

<b>REPORT TO:</b>	<b>Planning Policy Committee – 18 March 2025</b>
<b>SUBJECT:</b>	<b>Response to Regulation 18 consultation on the South Downs Local Plan Review (20 January to 17 March 2025)</b>
<b>LEAD OFFICER:</b>	<b>Victoria Hobday (Senior Planning Officer)</b>
<b>LEAD MEMBER:</b>	Cllr Gill Yeates - Chair of Planning Policy Committee
<b>WARDS:</b>	<b>All wards (mainly those adjoining the South Downs National Park)</b>
<b>CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:</b>	
<p>The recommendations support:-</p> <ul style="list-style-type: none"> <li>• Improving the wellbeing of Arun; and</li> <li>• Supporting our environment to support us.</li> </ul>	
<b>DIRECTORATE POLICY CONTEXT:</b>	
<p>The proposed response to this consultation will contribute to improving the wellbeing of Arun, protecting the district’s natural environment assets and promoting economic growth in a sustainable manner, striking the balance between the need for development and the protection of scarce resources.</p>	
<b>FINANCIAL SUMMARY:</b>	
<p>The South Downs National Park Local Plan Review Regulation 18 consultation that is the focus of this report is not owned or under the responsibility of the council to produce, so there is no direct budgetary or financial impact on Arun.</p>	

## **1. PURPOSE OF REPORT**

- 1.1. This report is intended to update members of the Planning Policy Committee on the key messages from the current Regulation 18 consultation on the South Downs National Park Authority’s (SDNPA) Local Plan Review, particularly any changes that may directly and indirectly affect Arun residents. It also seeks approval for Arun’s proposed response to the consultation.
- 1.2. The SDNPA Local Plan Review is being consulted on under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 from 20 January to 17 March 2025. Whilst the consultation period officially expires before the date of this meeting the SDNPA has agreed to an extension of time for Arun District Council to submit any comments by 21 March 2025, to take account of the Planning Policy Committee meeting dates.
- 1.3. The proposed response to this consultation is presented for consideration in Appendix 1.

## **2. RECOMMENDATIONS**

### **2.1. Planning Policy Committee resolves to:-**

- i. Note the content of the SDNPA's Local Plan Review insofar as it affects interests within the Arun District.
- ii. Agree the proposed response to the SDNPA Local Plan Review (Appendix 1).
- iii. Delegate authority to the Group Head of Planning to, if necessary, make minor editorial changes prior to issuing the consultation response to the SDNPA.

## **3. EXECUTIVE SUMMARY**

- 3.1. This report is intended to update members of the Planning Policy Committee and seek their agreement on the draft response to the South Downs National Park Authority (SDNPA) on a current Regulation 18 Consultation on their Local Plan Review. The current South Downs Local Plan covers the period 2014 to 2033 and was adopted in July 2019. It is being reviewed to ensure it is up-to-date and addresses critical issues such as nature recovery, climate change, affordable housing and helping local communities thrive.
- 3.2. The new South Downs Local Plan is intended to cover the period up to 2042. The Regulation 18 consultation of the Local Plan Review started on 20 January 2025 and is the main opportunity for people to help shape the final Plan, so the National Park Authority (NPA) is inviting comments from local communities, stakeholders, and the development sector. This feedback will help shape the next version of the Local Plan, which is intended to be published in 2026 ahead of its submission for examination by an independent Inspector. Once the new Local Plan is formally adopted it will be used to help decide all planning applications in the National Park.
- 3.3 This report provides a brief overview of the Local Plan Review. It considers any changes that are intended to apply within the district or that may impact the review of the Arun Local Plan (ALP). Finally, it recommends a suitable response to the consultation on behalf of Arun.

## **4. SOUTH DOWNS NATIONAL PARK LOCAL PLAN REVIEW**

- 4.1 The review of the South Downs National Park Local Plan commenced in May 2022 with the updating of the evidence base for the Plan. This included a 'call for sites' in Summer 2022 to inform a Land Availability Assessment and the publication of the Housing and Economic Needs Assessment in November 2023. The NPA undertook various other evidence base updates and assessments required by legislation, e.g. Habitats Regulations Assessment and Sustainability Appraisal incorporating Strategic Environmental Assessment. Early engagement was carried out with Town and Parish Councils from February 2023, with additional 'early participation' public engagement in the third quarter of 2024 to reflect the requirements of the new plan-making system being introduced under the Levelling Up and Regeneration Act (LURA) 2023.

4.2 The NPA is also reviewing its Partnership Management Plan (PMP) which sets out the long-term vision and objectives for the National Park. Whilst the PMP has a wider remit than just planning, the Local Plan is a delivery vehicle for many of the PMP objectives, hence the SDNPA consider it important that the two plans align with and support each other. A Corporate Plan is also produced every five years, setting out the priorities for the NPA. The priorities for the period 2020-2025 are nature recovery, climate action and a National Park for all, and these priorities are reflected in the Local Plan Review.

4.3 The SDNPA's anticipated timeline following this consultation is:-

- Present Pre-Submission version of Plan to Planning Committee and a full NPA meeting – October – December 2025;
- Second Public Consultation Document (Regulation 19) – early 2026;
- Submission for examination – 2026;
- Adoption – 2027.

## Overview

4.4 In addition to NPA priorities set out in Paragraph 4.2 above, the scope of the Local Plan Review responds to a number of issues, including:

- Changes to national policy and legislation, including the National Planning Policy Framework (NPPF), and upcoming changes to the plan making system in the LURA 2023, including National Development Management Policies.
- Changes to the NPA's priorities and objectives.
- New issues which have arisen since the adoption of the current Local Plan, e.g. Biodiversity Net Gain (BNG).
- Development management decisions and appeals, and difficulties encountered in implementing adopted policies.

4.5 The factors which fed into the various policy updates are helpfully indicated in the preamble to each draft policy. In addition, the actual proposed changes are indicated either by striking through text proposed for removal and underlining new text. There are clearly articulated questions for consultation which focus, but do not restrict responses. Finally, there is effective use of a colour scheme for indicating the scale of changes to the policies. This all makes for a very clear and user-friendly consultation document, and there is much inspiration as we progress the review of the adopted ALP, in terms of presentation.

## Selected detail and implications for Arun

4.6 The NPA's core policy in respect of the presumption in favour of sustainable development is unchanged (SD1). Its approach to ecosystem services (SD2) has been strengthened and reflects the emerging concept of 'Regenerative Design', which is a holistic approach in which human systems are designed to co-exist and co-evolve over time with natural systems. It seeks not only to reduce harm and restore equilibrium but goes a step further in seeking to restore and repair damage done to date. As well, the policy incorporates the concept of 'environmental net gain', which firmly establishes an expanded definition of ecosystem services as the foundation for the Local Plan Review. These approaches are reflected in a number of other policies, including those relating to the water environment. The policy on major development (SD3) adds the requirement for such development to have a Health Impact Assessment, firmly establishing the link between sustainable places and health and wellbeing outcomes.

4.7 The landscape and heritage policies have been revised to emphasise the protection of cultural heritage in line with the provisions of the LURA, and address frequently occurring matters in the planning application process.

4.8 The nature recovery policies have been reviewed and revised to incorporate updated planning and environmental guidance and legislation and for the most part, go further than the existing policies in the ALP, including the proposal to require a higher percentage of BNG in new developments, beyond the statutory minimum of 10%. The consultation posits various alternative scenarios for viability testing, as set out below:

Scenario 1 – a minimum of 20% for all types of relevant development.

Scenario 2 – a minimum of 10% for minor development and 20% for major development.

Scenario 3 – as Scenario 2 plus 33% for strategic greenfield sites.

Scenario 4 – a minimum of 25% for all relevant development according to the following:

- Provision of the statutory minimum of 10% Biodiversity Gain must follow the Government's Biodiversity Gain Hierarchy which prioritises on-site provision in the first instance.
- Provision of the portion of Biodiversity Gain beyond the statutory minimum (10-25%+) to be incentivised to deliver via strategic offsetting sites.

4.9 Although the new Arun Local Plan (2023 to 2041) is still at an early stage of preparation, the viability testing and evidence base for this policy could potentially influence Arun's approach to BNG as part of the review of the ALP and we could, similarly, test various scenarios for establishing a new BNG requirement that is above and beyond that currently required under statute. This will be explored further under the emerging Biodiversity Strategy and Action Plan and as the ALP review progresses. As well, a new policy (NEW4) on the Arun Valley SPA/SAC/Ramsar dealing with water neutrality could, similarly, set a precedent for consideration as part of the ALP review, should this emerge as an important issue for the district.

- 4.10 Whilst the climate action policies are not plentiful, the SDNPA corporate policies on Climate Action and Nature Recovery are considered to have been appropriately picked up in a number of policies in the South Downs Local Plan Review.
- 4.11 The policy on the supply of homes (SD26) defers an update on housing figures to the Regulation 19 (pre-submission publication) stage, and the current Regulation 18 Local Plan Review proposes potential allocations into which further work is needed to confirm viability. The existing SDNP Local Plan makes provision for 250 new dwellings per year, including a windfall allowance. This updated Plan notes that the (then) annualised objectively assessed need (OAN) was 447 dwellings per year, but the Sustainability Appraisal confirmed that the NPA would not be meeting its statutory purpose as a National Park if it were to fully meet the OAN within its own boundaries. Whilst the ALP makes provision for the whole of the OAN for housing in the district's administrative area, including the part that lies within the SDNPA, Arun's increased Local Housing Need under the new standard methodology will be very challenging to achieve. Notwithstanding the Duty to Corporate requirements, Arun is unlikely to be in a position to meet unmet housing need arising from the SDNPA. The draft response to the current consultation in Appendix 1 to this report proposes that the SDNPA carefully considers its ability to provide for its needs as part of an appropriate quantum of development, given that Arun is not the only neighbouring authority that is grappling with the demanding housing figures arising from the new standard methodology for calculating need, noting that the overall proposed increase in housing numbers over the whole of West Sussex equates to around 43%
- 4.12 Other housing policies, including those relating to accessible homes (NEW1), affordable homes (SD28) and rural exception sites (SD29) all set higher and more specific requirements than the policies in the Arun Local Plan. The viability testing of these and other policies will likely influence the review of the ALP in due course, albeit noting that house prices for properties in the South Downs National Park itself are likely to be higher, on average, than those for equivalent sized properties outside of the SDNP.
- 4.13 In terms of allocations, the Local Plan Review proposes carrying over an existing allocation at Soldiers Field House, Findon (SD70). We are not aware of any significant changes in circumstances since the site was allocated in 2019 which would justify amendments to this allocation. The Local Plan Review identifies a potential allocation at the Former Allotments north of The Quadrangle, Findon, which emerged through the 'call for sites' process in summer 2022. Paragraph 5.1 of the Local Plan Review notes that this, and other potential allocation are provisional, and "further work will need to be undertaken before they can be included within the final Plan." Based on the information provided, the site identified provisionally for 20 dwellings is well contained by hard boundaries including Findon Road and existing development. Other than these sites, there are no further existing or proposed allocations within the Local Plan Review in Arun District.
- 4.14 With the exception of the employment need figures (SD35), the policies relating to the economy are largely unchanged. There is a new policy (NEW8) which supports viticulture, winemaking and wine tourism, subject to protection of the existing local retail offer.

4.15 Connectivity and accessibility within the National Park is emphasised, including the importance of an enhanced green infrastructure network.

## **5. CONSULTATION**

5.1. Consultation has been carried out within Arun's Planning Policy and Climate Change and Sustainability Teams to inform the potential responses.

## **6. OPTIONS / ALTERNATIVES CONSIDERED**

6.1. To consider and respond to the consultation and where necessary take account of its content, through any necessary integration into strategies or plans that the council may create.

6.2. To note the consultation but not to incorporate its content, where needed, or formally respond at this stage. This option was discounted on the basis that maintaining robust working relationships with Arun's neighbouring authorities is advisable and indeed necessary given the Duty to Corporate requirements enshrined in legislation.

## **7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER**

7.1. As a consultee there are no financial implications from the content of this report.

## **8. RISK ASSESSMENT CONSIDERATIONS**

8.1. By responding to the consultation, the council may be able to influence the form of the final plan. Not doing so may open risk of failing to comply with Duty to Corporate requirements in the plan-making system.

## **9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER**

9.1. As a consultee and stakeholder there are no direct legal or governance implications for the council.

## **10. HUMAN RESOURCES IMPACT**

10.1. There are no direct human resource impacts for the council.

## **11. HEALTH & SAFETY IMPACT**

11.1. There are no direct health and safety implications arising from this report's recommendations.

## **12. PROPERTY & ESTATES IMPACT**

12.1. There are no direct implications for property and estates from the content of this report.

### **13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE**

13.1. The council is a consultee and the document being consulted on is the responsibility of another organisation, hence there are no direct implications for the council regarding equalities.

### **14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE**

14.1. There will be no direct impacts to the environment as the council is only a stakeholder on the plan.

### **15. CRIME AND DISORDER REDUCTION IMPACT**

15.1. There are no implications from this report on crime and disorder.

### **16. HUMAN RIGHTS IMPACT**

16.1. No human rights would be impacted by this proposal.

### **17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS**

17.1. As the council is purely responding to a statutory consultation being carried out by another statutory body, there are no direct implications in terms of data protection.

#### **CONTACT OFFICER:**

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**Name:** Victoria Hobday  
**Job Title:** Senior Planning Officer  
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#### **BACKGROUND DOCUMENTS:**

1. [The South Downs National Park Local Plan Review](#)

***Appendix 1: Proposed ADC Response to the South Downs  
National Park Local Plan Review***





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South Downs National Park Authority  
Planning Policy Team,  
South Downs Centre,  
North Street,  
Midhurst GU29 9DH

21 March 2025

Please ask for:

Your Ref:

Neil Crowther  
Growth

Our Ref:

Direct Line: 01903 737839

Dear Sir/Madam

### **Consultation on the South Downs National Park Authority Local Plan Review**

Thank you for the opportunity to comment on the documents forming the first public consultation (Regulation 18) on the South Downs National Park (SDNP) Local Plan Review. Please accept this letter as representing the formal response from Arun District Council (Arun). I would like to extend our thanks for granting us a short extension of time to allow our elected members to consider this response at Planning Policy Committee on 18 March 2025.

#### General comments

Arun applauds your proactive approach to updating your Local Plan, and we particularly commend the clear and focused approach to identifying the proposed changes from policy text which is otherwise unchanged. We note and support the various changes which have been proposed in response to new policy and guidance at the national level, including the NPPF.

In general, we consider that you have properly identified the key issues likely to be of relevance to the Local Plan Review, especially in respect to the core policies focused on sustainable development, the significance of landscape and heritage, and environmental considerations including climate action, nature recovery and water and pollution. We are in agreement with the broad focus of the Local Plan Review and consider that the main challenges that need to be addressed through a strategic approach have been identified. Points of detail are addressed in the table which is appended to this letter.

Thank you once again for giving us an opportunity to comment on the SDNP Local Plan Review and we wish you all the best in taking this forward. We look forward to following progress on the Plan and to proactively engaging with the SDNPA as the Plan develops.

If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact me.

Yours sincerely

Neil Crowther  
Group Head of Planning – Growth Directorate  
Arun District Council

Policy	Comment
<b>Core Policies</b>	
SD2: Ecosystem Services	Arun supports the requirements for major applications. We note the changes and feel that the use of regenerative design to restore ecosystem services is a technically complex requirement and may be restrictive to minor applications by putting onerous burdens on applicants to evidence how they are meeting this policy. The SDNPA may wish to consider a threshold for triggering this requirement.
SD3: Major Development	Whilst we generally support the requirements for major applications, we feel this change may be restrictive to minor applications by putting onerous burdens on applicants to evidence how they are meeting this policy. This could be addressed through a threshold for triggering requirement at criterion 4. The planning term 'Major Development' is already clearly defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended, and it may, therefore, be confusing for the SDNP to suggest that it will use an alternative definition based on perceived impact. It may be preferable for policy SD3 to refer to 'Significant' development' rather than 'Major.'
<b>Landscape &amp; Heritage</b>	
SD4: Landscape Character	We note the changes to the wording at to 1d and wish to draw your attention to the fact that many non-native species are equally valuable for wildlife. Also, many native species, particularly street trees are unsuited to the urban environment. Diversity of plants is key to climate change adaptation.
<b>Nature Recovery</b>	
SD9: Biodiversity & Geodiversity	<p>We support the changes to SD9, including the inclusion of green, blue and dark corridors. We consider the policy should, however, reference the biodiversity duty on public bodies introduced by the Environment Act 2021 to conserve and enhance biodiversity.</p> <p><u>Biodiversity Net Gain</u>: We support the inclusion of reference to BNG into policy SD9 and consideration for seeking a higher percentage of BNG beyond the mandatory 10%. Whilst we support the principle of testing four scenarios, we offer no preference for any of these. We are interested in the viability testing and</p>

	<p>evidence base as the findings may help to influence development of Arun’s emerging Local Plan policy in relation to BNG.</p> <p>It should be noted that under the current Government Guidance, applications that deliver non-significant habitat gains are not required to secure a HMMP or 30-year management and maintenance – see extract below from DEFRA Guidance - <a href="#">Make on-site biodiversity gains as a developer - GOV.UK</a>.</p> <p><i>“Non-significant enhancements: Non-significant enhancements are habitat enhancements whose loss will not significantly decrease the development’s biodiversity value. They should still be included in your metric calculations. Examples include private gardens which have a low distinctiveness value, or container planting. These enhancements do not normally require maintenance provisions so for non-significant enhancements, you do not need to have an HMMP, legal agreement or commitment to maintain them for 30 years.”</i></p> <p>This should be reflected in criterion 4.</p>
SD10: International Sites	<p>We support the proposed changes and welcome the identification of specific Special Areas for Conservation (SACs) for bats. A proportion of the HRA 12,000 metre buffer lies within Arun. This will influence Arun’s future policies on this SAC.</p>
NEW3: Arun Valley Special Protection Area (SPA): Functionally Linked Habitat	<p>We support the proposed new policy for the Arun Valley SPA, as well as the stronger policy wording and requirement for provision of appropriate alternative habitat before development proceeds.</p> <p>This policy does not however acknowledge the Arun Valley Impact risk zone (IRZ) identified in the Arun Local Plan. This zone is partly within the SDNP and identifies functionally linked land. This IRZ is important as there is considerable development pressure within and adjacent to the IRZ.</p> <p>The Habitats Regulations Assessment also concludes that the Arun Valley Special Protection Area (SPA) is vulnerable to unsympathetic management. It is</p>

	<p>important that an appropriate hydrological regime is maintained, which includes winter flooding. The site is vulnerable to water quality deterioration, loss of functionally connected land and recreation pressures (including disturbance). Additionally, impact risk zones for this SPA have been defined covering areas in the foraging distance of Bewick's Swans, which include wide areas falling inside the planning responsibility of this Local Plan. Loss of habitat within these impact risk zones, which is regularly used by foraging Bewick's Swans (i.e. Is functionally linked to the SPA), could have a significant effect on the SPA, and will need assessment under the Habitats Regulations at the project level.</p> <p>Wild birds standing advice is a material planning consideration for LPAs. This sets out requirements for surveys for breeding birds, wintering birds and:</p> <ul style="list-style-type: none"> <li>• barn owls and other birds listed in Schedule 1 of the Wildlife and Countryside Act,</li> <li>• birds listed in Section 41 of the Natural Environment and Rural Communities Act 2006,</li> <li>• red and amber list birds of conservation concern.</li> </ul> <p>We would request this is considered in relation to the draft policies for nature recovery.</p>
<p>SD11: Trees, Woodlands, and Hedgerows</p>	<p>We support the proposed changes and welcome the inclusion of scrub throughout the policy. Scrub is a vital habitat for many species and has previously lacked protection. Scrub is a key habitat in nature recovery as it is often a transition habitat and provides important niches for wildlife. We also support the inclusion of protection of ancient and veteran trees.</p> <p>We support the requirement for appropriate replacement or compensation for the loss of qualifying habitats. Whilst we welcome the reuse of wood onsite, this policy could be strengthened by requiring major applications to retain deadwood on site.</p> <p>The importance of increasing diversity of new planting is vital to mitigating the impacts of climate change and the influx of pests and diseases.</p>

<b>Water and Pollution</b>	
SD17: Protection of the Water Environment	<p>Whilst we welcome the strengthening of this policy, there is no definition of the water environment in either this chapter or in the Glossary, and there is no mention of riparian zones.</p> <p>Whilst we support the inclusion of criteria 3, 4, and 5, defining “adequate protection zones and buffers” would be helpful.</p>
SD50: Sustainable Drainage Systems	<p>We support the requirements for major applications and the inclusion of monitoring. We note that criterion 3 includes substantial technical requirements. This will also require physical space within the development site to implement. We feel this change may be restrictive to minor applications by putting onerous burdens on applicants to evidence how they are meeting this policy. This could be addressed through a threshold for triggering requirement at criterion 3.</p>
<b>Homes</b>	
SD26: Supply of Homes	<p>We note that the Policy defers updating housing figures to the Regulation 19 stage. Text confirms that the existing Local Plan plans for 250 new homes per year, including a windfall allowance. It is noted that this, and other related figures, are likely to change as more work is done on the proposed allocations, and further sites are put forward. There is, however, no indication at this stage as to whether the figure will likely go up or down.</p> <p>The related consultation question asks what level of growth the National Park should be planning for. This is ultimately a question for the SDNPA to answer. However, the SDNPA will be aware that changes to the standard method for calculating local housing need, published in the revised National Planning Policy Framework on 12 December 2024, have significantly increased housing needs in the South East. The requirement for West Sussex has gone up by some 43% overall and this will be challenging to achieve. As a result, Arun is unlikely to be in a position to support other planning authorities in meeting unmet housing need. We would, of course, be open to future discussions alongside other neighbouring authorities about how we can potentially support each other under the Duty to Cooperate.</p>

	<p>Arun is not the only local authority in the SDNP in this position, and hard decisions will be needed across the board to deliver the enhanced housing requirements. We accordingly suggest that the SDNPA gives consideration to providing for a level of development, such that it is still able, to comply with its statutory purposes and duty, whilst appropriately addressing the enormous development demands which are being made of its neighbours and constituent authorities.</p> <p>Finally on this point, the fact that the Local Plan review is deferring an update of its housing figures to the Regulation 19 stage, which paragraph 1.13 of the revised LP states offers limited grounds for making representations compared with the current Regulation 18 stage, restricts the scope of the current consultation on this most important and increasingly contentious topic of housing supply.</p>
Policy SD28: Affordable Homes	<p>Securing affordable housing in the right numbers and tenure is a problem across the SE of England at present. Whilst we support your council's ambition to seek to reduce existing deprivation and inequalities, the viability of provision as outlined will need to be tested through the development management process, particularly on sites with gross capacity to provide between 3 and 9 homes.</p>
<b>Economy</b>	
Policy NEW8: Viticulture, Winemaking and Wine Tourism	<p>Whilst the policy is supported in principle, in seeking to protect the local retail offer, criterion 2a sets out thresholds for the percentage of local goods to be sold. Whilst the intent of this is understood, it is not a land use consideration, and we consider it should be deleted from the policy and replaced with an ambition statement instead.</p>
<b>Communities, Open Space &amp; Active Travel</b>	
SD45: Green Infrastructure	<p>We support the proposed changes, including the clarification and strengthening of the policy wording. The change to improving health and wellbeing through provision of green and blue spaces is particularly welcome. For major applications, commitment to the use of the urban greening factor should be considered.</p>

SD20: Walking, Cycling and Equestrian Routes

We note the requirement to link to the network of non-motorised routes beyond the national park, and welcome this joined up approach. Arun will work closely with the SDNPA in respect to routes between our two administrative areas.



