) Ltd

DOCUMENT VERIFICATION

Client: Philips (Build) Ltd
Project: Causeway Farm, Petersfield
Job Number: HP98082
Document Title: Statement of Case

Prepared by: Katherine Fitzherbert-Green

Signed:.....

Date:

Approved for issue by: Rob Collett

Signed:.....

Date:

White Young Green Planning
The Loft
St Clair's Farm
Wickham Road
Droxford SO32 3PW

Tel: 01489 872929
Fax: 01489 872939
E-mail: planning.southampton@wyg.com
Website: www.wyg.com

Contents

- 1.0 Introduction
- 2.0 Background
- 3.0 Statement of Case
- 4.0 Conclusions

Appendices

- A Proposed South Downs National Park (recommended boundary modifications – June 2007)

1.0 Introduction

- 1.1 White Young Green Planning have been instructed by Philips (Build) Ltd to act on their behalf following the decision of the Secretary of State to re-open the inquiry into new issues relating to the South Downs National Park (Designation) Order 2002 (as varied by the South Downs National Park Designation (Variation) Order 2004).
- 1.2 DEFRA's 'Terms of Reference' for the re-opened inquiry take the form of five topics for consideration as detailed in Section 2.4. This Statement of Case seeks to address issues relating to 'Topic 3 – Alternative National Park boundary running north from Petersfield and East of Pulborough' which is otherwise referred to as the 'Western Weald'. It outlines the background to date before setting out the case regarding the appropriateness of the boundary line as presently drawn by Natural England at the Inspector's request.
- 1.3 Regard will also be given to the Inspector's recommendation to exclude the town of Petersfield, Hampshire as part of this alternative boundary with particular reference to land to the south of Petersfield, known as Causeway Farm. Causeway Farm is a 9.1 ha site to the south of Petersfield which has been promoted and duly allocated as a potential reserve housing site within the second review of the East Hampshire District Local Plan. Most recently, this site has continued to be promoted through the South East Plan to demonstrate that development at this site would actively contribute to meeting housing demands in Hampshire.

2.0 Background

2.1 The decision of the Secretary of State to re-open the public inquiry to the South Downs National Park was taken in response to legislative changes at Sections 59 and 99 of the National Environment and Rural Communities Act 2006.

2.2 The changes were implemented following a High Court judgement (Meyrick Judgement) of November 2006 which resulted in a small area of land being taken out of the New Forest National Park. It also addressed the basis on which the natural beauty and recreation criteria for designating a National Park are assessed. A subsequent appeal by DEFRA in February 2007 against this judgement was rejected. As a consequence, two provisions were introduced to the Natural Environment and Rural Communities (NERC) Act 2006 to return the interpretation of the statutory designation criteria to essentially reflect that understood previously.

2.3 Following these changes, the criteria for determining areas of natural beauty worthy of National Park status, as outlined in the Natural Environment and Rural Communities (NERC) Act 2006 (as amended), enable the Inspector to:

- 'Take into account an area's wildlife and cultural heritage' (Section 5(2A)(a)); and
- 'Treat as being an area of natural beauty an area which consists of or includes land used for agricultural or woodlands, or used as a park or an area whose flora, fauna or physiological features are partly the produce of human intervention in the landscape' (Section 99).

The 2006 Act continues to consider criteria for considering open air recreational opportunities under Section 5 (2A)(b). It is indicated that consideration may 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.

2.4 In deciding to re-open the Inquiry, DEFRA has set a number of terms of reference for the Inspector. These comprise the following and are to be considered in the context of the terms of the original inquiry:

- i. any implications for the Designation Order (as varied by the Variation Order) arising directly as a result of the revised National Parks legislation – amendments to the

National Parks and Access to the Countryside Act 1949 made by the Natural Environment and Rural Communities (NERC) Act 2006;

ii. any implications for the Designation Order (as varied by the Variation Order) arising directly as a result of the High Court and Court of Appeal Judgments in the challenge by Meyrick Estate Management Ltd relating to the New Forest National Park;

iii. the possible alternative boundary line from north of Petersfield running east across to Pulborough, produced by Natural England at Defra's request, based on a recommendation in the South Downs Inquiry Report Volume 1, Part 2 (para 2.71); and

iv. those possible additional areas of land recommended for inclusion within the proposed South Downs National Park against which there have been objections;

v. if any other points raised during public consultation held during 2007 have caused the Inspector to change any of his recommendations.

2.6 Of reference to this Statement of Case is Topic 3 as stated above regarding the position of the proposed National Park boundary which excludes the non-chalk landscapes (known as the Western Weald), unless such areas have a strong visual link or other association with the chalk landscape. This decision of the Inspector was a direct result of the volume of representations made regarding the need for the National Park to focus on the chalk ridge of the South Downs themselves. The Inspector responded to these concerns by asking the Landscape Assessor to prepare a supplementary report of the A3 corridor and Rother Valley.

3.0 Statement of Case for Topic 3 - Alternative National Park boundary running north from Petersfield and East of Pulborough'

Landscape Considerations

- 3.1 Assessments of the broad area by West Sussex County Council and Chichester District Council as referred to in the Inspector's report (Part 2, Section 1) have previously revealed that the South Downs is defined by the underlying chalk geology, land use and vegetation in conjunction with the rolling topography. Such assessments have additionally identified areas that do not meet the same standard of character, comprising the Wealden Landscapes and coastal lowlands. Of particular relevance to this statement are the Wealden Landscapes which comprise of chalk, clays and Greensand occurring in sequence and extending from Petersfield in the west towards Pulborough to the east as illustrated in Appendix A. These areas have been noted for their international ecological value and scenic attraction.
- 3.2 To date, consideration of the area for potential National Park status has focused on the chalk hills, which is continued within the Inspector's report of the most recent Inquiry. As the Landscape Assessor states, 'only the chalk downland areas have the distinctive and characteristic natural beauty appropriate for the proposed South Downs National Park'. This view is reiterated by the Inspector who considers that the South Downs, 'because of their natural beauty and the opportunities they provide for open air recreation, the chalk hills [*my emphasis*] merit National Park status' (Part 2, Para. 1.1).
- 3.3 Whilst initially included within the proposed South Downs National Park boundary, the change in character expressed by the non-chalk and lowland landscape has been acknowledged by the Inspector. Whilst the area was found to be of outstanding natural beauty in itself, the Landscape Assessor determined that to qualify for inclusion in the South Downs National Park, land has to be of both outstanding natural beauty and of distinctive 'South Downs' character. As such, the Inspector required that 'the length of the Proposed South Downs National Park boundary included in Sections E – H be reviewed to exclude lower quality landscapes and non-chalk landscapes other than where the later have a strong visual link or other association with the core chalk downs' (Para 2.71) (Appendix A).

- 3.4 This decision of the Inspector to give further consideration to the lower quality and non-chalk landscapes clearly emphasises that it is not sufficient to include these landscapes within the South Downs National Park simply because they have a visual, historical or cultural link with the rolling chalk downs. As the Inspector concludes, whilst the Wealden landscapes may have ‘characteristic natural beauty’, this is ‘decidedly different from the characteristic natural beauty of the chalk hills’ which dictates the landscape form of the proposed South Downs National Park.
- 3.5 Notwithstanding this, Natural England within their Position Paper 5 (Jan 2008) accepts that ‘there may be a variety between the landscape character types found in a National Park (e.g. chalk as well as sandstone)’ and that ‘past National Park designations have not been restricted to single character areas’ (para 48). Indeed, differing landscape character types can collectively contribute to an overall assessment of ‘natural beauty’ as required by the NERC Act 2006, however this should not distract from the chalk landscapes that form the fundamental characteristic of the South Downs and are the very reason that National Park status is being considered.
- 3.6 By way of illustration, reference can be drawn from the New Forest National Park which provides guidance on how differing landscape types sited in conjunction with one another should be considered. The Inspector noted that ‘virtually all current members of the National Park family have a distinctive identity that tends to reflect core landscape characteristics’ and that peripheral areas should have the same character and quality as these ‘core landscape characteristics’. Whilst there may be unifying links (e.g. history, culture), the Inspector concluded that peripheral areas, even if they have their own high landscape value might not merit inclusion if they do not meet the core character, preventing the landscape of the National Park from being ‘coherent and distinctive’.
- 3.7 For consistency purposes, this approach should also be applied to the proposed South Downs National Park. By including the coastal lowlands and the Western Weald introduces greater variety into the designated landscaped only serving to weaken the uniformity or distinctive landscape character expressed by the chalk hills. The Inspector, by correctly excluding the non-chalk landscapes, is therefore placing focus on the areas of highest quality landscape type to meet the statutory criteria of

'natural beauty' contained within NERC Act 2006 as well as ensuring consistency with national park decisions in recent times.

Recreational opportunities

- 3.8 In addition to requirements of 'natural beauty', a National Park should offer, or have the potential to offer, 'markedly superior recreational experience'. This is true of the chalk hills of the South Downs as recognised by the Landscape Assessor, and endorsed by the Inspector, who stated that the chalk hills display 'relative wildness, openness and the lack of settlement' which is a characteristic of National Parks (Para.2.0(i)). In terms of recreational experience, this 'openness' and 'wildness' offers 'an ability to get away from it all' (Inspectors Report – para 3.50).
- 3.9 By contrast, the Inspector noted that the 'tranquillity, openness, a sense of wildness and remoteness are not qualities generally associated with the coastal lowlands or much of the more settled, intimate and enclosed Wealden landscapes' (Para 2.20). It is therefore correctly concluded that this enclosed landscape affects the 'ability to provide a markedly superior recreational experience' and is not sufficient to promote opportunities for the undertaking and enjoyment of the area's special qualities by the public. In light of these conclusions, the Wealden landscapes are considered to fail associated statutory criteria for open air recreational opportunities under Section 5 (2A)(b) of the NERC Act 2006.

South Downs Integrated Landscape Character Assessment (2005)

- 3.10 Since the close of the Public Inquiry, the South Downs Integrated Landscape Character Assessment (2005) has additionally been published to supersede the East Hampshire Integrated Management Guidelines (1998) and the Sussex Downs Landscape Character Assessment which previously informed the Inspector's decisions. The SDILCA (2005) is evidently the most up to date documentation regarding the landscape character of the area and has relevance to the Inspector's consideration of the designated boundary. It is our view that the Inspector's recommendation is further supported by this Assessment (2005) and we commend that the boundary remain as presently drawn as this is the most satisfactory solution to address the land from Petersfield to Pulborough.

Relationship to Petersfield, Hampshire

- 3.11 As previously indicated, reference is made to the traditional national park qualities of tranquillity, openness, a sense of wildness and remoteness. These criteria are considered by the Inspector to be met within the core chalk downlands and set these areas apart from other landscapes of scenic and natural beauty. The Inspector however does acknowledge within his report (para. 3.84) that 'Man's presence is much more in evidence and pervasive in the South Downs and the ability to get away from it all is more restricted'. This is particularly evident when in sight or sound of the largest centre within the proposed boundary, Petersfield.
- 3.12 Petersfield lies within the A3 corridor which is recognised by the Inspector as containing 'a significant amount of built development and is also notable as a major transportation corridor'. In response to the Landscape Assessor's assessment of the A3 corridor, the Inspector recognises that 'apart from the visual and aural intrusion associated with the busy A3, the corridor carries the main Portsmouth–London railway line as well as the B2070 within its associated sporadic development at Hill Brow and Rake'. Given that the A3 has a wide visual impact and carries high traffic volumes, we concur with the Inspector that this tends 'to fragment the landscape and undermine any sense of remoteness and tranquillity'. As such, it is rightly justified that the setting of the town within the Western Weald fails to meet the statutory criteria for National Park Status on this basis.
- 3.13 Further justification for excluding Petersfield from the National Park boundary can additionally be drawn using reference to the New Forest National Park for consistency purposes. At this time, it was considered that for a settlement to be worthy of inclusion within the national park, it should 'blend in' or 'be penetrated' by the surrounding countryside. As such, those settlements excluded from the national park tended to be of a size that contained defined settlement areas with associated housing, commercial and industrial uses, rather than 'fragmenting' or 'blending' into the landscape.
- 3.14 It is acknowledged that settlement size is not justification alone for excluding a settlement from the National Park boundary, and needs to be considered in relation to the quality and natural beauty of the surroundings. Indeed, the Inspector

determined that settlements such as Petersfield, Arundel and Lewes 'would be unlikely to satisfy the designation criteria' (Para 3.1) on the grounds that the size and variety of built development would also fail the 'natural beauty' test. Using the New Forest National Park by way of example, consideration was given to the merit or otherwise of including sizeable settlements in a National Park that had recognisable built quality but failed to satisfy designation criteria. As a consequence, a number of towns and large villages, such as Lymington were excluded from the New Forest National Park boundary in the same way as Petersfield is also considered for exclusion.

- 3.15 By way of justification for the exclusion of Petersfield on 'quality' and 'natural beauty' grounds, the Landscape Assessor sets out in paragraph 3.22 of his report that to the south and east of Petersfield hedgerow removal, field amalgamation and loss of hedgerow trees has reduced the quality of the landscape. Furthermore, he states that *"although this gently sloping landscape has extensive views of the chalk escarpment to the south and Hangers to the west, it has little capacity to absorb the noise and visual impacts associated with the southern urban fringe of Petersfield and transport infrastructure"*. Importantly, the Landscape Assessor identifies that these impacts have been so severe that the quality of the landscape *"fails to meet the natural beauty criteria"*.
- 3.16 We note the Inspectors' references to the Landscape Assessor's finding in paragraph 7.105 of his Part 2 report, which sets out that, although Petersfield has high quality townscape qualities and visual links to the wider area, it is a large settlement (and if designated would be the largest town in any National Park in England and Wales) where the landscape had been degraded by *"commercial, industrial and other peripheral development that has taken place in recent years which is visible from the A3 and elsewhere"*.
- 3.17 The Landscape Assessor at paragraph 3.49 recommended that the boundary of the National Park to the west and south of Petersfield should follow *"easily recognisable features along the eastern limit of the 'Hangers on Greensand' landscape type [and] should follow the northern edge of the 'Hangers on Greensand' landscape type"*. In our view Natural England has correctly interpreted this direction, in particular by not drawing the boundary tightly around Petersfield but rather excluding those areas, such as the confluence of the A3 and the main railway line to the south of Petersfield,

where the natural beauty of the landscape has been most impacted by the expansion of Petersfield.

- 3.18 In light of the Landscape Assessor's findings which have been endorsed by the Inspector, we would concur that the exclusion of Petersfield from the National Park boundary is the correct approach. Furthermore, given the location of Petersfield on the periphery of the proposed boundary and not within the core of the chalk hills, such exclusion would not create any 'hole' within any National Park designation. The question of what should happen to those areas which fail the natural beauty criterion is addressed within Topic 5 of this re-opened inquiry.

Effect upon Petersfield, Hampshire

- 3.19 Development pressures need to be considered in conjunction with the protection of the landscape and to date, this has been addressed through the allocation of the AONB. Whilst the AONB designation has not wholly prevented development, it has restricted the wider growth of towns such as Peterfield to function as a district centre. As such, unless the landscape quality of an area meets the core characteristics for the South Downs National Park, then landscape designations should not be used as a mechanism for constraining development. This issue is subsequently explored with reference to the Local Plan Inspector's considerations to land south of the town at Causeway Farm.
- 3.20 As noted above, Petersfield would, if included within the National Park, be the largest town within any National Park in England and Wales. Petersfield serves an important function as the market town for a substantial rural hinterland, providing transport links, shopping facilities, a range of educational and medical facilities, and dedicated employment areas. It is facing substantial pressures for additional housing, employment provision and new infrastructure to support the future of the settlement.
- 3.21 The resultant restrictive planning regime imposed on Petersfield as a direct result of its position with the AONB and initial inclusion in the National Park has substantially affected the ability of the town to respond to development pressures. The Local Plan Inspector's report at paragraph 5.8.8 states: *"I place a good deal of importance upon natural beauty as an environmental constraint . . . Designation as AONB does not preclude development, but if it is to have any clout there must be very good reasons*

to allocate land within it . . . I therefore put the Petersfield Reserve Sites towards the end of the list, and I very much hope that they will never be developed.”

- 3.22 The Local Plan Inspector’s conclusions, strongly influenced by the AONB designation washing over Petersfield, led him to delete all baseline housing allocations and employment allocations on the edge of Petersfield. As a direct result of this, Petersfield has no opportunity – unless large windfall housing sites come forward – of providing any additional affordable housing during the plan period to 2011 to meet its pressing affordable housing needs.
- 3.23 For example, in relation to housing proposals on a 9.1 hectare site at Causeway Farm, on the south side of Petersfield, the Local Plan Inspector commented at paragraph 5.3.300 of his report: *“It does not surprise me that the land is part of the AONB that washes over these high quality rural and more urban surroundings . . . On the face of it, therefore, the status of this land is a good reason for its protection from development.”* The demotion of the Causeway Farm site to a reserve housing site highlights the consequences for Petersfield of the Inspector’s decision-making process and stifles future growth.
- 3.24 With an overall capacity for 275 new houses, Causeway Farm could provide 96 affordable houses in a sustainable location, as acknowledged in paragraph 5.105 of the East Hampshire District Local Plan: Second Review: *“The site is located relatively close to the town’s facilities and pedestrian and cycle links would further improve the accessibility”*. The Local Plan goes on to explain *“affordable housing is best sited on land that is well served by public transport and is convenient to local services and facilities”* [paragraph 5.157].
- 3.25 In respect of employment proposals on a 1.4 hectare site at Causeway South, the Local Plan Inspector also commented at paragraph 6.95 of his report *“The allocation would lead to a most damaging intrusion into the attractive rural setting of this historic market town and into the specially protected landscape that surrounds and washes over it”*. There is little doubt that the Local Plan Inspector accorded limited weight to the argument that the town requires opportunities to develop because of the AONB designation washing over Petersfield.
- 3.26 It is notable however that the Local Plan Inspector’s views contrast with those of the Landscape Assessor, who concluded that the urbanising impacts of development to

the south and east of Petersfield and the A3 corridor result in this area failing to meet the necessary natural beauty criteria for National Park status. Therefore, should Petersfield continue to be excluded from the South Downs National Park boundary, with possible revocation of the AONB (as addressed within Topic 5), the fundamental basis of the Local Plan Inspector's conclusions regarding potential development sites would be called into question. This in fact would have positive long term benefits for the town to prosper as a sustainable location for development and meet local needs as a district centre.

4.0 Conclusion

- 4.1 The South Downs has been considered as a candidate National Park on a number of occasions with a perception that the focus should be upon the landscapes that bear reference to the 'South Downs' name. It is considered that this approach should indeed be continued given that the South Downs chalk hills truly meet the requirements of natural beauty and open air recreational opportunities.
- 4.2 Rigorous assessment has been given to the adjacent non-chalk landscapes or those areas of lower quality and not found to meet the necessary criterion of the NERC Act 2006 (as amended) for National Park status. Whilst these landscapes possess their own character and quality, this differs from the core landscape characteristic of the chalk downs. Furthermore, the proximity to built form fails the requirement for the area to possess a relative wildness and remoteness to the same standard, which is particularly relevant for the A3 corridor that dissects the landscape with its associated visual impact. As a consequence, the opportunities for a 'markedly superior recreational experience' are significantly reduced.
- 4.3 Furthermore by supporting the Inspector's recommended revision to the National Park boundary to exclude the Western Weald allows the town of Petersfield to properly function as a district centre and fulfil its potential for meeting local needs.
- 4.4 For all of the above reasons, it is respectfully requested that the Inspector continues to recommend the alternative National Park boundary running north from Petersfield and East of Pulborough' to the Secretary of State.

APPENDIX

Proposed South Downs National Park
(recommended boundary modifications – June 2007)