

Matter 4, Issue 1

Q1a. An assessment of the modes of transport likely modes of transport from sites to local facilities, places of employment and public transport hubs would provide a more direct means of assessing the likely air pollution impact of developments. For example, sites which are not within short and safe walking and cycling distance of settlement facilities, and minimal public transport, will result in cars being the preferred form of transport. Such sites will not 'minimise' air pollution and should be rejected. Use of local 'green' energy sources (e.g. small scale wind and solar) and waste / surface water disposal systems that do not have a 24/7 pumping requirement could also be taken into account.

Q2a. WSCC's Air Quality and Emission Mitigation Guidance allows developers to provide financial offsets. However, in the case of the Storrington AQMA, financial offsets from multiple developments that have not resulted in the implementation of any practical air quality improvement measures. The cumulative impact of developments is also largely ignored.

HDC should work with WSCC to develop guidance which does not allow for financial offsetting, unless it can be demonstrated that the funds generated will result in effective air pollution reduction measures.

Q2b. SP12 should reference AQMAs and they should be referenced on the Policy map. Where the traffic generated by development sites is likely make heavy use of AQMAs, this should also have been assessed within the Sustainability Appraisal, for example, using the approach outlined in my answer to Q1a . The methodology used in the Sustainability Appraisal (e.g. use of 'crows flight' distances) was not fit for purpose.

Matter 4, Issue 2

Q1.

If the 4 criteria within SP13 had been applied (and applied accurately) within the Sustainability Appraisal and Habitat Regulations Assessment this would result in rejection of sites which do not meet associated NPPF and legal requirements, and are thus 'inappropriate development'. Thus, the criteria help to make the HDLP sound.

SP13 should also take account of 'Green Spaces' and 'Green Gaps' that have been designated in other 'made' Local Development documents, such as Neighbourhood Plans.

Q2.

The following need to be referenced in the Policies map: areas outside of BUABs; Green Spaces/ Gaps specified in Neighbourhood Plans and other local planning documents; historical woodland areas and landforms which constitute elements of the Green Infrastructure Network; and, designated heritage assets which sit within a rural context.

SP14 also needs to be applied to the proposed sites within the HDLP. For example, STO1 does not comply with any of its criteria, yet HDC still deem it suitable for development?

Q3.

The criteria within SP15 provide a useful means of assessing the impact of development on settlement coalescence, which is particularly important for sites that sit between rural settlements, where access to local facilities and public transport is likely to be poor.

Q3a.

SP15 has been ignored for STO1 and STO2. It will be visible from over 1km to the north (close to the West Chiltington Parish Boundary) – see the photo in my response to Q4a below. Both STO1 and STO2 increase the settlement coalescence between Thakeham and Storrington.

The Examiner’s questions need to be addressed fully by HDC.

Q4a.

Developments that will have a significant impact on the setting of SDNP should be resisted to comply with NPPF Sept 2023 Para 176 which states that “development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas”.

These impacts may occur well beyond the National Park boundary – thus they may be difficult to show on a Policy map. For example, the annotated photograph below demonstrates how STO1 will impact on the setting of the SDNP, when viewed from footpath 2463/ 2463-1 which runs E-W south of West Chiltington. STO1 is 1km from this footpath, with the northern ridge of the South Downs a further 1km away, and Storrington (which adjoins SDNP) almost entirely hidden behind the first ridge. SP14 criteria 4 highlights that proposals should not negatively affect views into and out of SDNP. HDC ignored this requirement when assessing the suitability of the STO1 site.



Q5d.

SP17 criterion 8 provides some protection for protected species and their habitats required by the Conservation of Habitats and Species Regulations 2018 and Management of Hedgerows (England) regulations 2025. However, it does not fully reflect the need to prevent loss or deterioration of irreplaceable habitats, such as ancient woodland and ancient or veteran trees (NPPF para 180c) and protect ‘important’ hedgerows.

The criterion should also be amended to state that publicly available information will be used to support this assessment. Sources include: the iRecord database, which contains protected species sightings; the Natural England ancient woodland database; the Woodland Trust tree database, and ecological surveys for adjacent developments. They also failed to correct any errors following their site visit (See HDCIR response 7927 – Matter 1 Appendix 1) and have now deleted all working material relating to the Habitat Regulations Assessment (see HDCIR response 7779 – Matter 1, Appendix 2_3)

Criterion 8 was not applied when assessing the suitability of STO1, which does not comply both legal and NPPF requirements to preserve protected species and their habitats (see my response to Matter 1, Issue 2, Question 6).