



# Report to the Secretary of State for Environment, Food and Rural Affairs

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## THE SOUTH DOWNS NATIONAL PARK

### INSPECTOR'S REPORT (2)

#### Volume 1

Inquiry (2) held between 12 February 2008 and 4 July 2008

Inquiry held at The Chatsworth Hotel, Steyne, Worthing, BN11 3DU

Temple Quay House  
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28 November 2008

To the Right Honourable Hilary Benn MP  
Secretary of State for the Environment, Food and Rural Affairs

Sir

**South Downs National Park (Designation) Order 2002**  
**East Hampshire Area of Outstanding Natural Beauty (Revocation) Order 2002**  
**Sussex Downs Area of Outstanding Natural Beauty (Revocation) Order 2002**  
**South Downs National Park (Variation) Order 2004**

The attached report relates to the re-opened inquiry into the above orders that I conducted at the Chatsworth Hotel, Worthing.

The re-opened inquiry sat on 27 days between 12 February 2008 and 28 May 2008 and eventually closed on 4 July 2008. In addition to the inquiry sessions I spent about 10 days undertaking site visits. These were normally unaccompanied but when requested they were undertaken in the company of inquiry participants and other interested parties. I held a Pre-Inquiry meeting to discuss the administrative and procedural arrangements for the inquiry at Hove Town Hall on 12 December 2007.

The attached report takes account of all of the evidence and submissions put forward at the re-opened inquiry together with all of the representations put forward in writing during the public consultation period. This ran for 12 weeks from 2 July 2007 to 24 September 2007. Over 2000 representations were submitted from local authorities, organisations and private individuals. With the agreement of Natural England I have also taken account of the small number of representations submitted after the consultation period had closed.

The list of all of those who submitted representations and/or appeared at the re-opened inquiry is attached to the report. Also attached are lists of core documents and other inquiry documents. A separate volume contains maps showing the boundaries that I now recommend for any new National Park.

The terms of reference for the re-opened inquiry were as follows:

1. To consider any implications for the South Downs National Park Designation Order 2002 (as varied by the South Downs Variation Order 2004) arising directly as a result of the revised National Parks legislation – namely the amendments to the National Parks and Access to the Countryside Act 1949 made by the National Environment and Rural Communities (NERC) Act 2006;

2. To consider any implications for the same Designation Order (as varied by the Variation Order) arising directly as a result of the High Court and Court of Appeal judgements in the challenge by *Meyrick Estate Management Ltd* relating to the New Forest National Park;
3. To consider the possible alternative boundary line running north and east of Petersfield 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
4. To consider any objections to the additional areas of land recommended in the South Downs Inquiry Report for inclusion within the proposed South Downs National Park.
5. I was also asked to indicate if any other points raised during the further public consultation cause me to change any of the recommendations set out in my previous report (#CD3). That report was in 2 parts. Part 1 considered whether there were any overriding "in-principle" objections to a new National Park. Part 2 looked at the land that might be included and the way the boundary should be drawn.

The attached report begins with a preamble, to set the scene so to speak, and then considers items 1 to 4 above as discrete topics. The report then looks at the implications for land having AONB status in the event that the designation order is confirmed (or not) together with "new" evidence brought to my attention. This material was not to-hand when #CD3 was written and many claim that the evidence is material to the decisions to be taken on the respective orders. As mentioned in the preamble, I agreed at the outset of the re-opened inquiry that "new" evidence should be heard to ensure that the decisions on the respective orders were based on the most up-to-date evidence. The preamble also indicates the circumstances in which I said I was prepared to hear arguments concerning the inclusion or otherwise of the so-called Western Weald in the PSDNP.

The report then sets out my overall conclusions. This aims to bring the threads together. It sets out my assessment of the Western Weald, the A3 Corridor and the Lower Rother Valley and also addresses the "especially desirable" test. My recommendations in respect of the individual orders follow. The report concludes with a review of the detailed boundary recommendations which it is said are defective in the light of the *Meyrick* judgements, the NERC Act and so on.

My earlier report, #CD3, accepted that the proposed South Downs National Park (PSDNP) contained extensive tracts of land that merited National Park status and deserved the additional resources, focus and integrated management that a National Park Authority (NPA) can provide. None of the written or oral evidence put before the re-opened inquiry claims that the *Meyrick* judgements, the NERC Act or any other matter undermine that conclusion. The attached report is written, therefore, on the premise that there are no overriding "in-

principle" objections to the creation of a new South Downs National Park in the South-East of England.

On the other hand the re-opened inquiry convinces me that some of the key conclusions and recommendations in Part 2 of #CD3 need to be reviewed. On occasions the new law or "new" evidence dramatically alters the balance of the arguments but often it simply tips the balance one way or the other. In the following few paragraphs I indicate briefly key changes to the conclusions and recommendations set out in #CD3. It seems to me that this is necessary to ensure a proper understanding of the differences between my earlier report, #CD3, and the attached report.

While accepting that a new National Park was appropriate in principle, I separately recommended in paragraph 2.68 of Part 2 of #CD3 that any new National Park should be more closely focussed on the core Chalk hills, more precisely the ridge of Chalk that extends for about 110km from Winchester to Eastbourne. That recommendation took account of the advice offered by the Landscape Assessor appointed to the earlier sessions of the South Downs Inquiry. It also, as I saw it, reflected the approach adopted by the Landscape Assessor appointed to the New Forest National Park, an approach accepted in that instance by the Inspector and Secretary of State in turn.

If the new National Park is more closely focussed on the core Chalk hills a significant amount of land subject to the 2002 designation order would not be part of any new National Park. In particular an extensive tract of Wealden landscape generally situated to the east of the A3 corridor and north of the Lower Rother Valley would be excluded. Much of this area, commonly identified as the Western Weald, enjoys, and continues to deserve, AONB status.

In the light of the *Meyrick* judgements and the NERC Act I am no longer persuaded that the new National Park should be more closely focussed on the core Chalk hills. Both matters were appraised in detail at the re-opened inquiry. I now accept that in the wake of the judgements and the NERC Act that the inclusion or otherwise of land in a National Park should not depend on the presence of characteristic natural beauty. Put another way there is no need for a National Park to display a distinctive and coherent identity. The Western Weald should not be excluded simply because its characteristic natural beauty is decidedly different to that of the core Chalk hills.

In the face of the new law introduced by the NERC Act I also attach far less weight to the presence of traditional or hallmark National Park qualities such as ruggedness, tranquillity, wildness and remoteness in the assessment of the statutory criteria. They are not irrelevant for assessment purposes but land should not be excluded because it lacks one or more hallmark qualities. It also follows, it seems to me, that the presence of hallmark qualities is not a pre-requisite for satisfaction of the recreational opportunities test. Many claim that the Western Weald exhibits hallmark qualities in any event and a mass of

material was put before the re-opened inquiry in support of the contention.

Conversely, the NERC Act clarifies that cultural heritage and wildlife qualities are relevant to an assessment of the statutory natural beauty criterion. These matters were not ignored when #CD3 was written but I am conscious that they may not have been given appropriate weight. The NERC Act also provides some additional discretion when applying the recreational opportunities discretion. It allows for the potential to provide enhanced recreational opportunities to be taken into account.

#CD3 also emphasised the importance of consistency in the interpretation and application of policy decisions. In particular I said that it was important for the PSDNP to be consistent with the approach adopted in the New Forest National Park, unless there were convincing grounds for not doing so. When #CD3 was written I was not convinced that there were any such grounds. I now consider that in the wake of the *Meyrick* judgements and the new law introduced by the NERC Act there is no necessity for the PSDNP to be consistent with the New Forest approach. The context for the decisions to be taken on the respective PSDNP order is now very different to that in place when the New Forest was under consideration.

Because of my doubts concerning the inclusion of non-Chalk landscapes, in #CD3 I recommended that a new boundary setting exercise be undertaken, in effect to define a boundary to exclude the Western Weald. NE identified an alternative boundary at Defra's request but in the consideration of topic 3 at the re-opened inquiry the boundary was heavily criticised on numerous counts. NE itself accepts that if the National Park is to be more closely focussed on the core Chalk hills a new exercise is required to identify an appropriate boundary for the PSDNP. In my opinion, the alternative boundary identified by NE is simply not fit for purpose.

In addition to my concerns regarding the inclusion of non-Chalk landscapes, in #CD3 I also expressed doubts about the ability of the Lower Rother Valley and the A3 corridor to satisfy the statutory criteria. This was disputed by many and a mass of new material was put before the re-opened inquiry to illustrate that the landscape quality of the respective corridors has not deteriorated since the AONBs were designated in the 1960s. All of the Lower Rother Valley and most of the A30 corridor were given AONB status at that time.

Having reviewed the material put before the re-opened inquiry carefully I am now wholly satisfied that the Lower Rother Valley should continue to be a protected landscape. I accept that it satisfies the natural beauty test for inclusion in either an AONB or a new National Park. The Landscape Assessor identified a number of landscape detractors within the "*Sandy arable farming*" landscape character area but I accept that their impact is relatively localised and that where they occur they are "washed-over" by higher quality land.

The first *Meyrick* judgement confirms that not all parcels of land need to satisfy the natural beauty test. I am also satisfied that the recreational opportunities test is met.

The A3 corridor is more problematic. It contains a number of settlements and the various items of transport infrastructure and the military presence tend to fragment the landscape. On the other hand a volume of evidence was put before the re-opened inquiry to indicate that the corridor contains scenically attractive land and many sites having exceptional wildlife and cultural heritage qualities. In the final analysis I accept that the A3 corridor should remain a protected landscape, whether that be as part of a residual AONB or National Park. The corridor has majestic landscapes to either side and much of the land within the corridor is itself high quality. Where land is of lower quality it is "washed-over" by adjoining high quality landscapes.

If the Secretary of State is not convinced that the A3 corridor satisfies the statutory tests a new boundary setting exercise is required. Neither NE nor anyone else has defined a possible boundary for the corridor.

It follows from the paragraphs above that I now support a new South Downs National Park that broadly encompasses the land subject to the 2002 designation order. It would not be identical however. #CD3 details a number of recommended boundary changes, sometimes to include additional land sometimes to delete land. In the final section of my overall conclusions I review the boundary recommendations in #CD3 which are said to be defective (because of the *Meyrick* judgements, new law or "new" evidence) and in only a few instances do I now recommend a change to my previous boundary recommendation.

The most significant change, it seems to me, is my acceptance that Lewes is set within a tract of qualifying land and accordingly should be included in the new National Park. It would be the largest town in any of our National Parks by some margin. It is generally agreed that this is not of itself unacceptable but it could have implications for the governance of the PSDNP. For example including Lewes (and the other settlements in the Western Weald) almost certainly means that day to day development control decisions would have to be delegated to the constituent local planning authorities. That might be avoided if the new National Park was more closely focussed on the Chalk hills.

For the avoidance of doubt I would add that under topic 4 I separately review the objections to the 30 parcels of land that in #CD3 are recommended for inclusion in the PSDNP. In one or 2 instances the new evidence put before the re-opened inquiry persuades me that these parcels should not be part of any new National Park.

As I now recommend that the 2002 Designation Order be confirmed subject to a raft of boundary changes and the 2004 Variation Order (itself subject to a recommendation to vary the Order) I also

recommend that the 2 AONB Revocation Orders be simultaneously confirmed. Revocation would mean that 70 or so small parcels of AONB land that are not part of the PSDNP would lose their protected landscape status. I see no difficulty with this. Most have been damaged or otherwise degraded since the 1960s when the AONBs were designated. In a few instances I recommend that the parcels be included in the new National Park.

If the Secretary of State concludes that the Western Weald should not be part of the new National Park, I recommend that the Revocation Orders be modified so that they only apply to the land to be included. This can help ensure that the residual, excluded, AONB land retains its protected landscape status.

For convenience I set out below my key recommendations on the respective orders. These confirm that I now favour the confirmation of the respective orders, subject to changes as appropriate. However they also set out my recommendations as to the way the designation process might proceed in the event that the Secretary of State concludes that the new National Park should be more closely focussed on the core Chalk hills, as recommended in #CD3, or, say, because of doubts he may have regarding the ability of the A3 corridor and/or the Lower Rother Valley to satisfy the statutory tests set out in the 1949 Act.

Before setting out my key recommendations I wish to record my thanks to Bob Wiggins the inquiry co-ordinator and his team for their efforts in managing the inquiry arrangements. I also pay thanks to the many inquiry participants for their timely contributions and good humour. Lastly, I wish to record my thanks to Barbara Bay the Programme Officer for her assistance and unstinting support. She ensured that the programme made efficient use of inquiry time and that the mass of written material was logged and circulated as appropriate.

### **Key recommendations**

- (1) That the South Downs National Park Designation Order be confirmed subject to (a) the South Downs Variation Order 2004, itself subject to a recommendation to vary the order (#CD3, paragraph 7.855) and (b) the recommendations set out in #CD3 and the attached report in respect of the detailed boundary.**
- (2) That the East Hampshire Area of Outstanding Natural Beauty (Revocation) Order 2002 and the Sussex Downs Area of Outstanding Natural Beauty (Revocation) Order 2002 both be confirmed.**
- (3) That the NPA should have 30 members to reflect the size of the PSDNP and the number of constituent local authorities.**

- (4) In the event that the Secretary of State concludes that the Western Weald should not be part of the PSDNP, that a new boundary setting exercise be undertaken to define the extent of the excluded land.**
- (5) If the Western Weald is excluded, that the East Hampshire Area of Outstanding Natural Beauty (Revocation) Order 2002 and the Sussex Downs Aea of Outstanding Natural beauty (Revocation) Order 2002 both be modified to relate only to the land to be included in the PSDNP.**
- (6) As a consequence of recommendation (4) that the residual portions of the AONBs retain their AONB status and be managed jointly as at present.**
- (7) In the event that the Secretary of State concludes that the A3 corridor be excluded from the PSDNP (but not the wider Western Weald) that a new boundary setting exercise be undertaken to define the extent of the excluded land.**

Robert Neil Parry

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#### Abbreviations used in the report

AONB	Area of Outstanding Natural Beauty
CD	Core Document
CPRE	Council for the Protection of Rural England
HCC	Hampshire County Council
LPA	Local Planning Authority
LNR	Local Nature Reserve
NE	Natural England
NPA	National Park Authority
NERC Act	Natural Environment and Rural Communities Act
NNR	National Nature Reserves
PSDNP	Proposed South Downs National Park
RIGS	Regionally Important Geological Sites
SDC	South Downs Campaign
SDJC	South Downs Joint Committee
SAC	Special Area of Conservation
SEERA	South East England Regional Assembly
SSSI	Sites of Special Scientific Importance
SNCI	Sites of Nature Conservation Importance
WSCC	West Sussex County Council
#	Prefix to documents for re-opened inquiry

## PREAMBLE

### *Context*

1. The terms of reference for the re-opened South Downs National Park Inquiry set out in the letter dated 25 October 2007 from the Minister for the Natural and Marine Environment, Landscape and Rural Affairs ask me to consider, in the context of the original inquiry, the following issues:

- I. To consider any implications for the South Downs National Park Designation Order 2002 (as varied by the South Downs Variation Order 2004) arising directly as a result of the revised National Parks legislation – namely the amendments to the National Parks and Access to the Countryside Act 1949 made by the Natural Environment and Rural Communities (NERC) Act 2006;
- II. To consider any implications for the same Designation Order (as varied by the Variation order) arising directly as a result of the High Court and Court of Appeal judgements in the challenge by *Meyrick Estate Management Ltd* relating to the New Forest National Park;
- III. To consider the possible alternative boundary line running north and east of Petersfield, 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. To consider any objections to the additional areas of land recommended in the South Downs Inquiry Report (#CD3) for inclusion within the proposed South Downs National Park.

2. In addition I have been asked to indicate if any other points raised during the further public consultation held between 2<sup>nd</sup> July and 24<sup>th</sup> September 2007 cause me to change any of the recommendations set out in #CD3.

3. The latter matter is of especial importance insomuch as the majority of the responses put forward during the 12 week consultation period relate directly or indirectly to the recommendation in my earlier report that the proposed South Downs National Park – hereafter referred to as the PSDNP – should be more closely focussed on the core Chalk downs. If a new National Park was to be defined on that basis it would leave a large area of land that currently lies within the Designation Order boundary – land commonly referred to in the public consultation exercise as the Western Weald – outside the PSDNP. Much of this land currently forms part of the Sussex Downs AONB. A more focused approach would also exclude other smaller tracts of land from the PSDNP although with one or two notable exceptions their possible exclusion attracted far fewer objections.

4. While the original inquiry (and the subsequent report) devoted much time and energy to a consideration of the merits or otherwise of a PSDNP

more closely focused on the core Chalk Downs, it did not deal specifically with the Western Weald. It is not surprising, therefore, that many of the consultative responses claim that any decision to exclude the Western Weald from the PSDNP would not have been subject to a meaningful public debate.

5. At the pre-inquiry meeting held in Hove prior to the re-opening of the inquiry I clarified that I would hear objections to the exclusion of the Western Weald put forward in the light of the *Meyrick* judgements and the NERC Act (that is, under the terms of issues 1 and 2). I also indicated at the pre-inquiry meeting that the re-opened inquiry would need to clarify the future status of any land currently having AONB status excluded from the PSDNP. As I mention above much of the Western Weald has that status.

6. In addition, having considered the submissions put to me by Natural England, Hampshire County Council and others, I accepted on the first day of the re-opened inquiry that I would be prepared to consider "new" material where relevant to the future decisions to be taken on the PSDNP. This should help ensure that the decisions to be taken on the respective Orders would be on the basis of the available and most up-to-date evidence. Some of this "new" material was in the public domain when the earlier sessions of the inquiry were held but was not drawn to the attention of the inquiry so far as I recall; some material, for example a new South Downs Integrated Landscape Character Assessment (CD14), has been published more recently. Many objectors claim that this "new" material is relevant to the decisions regarding the inclusion of the Western Weald and other tracts of non-Chalk landscapes in the PSDNP.

7. In the light of the above it is not surprising that the Western Weald featured in many of the inquiry sessions even though it is not explicitly identified in the terms of reference for the re-opened inquiry. Given the strength of public feeling on this matter, as revealed by the public consultation responses, this was probably inevitable and, indeed, desirable. Hopefully, the opportunities provided for individuals and others to argue the case for the inclusion or otherwise of the Western Weald, satisfies any reasonable requirements for a meaningful debate on the future status of this tract of land.

8. It may also be helpful to mention that under the terms of paragraph 2 above I have also sought to rectify the small number of factual errors identified by objectors in my earlier report (#CD3). As and when appropriate I have also taken the opportunity to clarify any uncertainty or misunderstanding concerning my earlier conclusions/recommendations.

*Format/content of this report*

9. The report deals in turn with the issues identified in the ministerial letter dated 25<sup>th</sup> October 2007. Issues I to IV in that letter are in effect listed as Topics 1 to 4. However the order is different insofar as the *Meyrick* judgements are addressed under Topic 1 and the NERC Act under Topic 2. I have adopted this sequence to reflect the fact that the relevant parts of the

Act were introduced as a direct response to the first of the *Meyrick* judgements. Having addressed the identified issues, Topic 5 then refers to the implications for land having AONB status and Topic 6 refers to "new" evidence, mainly but not exclusively to the implications that this might have for the Western Weald. Topic 7 brings the threads together and sets out my overall conclusions regarding the inclusion or otherwise of the Western Weald and the other detailed lengths of the PSDNP boundary.

10. Before setting out my conclusions and recommendations on the respective topics, I briefly record the main points raised by NE and other participants both in writing and/or orally at the inquiry. Reflecting the format of #CD3, these are set out under bullet points for topics 1, 2 and 3 but not for topic 4 as NE did not generally provide a response to the representations relating to the additional areas that I recommend for inclusion in the PSDNP. Similarly I saw no need to use the bullet point approach for the remaining topics.

11. It should be noted that the legal submissions and other material put to the re-opened inquiry is generally very detailed. The summaries I provide are not comprehensive and aim only to provide the gist of the respective cases.

12. #CD3 addresses matters of principle under Part 1 and more detailed matters under part 2 of the report. So far as I am aware no one suggests that the key conclusion of the Part 1 report – that the core Chalk hills contain extensive tracts of land that satisfy the statutory criteria and merit National Park status – is in some way undermined by the *Meyrick* judgements, the NERC Act or any of the other matters arising from the public consultation exercise. Accordingly I see no need for this report to re-consider whether the core Chalk hills satisfy the statutory criteria, including the "especially desirable" test. The conclusions and recommendations within this report are therefore to be read on the basis that I perceive no overriding "in-principle" objections to the creation of a new National Park that would at least include the core Chalk hills. That does not mean that there is now a consensus supporting the notion of a new National Park in this part of South-East England, although some seemingly believe that there is, it simply means that this latest report does not re-visit the "in-principle" issue. Rather it concerns itself with the arguments concerning the proper extent of the new National Park in the light of the *Meyrick* judgements, The NERC Act and so on.

13. #CD3 was accompanied by 2 annexes prepared by the landscape assessor, Mr Nigel Buchan, and an annex concerned with so-called Governance issues. As a landscape assessor was not assigned to the re-opened inquiry this report is not supported by an independent landscape assessor's report(s). Similarly the issues identified in the ministerial letter do not seem to me to require a re-consideration of the conclusions and recommendations set out in the Governance annex. Accordingly, this report is not accompanied by a new or revised Governance annex. That comment is qualified insofar as the NERC Act altered some of the legislative provisions relating to the management and administration of National Parks by National Park Authorities. A number of the consultative responses as well as evidence

put forward at the inquiry refer to these changes. For completeness my report briefly addresses the points raised.



## **TOPIC 1: IMPLICATIONS OF THE MEYRICK JUDGEMENTS FOR THE PSDNP**

### *1.1: Summary of case for Natural England (NE)*

- NE's detailed submissions regarding the implications of the *Meyrick* judgements for the PSDNP are primarily found at Docs. #1330/0/8, #1330/1/1. #CD1, #CD2 and in its 2 sets of closing submissions.
- The *Meyrick* judgements themselves are listed as #CD9 and #CD20, respectively the High Court judgement set down in November 2005 by Mr Justice Sullivan and the subsequent Court of Appeal judgement. The latter judgement post-dated the NERC Act 2006.
- The High Court decision effectively removed a tract of land from the New Forest National Park. That decision was upheld by the Court of Appeal though for somewhat different reasons. Amongst other things the High Court decision concluded that to satisfy the natural beauty criterion an area must have "a high degree of naturalness" – a test that the land at issue in the *Meyrick* judgements did not satisfy. In arriving at that conclusion Justice Sullivan said, contrary to the view then taken by the Countryside Agency (NE' predecessor), that neither section 5(1) nor section 114(2) of the 1949 Act extended the definition of natural beauty set out in section 5(2)(a) of the Act.
- The judgement also clarified that when applying the statutory recreational opportunity criterion it was appropriate to look beyond current facilities and that a designation could "wash-over" a tract of land; not all of the order land needs to satisfy the designation criteria.
- In addition the judgment confirmed that the words of the 1949 Act should be applied as they stand without any gloss being applied to them. The 1949 Act should not be interpreted to make it, say, more up-to-date or to apply it more restrictively or widely than the actual words suggest. Any attempt to do so would be unlawful.

### *1.2: Summary of case put forward by other participants*

- West Sussex County Council (WSCC) detailed case under this head is primarily found in documents #1007/1/1, #1007/1/2 and in its closing submissions #1007/0/1.
- WSCC contend that there is nothing in the *Meyrick* judgements that alters the case it put forward previously. It is not convinced that the PSDNP should be created, but if it is, it should focus on the chalk downlands. Moreover, there is nothing in the respective judgments that should alter the conclusions and recommendations set out in #CD3.

- Hampshire County Council (HCC) also refers to the *Meyrick* judgements in documents such as #1969/1/1 and #1969/2/2 and in its closing submissions #1969/0/1. It claims that while the judgements were clearly important in respect of the New Forest National Park, their relevance to the PSDNP is much reduced given a number of the provisions in the NERC Act 2006. This stance is broadly reiterated in the other submissions that refer to *Meyrick*, not least in the submissions from the South Downs Campaign (SDC) such as #1147/1/1 and #1147/0/11.
- While many of the other written and oral submissions addressed by the re-opened inquiry refer to the *Meyrick* judgements, so far as I am aware the points raised are all covered in the cases that I briefly summarise above.

### ***Inspector's conclusions***

- 1.3 The *Meyrick* judgements were both issued long after the first PSDNP Inquiry had closed. #CD3 does not therefore take them into account albeit that the High Court judgement was actually issued before #CD3 was submitted to the Secretary of State for Environment, Food and Rural Affairs.
- 1.4 Although both *Meyrick* judgements are directly concerned with a relatively small area of land at the western boundary of the New Forest National Park, it seems to me that they have a much wider significance. As I read the High Court judgement, Justice Sullivan's interpretation of the statutory natural beauty criterion was narrower and much more restrictive than that understood by the Countryside Agency at that time. It is difficult to gauge how the judgment might have influenced the Countryside Agency's boundary setting exercise for the PSDNP if it had been available beforehand; but it is likely that the designation order boundary would have been drawn differently if a narrower view of natural beauty had been applied. Even if I am wrong about that, I would almost certainly have recommended many other changes to the designation order boundary, additional to those I recommend in #CD3 in any event, if I had applied Justice Sullivan's view of natural beauty as defined in Section 5(2)(a) the 1949 Act.
- 1.5 In the light of that conclusion, is it appropriate to recommend changes to the designation boundary in this report on the re-opened inquiry? In considering that possibility I note that no one argues that all or any of the recommendations in #CD3 should be reviewed or revised simply to take account of Justice Sullivan's view of natural beauty. The reason for this is that all of the oral and written submissions seemingly accept or assume that Justice Sullivan's interpretation of the statutory natural beauty criterion has been overtaken by the NERC legislation. Indeed, it is generally agreed that the changes to the 1949 Act introduced by the NERC Act were devised for that specific

purpose. For this reason the judgement in the Court of Appeal did not re-visit the arguments concerning the meaning of natural beauty. The view was taken that even if the land in question did not satisfy the natural beauty criterion as it was then understood, it certainly did in the wake of the NERC Act. Accordingly, the second *Meyrick* judgement limits itself to a detailed consideration of the recreational opportunities criterion.

- 1.6 The new law introduced by the NERC Act does not mean that Justice Sullivan's comments are irrelevant to the decisions be taken on the respective Orders. Indeed it seems to me that the clarification of the 1949 Act contained in that judgement is highly significant on a number of counts. The NERC Act did not, after all, address all of the key matters addressed by that judgement. It follows that although the references to natural beauty have in large part been overtaken by the NERC Act, in my view it would be wrong to conclude that the judgement is now wholly redundant.
- 1.7 Justice Sullivan accepts, for example, that a designation can "wash-over" a large tract of land even though there is no public access to it. This notion was applied when #CD3 was written but the *Meyrick* judgement suggests that the discretion is possibly wider than assumed prior to the judgement. It also clarifies that there may be more scope for excluding areas of land that do not satisfy the criteria where they are located close to the boundary rather than within the main body of a National Park.
- 1.8 I also note the comments to the effect that if the natural beauty criterion in the 1949 Act is in some way defective and out of kilter with modern day needs then any changes should be introduced by Parliament. As I see it, the NERC Act is intended to do precisely that. NE also draws attention to the case of *Pascoe v First Secretary of State* which confirms that a decision may be deemed unlawful if it is based on a test that is materially different from that contained in the relevant statute. This point also has a relevance to the arguments considered later in the report relating to the way the statutory criteria should be interpreted post *Meyrick* and the relevant provisions in the NERC Act. In particular, perhaps, to the arguments concerning any need to identify characteristic natural beauty and/ or traditional or hallmark National Park qualities.
- 1.9 In respect of the recreational opportunities criterion the judgement also confirms that an assessment can look to the future, it is not solely limited to an assessment of current facilities. The subsequent Court of Appeal judgement broadly endorsed this approach.
- 1.10 Later in the report I return to these matters in my consideration of the objections to the recommended PSDNP boundary – under Topics 4 to 7. Indeed I have gone further than that inasmuch as

I have reconsidered whether any of the recommendations in #CD3 need to be changed in the light of the *Meyrick* judgements.

## TOPIC 2: IMPLICATIONS OF THE NERC ACT FOR THE PSDNP

### 2.1: *Summary of Case for Natural England*

- NE's detailed case under this head is set out in the list of documents previously cited under Topic 1.
- The NERC Act clarifies the 1949 Act by introducing a new subsection to Section 5 of the 1949 Act and a new Section 99. These mean that when considering natural beauty NE may:
  - a) take into account an area's wildlife and cultural heritage (Section 5(2A)(a));
  - b) treat as being an area of natural beauty an area which consists of or includes land used for agriculture or woodlands or used as a park, or an area whose flora, fauna or physiological features are partly the product of human intervention in the landscape (Section 99);
  - c) when considering opportunities afforded for open-air recreation, NE may take into account the extent to which it is possible to promote opportunities for the understanding and enjoyment of an area's special qualities by the public (Section 5(2A)(b)).
- Comments by Ministers while the legislation was before Parliament confirm that the legislation is intended to reverse the *Meyrick* judgement and return the statutory criteria to what NE and others understood them to mean prior to that judgement. Significantly, the amendments confirm the relevance of wildlife and cultural heritage and clarify that a National Park can include land that is not wholly natural.
- The net effect of the NERC legislation (and the *Meyrick* Judgements) is therefore neutral in terms of the PSDNP process. It is clear that NE's approach to the PSDNP exercise was and is consistent with the relevant legal framework. NE is satisfied that it identified an appropriate boundary for the PSDNP in the first instance; certainly there is nothing to suggest that any of the order land should now be excluded because of the changes in the law. NE might have been at error initially in seeking to extend the definition of natural beauty in Section 5(2)(a) but this discrepancy has been resolved by the amending legislation. The NERC Act also accepts the Countryside Agency's approach to the future provision of open-air recreation.
- While the conclusion/recommendations in #CD3 were properly informed by the Assessor's reports, that advice was defective on several counts. The suggestion that the traditional approach to National Parks required them to be open and relatively wild areas possessing characteristic natural beauty is wholly wrong. Openness, wildness and so on might contribute to an assessment

of natural beauty but they are not a requirement or precursor to designation.

- Moreover it is incorrect to claim that they help distinguish National Parks from AONBs. The difference between the designations is, rather, the additional recreational criterion that applies only to National Parks. Satisfaction of that criterion does not mean that the character of the land to be designated must be different from AONBs, or other countryside. The proper test relates to the opportunities available for open-air recreation without reference to landscape character.
- Recent case law – notably *Meyrick* (#CD9) and *Pascoe* (#1330/0/8) indicate that a decision is unlawful if it is based on a test that is materially different from that contained in the relevant statute. The Assessor and #CD3 in turn both apply a test of characteristic natural beauty that is clearly more restrictive than the actual test in the Act of “natural beauty” and additionally, a test that is in direct conflict with NE’s policy (CD83). NE is the Government’s statutory advisor on protected landscapes and its policy should be applied unless there are very good reasons to depart from it.
- In large part the perceived requirement for characteristic natural beauty relied on the decision on the New Forest National Park. But that decision has been overtaken by the NERC Act and can no longer be applied to the PSDNP. It follows that there is now no need for consistency with that decision. The Assessor and #CD3 in turn also relied on the Dartmoor boundary variation decision. The reference to characteristic natural beauty in that decision was specific to that case. It was not for general application and, again, has been overtaken by the NERC Act in any event.
- Therefore, even if requirements for characteristic natural beauty, wildness and the like previously existed, that is no longer the case. Clearly the Assessor’s approach and the advice contained in his reports have been superseded by the NERC Act and the *Meyrick* judgements. This is not so much because they overturn any requirement for characteristic natural beauty but because they clarify that the test for assessment purpose is, rather, natural beauty, no more no less.
- The NERC legislation is also relevant to the issue of fragmentation. New Section 99 clarifies that the Order land can include land which does not itself satisfy the natural beauty criterion. It is also apparent that the notion of “washing over” an area of land is not limited to “small parcels of land” as assumed by the Assessor.

## 2.2 Summary of cases put forward by other participants.

- West Sussex County Council and Chichester District Council's (WSCC) detailed case under this head is set out in the list of documents previously cited under Topic 1.
- Again, as with *Meyrick*, WSCC is satisfied that the NERC Act does not alter the case that it put forward previously, or, indeed, the conclusions and recommendations that appear in #CD3. While WSCC previously argued that cultural heritage is not relevant for boundary setting purposes, in practice the detailed evidence took cultural heritage issues into account. In any event as the approach to assessment adopted in #CD3 effectively took account of wildlife and cultural heritage the new legislative arrangements should make no difference to the conclusions and recommendations set out in #CD3.
- Similarly, #CD3 accepts that land should not be excluded from consideration because it is the product of human intervention. Specifically the report recognised that virtually all of the lowlands in Britain have been altered by man. That does not mean of course that all of the land identified in Section 99 automatically satisfies the natural beauty test. Each area has to be assessed on its merits. Even if Section 99 allows for the inclusion of non-Chalk landscapes, #CD3 additionally requires a need to find characteristic natural beauty.
- NE claims that the absence of the word "characteristic" from the statutory wording invalidates the approach to assessment in #CD3. That is not accepted: natural beauty is not exhaustively defined in the 1949 Act and the approach in #CD3 reflects the approach taken in previous designations, notably in the New Forest and Dartmoor. The latter case concerned a variation to the boundary of that National Park but there is no reason to discount it. Significantly, in both Dartmoor and the New Forest, the Secretary of State accepted the requirement for characteristic natural beauty without qualification. That requirement together with a sense of relative wildness and openness are required to distinguish National parks from AONBs. If the Secretary of State now favoured a different approach this could have been addressed by the NERC legislation. It was not, indeed the amending legislation was clearly intended to ensure that National Park designation returned to its traditional approach.
- The changes to the NERC legislation in respect of recreational opportunities do not demand any changes to the conclusions and recommendations in #CD3 either. WSCC may initially have disputed the relevance of recreational potential but #CD3 took it into account and the approach set out in the report is broadly consistent with the new legislation and the Court of Appeal decision in *Meyrick*. The inability of the non-Chalk landscapes to

satisfy the recreation criterion is more to do with the lack of relative wildness, openness and so on in any event.

- Finally, while the approach to assessment set out in #CD3 may not reflect NE policy, neither the inquiry nor the Secretary of State is bound by it.
- Tarmac (Southern) Limited's case under this head is contained in #762/1/1 to 3 and in its closing submissions. As part of its case for a change to the boundary recommended in #CD3, Tarmac challenges the claim made by NE and others that characteristic natural beauty is not material to the decision on the PSDNP.
- Indeed, in its view, characteristic natural beauty is critical to the delineation of any National Park. NE's policy itself recognises that a component of landscape quality is the extent to which a landscape demonstrates the presence of key characteristics. This is, in effect, a reference to characteristic natural beauty. This has always been inherent in the statutory test; it is unaltered by the NERC legislation which is directed at different matters. Significantly, the concept was adopted by the Secretary of State in the New Forest without qualification. In sum, characteristic natural beauty is both a policy requirement and a legal requirement.
- Hampshire County Council's (HCC) detailed case under this head is set out in the documents listed under Topic 1.
- HCC broadly supports NE's case albeit that it appears to actually understate the changes in the law which effectively widen the interpretation of natural beauty. The changes introduced by the NERC legislation eliminate any requirement for characteristic natural beauty and allow land to be included in a National Park even though it may not have a high degree of naturalness. They also allow land to be included if it has the potential to offer recreational opportunities.
- The Assessor and #CD3 in turn appear to have adopted the approach set out in Scottish law (National Parks (Scotland) Act 2000) (CD33) which expressly requires an area to have a "*distinctive character and coherent identity*". The NERC legislation could have reflected that approach and it is highly significant that it did not do so. Characteristic natural beauty is not a test applicable to the PSDNP or anywhere else in England. This is highly significant as this test was central to the recommendation to exclude the Western Weald from the PSDNP.
- It is also significant that the amending legislation clarifies that wildlife and cultural heritage can be taken into account. Much of the land recommended for exclusion from the PSDNP is of considerable wildlife and cultural heritage importance. Further detail is given under Topic 6 in the consideration of detailed boundary issues.



- The South Downs Campaign (SDC) claims that the NERC legislation generally restores understanding of the criteria for designation National Parks to that which existed *pre-Meyrick*. In particular the legislation removes any uncertainty regarding the claimed need for characteristic natural beauty. If it was to be a requirement it would have been addressed by the amending legislation. The absence of any such reference to this concept in the NERC Act may reflect the fact that many English and Welsh National Parks include areas very different in character – see CD217 for details. In the wake of the Act the references to characteristic natural beauty in the New Forest National Park designation process and Dartmoor Variation Order process should not influence the decision on the PSDNP. To do otherwise would be unlawful.
- Section 99 of the NERC Act additionally clarifies that any lack of openness, sense of wildness or remoteness should not of itself prevent land from being included within a National Park. This discretion is essential if the Government's aim to have a new 21<sup>st</sup> century National Park in the South-East is to be met. NE's policy identifies a sense of relative wildness as a relevant consideration but it is only one of a basket of indicators. The amending legislation also confirms the importance of wildlife and cultural heritage.
- The NERC legislation also bears on the recreational opportunities criterion. It indicates that consideration of this criterion can take the possibility of promoting opportunities into account so long as they are not merely vague or unrealistic aspirations. In practice if land satisfies the natural beauty test rarely will it fail the recreational opportunities test.
- A detailed submission in respect of the contribution of cultural heritage to natural beauty is contained in a written submission from English Heritage #1348/1/1/. This notes, amongst other things, that the NERC Act confirms the relevance of cultural heritage and as such the legislation is entirely in line with international practice. Clearly it is important to ensure that cultural heritage carries appropriate weight when natural beauty is assessed. It may not have been hitherto.
- To take one example: settlements are an integral part of landscape and can make a positive contribution to the environmental quality of a National Park. They should not be viewed solely in negative terms. They have a very important role in the South Downs and are probably more important in landscape terms than the settlements located in more remote and wilder National Parks.
- Finally, a few comments on the other written and oral submissions that refer to the NERC legislation are appropriate. So far as I am aware these submissions broadly reiterate the arguments contained in the cases that I have briefly summarised

above. Some submissions, such as that from Mr A Tyrie MP, argue that there is no need for the conclusions in #CD3 to be altered to take account of the NERC Act; others argue that a wholesale revision of the report is required to take the new legislation into account. The majority of the latter submissions are made in support of claims that the recommended designation order boundary should be reviewed. Possible changes to the boundary recommendations in #CD3 to take account of the NERC Act and other matters addressed by the re-opened inquiry are, of course, addressed later in this report.

### ***Inspector's conclusions***

#### *Introduction*

- 2.2 Earlier in the report I noted that the PSDNP boundary would almost certainly have been drawn differently if the outcome of the first *Meyrick* judgement had been known in advance. Without question that judgement in respect of land in the New Forest is significantly at odds with the Countryside Agency's understanding at that time of the statutory tests set out in the 1949 Act. Indeed, the judgement arguably placed the whole PSDNP designation process at risk. This process was, after all, promoted by the Agency on essentially the same basis as the New Forest National Park. It is not surprising therefore that the Secretary of State sought a review of the judgement at the Court of Appeal. However, before that took place, the passage of the NERC Act through Parliament provided, somewhat fortuitously, an early opportunity to clarify the relevant parts of the 1949 Act. Ministerial comments at that time confirm that the changes introduced by the NERC Act were a direct response to the *Meyrick* case.
- 2.3 It is generally accepted that the statutory criteria to be taken into account in the PSDNP exercise are those set out in the 1949 Act as amended by the NERC legislation. As #CD3 was completed prior to the enactment of the NERC Act, the re-opened inquiry provides an opportunity to review the conclusions and recommendations in that report in the light of the 1949 Act as subsequently amended. I set out my general views on the implications of the new legislation in the following paragraphs. For convenience these are grouped under the main changes introduced by the Act that seem to me to be relevant to the decisions to be taken on the PSDNP. I also include a section on characteristic natural beauty even though, arguably, it is not a matter addressed by the NERC legislation.
- 2.4 Later in the report I consider how my conclusions on these matters bear on the recommendations in #CD3 concerning the inclusion or otherwise of broad tracts of land and, as appropriate, on the detailed PSDNP boundary.
- 2.5 The changes introduced by the NERC Act are relatively few in number and the main changes that bear on the PSDNP topics can be listed as follows:

- that when considering if it is especially desirable to designate a tract of land by reason of its natural beauty, account may be taken of its wildlife and cultural heritage (s.59(1)) of NERC inserting a new s5(2A) (a) into the 1949 Act.
- That land is not prevented from being of natural beauty by the fact that it is used for agriculture, or woodlands, or as a park, or that its physiographical features are partly the product of human intervention in the landscape (s.99 of NERC Act).
- When considering whether designation is especially desirable by reason of the opportunities afforded for open-air recreation, it is necessary to take into account the extent to which it is possible to promote opportunities for the understanding and enjoyment of its special qualities by the public (s.59(2A)(b) into the 1949 Act.
- The NERC Act also alters the law on the composition of National Park Authorities.

#### *Wildlife and cultural heritage*

- 2.6 At the earlier sessions of the inquiry some opponents of the PSDNP, notably WSCC, argued that cultural heritage should not be taken into account in the assessment of natural beauty. The argument ran that while it is identified as one of the purposes of designation, cultural heritage qualities should not be considered when natural beauty is assessed. It was said at that time that as the Countryside Agency had incorrectly taken it into account, that the whole assessment process was undermined as a consequence. Justice Sullivan broadly adopted this view in the first *Meyrick* judgement.
- 2.7 The NERC Act clarifies, however, that it is wholly reasonable and proper to take cultural heritage qualities into account. To some degree the failure of WSCC and others to take it into account must weaken the case they put forward previously. If cultural heritage qualities were ignored or overlooked the assessment of the natural beauty of some areas of land must have been defective. It is also necessary to record that a volume of new evidence in respect of cultural heritage has been placed before the re-opened inquiry. I refer to some of this later in the report.
- 2.8 I note that WSCC now say that in practice it did take cultural features into account. That may be right but I find it hard to accept that cultural heritage qualities were taken fully into account by WSCC given the perceived doubts about its relevance.
- 2.9 While any failures to take account of cultural heritage could clearly have implications for the overall assessment of the natural beauty of a tract of land, it is important to note that neither the Assessor nor myself were persuaded by the argument that it should be ignored for assessment purposes. #CD3, paragraph 3.30, rather, indicates that cultural heritage should be taken into account, not least because

- virtually all landscapes in lowland Britain have been altered by man to some degree. Moreover, evidence in respect of cultural heritage and wildlife qualities within and beyond the PSDNP boundary was available at the earlier sessions of the inquiry. It follows that the conclusions and recommendations in #CD3 are on the basis that cultural heritage qualities are relevant for National Park designation purposes. Consequently, the clarification provided by the NERC Act on this point has limited consequences for the conclusions and recommendations in #CD3.
- 2.10 In saying that I accept that the pre-NERC uncertainty regarding the relevance of cultural heritage probably reduced the weight attached to this matter in #CD3. On reflection, it seems to me, the case for including some areas of land in any new National Park was probably stronger than it appeared to me to be at that time. As mentioned later in the report, while the evidence on cultural heritage does not of itself lead me to alter any of the conclusions and recommendations in #CD3, the additional weight I now attach to cultural heritage is a consideration that has influenced my overall assessment of the natural beauty of certain tracts of land.
- 2.11 At this point it might be convenient to consider whether the NERC clarification of cultural heritage qualities has significant implications for the approach taken in #CD3 towards the inclusion or otherwise of settlements in the PSDNP. Briefly #CD3, paragraph 3.2, expresses the view that a settlement can properly be included within the PSDNP if it is set within a sweep of land that satisfies the statutory tests. If it lies alongside or outside that sweep its inclusion is unlikely to be justified. As I understand it, this approach broadly reflects the stance then adopted by the Countryside Agency and that currently favoured by NE. I say that notwithstanding NE's claim that *Meyrick* and Section 99 of the NERC Act both recognise that a protective designation can "wash over" a settlement: not all land within an extensive tract needs to satisfy the statutory criteria.
- 2.12 In a closely reasoned submission English Heritage argues that it could be appropriate to view settlements in a more positive light for assessment purposes. Other submissions make the same point in their support for the inclusion of many of the settlements that lie hard against the boundary recommended in #CD3. Later in the report I consider the volume of material submitted in support of that contention.
- 2.13 On reflection I now accept that many settlements have cultural heritage qualities that could add weight to the case for including an extensive tract of land in the PSDNP. This in large part reflects the importance of this country's historic environment but cultural heritage qualities could also embrace less tangible attributes such as cultural traditions and beliefs. It is clearly wrong to view settlements solely in negative terms when assessing the natural beauty of an extensive tract. Of course the weight given to cultural heritage qualities must be weighed against the fact that the built development and associated infrastructure found in all settlements often has an adverse impact on scenic and landscape

- quality. In the final analysis, it seems to me, settlements should be assessed necessarily on their individual merits – not least their particular qualities and character and their relationship to the adjoining countryside.
- 2.14 Having said that, I find it hard to accept that it could be appropriate to recommend an amendment to the designation order boundary to bring a peripheral settlement into the PSDNP solely on the grounds of its cultural heritage qualities. #CD3 may have underplayed the positive contribution that a settlement can make to the overall assessment of the natural beauty of an extensive tract but I remain of the view that if a settlement is to be included, it should sit within a wider tract of qualifying land.
- 2.15 Similarly, I am not convinced that a settlement needs to be within the National Park if it is to serve a gateway function. It seems to me that this function can be achieved if a settlement has the necessary facilities and is accessible by sustainable means of transport. If it has those attributes and the National Park is on its doorstep, so to speak, it could fulfil a gateway role. That is not to say that a settlement's ability to serve a gateway function is of little consequence. Indeed I consider that availability of sustainable transport is critical to the statutory requirement to consider a National Park's ability to provide recreational opportunities accessible to centres of population.
- 2.16 For completeness it may be helpful to consider the reference in the NERC Act to "wildlife". While it is generally agreed that land of ecological value is relevant to an assessment of natural beauty, the first *Meyrick* judgement states that "fauna" is not a material consideration. As I see it, the new reference to wildlife clarifies that it might be. So far as I am aware no one argues otherwise.

*Presence of traditional or hallmark National Park qualities*

- 2.17 It is generally accepted that to some degree virtually all landscapes in lowland Britain are the product of man's direct or indirect intervention. Certainly few parts of the PSDNP, however it might be defined, are untouched by man's activities. It is generally accepted that this is not of itself an overriding obstacle to the inclusion of land in a National Park. Indeed #CD3 recommends that the Chalk hills be included in the PSDNP even though they are intensively cultivated.
- 2.18 Notwithstanding the pervasive impact of man's activities, the Landscape Assessor concluded that a landscape should display certain traditional or hallmark qualities if the statutory tests in the 1949 Act are to be met. These qualities include wildness, remoteness, ruggedness and tranquillity. #CD3 broadly adopted this conclusion.
- 2.19 Whether or no that was an appropriate stance to adopt in #CD3, and it is arguable either way in my opinion, it seems to me that any such requirement is removed, or at the least significantly tempered, by the

- provisions of the NERC Act. More precisely by the provision in Section 99 that indicates, without qualification, that parkland can satisfy the natural beauty test. Parkland is, after all, created by man often if not always for aesthetic reasons. By and large parkland is created with natural beauty uppermost in mind. Such landscapes are unlikely to be wild, rugged or remote and in the light of the NERC provisions they are clearly not precluded from designation. As I understand it, Section 99 was specifically designed to overcome the comment in the first *Meyrick* judgement that only the wildest and most rugged landscapes warrant National Park status.
- 2.20 That the NERC Act should clarify this point is not surprising. As I see it, Section 99 or something similar was required post *Meyrick* if the Government's aim to provide more accessible National Parks to satisfy 21<sup>st</sup> century needs was to be achieved. It is generally accepted that any new National Parks created in lowland Britain in line with the Government's aim, are likely to be less wild and rugged than their more remote counterparts. The letter from the Minister for the Environment to the Countryside Agency in 1999 specifically noted that "*an emphasis on rugged and open country is less appropriate today*" (CD45).
- 2.21 In the light of the NERC legislation I therefore consider that far less weight should be attached to the presence or otherwise of traditional or hallmark National Park qualities in any assessment of natural beauty. This in turn also affects their importance when the recreational opportunities criterion is assessed. While a tract needs to satisfy the natural beauty test if it is to provide a markedly superior recreational experience, the tract itself does not need to display hallmark qualities.
- 2.22 Attaching less weight to hallmark qualities is of especial importance to the re-opened inquiry as the perceived absence of such qualities is one of the main reasons why #CD3 recommends the exclusion of a large tract of Wealden landscape from the PSDNP - the so-called Western Weald. In my view WSCC's claim that the presence of hallmark qualities remains a requirement if land is to be designated as a National Park is simply not sustainable in the wake of the NERC Act amendments.
- 2.23 In saying that I recognise that hallmark qualities often can help to distinguish National Parks from AONBs -the former being primarily located in more remote and sparsely populated upland areas, the latter characterised by more settled lowland countryside. But they are not always a reliable guide; for example the rugged upland countryside of Nidderdale AONB is similar to that of the adjoining Yorkshire Dales National Park.
- 2.24 At the end of the day some dilution of the differences between National Parks and AONBs may be inevitable given that the Government now places less weight on ruggedness, wildness and so on and more on the provision of recreational opportunities close to where people live. I am also conscious that the presence or otherwise of hallmark qualities is not the key difference between the protective designations in any event; that remains, rather, the need for National Parks to afford opportunities for open-air recreation.

- 2.25 I should add that I do not wholly discount the relevance of hallmark qualities for assessment purposes particularly as, I understand, they continue to feature in NE's overall approach to the identification of qualifying land. For example a sense of relative wildness remains an important consideration when considering the statutory tests. But the hallmark qualities are only part of the assessment exercise that needs to be undertaken and in the light of Section 99 I doubt if they are determinative. The crucial point for current purposes is that land need not be excluded from the PSDNP simply because one or more of the hallmark qualities are absent.
- 2.26 NE argues that even if the presence of hallmark qualities was deemed to be critical, much of the new material submitted to the re-opened inquiry illustrates that the Wealden landscapes recommended for exclusion in #CD3 exhibit sufficient wildness, remoteness, tranquillity and so on to warrant designation in any event. I return to this material later in the report.

*Characteristic natural beauty*

- 2.27 It is convenient to consider this concept as part of Topic 2 even though it is not directly addressed by the NERC provisions. As I understand it, in simple terms the concept refers to a tract of land having a distinctive and common character -for current purposes this means that any new National Park should have an individual and coherent identity. While it is said that the genesis of the concept can be traced back to the early Dower and Hobhouse reports, it seemingly assumed especial importance when the Dartmoor Variation Order was under scrutiny. The Inspector's report following that inquiry identified the critical test for the inclusion of land in the Dartmoor National Park as being the presence of both Dartmoor character and national quality.
- 2.28 The same test was later identified by the Landscape Assessor appointed to the New Forest National Park Inquiry. In that instance the need to identify characteristic natural beauty was subsequently accepted by both the Inspector and the Secretary of State in turn.
- 2.29 Given the approach adopted in the New Forest and the fact that the PSDNP was promoted on the same basis only a short time later, it is hardly surprising that a characteristic natural beauty test was adopted by the Landscape Assessor assigned to the PSDNP Inquiry. In my view the decision in respect of the New Forest National Park and the PSDNP should be consistent with one another, unless overriding reasons can be identified to justify a different approach.
- 2.30 At the re-opened Inquiry this matter was debated in some detail. With regard to the Dartmoor case, NE, the SDC and others argue that the approach taken in that case should be ignored as it related to a boundary variation and was specific to Dartmoor. WSCC and Tarmac, by contrast, say that it would be absurd to apply a different approach depending on the type of order under consideration.

- 2.31 NE and others also claim that the test was clearly contrary to the Countryside Agency's adopted policy – CD44. Amongst other things this states that areas "*may be of different landscape character: quality will be the key determinant rather than uniformity*". NE therefore claims that the reliance on characteristic natural beauty in the New Forest was wrong in both policy and law. The error was repeated by the Assessor in the PSDNP case who mistakenly adopted the same approach. Tarmac on the other hand, argues that as NE's policy refers to the presence of key characteristics, it effectively includes a requirement for characteristic natural beauty.
- 2.32 While the evidence from NE indicates that the Dartmoor decision was not for wider consumption, I am not entirely convinced that the decision should have been ignored in the New Forest. While the assessment of natural beauty was specific to the Dartmoor case, significantly the assessment turned on the presence or otherwise of characteristic natural beauty – the test devised by the then Countryside Commission and adopted by the Inspector. To my mind that was relevant to the New Forest decision notwithstanding the qualifications that applied to its use.
- 2.33 In any event, whatever the relevance of the Dartmoor case, in my opinion it was entirely reasonable for the PSDNP Assessor to identify characteristic natural beauty as a key consideration in his annex A to #CD3. In doing so he simply carried forward the approach adopted by the Assessor in the New Forest only a short time before; an approach accepted by the Inspector and the Secretary of State in turn. So far as I am aware the use of the concept was not subsequently challenged in the Courts by NE or anyone else.
- 2.34 At the re-opened inquiry the Assessor's detailed reasoning in support of the characteristic natural beauty concept was criticised on a number of counts. Some of the criticisms may be well founded but I am not convinced that they fatally undermine his key conclusion. It may be right that characteristic natural beauty has never been a legal requirement but I am not convinced that the way the Assessor's applied the concept was in some way unlawful.
- 2.35 Furthermore, given that the characteristic natural beauty test was deemed appropriate by both of the independent Landscape Assessors as well as the New Forest Inspector and the then Secretary of State, it cannot be surprising that the conclusions and recommendations in #CD3 adopt the same stance. #CD3 recognises that the concept is not all square with NE's designation policy but NE itself accepts that neither myself nor the Secretary of State were bound by the policy. Indeed, acceptance of the Assessor's conclusion in the New Forest presumably means that the Secretary of State did not endorse the policy reference to different landscape character areas highlighted by NE – criterion 2b in the Countryside Agency's approach.
- 2.36 Whether or no that is right and whether or no it was reasonable for #CD3 to apply a characteristic natural beauty test, is it now more appropriate to adopt a different approach?



- 2.37 In NE's view the Dartmoor and New Forest decisions are now out-of-date as both have been overtaken by the *Meyrick* judgements and the NERC Act. It follows, it is said, that there is therefore no need for the New Forest and PSDNP decisions to be consistent with one-another. The characteristic natural beauty concept should be reviewed with no reliance placed on the New Forest decision. Others, including WSCC, claim that the NERC legislation has no bearing on the need to assess natural beauty in terms of characteristic natural beauty.
- 2.38 It is generally agreed that the NERC amendments are primarily intended to address the *Meyrick* judgement and ensure that the 1949 Act is brought up-to-date and thereby better suited to meet 21<sup>st</sup> century needs. The amendments confirm that a wide range of qualities can be relevant for assessment purposes and that landscapes affected by man's activities may merit inclusion. The amendments also help ensure that the relevant legislation and NE's designation policy are more closely aligned.
- 2.39 In my view the NERC legislation alters the context that was in place when the New Forest decision was taken. If that is right, I doubt if it is now necessary for the New Forest and PSDNP decisions to be consistent with one another. The New Forest decision did not have the benefit of the guidance provided by the NERC Act, whereas the PSDNP necessarily has to take it into account.
- 2.40 Consistency between the New Forest decision and the PSDNP decision was not the only reason why the PSDNP Assessor deemed characteristic natural beauty to be critical, but in my judgement it was the decisive factor. Certainly I attach much less weight to the elements in the 1993 and 1999 national guidance on landscape character assessment that make passing references to landscape character, representativeness and so on. Or, indeed, to the references to remoteness and relative wildness and the like in the current reviews of possible extensions to the Yorkshire Dales and Lake District National Parks (#CD34). In my opinion these references fall well short of any requirement for land to display a single core character. I appreciate that NE's own policy refers to the presence of key characteristics but I do not read that to mean that they should be universally present.
- 2.41 So far as Dower's comments on characteristic landscape beauty are concerned, these relate more to landscape qualities that might be protected post designation rather than to the statutory tests in the 1949 Act.
- 2.42 Given the terms of NE's designation policy, the NERC Act's failure to refer to characteristic natural beauty is hardly surprising. This is in clear contrast to the approach towards new National Parks in Scotland which are required to have a "*distinctive character and a coherent identity*". It might be deemed significant that the same or similar words do not appear in the NERC Act but it is not clear to me if this possibility was ever given serious consideration. Be that as it may, the fact remains that when the Scottish legislation was drawn up it contained, in effect,

- a characteristic natural beauty test. Neither the 1949 Act nor the NERC amendments contain any such test.
- 2.43 In the absence in the NERC Act of any reference similar to that found in the Scottish legislation, one is therefore left with the wording of the 1949 Act, namely natural beauty. In considering how this should now be applied I am conscious that *Meyrick* and other judgements confirm that statute should be applied without any gloss. Natural beauty is therefore the statutory test to be satisfied not characteristic natural beauty.
- 2.44 While the meaning of natural beauty may not be exhaustively defined in the legislation, in my view it is clearly not the same as characteristic natural beauty which is a different and more restrictive test. The NERC amendments do not expressly rule out any requirement for characteristic natural beauty but it seems to me that when they are viewed in the round they support the stance adopted by NE and others on this matter, rather than the more restrictive approach favoured by WSCC and Tarmac, say. This is hardly surprising given that the amendments aim to bring NE's policy and the relevant legislation more closely into line with one another. I also see some force in the argument that applying a characteristic natural beauty test would, in practice, improperly apply Scottish law to the PSDNP.
- 2.45 My conclusions on the relevance of the characteristic natural beauty test post NERC are highly significant insofar as the reopened inquiry is concerned. It was the application of this test that in large part underpinned the recommendation to exclude the Western Weald from the PSDNP. If the PSDNP has to have an individual and coherent identity it clearly could not include the Western Weald which is very different in character from the core Chalk hills. If the light of NERC, however, I am now persuaded that the proper test is simply natural beauty. As I see it applying a more restrictive characteristic natural beauty test could now be deemed unlawful.
- 2.46 If characteristic natural beauty is not the appropriate measure, presumably a National Park could contain different landscapes so long as they all satisfy the statutory tests. Each of these might display key characteristics - as recognised by NE's policy - but I see no need for these to be present park-wide. Dartmoor and the New Forest may have been defined on the basis of a consistent core character, but some of the National Parks designated at earlier dates contain landscapes distinctly different in character and displaying different key characteristics. I am not persuaded by Tarmac's argument that the mere fact that there is a family of National Parks in this country, rather than one, somehow justifies a requirement to find characteristic natural beauty.
- 2.47 As mentioned previously, satisfaction of the natural beauty test could be achieved for a variety of reasons, individually or in combination. Different tracts could satisfy the test for different reasons. Put another way, a National Park can contain landscapes that are naturally beautiful in different ways. #CD3 indicates that the Chalk hills readily satisfy the

natural beauty test and there are good reasons to believe that much of the Western Weald might also given that much already has AONB status. I consider this in detail later in the report.

- 2.48 Finally, at the earlier sessions of the inquiry the need for non-Chalk landscapes to be linked in some way to the Chalk hills was debated at length. At that time the so-called "unifying factors" assumed some importance though I note that NE attach far less weight to the concept this time around. Be that as it may, if a test of characteristic natural beauty is no longer critical it seems to me that the need to identify unifying links between the core Chalk hills and any peripheral areas is also far less important. I say that notwithstanding that NE's policy anticipates that such links will bring different character areas together.

*Opportunities for open-air recreation*

- 2.49 Section 5(2)(b) of the 1949 Act indicates that any consideration of the opportunities for open-air recreation is not limited to existing facilities; future opportunities can also be taken into account. Section 59 of the NERC Act introduces a new sub-section indicating that NE may also take into account the extent to which it is possible to promote opportunities for the understanding and enjoyment of the special qualities of a National Park.
- 2.50 The 2<sup>nd</sup> *Meyrick* judgement clarified that while vague hopes or unrealistic aspirations would not satisfy the amended test, in particular circumstances it would be possible to consider the extent to which it is possible to promote opportunities. In NE's view this provides discretion to take into account matters that are far less certain. In effect, when considering future opportunities, it allows for something that might be possible not simply probable.
- 2.51 Contrary to the case put forward by WSCC at the earlier inquiry sessions, #CD3 concludes that the potential to afford recreational opportunities should be taken into account in any assessment. It seems to me, therefore, that the conclusions and recommendations in that report are broadly consistent with the emphasis in the amended legislation. If that is right, the NERC amendments that specifically relate to the recreation criterion have limited implications for the re-opened inquiry.
- 2.52 That said I accept that there might be circumstances where #CD3 does not take full account of the possibility that opportunities might be promoted at a future date. At the re-opened inquiry a number of participants claimed that the greater discretion provided by the NERC amendment supports the case for including certain areas of land in the PSDNP. I consider the claims that certain conclusions and recommendations in #CD3 should be reviewed as a consequence of this amendment later in the report.

- 2.53 At this point it is appropriate to consider the degree to which the satisfaction of the recreation criterion, and in particular the ability to provide a markedly superior recreational experience, depends upon the character of the tract of countryside in question. On the NE side of the argument it is said that to satisfy the criterion a tract does not have to display hallmark qualities such as wildness, ruggedness and openness albeit that a sense of relative wildness would be important. The assessment itself should be undertaken by reference to ordinary countryside, not other National Parks or other designated areas. By contrast WSCC argues that the character of an extensive tract and the presence of hallmark qualities are critical to the satisfaction of the recreation test. These are the qualities that create natural beauty of a type that can provide a markedly superior recreational experience. This is very different to the recreational experiences on offer in other protected landscapes.
- 2.54 Earlier in the report I concluded that in the light of the Government's policy as set out in the 1999 letter to the Countryside Agency and the new Section 99 in the NERC Act, far less weight should be attached to the presence or otherwise of hallmark qualities for assessment purposes. That comment was in the context of the natural beauty criterion but in my view it also bears on the assessment of recreational opportunities.
- 2.55 Given the new legislation, I am not persuaded that an extensive tract has to exhibit hallmark qualities for it to satisfy the recreation test. That is not to say that hallmark qualities are irrelevant for assessment purposes, it is simply that less weight should be attached to them and more weight given to other considerations such as accessibility to population centres. In saying that I appreciate that NE considers that a sense of relative wildness is an important consideration. I tend to agree albeit that relative wildness is not a legal requirement. Indeed in #CD3 I express the view that "*a key characteristic of National Parks is their ability to provide opportunities for quiet recreation in an extensive tract having a sense of relative wildness*". None of the legislative and other changes that have taken place since that was written persuaded me to change that conclusion.
- 2.56 But that is a far less stringent test than one which says that only a tract having certain characteristics and therefore a certain type of natural beauty can provide a markedly superior recreational experience. The first *Meyrick* judgement supports the sort of restrictive approach favoured by WSCC but I am not convinced that this approach is now tenable given that new legislation was enacted specifically to overturn the judgement. In my view it is no longer reasonable to argue that the availability of a markedly superior recreational experience necessarily relies on the presence of hallmark qualities and/or a tract having a natural beauty of a particular type. In my judgement a markedly superior recreational experience is not one available only in landscapes that are wild, rugged and remote. If a different sort of landscape is able to satisfy the natural beauty test, the possibility that it might also

afford a markedly superior recreational experience, and thereby satisfy the second test, should be assessed on its merits.

- 2.57 NE criticise WSSC for seeking to link, or conjoin as they put it, the natural beauty and recreational opportunities criteria. I do not fully understand the point of concern given that it is generally accepted that both criteria have to be separately satisfied for a tract to qualify. Moreover, NE itself recognises that considerations such as relative wildness and tranquillity have a relevance to both of the statutory tests. It also seems to me that NE's acceptance that the natural beauty test has to be met before a tract can provide a markedly superior recreational experience is further testimony to their interrelationship.

### *Governance*

- 2.58 Before setting out my overall conclusions regarding the NERC Act, it might be helpful to offer a few comments on the change introduced by s. 61 of the Act. This changed the rules governing National Park membership and indicates that the total number of local authority and parish members must exceed the number of other members. At the same time the number of National Park members was changed so that all National Parks have 22 members other than the Peak District which has 30.
- 2.59 If the PSDNP has only 22 members many of the constituent local authorities would not be entitled to a member. Given the large number of authorities and the size of the PSDNP it seems to me that it should have a membership the same or similar to that of the Peak District National Park. Even then some local authorities would need to "share" a member. Having a greater number of members would help to share the workload and help resolve the concerns regarding a possible "democratic deficit".
- 2.60 The NERC Act also introduced a number of minor changes to administrative arrangements for National Parks but so far as I can see they are not material to the issues before the Secretary of State.

### *Overall conclusions regarding implications of NERC Act*

- 2.61 Although the legislative amendments introduced by the NERC Act may seem relatively inconsequential at first sight, in practice they are important as they alter the statute and the understanding of how it should be applied. Without the amendments, the PSDNP designation process and the designation work currently underway in the North-West and Yorkshire were at risk. In my view that is not an exaggeration given that the first *Meyrick* judgement was significantly at odds with the Countryside Agency's approach to the interpretation and application of the statutory tests set out in the 1949 Act.

- 2.62 The *Meyrick* "difficulty" has now been resolved by the NERC legislation. In particular the new legislation clarifies, firstly, that landscapes altered by man are not precluded from designation and, secondly, that cultural and wildlife qualities may be taken into account in any assessment exercise. The NERC Act also clarifies the way the recreational opportunities criterion should be applied. It confirms that the potential to provide enhanced recreational opportunities may be taken into account; indeed it indicates that it may be reasonable to allow for the possibility of promoting opportunities to enjoy the special qualities of a designated landscape. These amendments broadly support NE's understanding of the way the statutory tests in the 1949 Act should be applied and help support the Government's aim to bring the 1949 Act more up-to-date.
- 2.63 Although #CD3 was written long before the NERC amendments were enacted, the report anticipated some of the changes. In particular, perhaps, #CD3 accepts that the PSDNP can include landscapes altered by man and the conclusions and recommendations in the report also took cultural and wildlife qualities into account as well as the potential to provide enhanced recreational opportunities.
- 2.64 With this in mind WSCC argues that the NERC amendments, individually and collectively, do not warrant any alterations or revisions to the conclusions and recommendations in #CD3. NE, HCC and many others argue otherwise, citing the same NERC Act amendments and the volume of new evidence submitted to the reopened inquiry.
- 2.65 As mentioned previously, in my opinion the NERC amendments have significant implications for the conclusions and recommendations in #CD3. Firstly, the amendments themselves convince me that far less weight should be given to the presence or otherwise of traditional hallmark qualities such as ruggedness, wildness and remoteness. They also undermine the argument that the PSDNP should display characteristic natural beauty and have a single coherent identity. Secondly, the amendments alter the context for the decisions to be taken on the PSDNP and remove any imperative that they are consistent with the recent decision on the New Forest National Park. Thirdly, although #CD3 took cultural and wildlife qualities and recreational potential into account, as their relevance was in dispute at that time, arguably these considerations were undervalued when individual tracts of land were assessed. Certainly, the amendment in respect of the recreation criterion provides additional discretion by allowing for the possibility of providing recreational opportunities.
- 2.66 NE claims that the NERC Act is neutral insofar as its case for designating the PSDNP is concerned. I appreciate that the amendments were seemingly framed with that purpose in mind, but, like HCC, I consider that the amendments actually widen the scope for designating land; not least because of the explicit reference to the possibility of including parkland in a National Park and the additional discretion in respect of the recreation criterion.

- 2.67 Although no recommendations flow directly from the above conclusions, other than in respect of National Park membership, later in the report under Topic 7 I consider whether my understanding of the NERC Act amendments, in concert with any other evidence brought to my attention, warrants the revision of any of the conclusions and boundary recommendations set out in #CD3.

### **TOPIC 3: ALTERNATIVE BOUNDARY TO THE EAST AND NORTH OF PETERSFIELD**

#### 3.1 *Summary of case for Natural England*

- #CD3 recommends at Part 2, paragraph 2.71, that *"the length of PSDNP boundary included in boundary sections E through to H should be reviewed to exclude lower quality landscapes and non-chalk landscapes other than when the latter have a strong visual link or other association with the core Chalk Downs.* In December 2006 Defra asked NE to submit a detailed proposal for boundary sections E to H in the light of that recommendation.
- This exercise was undertaken on NE's behalf by Alison Farmer Associates but NE opposes the alternative line that was identified. Firstly, it excludes large areas such as the Western Weald that are deemed to meet the statutory tests and, secondly, is based on reasoning NE that does not accept. Details of the boundary setting exercise can primarily be found in #1330/2/1, #1330/2/2 and #1330/2/3 with accompanying legal submissions in #1330/0/25. The report prepared for NE by Alison Farmer Associates is logged as #CD10.
- The alternative boundary setting exercise encountered a number of practical difficulties both in understanding the reasoning in #CD3 and applying it in a consistent manner; not least because the indicative alternative boundary shown on plan in #CD3 did not always reflect the Landscape Assessor's recommendations. Consequently when devising the alternative boundary, the indicative boundary was used as a starting point but varied to take account of the Assessor's reasoning where it had been accepted by the Inspector. This was not always a straightforward task.
- The Assessor appears to have largely based his conclusions on the A3 corridor north of Petersfield and the Rother Valley to the east of it on landscape character types. This approach can produce misleading results and is not the best means of deciding which land should be included in a National Park. The Assessor also gave excessive weight to the adverse impact of incongruous features and excluded land even where it had strong visual links to the Chalk hills.
- The net effect is that NE's alternative boundary is unsatisfactory on a number of counts. Further work is required before a firm alternative boundary could be adopted. This could draw upon the designation work underway in North-West England (CD36). This adopts an up-to-date methodology for assessing landscapes for National Park designation. It could also take into account the new material that has been issued in recent years, for example CPRE's tranquillity mapping and the South Downs Integrated Landscape Character Assessment (#CD14).



- A number of bodies criticise the alternative boundary. Some of the criticisms are accepted, for example in places the line is difficult to follow and is at times complex and convoluted. To some degree this was inevitable given the terms of reference and the competing and conflicting guidance.
- WSCC's evidence to the re-opened inquiry includes a number of alternative boundary lines within West Sussex. These run some distance from the NE line (and the indicative line in #CD3) and are much closer to the Chalk escarpment. As they have not been subject to an effective public consultation, it would be unlawful to adopt any of the WSCC alternatives. This also applies to WSCC's indicative boundary line in Hampshire which was put forward towards the end of the re-opened inquiry. WSCC's alternative boundary lines are defective in any event and at odds with the way other lengths of the PSDNP boundary are drawn.

### 3.2 *Summary of cases put forward by other participants.*

- WSCC's case under this head is primarily contained in #1007/849/2/1, #1007/849/2/2 and in its closing submissions #1007/0/1.
- In considering a possible boundary more closely focussed on the core Chalk landscapes, a desk study was first undertaken which was subsequently refined by visits in the field. The proposed boundary that was devised, with alternative variations in one or 2 places, marks the break between the relatively wild and open landscapes to the south and the more complex, small scale landscapes of the Weald. The alternative variations together with the indicative line shown in #CD3 and NE's alternative boundary are all illustrated in the plans in #1007/849/2/2.
- If the boundary is drawn further to the north away from the Chalk, for example as shown on the indicative line in #CD3, it would include Wealden landscapes that lack the necessary hallmark qualities for inclusion in a National Park.
- NE's alternative line is also defective inasmuch as it pays insufficient regard to the need for designated land to display National Park characteristics. The line, rather, includes extensive areas of Wealden landscapes and there is often no clear difference in character and/or quality between the land lying either side of the boundary.
- NE clearly approached the alternative boundary task half-heartedly and with little regard to the task set by Defra. WSCC is the only party that has responded positively. If NE had difficulty understanding the nature of the task it could have sought clarification as necessary.

- Although WSCC's detailed boundary does not extend to Hampshire, an indicative line is identified which could be examined in detail in due course.
- It is not accepted that further consultation is required before the WSCC alternative could be adopted. But even if that is right, it should take place to ensure that the PSDNP is properly defined.
- HCC's case under this topic is primarily set out in #1969/1/7 and in its closing submissions #1969/0/1. Briefly HCC is opposed to the NE alternative boundary as it excludes Western Weald and much of the so-called Binsted Peninsula.
- HCC readily acknowledges NE's difficulty is responding to the task set by Defra. In the event NE's alternative boundary is unsatisfactory being both irrational and impractical as revealed by the way it is drawn at Steep and Buriton.
- The indicative boundary in Hampshire identified by WSCC appears to show a possible area of search. It is not the product of a proper boundary setting exercise and has not been subject to any meaningful consultation. The only PSDNP boundary lines that the Secretary of State could adopt are therefore the designation order boundary or NE's alternative boundary.
- In its written submissions on the alternative boundary - notably #1214/1/1 and #1214/1/2 - East Hampshire District Council argues against the exclusion of the Western Weald generally as well as the exclusion of the A3 corridor and the northern portion of the Binsted Peninsula. So far as NE's alternative boundary is concerned it mistakenly excludes land west of Blackmoor even though NE and #CD3 both support its inclusion. The alternative boundary also needs to be re-assessed to address the convoluted way it runs through the Buriton area. The line put forward by Buriton Parish Council is far more appropriate.
- East Hampshire additionally note that Defra did not ask NE to define an eastern boundary to the A3 corridor. Unless the corridor is defined, the Secretary of State will not be able to make an informed choice on the options set out in #CD3.
- The SDC submitted a series of documents which it is said are directly relevant to the proposed boundary including several that focus on NE's alternative boundary, namely #1147/5/1, #1147/5/2, #1147/5/3 and #1147/6/1. Only the listed documents are addressed at this time.
- SDC argues that NE's alternative boundary should be rejected as it fails to apply relevant boundary setting considerations properly and relies on the Assessor's report which contains inaccuracies and inconsistencies. In many places the boundary is convoluted and difficult to follow on the ground. Land with important ecological and cultural heritage qualities is also excluded. Details are set out in #1147/5/1. WSCC's alternative boundary is likewise flawed.

- In addition to the cases summarised above, a large number of the representations made during the public consultation exercise were directed at the possible alternative boundary north and east of Petersfield. The bulk were put forward as part of a general case objecting to the exclusion of the Western Weald, a matter addressed under Topic 6, but a number focussed on NE's alternative boundary north and east of Petersfield. A number of the respondents subsequently appeared at the re-opened inquiry itself. So far as I am aware, with one exception, none of the oral and/or written evidence supports NE's alternative boundary. Rather it is said that the alternative boundary is defective for a variety of reasons and should be reviewed. The exception is the representation from Phillips (Build) Ltd which supports the alternative line as part of a wider case that seeks the exclusion of Petersfield and the Western Weald generally from the PSDNP.

***Inspector's note:*** In the interests of brevity I do not rehearse the detailed concerns at this time but all have been taken into account and I have visited those lengths of the alternative boundary that have attracted objections.

### ***Inspector's conclusions***

#### *Introduction*

- 3.3 Paragraph 2.71 in #CD3 recommends a review of the PSDNP boundary from section E through to section H. This was a consequence of the conclusion that any new National Park in this part of the country should be more closely focussed on the iconic Chalk landscapes that extend from Eastbourne to Winchester. #CD3 itself includes a plan showing an indicative boundary as a generalised guide to the way the alternative boundary might be drawn. It was intended to assist, not to fetter or constrain any subsequent boundary setting exercise. Most importantly, it was not intended to illustrate my personal preference as to how the boundary should be drawn.
- 3.4 The same plan also shows an indicative line for the so-called A3 corridor. This was in response to the separate conclusion (paragraph 7.106 in #CD3) that the A3 corridor should be excluded from the PSDNP even if the Secretary of State eventually decided that the wider Western Weald should form part of the PSDNP.
- 3.5 Defra subsequently asked NE to review the boundary from section E through to Section H In the light of the reasoning and findings in #CD3. NE was not asked to prepare a boundary for the A3 corridor. In the absence of a line delineating the eastern boundary to the corridor, a further boundary setting exercise would need to be undertaken if the

- Secretary of State eventually decides that the PSDNP boundary should exclude the A3 corridor but not the wider Western Weald.
- 3.6 On the other hand, if the Secretary of State concludes that the A3 corridor and the wider Western Weald should both be left out of any new National Park clearly there would be no need to define an eastern boundary to the corridor. Similarly there would be no need for a further boundary setting exercise if the Secretary of State concludes that the A3 corridor and the wider Western Weald should both form part of the PSDNP.
- 3.7 A number of the representations under Topic 3 concern the so-called Binsted Peninsula. This lies within section D and is not therefore part of the PSDNP boundary that runs from sections E through to H. So far as I am aware, the Binsted Peninsula was not directly covered by the #CD10 exercise. Although the representations on the Binsted Peninsula are not therefore addressed under Topic 3, I refer to the land later in the report (under Topic 7) when considering the new material that it is said now warrants a review of some of the conclusions and recommendations in #CD3.

*NE's alternative boundary exercise*

- 3.8 #CD10 describes the alternative boundary exercise undertaken on NE's behalf by Alison Farmer Associates. Although that document suggests that the exercise relied on well established methodology and thus represented a relatively straightforward task for experienced practitioners, at the re-opened inquiry I was told that the identification of a boundary able to satisfy the recommendation in paragraph 2.71 of #CD3 proved highly problematic.
- 3.9 Many reasons are given for this. Amongst other things it is said that it was sometimes difficult to reconcile the Assessor's reasoning and the indicative boundary shown on the plan in #CD3; difficult to know how visual associations should be taken into account and difficult to weigh the presence of incongruous features. In practice, it seems to me, the task would have been far more straightforward if the boundary setting team had not felt constrained by the indicative line in #CD3. As I see it, there was simply no need to try and reconcile in some way the Assessor's reasoning and the indicative line. Without doubt the indicative line assumed more weight than it deserved in NE's alternative boundary setting exercise.
- 3.10 On reflection it might have been helpful if the status of the indicative line had been more clearly explained in #CD3. Alternatively, NE might have sought clarification rather than proceed on an uncertain basis and produce a line that is clearly unsatisfactory.
- 3.11 There may be another unstated reason why the exercise proved problematic. I rather suspect that many of the difficulties experienced by the boundary setting team stemmed from doubts concerning the

- appropriateness of a boundary more focussed on the core Chalk hills. If the boundary setting team was not persuaded that the PSDNP should be more closely focussed on the core Chalk landscapes, it is hardly surprising that they found it difficult to produce an alternative boundary.
- 3.12 Whether or not that is right, the fact remains that NE has identified an alternative boundary for sections E through to H that virtually no-one supports. NE itself acknowledges that if the PSDNP is to be more closely focussed on the core Chalk hills more work is required before an appropriate boundary could be adopted. The possible need to undertake additional work is unfortunate at the least given Defra's request that an alternative boundary be identified and the time and effort that already has been devoted to the exercise.
- 3.13 That said I share the widespread doubts concerning the suitability of NE's alternative boundary. In my opinion the line in question is often complex, convoluted and difficult to follow on the ground; it sometimes splits settlements and often fails to embrace areas of ecological and other importance in their entirety. It also seems to me that in places the boundary has been drawn conservatively. In particular I consider that more of the land west of the A3 warrants inclusion in the PSDNP on the strength of its intrinsic qualities and strong visual associations with the Hanger landscape alongside.
- 3.14 I have considered carefully whether the defects could be overcome by adopting some of the alternative boundary suggestions put forward orally and in writing. To my mind many of these have merit, for example the suggestions put forward by Buriton Parish Council, Fittleworth Parish Council, Bepton Parish Council and Selborne Parish Council. If these were adopted they could address many of the detailed criticisms of NE's alternative line. On balance, however, I am not persuaded that tinkering with the line in that way is a sound approach. If, at the end of the day, the Secretary of State decides that the PSDNP should be more closely focussed on the core Chalk landscapes, in my view it would not be sensible to rely on NE's alternative boundary as delineated in the public consultation exercise, or as it might be modified to take account of objections. In my opinion a further boundary setting exercise is required. Significantly NE, the promulgator of the alternative line, does not dissent. The defects identified by the SDC and others are simply too numerous and wide ranging to be addressed by making modifications to NE's alternative line.
- 3.15 NE claims that a new boundary setting exercise could take account of recent developments that have taken place elsewhere in the country for assessing landscapes for designation. The recent work might be helpful but any new exercise should aim to produce a boundary that is consistent with the way other parts of the PSDNP boundary are drawn.

*WSCC's alternative boundary*

- 3.16 WSCC's consultative response in respect of NE's possible alternative boundary promotes an entirely different line within West Sussex. This runs within the "Scarp foothills landscape character area" but much closer to the foot of the Chalk escarpment. More Wealden landscapes are excluded as a consequence. The WSCC line and the NE line pay scant regard to one-another and in places are several kilometres apart.
- 3.17 If the aim is to identify a boundary that best marks the break between the distinctive Chalk hills and the adjoining Wealden landscapes the WSCC line would be a worthy candidate. By and large WSCC's boundary leaves the Chalk landscapes inside the PSDNP and other landscapes outside. Of course the definition of the appropriate boundary is not always straightforward in practice. WSCC itself identifies alternative boundaries in one or 2 places. These occur, I understand, where more recent fieldwork suggests that WSCC's original consultative boundary could beneficially be varied. Where this happens the options tend to run close to one another and either one would probably suffice if the Secretary of State eventually favours WSCC's approach.
- 3.18 As I see it there are 4 significant difficulties with the WSCC approach and the boundary line that flows from it. Firstly, WSCC's approach takes little if any account of the changes introduced by the NERC Act. Earlier in the report I concluded that these are highly significant not least because they undermine any need to identify traditional hallmark qualities and characteristic natural beauty. The presence of hallmark qualities and characteristic natural beauty is of course central to WSCC's approach.
- 3.19 Secondly, the alternative boundary does not extend into Hampshire. Even if it was adopted within West Sussex, an appropriate boundary within Hampshire would still need to be identified. WSCC draw attention to an area of scrutiny that it identified in Hampshire at the earlier sessions of the inquiry but that line, as I understand it, was put forward for a different purpose. It was not put forward as a possible boundary for the PSDNP within Hampshire.
- 3.20 Thirdly, I consider that the WSCC approach pays insufficient regard to the strong visual links between the Wealden landscapes and the Chalk. As a result high quality landscapes that have strong visual associations with the Chalk are sometimes excluded. Some of this land is also notable for its cultural and wildlife qualities. I am also concerned, fourthly, that if the boundary is drawn tightly against the Chalk in sections E through to H, it would not reflect the way other lengths of the PSDNP boundary have been drawn. Certainly there are instances where land recommended for inclusion in the PSDNP would be excluded adopting WSCC's approach to boundary setting. Because of the difficulties listed above, I do not support WSCC's alternative boundary line.

- 3.21 NE raises an additional concern. In a detailed submission (#1330/0/25) NE argues that the difference between WSCC's alternative boundary and the designation order boundary is so significant that it would be unlawful to adopt the former without the benefit of a further public consultation exercise – more precisely because it would fail to comply with the statutory requirements on consultation and be in breach of legitimate expectation and/or procedural unfairness. Only the designation order boundary and NE's alternative E through to H boundary have been subject to public consultation hitherto.
- 3.22 Not surprisingly, perhaps, WSCC see things differently. In its view no further consultation is necessary. It adds that if the Secretary of State concludes otherwise, clearly any consultation exercise would delay the adoption process. While this would be unfortunate it is preferable to including the Western Weald in the PSDNP simply because NE has not identified a line indicating how it could be excluded.
- 3.23 While I accept that it could be deemed good practice to undertake public consultation in advance of any decision to adopt the WSCC line, I am less certain that it would be unlawful not to do so. This is essentially a matter for others to decide but my view is that the boundary could be adopted by the Secretary of State without the need for further consultation. After all, WSCC's line was published as part of the public consultation exercise and people had an opportunity to comment on it if they so wished. Some took up that opportunity, indeed the SDC examined the alternative line in detail.
- 3.24 I am also conscious that no consultation was invited prior to the adoption of the boundary that excluded the Avon Valley from the New Forest National Park. If that was deemed lawful it seems to me that the same principle would apply to WSCC's alternative line. Lastly I consider it significant that the Secretary of State has not deemed it necessary to consult on the many changes recommended to the designation order boundary in #CD3 (apart from the changes that would bring land into the PSDNP - see Topic 4).

### ***Inspector's interim recommendations***

- a) If the Secretary of State decides that the PSDNP should be more closely focussed on the core Chalk landscapes, a new boundary setting exercise be undertaken for sections E through to H.
- b) If, on the other hand, the Secretary of State decides that the wider Western Weald should form part of the PSDNP a new boundary setting exercise is not required unless it is separately determined that the A3 corridor and/or the Lower Rother Valley should be excluded. In that event, a new boundary setting exercise is required to define appropriate boundaries for the land to be excluded.

**TOPIC 4: OBJECTIONS TO ADDITIONAL AREAS RECOMMENDED FOR INCLUSION IN THE PSDNP**

*Inspector's note.*

- 4.1 Under this head I consider the representations in respect of the areas of land that are situated beyond the designation order boundary but in #CD3 are recommended for inclusion in the PSDNP. #CD7 identifies the 30 additional areas and cross-references them to the relevant recommendation in #CD3.
- 4.2 Although NE originally opposed the inclusion of all of the additional areas, at the re-opened inquiry it said that it now "accepts" that all could be included.
- 4.3 In respect of each additional area I set out the gist of any representations put forward as part of the re-opened inquiry process. I do not rehearse the representations put forward previously as they are already summarised in #CD3. However, my conclusions and recommendation in respect of each additional area takes account of all of the written and oral evidence, that submitted as part of the re-opened inquiry and that submitted previously. I have also had regard to my conclusions regarding the implications of the *Meyrick* judgements and the NERC Act.
- 4.4 Before considering the additional areas in turn it may be helpful to address a general concern raised by Sussex Enterprise regarding additional areas 15 to 23. These all lie at the edge of the Brighton built-up area, often alongside the A27. Put simply the representation claims that the additional areas recommended for inclusion in the PSDNP might constrain future development in the City where the supply of land to meet future development needs is extremely limited. It is also said that where additional areas abut the A27 they should not prejudice new or improved road infrastructure. The A27 should be the boundary of the PSDNP, the designated area should not include land either side of the road.
- 4.5 While I appreciate the concerns raised by Sussex Enterprise, at the end of the day the inclusion of land in the PSDNP depends upon its ability to satisfy the statutory criteria, not on any need to protect land to meet future needs. Satisfying the City's future needs is, rather, a matter for the local planning authority to determine in the first instance. I recognise that the A27 can provide an appropriate boundary to the PSDNP in places but I do not accept that it should always do so. In some circumstances the PSDNP properly includes land on both sides of the road.



***Additional area 1 : East of Abbots Barton (Winchester)***

*Representations*

4.6 No representations have been submitted in respect of this area.

*Inspector's Conclusions/recommendation*

4.7 That additional area 1 be included in the PSDNP

***Additional area 2 : West Tisted***

*Representations*

4.8 No representations have been submitted in respect of this area.

*Inspector's conclusions/recommendation*

4.9 That additional area 2 be included in the PSDNP.

***Additional area 3 : Hammer***

*Representations*

4.10 No representations have been submitted in respect of this area.

*Inspector's conclusions/recommendation*

4.11 That additional area 3 be included in the PSDNP.

**Additional area 4 : Storrington**

*Representations*

- a. 4.12 No representations have been submitted in respect of this area.

*Inspector's conclusions/recommendation*

- b. 4.13 That additional area 4 be included in the PSDNP.

**Additional area 5 : Washington Common**

*Representations*

- 4.14 Cemex Investments Limited objects to the inclusion of the so-called RMC workshop complex in the PSDNP. The complex is 10.5ha in extent and is situated at the south-western corner of area 5 on the northern side of the A283. Amongst other things the complex contains some large industrial buildings and extensive hardstandings as well as land previously subject to landfill activity. It clearly fails the statutory tests. NE and the SDC are of the same opinion.
- 4.15 Horsham District Council also argues that the complex should be excluded from the PSDNP, indeed it is not convinced that any of the land north of the A283 warrants designation. The Council adds that its Site Specific DPD has recently been adopted. The DPD includes part of the complex in the proposed Sandgate Park Country Park (AL19). That proposal could be prejudiced if the complex is included in the PSDNP.

*Inspector's conclusions*

- 4.16 While I am satisfied that the bulk of area 5 should form part of the PSDNP, on reflection I accept that the RMC complex fails by some distance the natural beauty and recreational opportunities tests. I see no basis for including the complex in the PSDNP and therefore recommend that area 5 be varied to delete the land in question. #1113/1/2. fig. 9, illustrates how the area 5 boundary should be re-drawn. The new boundary excludes the complex in its entirety as well as some adjoining land which was also included in area 5 in error.

*Inspector's recommendation*

- 4.17 That additional area 5 be varied to delete the RMC complex.

**Additional area 6: Washington**

*Representations*

- 4.18 No representations have been submitted in respect of this area.

*Inspector's conclusions/recommendation*

- 4.19 That additional area 6 be included in the PSDNP.

**Additional area 7: Woods Mill**

*Representations*

- 4.20 Horsham District Council objects to area 7 as part of a wider case that claims that nearby Edburton Road is a more logical boundary to the PSDNP. However it is content for Defra to make a judgement on area 7 in the light of my recommendation.
- 4.21 SDC supports the inclusion of area 7 and contends that the case for inclusion has strengthened in recent years. In particular the Sussex Wildlife Trust has significantly extended its landholding in the area and this has strengthened the visual and physical links between the Low Weald and the Chalk.

*Inspector's conclusions*

- 4.22 #CD3 recognises that the case for including area 7 in the PSDNP is not clear-cut. However, on balance the area is recommended for inclusion because of the scientific, historic and educational importance of the Woods Mill Centre. The NERC Act confirms the relevance of such cultural heritage qualities as well as the scope to take into account any opportunities to promote the understanding and enjoyment of an area's special qualities by the public.
- 4.23 Given the new legislation and the fact that the educational and interpretive role of the Woods Mill Centre has been enhanced following the expansion of its landholding, I accept that the case for including

area 5 has improved since #CD3 was written. Bearing this in mind and the lack of any significant objection, I therefore recommend that area 7 be included in the PSDNP.

*Inspector's recommendation*

- 4.24 That additional area 7 be included in the PSDNP.

***Additional area 8: Ringmer Park***

*Representations*

- 4.25 The Trustees of the Glyndebourne Estate argue that area 8 does not satisfy the statutory tests for designation. The landscape is not of outstanding quality and this is reflected in its non-AONB status. It is a managed landscape having no sense of ruggedness or relative wildness and no qualities that set it aside from ordinary countryside. Public access is limited to one public footpath. This hardly provides a markedly superior recreational experience.
- 4.26 By contrast a large number of representations support the inclusion of area 8 and the SDC puts forward a detailed rebuttal of the Glyndebourne Estate case. Amongst other things this claims that Ringmer Park is a continuation of the downland landscape that sweeps down from Malling Hill. While area 8 adjoins Ringmer and the A26, the landscape is largely unspoilt and tranquil and the many ancient trees emphasise its rural character. If it formed part of the PSDNP there would be additional opportunities to enhance the recreational experiences.
- 4.27 Ringmer Parish Council strongly supports the inclusion of area 8 but seeks the exclusion of 4 properties fronting onto Ham Lane, the northern boundary of area 8 (mistakenly referred to as area 10 in the representation).

*Inspector's conclusions*

- 4.28 When the Sussex Downs AONB was created in the 1960's area 8 was excluded, presumably because it was deemed to be of insufficient quality at that time. While this tends to suggest that it may not be of sufficient quality to satisfy the natural beauty test, many other more extensive tracts of land similarly outside of the AONB land are actually included in the PSDNP. AONB status is not therefore a pre-condition for land to be included in the PSDNP.

- 4.29 I recognise that Ringmer Park is a managed landscape without any sense of ruggedness or remoteness. While this might have appeared a significant point in the light of the first *Meyrick* judgement, the subsequent NERC Act indicates otherwise. Section 99 specifically mentions that land used as a park or for agricultural purposes can satisfy the natural beauty test. In this instance the former medieval deer park reads as an extension of the farmed downland landscape that sweeps down from Malling Hill. Area 8 contains some minor landscape detractors but these do not seriously diminish its scenic quality. In my opinion the natural beauty test is met.
- 4.30 The land in question does not offer a wide range of recreational experiences but it is part of a wider landscape that does and area 8 itself is traversed by a public footpath that links Ringmer to Lewes. The SDC also draw attention to the formal garden within area 8 that it is said offers outstanding views of the South Downs. I accept that this is a material point but I attach limited weight to it given that the garden is only open to the public on a few days in the year. Nonetheless, on balance, I am satisfied that the recreational opportunities test is also met.
- 4.31 While the recommendation in #CD3 to include Ryngmer Park in the PSDNP was somewhat marginal, none of the material that has been put before the re-opened inquiry persuades me that the earlier recommendation should be changed. I therefore recommend that area 8 be included in the PSDNP. That comment is qualified insofar as I accept that the 4 properties along Ham Lane should be excluded from the PSDNP. Their exclusion would be consistent with the way other residential properties that elsewhere lie at the boundary of the PSDNP have been treated.

*Inspector's recommendation*

- 4.32 That additional area 8 be included in the PSDNP but varied to exclude the properties along Ham Lane.

***Additional area 9: Gote Farm***

*Representations*

- 4.33 The Trustees of the Glyndebourne Estate submitted an objection to the inclusion of area 9 but this was later withdrawn. Ringmer Parish Council supports its inclusion generally, but seek a variation to delete a small number of residential properties at the boundary of the area.

*Inspector's conclusions*

- 4.34 None of the evidence put to the re-opened inquiry persuades me that area 9 should be excluded from the PSDNP. Indeed the new material in respect of its cultural heritage qualities strengthens the case for inclusion. That comment is qualified insofar as I accept that the few residential properties identified by the Parish Council should be excluded. To that end I support the revised boundary proposed by NE in #1330/0/15, annex 1.

*Inspector's recommendation*

- 4.35 That additional area 9 be included in the PSDNP but varied to exclude residential properties at the boundary.

**Additional area 10 : East of Glynde**

*Representations*

- 4.36 No representations submitted in respect of this area.

*Inspector's conclusions/recommendation*

- 4.37 That additional area 10 be included in the PSDNP.

**Additional area 11: Wilmington**

*Representations*

- 4.38 Area 11 attracted a significant number of representations, not least objections to its inclusion from East Sussex County Council, Wealden District Council, Eastbourne Borough Council, Pelham Holdings Ltd and Nigel Waterson MP. Singly and severally the objections claim, amongst other things, that the land in question does not satisfy the natural beauty test; that the A27 does not split a settlement contrary to NE's boundary setting guidelines and that the inclusion of area 11 could threaten strategic transport improvements at Wilmington which in turn could undermine the South-East Plan.
- 4.39 By contrast the SDC, Long Man Parish Council and many others favour the inclusion of area 11 in the PSDNP. The supporting representations

argue that area 11 satisfies the statutory criteria and that the designation order boundary splits the small settlement of Wilmington contrary to the agreed boundary setting guidelines. Furthermore area 11's inclusion in the PSDNP would not undermine future improvements to the A27, if firm proposals are put forward at some future date, or, indeed, the wider South-East Plan.

*Inspector's conclusions*

- 4.40 Area 11 is a relatively small triangular shaped area situated in-between the A27 trunk road and the Lewes-Eastbourne railway line. It forms part of a much more extensive area that is identified in #CD3 as the Upper Cuckmere Valley. Although I was not persuaded that this wider area of non-AONB land should form part of the PSDNP, I recommended that the designation order boundary be re-drawn to include area 11. If accepted this would bring a small number of buildings and open land to the north of the A27 (mainly Wilmington Common) into the PSDNP. It is important to note that the recommendation was essentially on the grounds that the designated order boundary was defective as it split the settlement of Wilmington contrary to the agreed boundary setting guidelines. It was not made because the land in question satisfied the statutory criteria and therefore merited inclusion on its merits. Indeed I see little to distinguish area 11 from other nearby land north of the A27 that I recommend for exclusion from the PSDNP.
- 4.41 A volume of mainly new material was submitted to the re-opened inquiry in respect of my conclusion that the designation order boundary split Wilmington. Some of this supports the conclusion set out in #CD3, but much of the material argues otherwise.
- 4.42 Amongst other things the latter material suggests that the commentary set out #CD3 may have been incomplete or even incorrect. For example, #CD3 mentions that no development plan or other documents define the physical extent of Wilmington. I note, however, that Wilmington is defined in a development plan document – the Wealden Local Plan 1998 – as a linear village within the Sussex Downs AONB. As the A27 is the boundary of the AONB that comment places Wilmington to the south of the road not astride it. Secondly, the 2005 Wealden Local Plan contains an inset map 65 showing the A27 as the northern boundary of Wilmington. This again suggests that Wilmington should be seen as a settlement situated to the south of the A27. Certainly the relatively close concentration of built development south of the A27 is very different in character and form to the dispersed scatter north of the road.
- 4.43 While I accept that these points do not remove all of the uncertainty regarding the appropriate boundary at Wilmington, they clearly do not support my previous conclusion that the designated order boundary is contrary to the agreed boundary setting guidelines inasmuch as it runs through a settlement. While the material submitted by the Long Man

- Parish Council and others indicates that the common and the loose scatter of houses and other buildings to the north of the A27 have long had close associations with the concentration of development to the south of the road, on balance I now doubt if they form part of the settlement for boundary setting purposes. If that is right, adopting the A27 as the boundary for this length of the PSDNP would not split the settlement of Wilmington.
- 4.44 I note the suggestion that the buildings north of the A27 form the separate settlement of Wilmington Green. This may be the name of the area situated north of the A27, but I doubt if the few buildings north of the road constitute a settlement in terms of the boundary setting guidelines.
- 4.45 The material submitted to the re-opened inquiry also alters my understanding of possible road improvements to this length of the A27. East Sussex County Council's representation, for example, mentions that in 2006 the South East England Regional Assembly (SEERA) stated that improvements to the A27 at Wilmington should be included in the 2011-2016 Regional Funding Allocation. SEERA's recent support for improvements to this length of the A27 is clearly at odds with the comment in #CD3 that highway works to the A27 now appear less likely (in the light of comments made by the Secretary of State for Transport in 2003). I recognise that at this point in time there is no certainty that improvements to the A27 at Wilmington will take place, and no details are available as to the form these might take. Nevertheless, SEERA and the County Council's support for highway improvement works at Wilmington probably make them more rather than less likely contrary to the views expressed in #CD3. I note also that the Highway Agency is concerned that the inclusion of area 11 could constrain future road improvements at Wilmington albeit that it does not lodge a formal objection.
- 4.46 I appreciate that the inclusion of area 11 does not rule out the prospect of highway improvements to this length of the A27 in any event. After all, a nearby section of the A27 was recently upgraded at Beddingham even though the improvements in question affected land within the AONB. Even so it seems to me that the case for including area 11 in the PSDNP is weakened if there is some likelihood that part of this relatively small area may be required for future highway improvements. Such works are likely to be disruptive and environmentally damaging. I do not see that this is an overriding point in itself, given the uncertainty regarding the timing and impact of any possible highway improvement works, but again this new material tends to weigh against the inclusion of area 11 in the PSDNP.
- 4.47 In the final analysis I am not convinced that the designation order boundary should be altered to include area 11. Certainly it is doubtful if Natural England's approach towards the splitting of settlements is breached if the boundary follows the A27. When #CD3 was written the available evidence suggested otherwise. In addition it now appears that there is a greater prospect that highway improvements to this length of the A27 will take place at some future date.



- 4.48 While the decision regarding the appropriate boundary at Wilmington is far from clear-cut, on balance I no longer favour an amendment to the designation order boundary. The busy A27 trunk road is a very distinctive physical feature that reasonable could mark the northern boundary of the PSDNP at Wilmington. This would leave most of Wilmington Common and a number of buildings to the north of the A27 outside the PSDNP but I am not convinced that this is an overriding point. This conclusion takes account of the new material submitted to the re-opened inquiry as well as a recent site visit which reinforced my view that the A27 represented the appropriate boundary at Wilmington. It follows from the above that that I no longer recommend that area 11 be part of the PSDNP.

*Inspector's recommendation*

- 4.49 That additional area 11 should not be part of the PSDNP.

***Additional area 12: The stud farm***

- 4.50 No representations submitted in respect of this area.

*Inspector's conclusions/recommendation*

- 4.51 That area 12 be included in the PSDNP

***Additional area 13: Tide Mills, Newhaven***

*Representations*

- 4.52 Newhaven Port and Properties Limited argues that area 13 should be excluded from the PSDNP. Parts of this area may satisfy the statutory criteria, for example the shingle beach and the derelict Tide Mills village, but these are separated from the wider download to the north of the A259 by an extensive tract of lower quality land and the Rookery Hill residential area. The northern portion of area 13 is flat and featureless and is visually dominated by the adjoining industrial/commercial development. Landscape enhancement is intended as part of the Ouse Estuary Project but funding remains uncertain.
- 4.53 Area 13 also includes land that is part of the Eastside Business Park, contrary to the boundary setting guidelines which seek to exclude land allocated in development plans for development. East Sussex County

Council, Lewes District Council and others also argue that the allocated land should be excluded from the PSDNP.

*Inspector's conclusions*

- 4.54 The commentary in #CD3 indicates that the land allocated for business and other uses at the Eastside Business Park should be excluded from the PSDNP. The latest representations confirm that this is an important site in the strategic proposals to regenerate this part of Sussex. Moreover, I am in no doubt that the inclusion of this land in the PSDNP is inappropriate given the agreed boundary setting guidelines. Further it is likely that its inclusion could damage the site's development prospects and thus the contribution it might make the satisfaction of wider regeneration objectives. Unfortunately these conclusions are not reflected in the map depicting area 13 which erroneously includes part of the Business Park in the PSDNP. The re-opened inquiry provides an early opportunity to correct the cartographic error.
- 4.55 I now return to the non-allocated portion of area 13. It seems to me that the extensive environmental improvements undertaken as part of the Ouse Valley Project have now begun to mature and as a result the landscape quality of the area has probably improved over recent years. So far as I am aware this process is likely to continue. While the ability of area 13 to satisfy the natural beauty criterion may have been arguable when #CD3 was written, the case for including area 13 in the PSDNP has probably strengthened over the intervening years as a result. Certainly, none of the material put before the re-opened inquiry persuades me to now recommend the exclusion of the non-allocated portion of area 13. I am satisfied that the natural beauty and recreational opportunities criteria are both met.
- 4.56 While the future funding of further environmental enhancement works, proximity to existing built development and the likely impact of the new access road and associated large scale business development are legitimate concerns, these matters were all taken into account when the ability of the Tide Mills area to satisfy the statutory criteria was considered previously.
- 4.57 I therefore continue to support area 13's inclusion in the PSDNP subject to the deletion of the land that forms part of the Eastside Business Park. As I understand it, it is generally agreed that the map prepared by Natural England properly illustrates how area 13 might be amended to overcome the cartographic error.

*Inspector's recommendation*

- 4.58 That area 13 be included in the PSDNP but varied to exclude land that forms part of the Eastside Business Park.

***Additional area 14: Telscombe Cliffs****Representations*

- 4.59 Most of the representations in respect for this area express support for its inclusion in the PSDNP. So far as I am aware none object to its inclusion. However, some representations argue that area 14 should be extended to also include the adjoining Portobello water treatment site. This is currently part of the Sussex Downs AONB and if it is excluded from the PSDNP it will no longer be a protected landscape.

*Inspector's conclusions*

- 4.60 At the outset it should be noted that the representations claiming that one or more of the 30 additional areas should be enlarged to include other land may fall outside the terms of reference for the re-opened inquiry. Arguably the terms of reference are framed to limit comments to the inclusion of parts or all of the respective areas. They are not framed to invite comments on other land that might also be included in the PSDNP.
- 4.61 Whether or no that is correct, in this instance the possible amendment to area 14 to additionally include the Portobello site in the PSDNP was examined at length at the earlier sessions of the inquiry. For reasons set out in #CD3 I am not convinced that the site should be included. In my opinion the various buildings, infrastructure and associated engineering works have seriously damaged the Chalk cliffs. In my judgement the natural beauty test and in turn the recreational opportunities test are not satisfied. I say that notwithstanding that the Portobello site was in use prior to the designation of the AONB in the 1960s. Moreover none of the "new" material submitted to the re-opened inquiry persuades me that area 14 should be enlarged to include the land in question.
- 4.62 I appreciate that damaged or degraded land might be included in a National Park where it is part of a wider tract that meets the statutory criteria. Any doubts concerning this were effectively removed by the *Meyrick* judgements. Even so, I am not convinced that this discretion warrants the inclusion of severely degraded land such as the Portobello site where it lies at the margin of a designated area.
- 4.63 Excluding the Portobello site from the PSDNP would mean that the site would lose its protected landscape status. It simply would not make sense for it to continue as a small and isolated parcel of land well removed from other AONB land. Given the planning history of the Portobello site I readily appreciate why the loss of protected landscape status concerns many local residents. As I understand it, the AONB

status of the land was one of the main reasons why a previous proposal to develop the site was rejected by the Secretary of State.

- 4.64 While it might be thought that the loss of protected landscape status could make the site vulnerable to future development it should be borne in mind that this section of coastline benefits from other protective designations. These would all be taken into account if and when any development proposals are put forward at a future date. In any event, even if the removal of a protected landscape designation made a site more vulnerable to development, the critical point to bear in mind is that land is not included in a National Park simply to protect it from development. Inclusion, rather, depends on the ability of land to satisfy the statutory criteria. In my view the Portobello site fails the statutory tests.

*Inspector's recommendation*

- 4.65 That additional area 14 be included in the PSDNP.

***Additional area 15: St Dunstons Hospital and foreshore***

*Representations*

- 4.66 No representations submitted in respect of this area other than as part of a general concern that the PSDNP might constrain development at Brighton – see paragraphs 4.4/4.5.

*Inspector's conclusions/recommendation*

- 4.67 That area 15 be included in the PSDNP.

***Additional area 16: Roedean School and foreshore***

*Representations*

- 4.68 While there is a good measure of local support for the inclusion of Roedean School in the PSDNP, the school itself objects. In its view the statutory tests are not met: not least because the school and its grounds have a heavily managed appearance and afford no opportunities for open-air recreation. As such the school is similar to the Hinton Park land in the New Forest National Park which was removed from the designated area following a legal challenge to its

inclusion. If the school is included in the PSDNP it might prejudice future development proposals. Sussex Enterprise also object to the inclusion of area 16 as part of its general concern that the PSDNP might constrain future development at Brighton – see paragraphs 4.4/4.5.

*Inspector's conclusions*

- 4.69 There is no dispute that the Roedean campus contains substantial built development and that much of the associated open land has a managed experience reflecting its use for formal sports. Viewed in isolation it is doubtful if the campus satisfies the statutory tests albeit that the school is itself a "listed" building of special architectural value.
- 4.70 On the other hand the school is part of a wider tract of land at the eastern edge of Brighton that sweeps down to the foreshore with the open sea beyond. Indeed it is one of the relatively few locations where the open download extends to the coast and as such I consider it to be of especial importance. In my opinion this wider tract clearly satisfies both the natural beauty and the recreational opportunities tests.
- 4.71 In arriving at that conclusion I have taken into account the fact that the NERC legislation confirms that the man-made landscapes can satisfy the natural beauty criterion; also that the *Meyrick* judgements clarify that a designation can "wash-over" lower quality land. This means, in practice, that not all land within a designated area needs to satisfy the statutory criteria. I note that the references to the deletion of land at Hinton Park in the New Forest National Park but I am not convinced that the circumstances in that instance are comparable to those at Roedean. I am also conscious that the NERC legislation has changed the statutory context in any event. Finally I note the general concern that the PSDNP might constrain future development but I am not convinced that this should influence detailed boundary decisions at Roedean School or elsewhere around the Brighton fringe. On balance I consider that area 16 in its entirety should be part of the PSDNP.

*Inspector's recommendation*

- 4.72 That additional area 16 be included in the PSDNP.

***Additional area 17: Woodingdean***

*Representations*

- 4.73 No representations submitted in respect of this area.

*Inspector's conclusions/recommendation*

- 4.74 That additional area 17 be included in the PSDNP.

**Additional area 18: Whitehawk/Sheepcote Valley**

*Representations*

- 4.75 Brighton and Hove CPRE originally objected to the inclusion of the eastern flank of Sheepcote Valley but that objection was later withdrawn, I understand. So far as I am aware no other representations were submitted in respect of area 18 other than as part of a general concern that the PSDNP might constrain future development – see paragraphs 4.4/4.5.

*Inspector's conclusions/recommendation*

- 4.76 That additional area 18 be included in the PSDNP.

**Additional area 19: Whitehawk Hill/Race Hill**

*Representations*

- 4.77 No representations submitted in respect of this area other than as part of a general concern that the PSDNP might constrain future development – see paragraphs 4.4/4.5.

*Inspector's conclusions/recommendation*

- 4.78 That additional area 19 be included in the PSDNP.

**Additional area 20: Coldean Wood**

*Representations*

- 4.79 The Brighton and Hove Economic Partnership oppose the inclusion of area 20 in the PSDNP. Reference is made to the A27 separating the land from the main body of the PSDNP to the north, noise intrusion, the

proximity of built development and the use of the land for urban related recreational activities. This area is also subject to the general concern raised by Sussex Enterprise that the PSDNP might constrain future development – see paragraphs 4.4/4.5.

*Inspector's conclusions*

- 4.80 The A27 is a busy dual-carriageway that tends to physically separate area 20 from the main body of the PSDNP to the north of the road. However as this length of the A27 is in a deep cutting the road is a less divisive and disruptive feature than might be expected. The road does not visually separate area 20 from the land to the north and I also note that this is one of the places where the local population can easily cross the A27 to access Stanmer Park and the wider countryside beyond. While the decision in this instance is finely balanced, I see nothing in the latest representations to warrant a change to the recommendation set out in #CD3. All of the matters raised by the objector were taken into account when area 20 was considered first time around.

*Inspector's recommendation*

- 4.81 That additional area 20 be included in the PSDNP.

**Additional area 21: Dead Man's Wood**

*Representations*

- 4.82 Brighton and Hove City Council originally favoured the exclusion of the wood (sometimes referred to as Hangman's Wood) from the PSDNP. In large part this was because a special needs school was actually situated within the woodland. In its latest representation the City Council states that if Dead Man's Wood is to be included in the PSDNP, the boundary of area 21 should be amended to exclude the school site. This area is also subject to the general concern that the PSDNP might constrain future development – see paragraphs 4.4/4.5.

*Inspector's conclusions*

- 4.83 While I have no doubts regarding the wooded portion of area 21 in the PSDNP, I accept that the case for including the site of the special needs school is more marginal. While the school site is generally well hidden by mature timber and therefore reads as part of the wider tract of land

leading up to the summit of Hollingbury Hill, the school site itself is not high quality in landscape terms. Given also that the school site is at the margin of the PSDNP and the fact that a fence provides a clear physical boundary between the school and the associated woodland, on reflection I accept that the school site should be excluded. The City Council identifies an amendment to the boundary of area 21 to that effect.

*Inspector's recommendation*

- 4.84 That additional area 21 be included in the PSDNP but varied to exclude the special school site.

***Additional area 22: Hollingbury Hill***

*Representations*

- 4.85 Southern Water objects to the inclusion of the narrow strip of land alongside Ditchling Road on the grounds that it includes a water service reservoir and fails to satisfy the statutory criteria. This area is also subject to the general concern that the PSDNP might constrain future development – see paragraphs 4.4/4.5.

*Inspector's conclusions*

- 4.86 As I understand it, the covered reservoirs situated alongside Ditchling Road on Hollingbury Hill lie just outside the boundary of the PSDNP. No reservoirs are situated within area 22 so far as I am aware. Even if I am wrong about that, I am satisfied that this area reads as part of the wider tract of conspicuous and elevated downland at Hollingbury that satisfies the designated criteria and is properly included in the PSDNP.

*Inspector's recommendation*

- 4.87 That additional area 22 be included in the PSDNP.



**Additional area 23: Toads Hole Valley***Representations*

- 4.80 Area 23 attracted a number of objections. In addition to objections from Falmer Parish Council and bodies supporting business interests, a detailed submission was put forward on behalf of the landowner(s) – JW Cook Estates Ltd and Pecla Investments, ref.#970. While this refers to matters that were considered at earlier sessions of the inquiry it also introduces a volume of new evidence. I include a brief summary of the latter material in the following paragraphs. Obviously this has to be read together with the cases made by other parties at both the recent and the earlier sessions of the inquiry.
- 4.81 In support of the claim that area 23 fails to satisfy the designation criteria it is said that recent surveys confirm that the site is devoid of an ecological or archaeological value save for the steep bank on its western flank which is identified as an SNCI. This site is of low scenic quality and the lack of management means that the evolving scrub/woodland cover increasingly distinguishes the land from the open downland to the north of the A27. The site has also suffered serious physical damage caused by unauthorised motor cycle use. As the site sits below the A27 it is adversely affected by traffic, more so than many of the other parcels of open land to the south of the road that tend to occupy elevated ground. A recent noise survey confirms that the site is exposed to a high level of traffic noise.
- 4.82 In addition a recent survey indicates that the site does not act as a gateway to the wider Downs as stated in #CD3. And as the public cannot access the bulk of the site it offers no worthwhile recreational experiences. Furthermore, given the signage, fencing and other measures that seek to keep the public out, the comment in #CD3 that the site enjoys a high degree of *de facto* access is clearly wrong. Suggestions that the proposed regional cycle route 82 could pass through area 23 are also erroneous. The landowners will not authorise a route through area 23.
- 4.83 Not all of the representations in respect of this area oppose its inclusion in the PSDNP. The SDC and Brighton and Hove City Council, for example, support this arrangement.

*Inspector's conclusions*

- 4.84 Area 23 includes a section of the A27 and the lower slopes of a valley that is part of a sweep of countryside that penetrates the northern edge of the Brighton conurbation. The land in dispute is known locally as Toad's Hole Valley. When the Sussex Downs AONB was created in the 1960s I do not doubt that it was properly included in the designated

- area. More recently (late 1980s) the A27 was constructed on an embankment across the valley. While this feature inevitably disrupts the natural valley landform the impact is relatively localised. By and large the road and its embankment do not sever visual connectivity between the upper and lower valley slopes. I am not convinced, therefore, that the mere presence of the road rules out the inclusion of land to the south of it, albeit that the road itself is visually and environmentally intrusive.
- 4.85 On the other hand it is readily apparent that the land either side of the road has evolved differently in recent years. To the north the open land is farmed, seemingly well managed and undoubtedly of high scenic quality whereas that to the south of the road has a more urban feel and has largely been left to its own devices since the late 1980s. Much of it now has a cover of rough scrub and immature woodland. The surface has also been badly damaged by unauthorised motor cycle use over a long period of time and it additionally suffers unwelcome fly-tipping. At the site inspection undertaken as part of the re-opened inquiry it was evident that the security measures introduced by the landowners have not managed to deter unauthorised access onto the land. Without doubt the unauthorised activities that occur have seriously undermined the scenic quality and condition of much of this area. Indeed, there seems to me to have been a distinct deterioration in the overall landscape quality of Toads Hole Valley since I last visited the site a few years ago. So far as I am aware there are no proposals or plans in place or prospect to improve the intrinsic landscape quality of the land In question.
- 4.86 While the NERC legislation clarifies that wildlife and cultural heritage qualities may be taken into account when considering natural beauty, these provisions are of little consequence in this instance. The survey material introduced for the first time by the landowners indicates that the site is largely devoid of cultural heritage and/or ecological value save for the steep bank on its south-western flank that is designated as a SNCI. While the ecological value of this land is material to the designation process, I doubt if it lifts the site to a level that warrants National Park status.
- 4.87 Although the land south of the A27 forms part of a downland valley, in my opinion it is far from certain that the land south of the road now satisfies the natural beauty criterion. Indeed, contrary to the view set out in #CD3, I am no longer satisfied that it does. Parcels of lower quality land can be "washed-over" if they are part of a wider high quality tract but I am not convinced that this discretion should be exercised where the land lies at the margin of the PSDNP, as it does in this instance.
- 4.88 The new material submitted at the re-opened inquiry also alters my understanding of the recreational opportunities on offer. The available evidence indicates that the reference in #CD3 to the public having *de facto* access is wrong. The Valley may have been a playground for people living nearby at one time but the public use is now quite different. Indeed it is evident that the landowners have worked closely

- with Sussex Police to prevent unauthorised access to the main body of the site. Measures such as signage, fencing and the digging of peripheral ditches have all been used in a determined effort to keep the public out. Public access is only available to the CROW land on its south-western flank. This broadly coincides with the SNCI site and comprises 18% of the total area.
- 4.89 The reference in #CD3 to the site acting as a gateway to the chalk hills also seems wide of the mark. The survey undertaken on behalf of the landowners indicates that few of the walkers and horse riders using Monarchs Way follow the bridleway at the western edge of the site. Almost all of those visiting the Chalk hills follow different routes to access the bridge over the A27. This lies about 500m to the west in any event.
- 4.90 The SDC draws attention to a new cycle route that is under construction as part of the National Cycle Network. This is not something that was anticipated when #CD3 was written so far as I re-call. If and when this facility is completed I recognise that it is likely to increase cycle use along a route that follows the western flank of this site. As such it could act as an important gateway for cyclists wishing to access the Chalk hills north of the A27. At this point in time and in advance of its completion it is difficult to gauge the importance of this proposal. Notwithstanding this uncertainty, it is clear that there are currently recreational opportunities on offer along the western flank of area 23 and the cycle route is potentially an important open-air recreational facility. On the other hand the remaining area of largely degraded land that makes up Toads Hole Valley offers few if any recreational opportunities in the absence of any public access.
- 4.91 If I had concluded that the natural beauty criterion was satisfied, in the light of the *Meyrick* judgements (regarding access to designated land and the like) it might have been reasonable, on balance, to conclude likewise on the recreational opportunities criterion. However, given my conclusions regarding the natural beauty test it necessarily follows that area 23 also fails to clear the recreational opportunities hurdle.
- 4.92 I recognise that the preceding comments will disappoint those who support the conclusions and contrary recommendation set out in #CD3. However I am persuaded that this is an instance where the material put before the re-opened inquiry justifies a change to my earlier recommendation. In the light of the new material and a further site inspection I now recommend that area 23 be excluded from the PSDNP.

*Inspector's recommendation*

- 4.93 That area 23 should not be part of the PSDNP.

**Additional area 24: Foredown Road**

*Representations*

- 4.94 No representations submitted in respect of this area

*Inspector's conclusions/recommendation*

- 4.95 That area 24 be included in the PSDNP.

**Additional area 25: Mile Oak**

*Representations*

- 4.96 Southern water argues that this area does not satisfy the natural beauty criterion and should therefore be excluded from the PSDNP.

*Inspector's conclusions*

- 4.97 #CD3 recognises that the small area of land that makes up area 25 is of lower landscape quality than other nearby land to the north of the A27. This primarily reflects the presence of a covered reservoir, a telecommunication phone mask and associated development. However its inclusion in the PSDNP was deemed appropriate as the A27 formed a much clearer and recognisable boundary to the designated area than that delineated in the designation order.
- 4.98 While the A27 remains the obvious physical boundary, on reflection I consider that this does not of itself warrant the inclusion of land at the margin of the PSDNP, land that clearly fails to meet the natural beauty criterion. The inclusion of area 25 would not be consistent with the way the boundary has been drawn elsewhere to exclude lower quality land. I would add that my conclusions/recommendation in respect of area 25 have not changed as a consequence of new material put before the re-opened inquiry. Rather, they reflect my reconsideration of the relevant issues and my acceptance that the land north of the A27 at Mile Oak was mistakenly recommended for inclusion in #CD3. I now accept that area 25 should be excluded from the PSDNP.
- 4.99 That comment is qualified inasmuch as I consider that the road embankments at Mile Oak should continue to be included. Their inclusion would be consistent with my separate conclusion (#CD3,

paragraph 7.452) that the many embankments that lie alongside the A27 should form part of the PSDNP.

*Inspector's recommendation*

- 4.100 Other than the embankments alongside the A27, that additional area 25 not be included in the PSDNP.

**Additional area 26: Binsted**

*Representations*

- 4.101 Like additional area 11, the Highway Agency expresses concern over this additional area though it does not formally object to the inclusion of the land in question. The reason for the Agency's concern is that possible off-line options for an Arundel by-pass could impact on area 26. The owner of part of this area also objects the inclusion of his land in the PSDNP.

*Inspector's conclusions*

- 4.102 A new road to by-pass Arundel has been under consideration for many years. Following the Secretary of State's rejection of a proposal to construct a new road through Binsted Woods, the Highway Agency was asked to consider other less environmentally damaging alternatives. This work is currently in progress. Possible options include new routes running close to the existing A27 and others that run off-line, further to the south. It is said that area 26 might be affected by routes within the latter category though no details are available at the time of writing.
- 4.103 So far as I am aware none of the material submitted to the re-opened inquiry in respect of this area challenges the key conclusion in #CD3; namely that the land in question satisfies the statutory criteria. Furthermore there is no certainty that a new road will be provided to by-pass Arundel and even less that area 26 will be affected. While I accept that the possibility that a new road might directly impinge on area 26 weighs against its inclusion in the PSDNP (because of the likely environmental damage and disruption) I am not convinced that this is an overriding point given the current uncertainty regarding the timing, likely line and so on.
- 4.104 It also seems to me that if a new road cutting through area 26 eventually emerges as the preferred solution to Arundel's current highway difficulties – for highway design, cost or some other reason – the likely adverse impact that the road might have on the PSDNP would

not necessarily be an overriding constraint. Any impact would be just one of the many relevant issues to be taken into account in the decision making process.

- 4.105 So far as the landowner's objection is concerned, I appreciate that area 26, or more precisely that part in Mr Davies' ownership, was recommended for inclusion in the PSDNP without his knowledge. The same concern might apply, of course, to any or all of the other 29 additional areas recommended for inclusion. To address this point the re-opened inquiry provides an opportunity for land-owners and others to comment on the areas of land that are additionally recommended for inclusion in the PSDNP in #CD3. In this instance I note that the inclusion of area 26 would leave part of Mr Davies' land within the designated area and part without. This might seem odd even inconvenient but land ownership is not itself a reason for excluding land from the PSDNP. There will be many instances where part of a landholding sits within the designated area and part sits outside.
- 4.106 While the land in question is not extensive it is part of the Binsted Woods SNCI designation. With this uppermost in mind I consider that area 26 should be included in the PSDNP to avoid the boundary splitting the SNCI designation.

*Inspector's recommendation*

- 4.107 That additional area 26 be included in the PSDNP.

***Additional area 27: Slindon Common***

*Representations*

- 4.108 No representations submitted in respect of this area.

*Inspector's conclusions/recommendation*

- 4.109 That area 27 be included in the PSDNP.

***Additional area 28: Rowland's Castle****Representations*

- 4.110 Hampshire County Council and Portsmouth Water both refer to the proximity of the southern boundary of area 28 to the site of a proposed new reservoir. The County Council go so far as to claim that if the reservoir proposal was in due course deemed to detract from the setting of the PSDNP, and be deemed unacceptable as a consequence, it could have adverse implications for the delivery of the South East Regional Plan. Portsmouth Water notes that part of area 28 will almost certainly be affected by construction traffic and associated arrangements. It doubts if the natural beauty criterion is satisfied and accordingly suggests pulling back the boundary of area 28 to Manor Lodge Road.

*Inspector's conclusions*

- 4.111 Although #CD3 states that Havant Thicket and the other land to the west of Manor Lodge Road satisfies the statutory criteria, it notes that it is not a core chalk landscape, unlike the land on the opposite (eastern) side of the road. It has a transitional and less distinctive character than the land to the east and its inclusion in the PSDNP is therefore less clear-cut. The material submitted to the re-opened inquiry now reveals that the land to the west of the road is also likely to be disturbed at some future date by construction traffic travelling across the land to access the reservoir site. Thereafter traffic will use the same or a similar route to visit the reservoir for recreational or other purposes. The land west of the road may also be affected by other measures, for example the plan submitted by Southern Water showing the location of key facilities identifies an area that might be used for parking.
- 4.112 While the available evidence hardly supports the claim that the inclusion of area 28 could put the implementation of the South East Plan at risk, there is little doubt that the land west of Manor Lodge Road is likely to be directly affected by the proposal to construct a major reservoir on adjoining land. At this time it is difficult to gauge the precise impact that the proposal might have on the landscape quality of the area but I doubt if it will be beneficial. It seems to be almost inevitable that at the least the access arrangements will severely disturb the area. When #CD3 was written the recommendation to include this area was finely balanced, the material put before the re-opened inquiry makes its inclusion even more difficult to justify. On balance I now consider that the land in question should be excluded from the PSDNP. Although it is not entirely clear from the representations, it seems to me that excluding the land to the west of

Manor Lodge Road from the PSDNP would fully satisfy the concerns raised by objectors.

- 4.113 So far as I am aware there are no compelling grounds to justify the exclusion of the remaining much larger portion of area 28 situated to the east of the road. I therefore recommend that with the exception of the land to the west of Manor Lodge Road that area 28 be included in the PSDNP.

*Inspector's recommendation*

- 4.114 Other than the land to the west of Manor Lodge Road, that additional area 28 be included in the PSDNP.

***Additional area 29: The Moors, Bishop's Waltham***

*Representations*

- 4.115 No representations submitted in respect of this area.

*Inspector's conclusions/recommendation*

- 4.116 That area 29 be included in the PSDNP.

***Additional area 30: Bishop's Waltham***

*Representations*

- 4.117 No representations submitted in respect to this area.

*Inspector's conclusions/recommendation*

- 4.118 That additional area 30 be included in the PSDNP.



**TOPIC 5: LAND DESIGNATED AS AONB***Inspector's Note*

- 5.1 The terms of reference for the re-opened inquiry do not make explicit reference to the need to examine land currently designated as AONB or, more precisely, to the revocation of any land designated as ANOB. This is hardly surprising given that section 8 of #CD3 sets out conclusions and recommendations on this matter. However, I consider it appropriate for the current report to briefly re-visit this issue for the following reasons.
- 5.2 Although the AONB issue is not expressly identified, the terms of reference for the re-opened inquiry ask me to indicate if any points raised during the public consultation period cause me to change the recommendations set out in #CD3. Many of the representations put forward during the consultation period refer to the revocation of land designated as ANOB; an especial concern being that if the parent AONBs are revoked, any land that lies within them will lose its protected landscape status if it is not part of the new National Park. This concern is highlighted in many of the representations that refer to the Western Weald but it is also raised in respect of several of the much smaller "left over" parcels of the land that currently enjoy AONB status but are not subject to the designation order.
- 5.3 The re-opened inquiry provides an opportunity for these concerns to be addressed, not least to take account of any new evidence that might suggest that one or more of the "left over" parcels of AONB land should form part of the PSDNP. It also allows me to review the conclusions and recommendations set out in #CD3 in the light of the material presented by NE and others on what might be called the legal and procedural implications of revoking the AONBs. Much of this material was not available when #CD3 was written. While this material concerns all of the AONB land that lies outside the PSDNP, it is of especial relevance to the Western Weald. This is far and away the most extensive area of the land that currently has AONB status but would be excluded from the PSDNP if the Secretary of State accepts the #CD3 recommendation in favour of a more focused National Park.
- 5.4 Finally, the format of this section does not adopt a bullet point approach to set out the respective cases as most parties broadly agree many of the key issues.

*Western Weald – loss of ANOB status*

- 5.5 At the outset it is important to highlight that few dispute that the Western Weald, or at least the majority of it, warrants ANOB status. Indeed WSCC, one of the main objectors to the notion of a South Downs National Park, emphasises that this area (indeed all land

- designated as AONB) must retain its protected landscape status whether that be as part of a new National Park or as an AONB. #CD3 also recognises, for example at paragraph 8.14, that most of the Western Weald warrants AONB status, The oral and written submissions to the re-opened inquiry extolling the qualities of the area provide further confirmation, if any was needed.
- 5.6 Tracts of land designated as AONB do not as a matter of practice overlap tracts designated as National Park. It follows that if the Secretary of State deems it appropriate to include the Western Weald in the PSDNP (together with all of the other land recommended for inclusion in #CD3) the Sussex Downs and East Hampshire AONBs would both be revoked. So far as I am aware this would be straightforward exercise procedurally. Details of NE's understanding of the procedural arrangements are set out in CD72, paragraphs 7 to 11, #CD1330/0/20 and #CD1330/0/23.
- 5.7 If, on the other hand, the Secretary of State concludes that the Western Weald should not be part of the PSDNP, the arrangements for insuring the continued protection of the area are a little less straightforward. That said, the legal note submitted by NE - #1330/0/18 - clarifies that there are a number of ways in which the protection of the area could be secured. Perhaps the most straightforward mechanism would be for the Secretary of State to modify the revocation orders so that they only bite on land that falls within the PSDNP. Confirmation of the varied revocation orders would then occur simultaneously with the confirmation of the PSDNP designated order. Another option would require the Secretary of State to prepare new variation orders to vary the boundaries of the existing AONBs.
- 5.8 Whatever the relative merits of the respective options, there is general agreement that any part of the Western Weald that is currently designated as AONB could retain the same or similar management arrangements and protected landscape status even if it is not part of the PSDNP. There need not be a hiatus in the protection on offer to existing, excluded, AONB land.
- 5.9 It is pleasing to record that on this matter at least NE and WSCC are in agreement. Both recognise that the seemingly widespread concern that AONB land would lose its protected landscape status if it is excluded from the PSDNP is unfounded. At one time WSCC promoted a different procedural approach towards the protection of any AONB land excluded from the PSDNP, but its closing submissions suggest that it is not opposed to the approach favoured by NE. For my part I consider that if the Secretary of State accepts the recommendation in #CD3 in favour of a more focussed Natural Park, #1330/0/18 sets out a mechanism that could ensure that the excluded AONB land secures continuous protection. This would overcome the understandable concern that the effort and resources devoted to the protection of the area since the 1960s would not be jeopardised.

- 5.10 The precise extent of the AONB land could not be established immediately, however, given my conclusion that the alternative PSDNP boundary identified by NE to the north and east of Petersfield is not fit for purpose. If that is accepted, a new boundary setting exercise for the PSDNP needs to be undertaken. If and when a new boundary for the PSDNP is agreed, it would mark the boundary between the respective designations.
- 5.11 There are several ways in which the governance of the residual AONB land could be arranged. The residual portions of the 2 AONBs could be managed in much the same way as they are the moment. Another option is that they could be combined to create a new AONB. A third possibility is that the AONB land could be combined with the Surrey Hills AONB to the north.
- 5.12 I see little merit in the third option which is not favoured by anyone so far as I am aware. Of the remaining options it seems to me that in the first instance it would be sensible to simply continue with the existing arrangements for managing the land. In due course it might be deemed desirable to review the arrangements and consider the creation of a new AONB. At that time consideration could be given to the possibility of including other non-AONB land in the designated area.
- 5.13 There is, however, an additional point to bear in mind. #CD3, paragraph 2.24, indicates that some AONB land (the A3 corridor and the lower Rother Valley) might not warrant National Park status even if the wider Western Weald is included. In that event this land could lose its protected landscape status. If it fails to satisfy the natural beauty criterion, it is hard to see how it could be part of any residual AONB(s). Philips (Build) Ltd makes this point in its submission supporting the removal of AONB status if the A3 corridor is excluded from the PSDNP
- 5.14 It follows from this that the boundary of any residual AONB land would not be coterminous with the boundary of the new National Park. They would be separated from one-another by narrow corridor(s) of countryside devoid of any protected landscape status. The SDC go so far as to claim that the residual Wealden landscape would be too small to be a viable AONB in its own right. I am not convinced but if I am wrong it probably means that a link with the Surrey Hills AONB would need to be examined. It almost goes without saying that it would be a disaster if the creation of the new National Park led indirectly to the Western Weald losing its protected landscape status. Not surprisingly, perhaps, much of the evidence submitted to the re-opened inquiry addresses this particular concern. Under Topic 7 I refer to this in my consideration of the A3 corridor and the Lower Rother Valley.

*Non-AONB land within the PSDNP*

- 5.15 Amongst other things, the recommendation in #CD3 in favour of a more focussed National Park means that 55 sq km of non-AONB land currently included in the PSDNP would not be part of any new National

- Park. As a consequence this land would lose the protection it has enjoyed since 2002 when it was first identified as part of the PSDNP. This land might obtain AONB status and the protection it confers in due course but the AONB designated process would take a considerable period of time to complete. #1330/0/23 sets out the process/time frame in detail. During this period the non-AONB land would, in practice, only have the protection afforded to ordinary countryside. Indeed, as the Binsted Peninsula and some of the other non-AONB land is detached from the main body of the Western Weald, it is doubtful if it would ever achieve AONB status.
- 5.16 So far as I am aware, none of the above is in dispute. Extensive areas of land that have enjoyed what might be called interim protection since 2002 would lose that protected status if the respective PSDNP orders are confirmed along the line recommendation in #CD3. Natural England argues that this is a further reason why it is especially desirable to confirm the designation of the PSDNP as originally proposed. I return to this matter later in the report. For the moment I simply state that I am not convinced that the loss of the enhanced protection that the non-AONB land has enjoyed since 2002 is an overriding point. If excluded from the PSDNP, the policy protection and management of the 55 sq km of land in question would simply revert to that occurring prior to that date.
- 5.17 I am also conscious that even ordinary countryside is nowadays subject to a high level of policy protection in any event. The concern that the loss of the interim protection would lead to a volume of new built development is understandable but in practice is unlikely to occur.

*"Left-over" parcels of AONB land*

- 5.18 Section 8 in #CD3 sets out my general views on the 70 plus parcels of "left-over" AONB land that are omitted from the PSDNP. These parcels are generally small scale and are located at the edge of existing built-up areas. They were included in the parent AONBs when they were designated in the 1960s but are excluded from the PSDNP. In #CD3 I set out why I consider that in a few instances the parcels should form part of the PSDNP, for example some of the cliff-top land at Telscombe Cliffs and Toads Hole Valley. However most of the "left-over" parcels have suffered a serious loss of landscape quality over the years and many have been subject to some form of built development. As such, they are properly omitted from the PSDNP. None of the material put before the re-opened inquiry has altered my views regarding the inclusion or otherwise of any of the "left-over" parcels save for Toads Hole Valley. In #CD3 I recommended that it be included in the PSDNP but the "new" evidence put to the re-opened inquiry persuades me that it should be excluded.
- 5.19 In the interest of certainty and clarity, all of the "left-over" parcels of AONB land were reviewed by NE at my request as part of the re-opened

inquiry. A set of plans was produced to illustrate where the respective areas are located and a schedule was prepared indicating briefly why they were excluded from the PSDNP – see #1330/0/19/19a.

***Inspector's interim recommendations***

- 5.20 (1) If the Western Weald is included in the PSDNP, that the East Hampshire AONB (Revocation) Order and the Sussex Downs (AONB) Revocation Orders be confirmed.
- 5.21 (2) If it is not, that the residual, excluded, portions of the same AONBs retain their AONB status by adopting the mechanism set out in #1330/0/23, paragraphs 7 to 11.

## **TOPIC 6: "NEW" EVIDENCE IN RESPECT OF WESTERN WEALD AND OTHER AREAS**

### *Inspector's Note:*

- 6.1 Paragraph 6 of the Preamble to the report notes that on the first day of the re-opened inquiry I accepted that I would consider "new" material that might be relevant to the decisions to be taken on the PSDNP. That comment was made in response to submissions put forward at the Pre-Inquiry meeting by HCC and others. In my view it would have been inappropriate, indeed disingenuous, for such material to be excluded given the significant period of time between the submission of #CD3 and the re-opening of the inquiry. Reference to this material should also ensure that the decisions to be taken by the Secretary of State benefit from an up-to-date evidence base. Although few if any of the parties dispute that "new" material should be taken into account, not surprisingly there is no consensus as to the extent to which "new" material might influence or alter the conclusions and recommendations set out in #CD3.
- 6.2 "New" material said to be relevant to the decisions concerning the appropriate boundary for the PSDNP includes the following:
- The South Downs Integrated Landscape Character Assessment 2006 (#CD14) commissioned by the South Downs Joint Committee and others. This details landscape character types and landscape character areas for all of the landscapes within the designated area using current best practice. It takes account of a much wider range of factors than the earlier landscape assessments of the Sussex Downs and East Hampshire AONBs and presents the material on a GIS database.
  - The South Downs Management Plan (#CD26). This identifies mechanisms for conserving and enhancing the special qualities of the designated area, promotes opportunities for enjoying its special qualities and encourages sustainable forms of development.
  - The CPRE's 2006 Tranquillity Mapping for England is an updated tranquillity assessment.
  - A series of Historic Character Assessment Reports for a number of settlements, see Lewes (#CD24) for example. These are said to improve our understanding of the contributions settlements might make to the cultural heritage of an area.
  - The Serpent Trail Official Guide which provides a commentary on the major new long distance route that connects areas of heathland in the Western Weald.
  - "Wild but not free" – Report on use of Ministry of Defence land in National Parks (#CD50).

- A raft of other new material is also identified by HCC in paragraph 2.5 of #1969/1/10. Amongst other things the list includes the reports commissioned by English Heritage on the Historical Links between the Chalk hills and the Western Weald (#1348/2/1) and Historic Farmsteads and Landscape Character in Hampshire and West Sussex (#CD15 and #CD30).
- 6.3 In addition many of the arguments put forward at the re-opened inquiry in respect of the detailed boundary or individual parcels of land are said to be supported by material that is "new". Much of it is, not least the material submitted by the South Downs Campaign. On the other hand a lot of the material said to be "new" simply reiterates evidence that was available when #CD3 was written.
- 6.4 Be that as it may, the implications that any "new" material might have for the relevant conclusions and recommendations in #CD3 are all referred to as and when appropriate in the following section. Having looked at the matters listed by the Secretary of State in turn, under Topic 7 I aim to bring the respective threads together. In particular this section considers whether the NERC Act, *Meyrick* judgements, "new" evidence and so on alter in some way the key conclusions and recommendations set out in #CD3.

## TOPIC 7: OVERALL CONCLUSIONS

### *Inspector's Note:*

- 7.1 As the bulk of the oral and written representations before the re-opened inquiry directly or indirectly concern the Western Weald, it is convenient to deal with this matter at the outset. So far as I am aware this area is not precisely defined in geographical, administrative or any other terms. When I refer to the Western Weald it is shorthand for that part of the PSDNP that lies mainly to the east of the A3 corridor and north of Petersfield; land that would be excluded from the PSDNP if the Secretary of State decides that the National Park should be more closely focussed on the core Chalk hills. The term also includes non-AONB land to the east of the A283; land that is subject to the designation order and is generally deemed to be comparable quality.
- 7.2 Although they form part of the Western Weald, it is convenient to consider the A3 corridor and the Lower Rother Valley separately. These are the 2 areas that are identified in #CD3 as being of lower landscape quality than the rest of the Western Weald.
- 7.3 Following the consideration of the Western Weald and the A3 corridor/Lower Rother Valley I set out my overall conclusions under the following sub-headings.
  - the Ministry of Defence (MoD) Training Estate
  - the "especially desirable" test
  - the implications for the designation process, including key recommendations, and
  - the review of detailed boundary recommendations

## WESTERN WEALD

### *7.4: Summary of case for Natural England (NE)*

- NE's case in respect of this area is primarily set out in the documents listed under the first bullet point of paragraph 1.1 of the report together with #1330/2/1 and #1330/2/2. A detailed rehearsal of its case can be found in the first set of its closing submissions. The gist is set out below.
- It is generally accepted that the Western Weald is a landscape of outstanding beauty worthy of natural designation and that it provides a markedly superior recreational experience. The changes in the law arising from the NERC Act confirm that it was properly included in the PSDNP.



- While accepting that it warrants AONB status, WSCC argue that its natural beauty is of a type inappropriate for National Park designation. That is at odds with the Government's stance which considers that the natural beauty test is the same for both designations.
- Contrary to the claims made by WSCC and others, the NERC legislation confirms that cultural heritage can be taken into account in applying the natural beauty designation. Hitherto its importance was underplayed and the conclusions in #CD3 give it insufficient weight. In certain circumstances cultural heritage (and wildlife) considerations might allow the designation criteria to be satisfied when they otherwise might not have done.
- WSCC also claims that the landscape character of National Parks must be different from AONBs in order to distinguish the recreational opportunities on offer. This view is mistaken, any landscape character might give rise to a markedly superior recreational experience. Such experiences are not limited to landscapes that have a wild, open and remote character.
- Indeed there is no requirement for National Park land to display hallmark qualities such as wildness or remoteness. The 1949 Act refers only to "natural beauty. WSCC's reliance on the reference to wildness in paragraph 11 of Circular 12/96 is also misplaced as this refers a post designation situation and also pre-dates the NERC Act. For this and other reasons, the claim that the New Forest decision supports the need for hallmark qualities is also incorrect. Hallmark qualities are not factors to be used as a basis for excluding land from PSDNP. In any event, evidence put before the re-opened inquiry by HCC and others reveals that the Western Weald has the hallmark or traditional qualities that warrant designation. The 2006 Landscape Character Assessment (CD14) provides further confirmation.
- Claims that the Western Weald should be excluded as it does not have a particular core character are wrong. There is no requirement for a National Park to only have a single characteristic natural beauty. (This is addressed in detail in the legal submissions on topics 1 and 2.)
- Similarly, WSCC is wrong to assert that the Western Weald does not have natural beauty of a character that provides open-air recreation of National Park quality. The qualities of open-air recreational experiences are not limited to wildness, remoteness and the like. Land does not have to have these qualities to provide a markedly superior recreational experience. Moreover the statutory criteria should be applied separately; WSCC's conjoined approach is fundamentally flawed.
- The Western Weald itself provides a variety of high quality recreational experiences. Evidence put before the re-opened inquiry confirms its high wildlife and cultural interest. The readily available recreational experiences are derived from its intimate,

tranquil and unspoilt character. It offers better opportunities than the Downs for people to "get away from it all".

- The conclusions in #CD3 in respect of the A3 corridor and the Lower Rother Valley need to be reviewed in the light of the NERC Act, the *Meyrick* judgements and the new evidence put before the re-opened inquiry. While these corridors contain lower quality land, it is now clear that such areas can be "washed over" and designated as part of a larger tract of qualifying land.

#### 7.5: *Cases put forward by other parties*

- West Sussex County Council's (WSCC) case under this head is primarily found in the documents listed in paragraph 1.2 of the report together with #1007/2/6, #1007/2/7 and #1007/4/1.
- In WSCC's view, contrary to the claims made by NE and others, neither the changes in the law nor the new material put before the re-opened inquiry warrant a change to the conclusions in #CD3 that the Western Weald should retain its AONB status and be excluded from the PSDNP.
- The NERC Act may change the law but it does not alter the key conclusions in #CD3 in respect of characteristic natural beauty and the presence of hallmark qualities such as openness, wildness and remoteness. These conclusions essentially reflect those reached by the Secretary of State in the New Forest decision issued only a short time before.
- NERC likewise clarifies that wildlife and cultural heritage are relevant considerations but this should not disturb the recommendation to exclude the Western Weald given that #CD3 took these matters into account.
- WSCC accepts that NERC Act's clarification of the recreation criterion supersedes the position it adopted at the earlier inquiry sessions: but it is difficult to see how this can be overriding given NE's view that the overall effect of NERC is neutral. Much of the detailed evidence presented by HCC and others on footpaths, open access and semi-natural habitats applies to the whole of the Weald and no-one suggests that this wider area should be part of the PSDNP.
- Hampshire County Council (HCC) case supporting the conclusion of the Western Weald in the PSDNP is primarily set out in the documents listed in paragraph 1.2 of the report together with #1969/1/10 and #1969/2/10.
- Briefly, #CD3's reliance on the characteristic natural beauty concept and the presence of hallmark qualities to justify the exclusion of the Western Weald was wrong. Since #CD3 was written the NERC Act has clarified that the Countryside

Agency/NE's approach to the designation of the Western Weald was correct. Furthermore, re-opening the inquiry has allowed a mass of new material to come forward. This clearly supports the conclusion of the Western Weald and it has also allowed factual errors in the material underpinning the Landscape Assessor's conclusions to be identified.

- Of the other oral evidence presented to the re-opened inquiry in support of the Western Weald's inclusion in the PSDNP, particular note should be made of the case presented by South Downs Campaign. This consists of a series of (often detailed) topic papers concerned with matters such as recreational opportunities, landscape detractors and wildlife, as well as specialist landscape evidence - #1147/16. In total over 75 papers appear under SDC's inquiry reference number #1147. My report takes all of the documents into account but in the interest of brevity I do not attempt even a brief summary of their contents.
- Virtually all of the other oral and written evidence relating to the Western Weald adopts the arguments set out in the SDC material. The notable exception is perhaps the case put forward by Phillips (build) Ltd. This supports the exclusion of the A3 corridor from the PSDNP and in particular highlights the case for excluding the town of Petersfield. It is supported by legal submission (#936/1/3) that addresses the claims that the approach adopted in #CD3 is unlawful.

### *Inspector's conclusions on the Western Weald*

#### *Introduction*

- 7.6 #CD3's conclusion and recommendation that the PSDNP should be more closely focussed on the core Chalk hills took account of the advice offered by the independent Landscape Assessor. This advice reflected the approach adopted by the Landscape Assessor appointed to the New Forest Inquiry, an approach that was accepted in that instance, without qualification, by both the Inspector and the Secretary of State in turn.
- 7.7 If the PSDNP is to be more closely focussed on the core Chalk hills, most if not all of the Western Weald would be excluded. The Chalk hills and the Western Weald are, after all, decidedly different in character and appearance. Is the exclusion of the Western Weald still appropriate given the changes in the law and the other evidence put before the re-opened inquiry?
- 7.8 This issue is now examined under the following sub-headings.

*Natural Beauty*

- 7.9 Leaving aside the A3 corridor and the Upper Rother Valley, few if any doubt that the landscape of the Western Weald is beautiful. SDC's landscape witness goes so far as to describe it as the "jewel in the crown of lowland England". The majority was designated as part of the Sussex Downs AONB as far back as the 1960's. While there have been many changes in the intervening period, none of the representations before the re-opened inquiry challenge the view expressed in paragraph 8.14 of #CD3, namely that the Western Weald continues to warrant AONB status. Significantly, all parties accept that the Government considers that the natural beauty test is the same for both AONBs and National Parks.
- 7.10 None of the material put before the re-opened inquiry suggests that the overall landscape quality of the Western Weald has been seriously degraded or otherwise damaged in the period since #CD3 was written. It has some of the finest heathland and ancient woodland in the entire country and remains largely unspoilt and tranquil with a distinctive sense of place. Indeed the detailed study undertaken by HCC confirms, by reference to key quality indicators set out in national guidance (scenic quality, representativeness and rarity for example) that it is an area of high landscape quality (#1969/1/10 and #1969/2/10).

a) *Characteristic natural beauty*

- 7.11 #CD3's recommendation in favour of a National Park more closely focussed on the core Chalk hills relies on a number of key findings. Under Topic 2 of the report I gave reasons why in the wake of the legislative changes introduced by the NERC Act some of these are questionable at the least. More precisely, I am no longer persuaded that designation is in some way reliant on the presence of characteristic natural beauty. As I see it, this concept was fundamental to the decisions regarding the extent of the New Forest National Park and, not surprisingly, it was also adopted by the Landscape Assessor in his appraisal of the PSDNP. While consistency in any decision making process is clearly important, I now attach far less weight to the New Forest decision in the light of the NERC Act. Amongst other things, the changes in law introduced by the Act are intended to ensure it is in line with the relevant NE policy. In my view that policy does not anticipate that National Parks will have a distinctive, individual or coherent identity. Rather the policy sees merit in diversity. Criterion 2b of the policy approach notes "*Areas to be included may be of differing landscape character: quality will be the key determinant rather than uniformity*" (CD44).

b) *Hallmark qualities*

- 7.12 Another consideration underpinning the #CD3 recommendation for a more focussed National Park was that National Parks should display traditional or hallmark qualities such as wildness, remoteness, tranquillity and an ability to "get away from it all". The NERC Act's clarification that land is not prevented from being of natural beauty because it is used for agriculture or as parkland, or that it can be the product of man's intervention in the landscape, seem to me to critically undermine any argument that a tract of land must exhibit traditional or hallmark features if it is to be included. I do not say that they are irrelevant considerations, (indeed they feature in NE's current approach to the identification of qualifying land), but I doubt if the absence of one or more such features should preclude the inclusion of land in a National Park; particularly where the land in question is universally viewed as being of outstanding natural beauty.
- 7.13 Some of the new evidence put before the re-opened inquiry suggests that the Western Weald exhibits sufficient hallmark qualities to warrant designation in any event. Certainly, the comprehensive South Downs Integrated Landscape Character Assessment identifies hallmark qualities in many of the sub-areas of the Western Weald and they were also readily evident in my visits to the area. In addition the detailed evidence put forward by HCC on the extent of semi-natural habitats in the Western Weald seem to me to support the presence of wildness and other hallmark qualities. This tends to be supported by the Landscape Assessor's report which refers to the presence of hallmark qualities in the extensive woodlands and heathlands that form a major part of the Western Weald.

c) *Unifying factors*

- 7.14 NE's predecessor, the Countryside Agency, previously argued that a set of unifying factors linked the Western Weald to the Chalk hills. The many factors said to link the adjoining areas to one-another included visual links, geology, topography and historical associations. #CD3 concluded that by and large these did not justify the inclusion of the Western Weald and some other areas in the PSDNP. This argument was not seriously pursued at the re-opened inquiry. As I understand it, NE now considers that the Western Weald deserves to be included on its individual merits not because of its links to the Chalk. I think this must be right. If it is not necessary for the PSDNP to have an individual, distinctive and coherent identity, that is to have characteristic natural beauty, it seems to me that the inclusion or otherwise of different landscape

character areas should turn on their ability to satisfy the statutory criteria, not their ability to demonstrate unifying links to the Chalk.

- 7.15 That said, material put before the re-opened inquiry supports the argument that the historical and cultural links between the Chalk hills and the Weald are strong and long-lasting – see the report from English Heritage for example, #1348/2/1. If this material had been available when #CD3 was written it might have influenced the assessment of the importance of the historical links and cultural associations. Whether this would have altered the conclusion that the Western Weald should not form part of the PSDNP is far less certain. After all, the latter conclusion was based on an acceptance that the history of the Chalk hills and the Western Weald are inextricably interwoven. That fact was clearly established by the material presented to the earlier sessions of the inquiry, the evidence from the re-opened inquiry simply provides additional detail.
- 7.16 While the unifying factors linking the Chalk and the adjoining landscapes probably strengthen the case for including the Western Weald in the PSDNP, I doubt if they are determinative. As mentioned above, in my view inclusion is dependent on the satisfaction of the statutory criteria, not the presence of geological, historical or other links to the core Chalk landscapes.

#### d) Cultural heritage

- 7.17 The NERC Act clarifies that cultural heritage (and wildlife) can be taken into account when considering whether it is especially desirable to designate a tract of land (as a National Park) by reason of its natural beauty. The relevance of cultural heritage to the designation process was in dispute when #CD3 was written. While WSCC'S doubts regarding its relevance may have led it to undervalue the Western Weald, both the Landscape Assessor and myself were persuaded that cultural heritage qualities should be taken into account.
- 7.18 If cultural heritage and wildlife qualities had been ignored or discounted, clearly the NERC clarification would have materially improved the case for including the Western Weald in the PSDNP. That did not happen; #CD3 recognised their relevance and took account of the expert evidence provided by NE, the SDC and others. Even so, I accept that this evidence may not have been fully weighed in the balance because of the uncertainty as to its relevance. Any uncertainty was removed by the NERC Act. As I see it, this puts cultural heritage qualities centre stage in any assessment of the statutory criteria; it is not a peripheral matter that may be taken into account if the natural beauty of an area is otherwise not up to National Park standard.

- 7.19 Relevant to this, the material put forward recently by English Heritage, HCC, SDC and others confirms the very significant wildlife and cultural heritage qualities of the Western Weald. Maps in #1147/14/2 illustrate the bio-diversity assets of the Western Weald and amongst other things show concentrations of rare and protected species at Ebernoe Common, The Mens and elsewhere. Many sites are designated as SSSIs and SNCIs and extensive areas of the Western Weald are Ancient Woodland.
- 7.20 Detailed evidence submitted by HCC draws attention to the "time depth" of the historic and often intact farmed landscapes, often part of the large estates that make up a significant portion of the Western Weald, and the designed landscapes such as Petworth House and Cowdray Park (#1969/2/10). English Heritage draws attention to the cultural heritage qualities of the Western Weald including the presence of many small historic settlements that are said to be an integral part of the landscape (#1348/1/6). Without doubt the wildlife and cultural heritage qualities of the Western Weald strengthen the case for including the area in any new National Park. Much of the evidence on the cultural heritage and wildlife qualities was not available when #CD3 was written.

e) *Conclusions on natural beauty test*

- 7.21 When the cultural heritage and wildlife evidence is weighed with my acceptance that in the wake of the NERC Act it is no longer necessary for the new National Park to exhibit characteristic natural beauty, or display hallmark or traditional qualities, I am satisfied that the Western Weald satisfies the natural beauty criterion. Indeed, HCC's detailed assessment of the natural beauty of the Western Weald suggests that for a number of the quality indicators in national guidance it actually outscores the core Chalk hills (#19969/1/10).

*Recreational opportunities*

a) *Satisfaction of the statutory test*

- 7.22 Paragraph 2.40 of #CD3 notes that the Chalk hills offer markedly superior recreational experiences and accordingly clearly satisfy the statutory recreational opportunities criterion. The commentary adds that these experiences can be distinguished from those on offer in the Weald and elsewhere as these areas do not exhibit the traditional National Park qualities of relative wildness and remoteness.

- 7.23 Is that comparison relevant given the new law introduced by the NERC Act?
- 7.24 Earlier in the report I concluded that in the wake of the NERC Act the designation process should assign far less weight to the presence or otherwise of hallmark or traditional National Park qualities. It follows, it seems to me, that the availability of a markedly superior recreational experience within an extensive tract is not reliant on the presence of hallmark qualities or land having a particular kind of natural beauty. Recreational opportunities should, rather, be assessed on their individual merits having regard to the matters identified in the relevant legislation, namely the character of the land in question and its position in relation to centres of population.
- 7.25 HCC's assessment of the open-air recreational opportunities on offer within the Western Weald indicates that the rights of way network is comparable to that of the Chalk hills and that it has a higher percentage of open access land available to the public (over 2000ha in total). Its location in the densely populated South-East means that it is also much closer to centres of population than most existing National Parks. While these factors tend to suggest that the Western Weald might satisfy the recreational criterion I am conscious that quantitative measures do not tell the full story. They say little about the quality of the experiences on offer.
- 7.26 Fortunately, other evidence put to the re-opened inquiry addresses this matter. The SDC submissions, #1147/7/1 for example, detail the available recreational opportunities. Amongst other things the submissions from the SDC, NE and many others highlight the intimate, tranquil and generally unspoilt character of the Western Weald and the variety of landscapes that occur within a relatively small area. These include ancient woodlands, commons, heathland and other areas of high ecological value. Significantly, all of these landscapes can be experienced at first hand via a comprehensive rights of way network that includes ancient routes, sunken lanes and long distance paths such as the Sussex Border Path, Hangers Way and the recently created Serpent Trail. Surveys undertaken by SDC also identify a significant level of recreational use and a high regard for the recreational experiences on offer. SDC goes so far as to claim that the Western Weald offers the best and most accessible walking opportunities in the South-East of England.
- 7.27 Recreational opportunities in the Western Weald are undoubtedly different from those available in the Chalk hills and within the more rugged and remote National Parks found elsewhere in the country. Even so, many of the submissions before the re-opened inquiry argue that the recreational opportunities are comparable to those available in wilder, less settled landscapes, indeed that they are superior in many respects. In particular it is said that the extensive semi-natural heathland and woodland areas provide a strong sense of relative wildness and opportunities to "get away from it all".



7.28 Whether or no the recreational opportunities are superior to those available on the Chalk hills matters little. As I see it, the quality of the recreational opportunities available in the Western Weald should be judged by reference to what might be called "ordinary" countryside, not by reference to the opportunities on offer in the Chalk hills or protected landscapes elsewhere in the country. On that basis, I am satisfied that the quality of the recreational experiences available in the Western Weald exceeds that normally available in the wider countryside. Although this area is more closely settled than other parts of the PSDNP, my many site visits satisfy me that it is generally rural and tranquil with a surprisingly high degree of relative wildness. It is moreover pepper-potted with sites having significant cultural heritage and wildlife qualities. These all contribute to the quality of the recreational experiences on offer and I am satisfied as a consequence that the recreational opportunities criterion is satisfied.

b) *New law*

7.29 It is also necessary to note that the NERC Act provides the discretion to take a wider range of matters into consideration when applying the recreational criterion. More precisely the new law extends beyond a consideration of "opportunities" to embrace something much less certain to happen "potential opportunities" – a far less demanding test. In certain circumstances the additional discretion could justify the inclusion of land which might otherwise fail to satisfy the recreational criterion.

c) *Conclusions on recreational opportunities test*

7.30 Visitors to the Western Weald have easy access via a well maintained and comprehensive rights of way network to a diverse, largely unspoilt and outstandingly beautiful landscape; a landscape peppered with sites of high ecological value and with a rich cultural heritage. Few doubt that the Western Weald offers a range of markedly superior recreational experiences. In sum, I am satisfied that the statutory recreational opportunities criterion is met.

## **LOWER ROTHER VALLEY AND A3 CORRIDOR**

### *Introduction*

7.31 The Lower Rother Valley and the A3 corridor are identified in #CD3, paragraph 2.63, as 2 areas within the Western Weald that are of

lower landscape quality. To a large degree that conclusion relied on the report prepared by the Landscape Assessor - annex B. Having examined the 2 areas in detail the Assessor concluded that neither area satisfied the natural beauty criterion.

- 7.32 Do the changes in the law introduced by the NERC Act and/or any of the other material put before the re-opened inquiry now suggest that the one or both of the areas could reasonably form part of the PSDNP?

### **The Lower Rother Valley**

- 7.33 Annex B of #CD3 indicates that this section of the valley extends from the confluence of the River Rother and the River Arun westwards for about 20km as far as the edge of Petersfield. It has Greensand ridges to either side – the North Wooded Ridges to the north and the Scarp Footslopes to the south (*1995 Landscape Assessment of the South Downs (CD182)*). The Landscape Assessor considers that both of the Greensand areas satisfy the natural beauty criterion and that is also my assessment. Likewise annex B also indicates that the narrow alluvial Rother floodplain is also of the necessary standard due to its enclosed, intimate and secluded character. The river itself is SNCI for much of its length. I also agree that that this area satisfies the natural beauty criterion.
- 7.34 The 1995 report notes that this section of the Rother Valley includes 2 main landscape character areas, the Heathland Mosaic and the Sandy Arable Farmland. Save for one small area at West Heath Common used for mineral extraction, the Assessor considers that the Heathland Mosaic area satisfies the natural beauty criterion. I see no reason to disagree. The heaths and commons that make up much of the area are of considerable ecological and cultural value. They are lightly settled, tranquil, relatively wild and have a strong sense of place.
- 7.35 It follows from the above that the Assessor's concerns regarding the overall landscape quality of the Lower Rother Valley are primarily directed at the relatively narrow Sandy Arable Farming area. The Assessor notes that the well-drained loamy soils found within this area are largely used for intensive horticulture and for arable farming. He adds that agricultural operations tend to be highly mechanised and many of the farm complexes are large and conspicuous. Irrigation is commonplace and at certain times of the year crops are protected by some form of protective sheeting which can be visually intrusive. So far as I am aware, the Assessor's description in Annex B of the current agricultural operations in the valley is broadly accurate, albeit that the latest Integrated Landscape Character Assessment (#CD14) makes few references to landscape detractors within the valley.

- 7.36 On the other hand I note that the Assessor states that the overhead power transmission line running from Chithurst towards Buriton has a particularly high visual impact. This appears to have been one of the impacts that led him to conclude that the landscape quality of the area is likely to have deteriorated significantly in the 38 years since the AONB was designated. However evidence put before the re-opened inquiry clarifies that the line was in place (or prospect) when the AONB decision was taken – it has not therefore contributed to any subsequent loss of landscape quality.
- 7.37 In addition the Assessor draws attention to field amalgamation and the loss of hedgerow trees associated with the agricultural operations. While fields within the valley are often large and I do not doubt that some hedgerows and hedgerow trees have been lost since the 1960's, the weight of evidence put before the re-opened inquiry indicates that much of the field amalgamation occurred before the AONB was in place – see #1007/3/1 for example. Case Studies undertaken on behalf of the South Downs Campaign (#1147/8/1) also tend to suggest, contrary to the Assessor's assumption, there have been relatively few changes in field boundaries within the valley over the last 40 years.
- 7.38 Indeed my attention was drawn to initiatives under the national Countryside Stewardship Scheme and its successor the Environmental Stewardship Scheme that have enhanced the quality of the valley landscape and its ecological value over that period; not least because of the significant length of new hedgerows that have been planted (#1147/8/1). Since 2001, for example, over 26 miles of new hedgerows have been planted at the Leconfield Estate on the outskirts of Petworth (#1007/3/5). Overall, I am persuaded by the "new" evidence that there has not been a significant deterioration in the landscape quality of the Lower Rother Valley since the 1960's.
- 7.39 In saying that I recognised that the A272 carries more traffic nowadays and that some of the small settlements sitting astride that road have been subject to some additional built development. These considerations must have had some impact on the rural character and tranquillity of the valley and its ability to provide a sense of relative wildness. However I am not convinced that these matters are determinative given that so much of the PSDNP is affected by roads carrying far more traffic than the A272 and the fact that the land subject to the designation order extends to the edge of many large urban areas. Where this happens the adjoining built development has a much greater impact on the adjoining countryside. It also seems to me that where landscape detractors are present their adverse impact is usually localised.
- 7.40 I am also conscious that the Assessor recognises, notwithstanding his concerns regarding the farmed landscapes, that the valley contains land of high scenic quality as well as many sites of important ecological, historical and archaeological value. Annex 2 of #1147/14/2 maps the location of many. The valley also contains several small and attractive historic settlements such as Midhurst,

Petworth and Fittleworth. All have been subject to some built development in recent years but they seem to me to be generally well integrated into their landscape settings. The Assessor did not ignore the contribution these settlements might make to the satisfaction of the natural beauty criterion but in advance of the NERC Act their cultural heritage qualities may not have been taken fully into account. Moreover, the re-opened inquiry introduced "new" evidence highlighting the importance of many sites within the valley, the Coultershaw Heritage Site being just one example.

- 7.41 Bearing in mind also that this relatively narrow belt of land is bounded by high quality landscapes, landscapes that I now accept satisfy the natural beauty criterion; *Meyrick's* clarification that landscape detractors can be "washed-over" by higher quality land and my conclusion that the valley has not deteriorated significantly since it was identified as being of AONB quality in the 1960s, I am now satisfied that the valley meets the natural beauty criterion, contrary to the view expressed in #CD3 that it is a lower quality landscape that should be excluded from the PSDNP. In my opinion the new law in concert with the "new" evidence makes any other conclusion untenable. It follows that if the wider Western Weald is included in the PSDNP it could also properly include the Lower Rother Valley (subject to the satisfaction of the recreational opportunities criterion). On the other hand if the wider Weald is excluded from the PSDNP, the valley could be part of any residual AONB.
- 7.42 So far as the recreational opportunities criterion is concerned, the Assessor identifies a number of matters that led him to conclude that the Sandy Arable Farming area fails to meet the recreational opportunities criterion. Matters identified include footpaths that are overgrown or otherwise disrupted, the need to use busy lanes and traffic bottlenecks at the ancient bridges over the river. He also notes that the recreational routes tend to pass through agricultural landscapes with only distant views of the Chalk escarpment or Greensand ridges.
- 7.43 It seems to me that these matters all bear on the quality of the available recreational experiences. That said the Assessor accepts that he did not consider the issue in detail and evidence put to the re-opened inquiry suggests that the concerns may not be overriding. Footpath maintenance in the Western Weald is delegated to the SDJC and figures published by the Audit Commission reveal that 98% of the footpaths within the Western Weald are well-signed and easy to use (#1147/7/1, paragraph 5.6). This figure is well above the national average for County Councils and suggests to me that any blocked or obstructed footpaths in the Sandy Arable Farming area are likely to be the exception rather than the rule.
- 7.44 I note also that good accessibility for recreational users is provided by the many ancient drove roads that run north to south across the valley as well as other footpaths and bridleways, including the many

circular walks that are listed in the document "*Rother River Walks*" - #1147/2, appendix C. The South Downs Campaign states that the circular walks are all high quality. In places walkers would need to use metalled roads or lanes but these were rarely busy on the occasions when I visited the area. The survey undertaken by the South Downs Campaign also suggests that the many river crossing points are mainly easy to use (#1147/2, appendix J). Views of the Chalk hills and Greensand ridges are gained from a distance but this is hardly critical given my conclusion that the Sandy Arable Farming area itself satisfies the natural beauty criterion. As mentioned elsewhere, non-Chalk landscapes no longer need to demonstrate strong visual or links to the Chalk hills if they are to be included in the PSDNP. On balance, therefore, the "new" evidence put before the re-opened inquiry satisfies me that the recreational opportunities criterion is also satisfied.

### **The A3 corridor**

- 7.45 Annex B of #CD3 uses this term to describe the vale or corridor of land that extends northwards from Petersfield to the boundary of the PSDNP near Liphook. It includes Woolmer Forest and the Longmoor Inclosure which are part of the MoD training estate. The former lies immediately north of the A3, the latter on the opposite, southern, side of the road. I deal with the MoD land separately.
- 7.46 The A3, B2070 and the main London to Portsmouth railway line all run through the corridor. And in addition to the sizeable town of Petersfield, the corridor also includes Liss and some other smaller settlements. Annex B mentions that most of the land falls within the Mixed Farmland and Woodland Character area but it also includes some other Wealden Greensand types (*1998 East Hampshire Integrated Management Guidelines (CD183)*).
- 7.47 Briefly the Assessor draws attention to the visual and aural impact of the A3 on the corridor; the loss of hedgerows and hedgerow trees south and east of Petersfield; sporadic development along the B2070 and the urbanising impact of settlements such as Liss and Liss Forest. The Assessor accepts that Petersfield has strong visual links with the escarpments to the south and west but notes that recent peripheral development separates the town's historic core from the surrounding countryside. Overall the Assessor concludes that the character and quality of the Mixed Farmland and Woodland Character type does not satisfy the natural beauty criterion. He also concludes that the Pasture (Hanger Associated) Character area near the village of Steep also fails to satisfy the criterion. Furthermore the corridor is too extensive to be "washed-over" by a sweep of otherwise high quality landscape. In #CD3, paragraph 7.105, I indicate that I broadly agree with the Assessor's conclusions.

- 7.48 While most of the A3 corridor is designated as AONB, its inclusion in the PSDNP has always been open to question. At an earlier stage in the designation process it was actually recommended for exclusion by NE's predecessor, the Countryside Agency. Inevitably, it seems to me, the transport infrastructure and the presence of Petersfield, Liss and several other settlements tend to fragment and diminish the rural character of the corridor and any sense of relative wildness. That is not to say that the entire corridor is of lesser quality. Much is attractive unspoilt countryside being a mosaic of arable land, pasture and woodland. The volume of "new evidence put to the re-opened inquiry – see #1147/14/1 and #1169/1/10 for example – confirms that it also contains many sites and areas of significant ecological and cultural value including ancient woodland. It contains many SNCI sites, not least the River Rother itself which is an SNCI for much of its length – see #1147/14/2, map 11. The "new" material also indicates that the corridor has benefited from a number of initiatives to restore hedgerows and enhance environmental qualities.
- 7.49 I also accept that the settlements in the corridor and the A3 itself, tend to be visually contained by the local topography and nearby areas of woodland. Although the settlements stand close to the A3 they are not readily visible from the road due to intervening timber, the undulating topography and the fact that the road is often in cutting. When the road was constructed it was also accompanied by an extensive landscaping programme that now significantly limits the views of the road and its traffic. It is also fair to add that the assessment in #CD3 tends to view the presence of settlements as a negative factor. In the wake of the NERC Act it is apparent that the cultural heritage qualities of settlements such as Steep and Greatham can support the designation of land.
- 7.50 That point is also apposite in respect of the historic town of Petersfield. While it is a sizeable town by National Park standards that is not itself a reason for excluding it from the PSDNP and it did not preclude its inclusion in the AONB at an earlier date. I note also the footprint of the town has not changed significantly since the AONB was designated (#1147/10/1). While the development that has occurred near its southern edge in more recent times is conspicuous when viewed from the A3, Petersfield has significant cultural heritage qualities and enjoys strong visual links with the nearby escarpments. By and large the town is well integrated with the surrounding countryside which actually penetrates the built-up area in places. Much the same can be said of Liss which has a more suburban character but has acquired the epithet of being a "hidden village".
- 7.51 Overall, I accept that the "new" evidence put before the re-opened inquiry supports the case for including the A3 corridor in the PSDNP. There is, however, an additional matter to consider. Both the Assessor and myself concluded that the entire A3 corridor is too extensive to be "washed-over" by the sweep of otherwise high

quality landscape that lies either side of it. I now accept that much of the corridor satisfies the natural beauty criterion in its own right. It contains areas of very attractive countryside and many sites of significant cultural and wildlife importance. The "wash-over" point relates therefore to the localised pockets of lower quality land, not the corridor as a whole. It also seems to me that our understanding of the "wash-over" point might have been unduly conservative given the terms of the first *Meyrick* judgement. As I read it, the judgement allows more extensive areas of land within the main body of the National Park to be "washed-over".

- 7.52 With these points uppermost in mind I now accept that if the Secretary of State concludes that the wider Western Weald should be included in any new National Park it would be reasonable also to include the A3 Corridor notwithstanding the amount of built development and transport infrastructure.. The corridor is not universally high quality but in the final analysis I accept that the localised landscape detractors are "washed over" by higher quality land. Conversely, if it is decided that it should be excluded, I accept that the corridor should be part of any residual AONB.
- 7.53 I appreciate the concern that AONB status restricts Petersfield's ability to respond to development pressures and deliver sustainable development but I am not convinced that this is an overriding consideration. It is, rather, a matter to be addressed by other legislation.
- 7.54 So far as recreational opportunities are concerned, the Landscape Assessor's main concerns relate to the impact of the A3 road. He notes the many crossing points of the A3, particularly to the south of the Hangers Way crossing, but says that those further to the north are not particularly well integrated with the footpath network. Recreational users therefore need to use roads that can be busy with traffic.
- 7.55 "New" evidence put to the re-opened inquiry reveals that when the construction of the A3 was under consideration, the implications for the rights of way network was carefully considered by the Highways Agency and others involved in the decision process. Furthermore, a study of the network undertaken by the South Downs Campaign reveals little if any change following the construction of the road (#1147/9/1). The fact that recreational users have to travel along roads within the corridor at times does not arise as a result of the new road. The "new" material suggests, therefore, that the A3 has not physically disrupted the rights of way network.
- 7.56 Whilst the need for walkers, cyclists and riders to cross the road from time to time must impinge on the recreational experiences available within the corridor, the landscaping programme and the fact that much of the road is in cutting help to mitigate the impact. Many locations within the corridor are of course unaffected by the road, for example the parkland landscape west of Greatham and in the vicinity of the Victorian estate village of Blackmoor. I note also

that the comprehensive rights of way network in the corridor includes long distance footpaths such as Hangers Way as well as many routes that link the corridor to the high quality landscapes to either side. On balance, bearing in mind that detractors may be "washed-over" by higher quality landscapes, I now accept that the recreational criterion is satisfied.

### **MoD Training Estate**

- 7.57 The MoD training estate does not have AONB status but #CD3 notes that it includes land of very considerable ecological and aesthetic value and virtually all is designated SSSI, SAC or some other protective designation. It is one of the most extensive tracts of high quality lowland heathland in the South-East. The doubts concerning its inclusion in the PSDNP all relate to the MoD presence and the impact this has on its ability to satisfy the statutory criteria.
- 7.58 Does the new law or the "new" evidence put before the re-opened inquiry now suggest that all or part of the training estate should be included in the PSDNP? I begin by considering the case for the inclusion of Woolmer Forest.
- 7.59 In #CD3 I indicated that I did not share the Assessor's view that Woolmer Forest fails to satisfy the natural beauty criterion. None of the evidence put before the re-opened inquiry persuades me otherwise, indeed the material tends to confirm that the natural beauty criterion is met. I have in mind, for example, the material in the appendices accompanying #1147/13/1 illustrating the area's rich cultural heritage.
- 7.60 On the other hand in #CD3 I said that I was not convinced that a markedly superior recreational experience was available given the time restrictions on public access to much of the area. These restrictions are in place as part of Woolmer Forest is used for live firing training. My conclusions regarding the time restrictions were qualified inasmuch as the MoD evidence was contrary to that put forward by other parties. I do not know if the training arrangements have altered over the period since #CD3 was written but the evidence put before the re-opened inquiry suggests that live firing occurs on far fewer days than I had previously assumed – see #1147/13/3. This is to be expected, perhaps, as a recent study of MoD activities in National Parks - #CD50 - indicates that live firing often takes place on fewer days than that actually programmed. This document also indicates that similar live firing restrictions occur in many of our existing National Parks.
- 7.61 I do not doubt that when it is open to the public Woolmer Forest offers markedly superior recreational experiences. It is remote and tranquil with a magical sense of place. Moreover I accept that if the time restrictions are better publicised more visits would occur. At the moment it is not always possible to easily establish if restrictions



are in place. It also seems to me that in years to come there could be further opportunities for the public to enjoy the area since National Park status would impose a duty on the MoD to have regard to National Park purposes. What this might mean in practice is of course uncertain. It might mean, for example, a reduction in the time restrictions or the extension of the area where public access is unrestricted. The important point for current purposes is that the NERC Act clarifies that the possibility of promoting recreational opportunities can be taken into account in applying the recreational criterion.

- 7.62 Any attempts to promote recreational opportunities would, of course, have to take full account of the implications for the exceptional wildlife qualities of the area. Unrestricted access could be both inappropriate and undesirable as recognised by the recently established Longmoor Grazing Project – see #1147/13/3.
- 7.63 Notwithstanding the uncertainty regarding the future public use of the land, in the light of the new law and the “new” evidence I consider, on balance, that Woolmer Forest satisfies the recreational opportunities criterion. The available evidence suggest that the time limitations on public access may not be as restrictive as that assumed when #CD3 was written and are not markedly different from the restrictions that apply in other National Parks in any event.
- 7.64 The portion of the MoD training estate south of the A3 is not subject to time restrictions on its use by the public. However, this area contains Longmoor Camp, a very substantial military complex containing a significant amount of built development and associated infrastructure. Although its scenic impact is fairly localised because of the screen provided by nearby trees and woodland, in my opinion the camp is visually intrusive and as a consequence #CD3, paragraph 7.115 concludes that the natural beauty criterion is not met. That conclusion does not apply to the remainder of Longwood Inclosure which is generally tranquil and unspoilt with a strong sense of place.
- 7.65 The evidence submitted by the MoD to the earlier sessions of the inquiry also persuaded me that the training activities undertaken at this location impact on the qualities of the recreational experiences on offer. A range of training activities occur which on occasions involve the use of heavy and noisy military vehicles.
- 7.66 On the other hand the survey material submitted to the re-opened inquiry suggests that the training activities do not significantly undermine the quality of the available recreational experiences albeit that visitors are often aware of the military presence (see #1147/13/1). It is also evident that the recreational experiences are enjoyed by large numbers of people. Many of the visitors live in nearby settlements but a good number come from further afield. This may reflect the fact that the area is shown on OS Explorer Maps as “managed access” and as such is effectively open access land for those visiting on foot. In the light of the “new” evidence I

now consider, notwithstanding the military training use, that Longwood Inclosure is an important recreational resource offering markedly superior recreational experiences.

- 7.67 In summary, the volume of "new" evidence put before the re-opened inquiry supports the inclusion of the MoD training estate in the PSDNP. The situation is not clear-cut, however, as the military presence clearly has an adverse impact on the natural beauty of part of the area and the available recreational opportunities are affected by time restrictions and military training activities. On balance, and I consider that this is a particularly finely balanced matter, I consider that these points should not preclude the inclusion of the training estate in the PSDNP given the intrinsic and nationally important qualities of so much of the estate and the fact that it sits within a wider tract of otherwise high quality land, land that clearly satisfies the statutory criteria. As mentioned previously *Meyrick* clarifies that this can wash-over lower quality land such as the Longmoor Camp.

## **THE "ESPECIALLY DESIRABLE" TEST**

### Introduction

- 7.68 As NE notes, section 5(2) of the 1949 Act does not ask whether land is naturally beautiful and provides recreational opportunities. Rather it asks whether it is especially desirable that land should be designated as National Park so that measures can be taken to achieve National Park purposes. Designation does not automatically follow simply because land is able to satisfy the natural beauty and recreational opportunities criteria.
- 7.69 #CD3 addresses this matter in general terms but I accept that it might not have been given the attention it deserves. In particular, perhaps, insufficient attention was given as to whether it is especially desirable to designate the non-Chalk landscapes, and in particular the Western Weald, as part of the PSDNP. In part this simply reflected the conclusion that the PSDNP should be more closely focussed on the non-Chalk landscapes. As I mention below, if land cannot satisfy the statutory tests for some reason, the especially desirable test cannot be relied upon to justify the inclusion of a tract of land in a National Park.
- 7.70 At the earlier sessions of the inquiry NE's predecessor took what might be called a restrictive or narrow view of the matters that might be relevant to the especially desirable issue. It now accepts that many factors might be relevant. In paragraph 145 of its closing submissions it says that it "*would probably be impossible to list them all*" .... including any factors that "*can reasonably be said*

*to relate to the judgement as to whether a particular extensive tract of land should be designated as National Park.”.*

- 7.71 Not only does NE accept that a wide range of factors might be relevant to the especially desirable test but it also contends that the natural beauty and recreational opportunities criteria are effectively subservient considerations. As I see it, that is probably a step too far. After all if land cannot satisfy the natural beauty and recreational opportunities criteria, designation could not be justified simply because it would be especially desirable to do so for some reason. In the same way I am not convinced that it is especially desirable to include the several settlements situated at the edge of the National Park simply because of their cultural heritage qualities and/or their ability to provide a gateway role.
- 7.72 For the avoidance of doubt I would also add that as I am satisfied that there are no overriding in-principle objections to a new National Park focussed on the Chalk hills, I see no need to re-visit the arguments that a National Park Authority (NPA) would lead to a democratic deficit as unelected persons would wield undue influence or that it would introduce an additional and unnecessary layer of bureaucracy and disrupt well established arrangements for managing the AONBs. These may be material to the especially desirable test but they apply irrespective of whether the PSDNP includes the Western Weald.

### **Does the Western Weald satisfy the test?**

#### *Background*

- 7.73 In #CD3, paragraph 3.87, I stated that the core Chalk hills satisfied the especially desirable test. None of the material put forward at the re-opened inquiry in respect of the *Meyrick* judgements, the NERC Act or even the volume of “new” evidence drawn to my attention, persuades me that a different conclusion is now appropriate.
- 7.74 So far as the Western Weald is concerned, NE’s Position Paper 6 (#1330/0/20) and #1330/0/27 sets out in detail the reasons why it considers that it is especially desirable that the Western Weald be part of the PSDNP. Central to its case is the belief that the special management needs of the area can best be addressed by National Park designation. In support of this it highlights a number of key considerations. These are said to include, for example, benefits that would flow from the measures and wider range of powers available to a NPA and the likelihood of better and more secure funding. It is also said that a larger National Park would have a more effective voice in regional and sub-regional affairs. In response WSCC argues that if the Western Weald is excluded from the PSDNP and retains its AONB status, it would not suffer an inferior management system

nor, necessarily, an inadequate level of funding (#1107/4/1 and closing submissions).

- 7.75 Before considering the competing arguments, it is helpful to note at the outset that few criticise the way the South Downs Joint Committee (SDJC) and its partner bodies exercise their land management responsibilities. The evidence put forward by the SDJC details the way the Western Weald is currently managed and the many initiatives taken to help protect and enhance this nationally important landscape, examples include the Sussex Wealden Greensand Heath and the Rother Valley Projects (#772/1/1 and #772/1/2). I do not doubt that if the Western Weald is managed as an AONB rather than as part of the PSDNP the available resources would continue to be used efficiently and effectively.

#### *Management arrangements*

- 7.76 In 2005 and Sussex Downs Conservation Board and the East Hampshire Joint Advisory Committee were brought together to form the SDJC in order to jointly manage the respective AONBs. I understand that the new body has a wider range of objectives than most AONBs, presumably reflecting the fact that it was set up as a shadow for any new NPA. Having a single management structure in place should in due course ease the transition to a National Park managed by a new NPA. The new body would build upon the SDJC's past achievements.
- 7.77 If the Western Weald is excluded from the PSDNP, the excluded land and the new National Park would necessarily be managed separately. It seems to me that the residual AONB land is sufficiently extensive to be an AONB in its own right. It could be managed independently of the PSDNP albeit that NE is not convinced that it would be financially viable. Whether or no that is right, it seems to me that the joint management of the core Chalk Hills and the Western Weald by a single body would provide a more integrated and cost-effective management structure better able to respond to the needs and demands placed upon the respective areas. A single management body could also make a more effective contribution to the Government's aim to secure more sustainable development.
- 7.78 I also see force in NE's argument that if the Western Weald is an integral part of the PSDNP, it would benefit from the focus, leadership and resources that a NPA could provide. In addition I attach weight to the fact that the Western Weald could benefit from the additional planning powers available to a NPA but not to any body managing an AONB.

*Recreational pressures*

- 7.79 Given the anticipated population expansion in the South-East, the Western Weald is likely to be subject to additional visitor pressures whether it retains its AONB status or becomes part of the PSDNP. While these pressures could put the special qualities of the designated area at risk, it seems to me that these pressures might be more effectively managed if the PSDNP includes the more intimate, well-wooded and enclosed Western Weald as well as the largely open and exposed Chalk hills. More importantly, perhaps, the PSDNP would then be able to offer a wider and more diverse range of recreational opportunities beneficial to all sectors of society, not just those able to tramp the wide open hills. The opportunities on offer within the Western Weald are much more likely to be taken up by those physically or socially disadvantaged.
- 7.80 I would add that I do not accept WSCC's claims that National Park status, and any additional recreational pressure that it might generate, would damage the character of the Western Weald. Indeed I consider that if the Chalk hills and Wealden landscapes are managed by a single body it could help ensure that the recreational demands placed upon these very different and distinct areas is to their mutual advantage.

*Climate change*

- 7.81 The SDC also claims that a larger more diverse National Park might be better able to respond to climate change issues. #1147/18/1 looks at this in detail. It notes for example that many National Park Authorities identify a need for ecosystem management at a landscape scale and the importance of environmental adaptability.
- 7.82 Climate change poses huge and uncertain challenges for National Parks as with so many other aspects of modern life. Although the available evidence is hardly conclusive, it seems to me that the special qualities of the Western Weald are more likely to be conserved in the face of climate change if it is part of a diverse and well funded National Park. As I see it, a National Park focussed on the core Chalk hills would be less able to adapt to changing environmental conditions.

*Funding*

- 7.83 While the funding provided to both National Parks and AONBs is of course at Parliament's discretion, the available evidence suggests that National Parks receive better and more secure funding. As I understand it, the additional funding given to National Parks is

generally over and above the base line funding required to undertake the additional work carried out by NPAs.

- 7.84 Although the SDJC has enjoyed much better funding than comparable AONBs in recent years because of its experimental nature (as a shadow National Park) there is no certainty that this preferential arrangement will continue. If the Western Weald is managed as a residual AONB it seems even less likely to continue. It seems to me, therefore, that if the Western Weald is excluded from the PSDNP it would have less funding available, less even than it has at the present time. This would clearly be to the disadvantage of the area and could put the existing arrangements for managing and protecting the area at risk. NE cites the likely loss of the existing scheme involving 90 Volunteer Rangers in the Western Weald as just one example. While the SDJC has been successful in attracting financial support from other sources I see no reason why this could not continue if the Western Weald is part of the PSDNP.

### *Planning*

- 7.85 WSCC claims that as the NPA would be the local planning authority it could divert resources and focus from the practical task of managing the land. I do not accept this argument. Assuming responsibility for planning matters, particularly in respect of strategic planning at a regional or sub-regional level, is one of the benefits that flow from designation and I see no reason why these benefits need be at the expense of the NPA's other duties. I am also conscious that any additional funding resulting from its National Park status could actually help the NPA achieve its land management and other objectives.
- 7.86 That said, I recognise that discharging its planning responsibilities represents one of the most challenging tasks facing any in-coming NPA. If the PSDNP includes the more populated Western Weald the number of planning applications it would need to deal with is likely to increase significantly. Indeed, it is likely that the majority of the day to day development control decisions would need to be dealt with via some form of delegation scheme. This would leave those decisions with the existing local planning authorities and their elected representatives rather than the NPA. Only the relatively few major applications that are made in any year would fall within the NPA's remit.
- 7.87 Earlier sessions of the inquiry examined how a delegation scheme might work in practice. As a consequence of the material put forward at that time I do not doubt that an appropriate scheme could be devised albeit that it would be somewhat complex and inevitably involve some duplication of effort and a consequent increase in costs.

*Overall conclusions on "especially desirable" test*

- 7.88 I have not addressed management, forward planning, funding and other "Governance" issues in detail under this head as #CD3 and its accompanying annex C consider these matters at length. The crucial point for current purposes is that I am satisfied that if the Western Weald is part of the PSDNP it would benefit from more integrated planning and management arrangements and better and more secure funding. The specific management needs that are required to deal with the problems and challenges facing the area could be more effectively addressed as a consequence. Inclusion would also give protected landscape status to a large tract of high quality land in the Western Weald; land that does not currently have AONB status. I am also in no doubt that the Western Weald's inclusion in the PSDNP would enjoy widespread if not universal public support.
- 7.89 It follows from the above that I consider that if the PSDNP includes the Western Weald the "especially desirable" test is met. While there are reasons why it might not be especially desirable for the Western Weald to be part of the PSDNP, for example the need to establish a delegated scheme to deal with planning applications with its consequential costs and complications, in my view none of the dis-benefits are overriding.
- 7.90 One final comment. It might be possible for the Western Weald to obtain the benefits that flow from National Park status if it was designated as a National Park in its own right. It seems to me that this could be a viable mechanism for managing and conserving its special qualities but I see no reason why such an arrangement is especially desirable or, indeed, preferable to its inclusion in a National Park that also contains the core Chalk hills.

**IMPLICATIONS FOR THE DESIGNATION PROCESS**

- 7.91 As I see it, the satisfaction of the "especially desirable" test removes the last obstacle to the designation of a new National Park including both the core Chalk hills and adjoining Wealden landscapes. In the light of the *Meyrick* judgements, the changes in law introduced by the NERC Act and the "new" evidence put before the re-opened inquiry, I accept that the National Park should broadly coincide with the area that NE's predecessor included in the 2002 Designation Order. This means, of course, that I no longer promote the key recommendation in #CD3 that the boundary of the PSDNP be drawn to more closely focus on the core Chalk landscapes. By and large the cornerstones underpinning that recommendation are redundant in the light of the new law and the "new" evidence that is now to-hand.

- 7.92 The area that I now recommend for inclusion is not, however, identical to that identified in the 2002 Order. Firstly, the Agency itself proposes a change to the order boundary; more precisely the 2004 Variation Order promotes a variation to the 2002 Order to include additional land in the vicinity of Arundel. I support the inclusion of some but not all of the land subject to the Variation Order – see #CD3 – section on Arundel and the land to the south of it - for details.
- 7.93 Secondly, in #CD3 I recommend a number of changes to the 2002 order boundary. In some instances I recommend the inclusion of additional land, in others I recommend the deletion of land subject to the designation order. In the following and final section of this report I review those recommendations in the light of the material put before the re-opened inquiry. In a number of instances, I have altered my earlier boundary recommendations. My conclusions and recommendations in respect of the additional areas of land that I consider should form part of any new National Park are, of course, already rehearsed earlier in this report under topic 3. I have not, therefore, dealt with these areas in the following review of the detailed boundary recommendations.
- 7.94 If and when the (varied) 2002 Designation Order is confirmed it would also be appropriate to confirm the 2002 Sussex Downs AONB (Revocation) Order and the 2002 East Hampshire AONB (Revocation) Order. This will ensure that there is no hiatus in the protection offered to the land currently within the respective AONBs.
- 7.95 Conversely if, contrary to the recommendations in this report, the Secretary of State favours a National Park more closely focussed on the core Chalk hills to reflect the approach adopted in the New Forest National Park and/or because of doubts concerning the ability of the non-Chalk landscapes to satisfy the statutory criteria or, say, to avoid the additional costs and complexities of a NPA exercising its planning and other duties over a much larger area, I strongly recommend that the Western Weald retains its AONB status. Initially the residual AONB land could be managed jointly, as it is at present, to avoid any further delay to the confirmation of the new National Park. This would occur, I understand, if the residual portions of the 2 AONBs are combined to form a single AONB or extended to include non-AONB land. In the longer term the creation of a single AONB for the Western Weald to include additional non-AONB land could warrant serious consideration.
- 7.96 If this stance is favoured, the boundary between the new National Park and the residual AONBs should be coterminous. Definition of an appropriate boundary would need some further work as the alternative boundary identified by NE for a National Park more closely focussed on the core Chalk hills is not fit for purpose, in my judgement.
- 7.97 Similarly, a new boundary setting exercise would be needed If the Secretary of State concludes that the wider Western Weald should



be included but not the A3 corridor. In that event consideration should be given as to whether the corridor should retain its AONB status. The available evidence suggests that it might be too small to be a viable AONB in its own right.

- 7.98 Finally, in the light of the evidence put before the re-opened inquiry I am wholly satisfied that the Lower Rother Valley should retain protected landscape status, whether that be as part of an AONB or a new National Park.

### ***Inspector's recommendations***

- 7.99 **(1) That the 2002 South Downs National Park Designation Order 2002 be confirmed subject to (a) the South Downs Variation Order 2004, itself subject to a recommendation to vary the order (#CD3, paragraph 7.855) and (b) the recommendations set out in #CD3 and the current report in respect of the detailed alignment of the boundary.**
- 7.100 **(2) That the East Hampshire Area of Outstanding Natural Beauty (Revocation) Order 2002 and the Sussex Downs Area of Outstanding Natural Beauty (Revocation) Order 2002 both be confirmed.**
- 7.101 **(3) That the NPA should have 30 members to reflect the size of the PSDNP and the number of constituent local authorities.**
- 7.102 **(4) In the event that the Secretary of State concludes that the Western Weald should not be part of the PSDNP, that a new boundary setting exercise be undertaken to define the extent of the excluded land.**
- 7.103 **(5) If the Western Weald is excluded, that the East Hampshire Area of Outstanding Natural Beauty (Revocation) Order 2002 and the Sussex Downs Area of Outstanding Natural Beauty (Revocation) Order 2002 both be modified to only relate to the land to be included in the PSDNP.**
- 7.104 **(6) As a consequence of recommendation (4) the residual portions of the AONBs should retain their AONB status and I recommend that they be managed jointly as at present.**
- 7.105 **(7) In the event that the Secretary of State concludes that the A3 corridor be excluded from the PSDNP (but not the wider Western Weald) that a new boundary setting exercise be undertaken to define the extent of the excluded land.**

## **REVIEW OF DETAILED BOUNDARY RECOMMENDATIONS**

Inspector's Note:

7.106 Under this head I consider whether any of the material put before the re-opened inquiry warrants a change to any of the detailed boundary recommendations set out in #CD3. In the interests of brevity I do not rehearse the material set out in #CD3. This means that to gain a proper understanding of the boundary recommendations, the comments that follow have to be read with the material set out in #CD3. And as mentioned previously in this section, I do not address the recommendations that are already covered by Topic 4 – Objections to additional areas recommended for inclusion in the PSDNP.

7.107 Where I offer comments on the previous boundary recommendations, they appear under the same headings and the same order as #CD3. If no comments are made, it follows that I see no need to change the #CD3 recommendation.

### **Eastern edge of Winchester**

7.108 The owner of Winnall Down Farm argues that the farm fails to meet the statutory requirements as amended by the NERC Act. Although this claim is made by reference to the new legislation in my view the claim is a rehearsal of the case considered previously, albeit that a smaller area is now suggested for exclusion. While I appreciate the points made regarding landscape detractors and limited recreational opportunities, in my opinion the farm is part of a wider tract of land that is of considerable scenic value and one that offers markedly superior recreational experiences. As I see it, it is not necessary for each individual parcel of land to be open to the public even where it lies at the edge of the designated area. This is not an instance where land at the edge of the designated area should be excluded because it is lower quality or otherwise degraded.

#### *Recommendation*

7.109 No change to #CD3 recommendation necessary.

### **Land west and south of Winchester**

- 7.110 Sir Christopher Bellamy and others argue that in the wake of the NERC Act land at and around Itchen Farm should be included in the PSDNP. If the inclusion of the whole area is deemed inappropriate, he identifies smaller parcels that merit consideration. In considering this case I recognise that the Beech trees along the eastern boundary of the objection land form a very strong and attractive landscape feature. Even so I am not persuaded that part or all of it should be included in the PSDNP. The land in question is separated from the main body of the PSDNP to the east by the busy M3 motorway and the railway line that currently forms the proposed boundary. While I accept that the PSDNP can reasonably include land to the west of the M3, in this instance a very significant part of the objection land is subject to a grant of planning permission for a park and ride facility serving Winchester. Funding is now agreed and development is scheduled to begin in 2009. To my mind this proposal rules out the inclusion of this land in the PSDNP.
- 7.111 Land further south is not directly affected by the park and ride proposal and indeed is of cultural interest and scenic attraction in its own right. This land also offers some recreational experiences including access to the wider River Itchen corridor. However the residual area is fairly limited in extent and is separated from the main body of the PSDNP by the adjoining railway line. Although "new evidence" is put forward in support of the objection, on balance I am not persuaded that PSDNP boundary should be changed to incorporate the land in question.

#### *Recommendation*

- 7.112 No change to #CD3 recommendation necessary.

### **Land west/north-west of East Worldham**

- 7.113 See Lode Farm below.

#### **Lode Farm** (Binsted Peninsula north of B3004, the Bentley Nib)

- 7.114 In #CD3 I accepted that the PSDNP boundary should include the tract of non-AONB land south of the B3004 road. I did not support the inclusion of the land north of the road – the so-called Bentley Nib – as I deemed, firstly, that it is removed from the core Chalk landscapes and, secondly, that the hanger woodlands are rather less imposing than those situated south of the road. The B3004 was not

itself put forward by any objector as an appropriate boundary to the PSDNP. Tarmac then and now favours a boundary further south, the SDC, HCC and many others favour the inclusion of the whole of the Bentley Nib as far north as Bentley Railway Station. Tarmac separately argues that several fields at Lode Farm just south of the B3004 should be excluded in any event.

- 7.115 I now accept that distance from the core Chalk hills should not be a determining consideration. The inclusion of land in the PSDNP should depend, rather, in its ability to satisfy the statutory criteria not on the strength of any unifying links to the core Chalk landscapes. Similarly, even if the hanger woodlands are less imposing than those situated south of the B3004, the critical point for designation purposes is the ability of the land in question to satisfy the statutory criteria.
- 7.116 Since #CD3 was written I note that the hanger woodlands have been designated as SAC, a habitat of international importance. Retaining the B3004 as the boundary would split the SAC designation contrary to the generally agreed boundary guidelines. Additionally I note that the land north of the road contains several SSSIs and over 30 SNCIs – see #1147/17/1. It is clearly an area of high ecological value and the NERC Act clarifies that this can be taken into account when considering the natural beauty criterion. Binsted itself is a small village having cultural heritage qualities, another factor that can be taken into account. Having re-visited the area as part of re-opened inquiry it is also fair to add that I now have a higher regard for its intrinsic landscape quality. It contains a tranquil and largely intact historic landscape that has considerable scenic attraction. Few landscape detractors are present although damaged land is situated close-by.
- 7.117 Bentley Railway Station stands at the northern tip of the peninsula and provides a sustainable means of access for anyone wishing to visit the area from centres of population further afield. This is obviously helpful and as such supports my conclusion that the natural beauty test is satisfied.
- 7.118 So far as recreational opportunities test is concerned, the rights of way network and ancient sunken lanes allow people to visit the area and enjoy its special qualities. East Hampshire District Council calculates that there are 22 miles of public footpaths within the Bentley Nib. Overall I am satisfied that the recreational opportunities test is met.
- 7.119 It seems to me that my conclusion that the Bentley Nib should be part of the PSDNP has implications for Tarmac's subsidiary argument in respect of land at Lode Farm. Including the Bentley Nib means that the land under Tarmac's control is now part of the main body of the Binsted peninsula; it no longer the remotest part of the PSDNP. It seems to me that this tends to support the conclusion in #CD3 that the Tarmac land at Lode Farm is part of a wider tract of high quality land that properly forms part of the

PSDNP. The land in question is not damaged or otherwise degraded; it is, rather, part of the largely unspoilt setting to the hanger woodland to the west. Tarmac's "field by field" approach to the assessment of this land is misconceived, in my view, notwithstanding that it lies at the margin of the PSDNP.

*Recommendation*

7.120 Change the recommendation in respect of both the Selborne Outlier and Lode Farm to include land north of the B3004 in the PSDNP. The recommendation in respect of the separate sub-heading "Land west/north-west of East Worldham" also needs to be changed as a consequence.

**Petersfield, Liss and A3 corridor**

*Recommendation*

7.121 Change the recommendation in #CD3 to include the Petersfield, Liss and A3 corridor in the PSDNP – see paragraphs 7.42 to 7.53.

**Woolmer Forest and Longmoor Inclosure**

*Recommendation*

7.122 Change the recommendation in #CD3 to include the MoD training estate in the PSDNP – see paragraphs 7.54 to 7.62.

**Coldwaltham**

*Recommendation*

7.123 No change to the recommendation in #CD3 though it should be noted that the deleted area is almost entirely surrounded by higher quality land. As such it is an area where its inclusion in the PSDNP might be justified on the basis of the "wash-over" concept.

### **Sullington Warren, Sandgate Park/Washington Common/Warren Hill**

7.124 See recommendation in respect of additional area 5 – paragraph 4.16.

### **Steyping, Bramber and Upper Beeding**

7.125 The Steyping Society and others argue that both Steyping and/or Bramber should be included in the PSDNP. Although some additional evidence is provided in support of this claim, as I see it the objections do not significantly add to the arguments considered at the earlier sessions of the inquiry. I have, nonetheless, considered whether the changes in law or any other “new” evidence justifies their inclusion.

7.126 I accept that the NERC Act’s clarification that cultural heritage qualities may be taken into account does help to support the case for their inclusion. Both are small and attractive historic settlements with visual and other links to the core Chalk hills. The Historic Character Assessment of Steyping contains a wealth of historical detail that was not available when #CD3 was written. However, neither settlement is set within a tract of countryside that satisfies the statutory criteria. On balance I am not persuaded that they should be included in the PSDNP.

7.127 The SDC argues that the detached portion of deletion 5 situated to the east of Upper Beeding should be included in the PSDNP. Although the argument does not rely on changes in legislation or “new” evidence, on reflection I consider that this portion of deletion warrants inclusion. It is virtually all within the designated AONB and is largely unspoilt farmland. A right of way crosses the land providing views from the crest of Windmill Hill. On balance I accept that the statutory criteria are met and accordingly that Windmill Hill should be included in the PSDNP.

7.128 A small amendment is also proposed at the rear of the line of houses fronting onto Sopers Lane at Steyping. It is said that the change is justified in the wake of the NERC Act but it seems to me that the suggestion essentially reiterates the case put forward previously and subsequently rejected in #CD3.

7.129 The PSDNP boundary at the southern edge of Steyping has properly been drawn to exclude the built development along Sopers Lane. This development is currently part of the AONB. At the site inspection I noted that the land to the rear of the built development contains paddocks and some timber and is generally well screened from public view. In my opinion it is essentially an attractive parcel of land at the edge of the settlement notwithstanding that some building waste was deposited on the land at some earlier date.

While the NERC Act confirms that wildlife and cultural heritage qualities can be taken into account when assessing natural beauty, the absence of such qualities does not mean that the natural beauty criterion is not satisfied. Although a case can be made for the exclusion of the objection land, on balance I favour the retention of the PSDNP boundary albeit that it leaves the objection site and other sporadic development along Annington Road within the National Park.

*Recommendation*

7.130 No changes to the recommendations in #CD3 other than to exclude the detached portion of land at Windmill Hill that is part of deletion 5.

**Hassocks**

7.131 It is said that the boundary recommendation in respect of land to the rear of Dale Avenue, Hassocks, should be reviewed in the light of recent grants of planning permission on land nearby. This is material to the assessment but I do not accept that the permissions significantly weaken the case for including the objection land in the PSDNP. Accordingly, I see no reason why the recommendation in #CD3 should be changed.

*Recommendation*

7.132 No change to #CD3 recommendation necessary.

**Ditchling and the land to the north**

7.133 Many of the representations before the re-opened inquiry argue for the inclusion of Ditchling in the PSDNP. The Ditchling Society, SDC and others present detailed submissions that rehearse its special qualities and the Historic Character Assessment of the settlement (#1348/1/3) contains a wealth of detailed material that was not available when #CD3 was written. Further material is contained in the recently published Conservation Area Character Appraisal (#CD39). Ditchling's specialness is not in dispute; indeed in #CD3 I accepted that it was a special place "not least because of its importance to the Arts and Crafts Movement in the early years of the 20<sup>th</sup> century". That conclusion was influenced by the mass of detailed material presented to the earlier sessions of the inquiry.

- 7.134 In the light of its specialness, the new evidence brought to my attention and the NERC Act's clarification that cultural heritage qualities may be taken into account in any assessment, I have reviewed whether Ditchling should be included in the PSDNP. In looking at this matter I accept that cultural heritage qualities may often have been undervalued when #CD3 was written. The fact that their relevance was in dispute probably means that cultural heritage qualities were not always given appropriate weight in the designation process. Certainly I now readily accept that settlements can make a positive contribution towards an assessment of natural beauty. It is of course one of the considerations that persuaded me that the A3 corridor north of Petersfield warrants inclusion in the PSDNP notwithstanding the presence of a number of settlements.
- 7.135 On the other hand I am in no doubt that the land to the north of Ditchling fails the natural beauty test for the reasons spelt out in #CD3. Ditchling is not set within a tract of land that meets the statutory criteria. None of the material put to the re-opened inquiry suggest otherwise. This means that if Ditchling is included in the PSDNP, the boundary would run around the northern flank of the built-up area rather than along its southern edge. This would bring its historic core into the National Park but also sizeable areas of relatively modern suburban development. On balance I am not persuaded that this change is justified to take account of Ditchling's cultural heritage qualities.
- 7.136 Adopting such a change would also be at odds with the approach I have adopted elsewhere where a settlement is located at the margin of the area that I consider satisfies the statutory criteria. Steyning and Arundel are notable examples. As I understand it, the need for a sizeable settlement to sit within a valued landscape if it is to warrant inclusion reflects the position taken by the Countryside Agency at the earlier sessions of the inquiry – an approach carried forward by NE so far as I am aware.
- 7.137 Although I am not convinced that Ditchling should be included in the PSDNP, I accept that there is merit in a revision of the recommended boundary in order to include adjoining land at Lodge Hill. This lies to the west of Ditchling and effectively separates the settlement from nearby Hassocks. Lodge Hill is largely unspoilt farmland that offers striking views of the escarpment to the south. It is readily accessible from the adjoining settlements via the rights of way network and a significant area at the crest of the hill is open to the public. I am satisfied that the statutory criteria are met. The area I now propose for inclusion adopts the boundary identified by the SDC in #1147/2/2 (other than to include Ditchling itself). Including Lodge Hill in the PSDNP assists the case for the inclusion of Ditchling but not to the extent that it tips the balance in favour of doing so.
- 7.138 I have also considered the SDC's separate suggestion that land to the east of Ditchling should be part of the PSDNP. This land contains dwellings and other settlement related uses such as a



cemetery and recreation ground. To my mind it fails the natural beauty test and is therefore properly excluded from the PSDNP.

*Recommendation*

7.139 No change to the recommendation in #CD3 other than to include Lodge Hill in the PSDNP.

**Lewes**

7.140 Lewes is another settlement that the SDC and many others claim should be included in the PSDNP. It has a population of about 16,000, more than any other town in the PSDNP or any other National Park. Reflecting its population size, it obviously has a very sizeable built-up area albeit that the distances mentioned in CD3 are said to be excessive. Whatever its precise extent, in #CD3 I recognised that size is not everything. Each settlement has to be considered on its individual merits.

7.141 Although it contains some extensive suburban development, Lewes undoubtedly has very considerable cultural heritage qualities. It has a superb and largely intact historic core with many fine buildings and close associations with the adjoining Chalk landscapes. The NERC Act confirms that such cultural qualities are relevant to the assessment of natural beauty and, as mentioned previously, such qualities may have been undervalued in #CD3. Moreover a volume of additional evidence on its cultural heritage qualities was put to the re-opened inquiry, not least a Historic Character Assessment Report (#CD38) and a Conservation Character Area Appraisal (#CD25).

7.142 Even with additional weight given to cultural heritage qualities, I doubt if Lewes' inclusion in the PSDNP is appropriate unless it sits within rather than alongside a valued landscape. In considering that point I accept that it has a more intimate relationship with the adjoining Chalk hills than any of the other settlements at the edge of the designated area. It stands at the point where the River Ouse breaks through the Chalk hills on its way to the sea. Much of the town occupies the steep valley hillsides and the valley floor. This gives it a strong sense of place.

7.143 Few dispute that the Chalk based landscapes to the west, south and east of the town are properly included in the PSDNP. By and large they are all part of the existing AONB. My reservations regarding Lewes' inclusion in the PSDNP are therefore related to the quality of the valley landscape to the north of the town. This area is not included in the AONB. In #CD3 I said that as I did not consider that this area satisfied the natural beauty test it followed that I did not

consider Lewes to be set within or embedded in a landscape of national importance. In #CD3 I also said the town was not "deeply embedded" in a landscape of National Park quality; on reflection I accept that these words were ill-advised - "deeply embedded" is probably too stringent a test.

- 7.144 A considerable amount of evidence was presented to the re-opened inquiry to illustrate that Lewes is in fact set within or embedded in a landscape of National Park quality. Some of this evidence was to hand when #CD3 was written but much of it is new. Amongst other things objectors emphasise that the underlying Chalk extends well to the north of the built-up area and that the small settlement of Hamsey effectively occupies the lower slopes of a Chalk hillside. This area, it is said, has significant cultural heritage qualities. For example, it contains the site of an early Christian outpost, several listed buildings including Hamsey Church which is grade I listed, Offham Conservation Area and the site of one of the earliest funicular railways in the world. This was used to transport from a Chalk pit down to the barges on the canalised section of the Ouse. In addition the valley floor contains the Offham Marshes SSSI which supports a large and nationally important amphibian population.
- 7.145 Although #CD3 indicates that I did not consider that the Ouse Valley north of Lewes met the natural beauty test, I recognised at that time that it has some scenic attraction. Its proximity to the built-up area inevitably tends to undermine any sense of relative wildness but much the same can be said for many other parts of the PSDNP that lie alongside large built-up areas. When its intrinsic scenic attraction is weighed with its cultural heritage and wildlife qualities it seems to me that this part of the Ouse Valley satisfies the natural beauty test. Moreover I am satisfied that the River Ouse and the rights of way network offer markedly superior recreational experiences within this area. On that basis I therefore accept that the town can be said to sit within a landscape of National Park quality.
- 7.146 Accordingly I now recommend that the PSDNP boundary should revert to that identified in the designation order other than to include land that is part of the Conyboro Estate. I refer to this in the following sub-section. The boundary I now favour brings the town of Lewes into the PSDNP as well as the parcels of open land at the edge of the built-up area that are said to have cultural heritage or wildlife qualities and are often designated as AONB. I have in mind, for example, the Railway Land Project area and the 3 geological SSSIs near the junction with the A27. These parcels were excluded from the PSDNP in the boundary identified in #CD3

*Recommendation*

7.147 That the recommendation in #CD3 be changed to include Lewes in the PSDNP.

**Ouse Valley North**

7.148 In #CD3 I concluded that this extensive tract should not be part of the PSDNP. None of the material put before the re-opened inquiry persuades me otherwise.

7.149 However I separately concluded that land forming part of the Conyboro Estate should be excluded from the PSDNP and it accordingly forms part of deletion 9. The land in question lies to the north of Hamsey on the western flank of the valley. While I continue to favour the exclusion of much of the land I note that the more southerly portion is part of the tract immediately north of Lewes – land that I now accept satisfies the statutory tests for designation. In my view this part of the objection land should be included in the PSDNP. I therefore recommend that the PSDNP boundary be drawn to exclude only that portion of the Conyboro Estate that lies to the east of the railway line and north of the road known as The Drove.

*Recommendation*

7.150 Change the recommendation in #CD3 to exclude only that part of the Conyboro Estate that lies to the north of The Drove.

**Chyngton Farm, Seaford**

7.151 The Friends of Seaford Head and many others argue that land at Chyngton Farm may not be part of the AONB but should be included in the PSDNP. Although the land in question was assessed when #CD3 was written it is now said that the recommendation to exclude the land should be reviewed in the light of the NERC Act and other "new" evidence.

7.152 Amongst other things attention is drawn to the public support for its inclusion as well as the support from Lewes District Council and the National Trust. Reference is also made to the archaeological value of part of the site and other land nearby. Even so I am not convinced that the boundary recommended in #CD3 should be changed.

7.153 Firstly I am not convinced that its inclusion in the PSDNP is justified because a small part of the site is part of an Archaeologically

Sensitive Area. This does assist the case for its inclusion but I am not convinced that it tips the balance. Secondly, it seems to me that there is a transition in quality between the objection land, which is overgrown pasture with built development on 2 sides and some storage activity on a third, and the superb landscapes immediately to the east and more particularly perhaps at the crest of Seaford Head. In my view the recommended boundary is the proper place to mark the extent of the land that fully satisfies the designation criteria. Thirdly, I do not doubt that the objection land provides useful wildlife habitats but that is not recognised by a national or even local designation so far as I am aware. I am not persuaded, therefore, that the "new" evidence and the clarification provide by the NERC Act justifies a change to the recommendation in #CD3.

- 7.154 In large part the case for its inclusion in the PSDNP appears to be based on a desire to protect the land from any future built development. That might be understandable but the protection of land is not part of the assessment process. In practice the boundary recommended in #CD3 would not alter the degree of policy protection enjoyed by the land given that it is outwith the AONB. Even so any development proposals would need to be considered in the light of a raft of protective countryside policies. I would add that my conclusion that the land should be excluded from the PSDNP should not be read to mean that I necessarily support its development for housing or other settlement related uses.

### *Recommendation*

- 7.155 No change to the recommendation in #CD3 necessary.

### **Rottingdean**

- 7.156 A number of objectors seek the inclusion of Rottingdean and the adjoining cliffs in the PSDNP but for the reasons spelt out in #CD3 I am not convinced that this is appropriate. Attaching additional weight to cultural heritage qualities would not tip the balance in favour of inclusion.

- 7.157 Under this head I also refer in #CD3 to the minor changes to the boundary at Rottingdean being appropriate (paragraph 7.564). This is seen by many as the written justification for the deletion of land off Bishopstone Drive, Saltdean - part of deletion 13. That is not correct. The 7.564 references are to small parcels of land at the edge of Rottingdean. The land off Bishopstone Drive was subject to an objection but unfortunately this was not addressed in #CD3. Its identification as part of deletion 13 was a cartographic error. The

re-opened inquiry provides a convenient opportunity to address the omission/error.

7.158 As part of the re-opened inquiry I have now visited the land in question and have examined whether its deletion is appropriate. In assessing the land I have taken account of the original objection (3502), together with the representations from Brighton City Council and a number of local residents.

7.159 The land in question is a square shaped parcel of land about 3ha in extent situated to the rear of houses fronting onto Bishopstone Drive and Falmer Avenue. It contains a wooden building that I understand is a stable but the majority of the land is under well mown pasture and it is all currently part of the AONB. A bridleway runs along the western boundary providing access into the wider countryside. Although a post and wire fence separates the site from the adjoining farmland, to my eyes it reads as an integral part of the sweep of high quality downland that abuts the edge of the Brighton conurbation. I understand the land in question is also entirely within an Archaeologically Sensitive Area. In sum I have no doubts that the land satisfies the designation criteria and should form part of the PSDNP.

#### *Recommendation*

7.160 No changes to the recommendation in #CD3 other than to clarify that the land to the rear of Bishopstone Drive should not be deleted from the PSDNP.

#### **Castle Goring and land east of Titnore Lane**

7.161 The Worthing Society and a number of other organisations and private individuals argue that in the wake of the NERC Act the PSDNP boundary should be amended to include land east of Titnore Lane, Worthing.

7.162 The designation order includes some ancient woodland to the east of the road but in #CD3 I recommend that the boundary be pulled back to the road itself. In the commentary supporting the recommendation I mention that if the boundary is to extend east of the road it should also include Castle Goring and its parkland, a grade 1 listed building. The reasons given by NE's predecessor for not including Castle Goring did not seem to me to be convincing, particularly as features of acknowledge cultural value at the margins of a National Park are normally included under its own boundary setting guidelines. The designation order boundary also split a SNCI, again contrary to the guidelines. As I understand it, if the boundary now put forward is adopted it would include all of the

SNCI and the Castle Goring parkland in its entirety. Conversely, it would exclude the land that is allocated for a major urban expansion at West Durrington.

- 7.163 Although I saw merit in a boundary including the ancient woodland and Castle Goring, in the final analysis I did not recommend their inclusion for a number of reasons. As I see it, those reasons are not necessarily overriding in the light of the *Meyrick* judgements and the NERC Act. Firstly, as I no longer consider characteristic natural beauty and/or unifying links to be critical issues, the lack of downland characteristics and visual links to the wider downs should not weigh heavily against inclusion. It is the quality of the land itself that counts. When the areas of ancient woodland that are designated as SNCI quality and the Grade 1 listed building and the largely intact parkland associated with it are viewed together, I am in no doubt that the land in question passes the natural beauty test.
- 7.164 Satisfaction of the recreational opportunities test is more problematic. So far as I am aware the ancient woodland and Castle Goring are not accessible to the public. There is, however, a footpath along the eastern boundary of the area and Titnore Lane itself also allows the public to enjoy the special qualities of the area. I am also conscious that the *Meyrick* judgement confirmed that a much more extensive tract of land could be part of the New Forest National Park even though it did not offer any public access. While it is a matter of judgement as to whether the lack of public access precludes satisfaction of the statutory test in a particular case, it is clearly unreasonable as a matter of principle to expect all parcels of land to be accessible, whether they be situated within the main body of the National Park or at its margin.
- 7.165 It may also be relevant that s5(2A)(b) of the NERC Act confirms that in considering recreational opportunities it is reasonable to take account of the extent to which it is possible to promote opportunities for the understanding and enjoyment of an area's special qualities. The available evidence suggests that there is some prospect that the public might access the Castle Goring parkland at some future date. However, as the evidence on this is not conclusive I attach little weight to the point.
- 7.166 Notwithstanding the uncertainty regarding the application of discretion provided by the NERC Act, on balance I am satisfied that the recreational opportunities test is met. Having satisfied the statutory criteria, it follows that I therefore support the inclusion of the area identified by The Worthing Society and others in the PSDNP.

### *Recommendation*

- 7.167 That the PSDNP boundary east of Titnore Lane be changed to incorporate the land identified in annex A of #1705/1/1.

## **Highdown Hill**

- 7.168 At the re-opened inquiry it was argued, on the one hand, that the changes introduced by the NERC Act and other "new" evidence support the deletion of land on the southern flank of Highdown Hill. And on the other, that the new law justified the inclusion of some additional land on the same side of the hill.
- 7.169 So far as Mr Salbstein's case is concerned, it seems to me that it simply rehearses the arguments he put forward previously; arguments that I rejected in #CD3. I see no reason to change the #CD3 recommendation in respect of the land in question.
- 7.170 The case promoted by Ferring Parish Council was also rejected in #CD3 albeit that a smaller parcel of land is now proposed for inclusion in the PSDNP. Arguably, the NERC Act supports the Parish Council's case but, on balance, I am not convinced that it justifies its inclusion. In my opinion the new law and the matters raised by the Parish Council do not warrant a change to the designation order boundary. As I see it, the land in question is part of a wider area that has been degraded and fragmented by both agricultural and non-agricultural activities.

### *Recommendation*

- 7.171 No change to #CD3 recommendation necessary.

## **Arundel and the land south, south-east and south-west of it**

- 7.172 A number of the representations argue for the inclusion of Arundel in the PSDNP, primarily on the grounds of its cultural heritage qualities. The NERC Act recognises that these can be material. It is also said that the Arun Valley south of the town warrants inclusion. For some at least, inclusion of the water meadows is favoured to help protect them from the threat posed by a possible new by-pass for the town. The protection of land from possible future development is not, of course, a matter that should influence the assessment process.
- 7.173 #CD3 indicates why I am not convinced that the Arun Valley south of Arundel satisfies the statutory criteria. None of the material put to the re-opened inquiry persuades me to change that conclusion. On that basis Arundel is clearly not set within a tract of high quality landscape. With that in mind and accepting that the cultural heritage qualities of Arundel may have been undervalued previously, I am not convinced that the town should be included in the PSDNP.

*Recommendation*

7.174 No change to #CD3 recommendation necessary.

**Boxgrove Common**

7.175 Sussex Archaeological Society argues that Boxgrove Common should be part of the PSDNP. The same case was put to the earlier sessions of the inquiry and #CD3 sets out the reasons why I concluded that it should be omitted. In arriving at the conclusion I was fully aware of the archaeological value of the land in question. A volume of expert archaeological evidence was put before the inquiry previously and so far as I can recall none of it was challenged. As I see it, the NERC Act's clarification that cultural values may be taken into account in the assessment process does not assist in this instance - the undoubted archaeological value of the land has been taken into account. Even if it was to be given more additional weight I doubt if it would justify the inclusion of land that has been so extensively damaged by mineral extraction activities.

*Recommendation*

7.176 No change to #CD3 recommendation necessary.

**Lavant Valley South**

7.177 A number of representations claim that the recommendation that land in the Lavant Valley north of Chichester be deleted from the PSDNP (deletion 19) is inappropriate and should be reviewed. Although the claims are made by reference to the changes introduced by the NERC Act it seems to me that the submissions essentially rehearse those considered at the earlier sessions of the inquiry.

7.178 The land in question is outwith the AONB and although it offers dramatic views of The Trundle and other elevated land to the north, I am not convinced that the natural beauty test is met. I note that National Park status is favoured by many as a means of resisting development in the narrow and sensitive gap separating Chichester from its near neighbours to the north. While I appreciate that an open gap would help to protect the individual identities of the adjoining settlements, in my opinion this is an issue more properly



addressed via the separate development plan process. I am not persuaded that any of the changes in law introduced by the NERC Act or any of the other material submitted to the re-opened inquiry tip the balance in favour of the land becoming part of the PSDNP.

### *Recommendation*

7.179 No change to #CD3 recommendation necessary.

### **Land west of Chichester**

7.180 The Chichester Society and others argue that an extensive tract of land west of Chichester and north of the A27 should be included in the PSDNP. This is a transitional landscape with a general fall in landscape quality as one moves from the core Chalk hills down to the coastal plain. The land in question is outwith the AONB and is not subject to the designation order as NE's predecessor did not consider that it satisfied the natural beauty test. It is now said that in the wake of the changes introduced by the NERC Act it warrants inclusion.

7.181 In #CD3 I said that although I had a higher regard for its intrinsic scenic quality than the Countryside Agency, on balance I was not persuaded that it should be part of the PSDNP. That remains my view albeit that the case for its inclusion is probably stronger than it was. #CD3 notes that a broad tract of land subject to past and possibly future mineral workings separates this part of the coastal plain from the core Chalk landscapes to the north. In reviewing the case for inclusion I now attach less importance to its poor visual connectivity to the Chalk. I recognise also that the area in dispute is physically linked to the designated area in the vicinity of West Ashling in any event. It is not therefore physically separated from the main body of the PSDNP.

7.182 The new legislation clarifies that managed parkland landscapes can be part of a designated area. Much of the area west of Chichester is remnant parkland created in times past. It has suffered some degradation with the passage of time but overall the parkland landscapes do not lack scenic attraction and so far as I am aware the area contains few serious landscape detractors. By and large it is rural and tranquil albeit that land close to its southern boundary suffers disturbance due to its proximity to the busy A27. In the final analysis I accept that land in question is mainly attractive countryside but it is in transition and I am not convinced that the tract as a whole is of National Park standard.

7.183 As I consider that the more wooded area at the western end of the tract is of somewhat higher landscape quality I have considered

whether the boundary should be changed to at least include that area. While the case for including this land is probably stronger, I doubt if I should promote a wholly new and untested boundary for the PSDNP at this late stage in the designation process.

### *Recommendation*

7.184 No change to #CD3 recommendation necessary.

### **Other land at the edge of Bishops Waltham**

7.185 Several representations support a boundary revision to bring several fields and a small cemetery at the northern edge of Bishops Waltham into the PSDNP. The same parcels of land were suggested for inclusion previously and #CD3 sets out the reasons why I did not support their inclusion. As I see it circumstances are now little different, albeit that the condition of 2 of the fields is said to have improved in recent years. It is not claimed that the *Meyrick* judgements or the NERC Act improve the case for inclusion in some way. In sum, I am not convinced that there are any reasons that would now justify a change to the recommendation in #CD3. The re-opened inquiry is not an opportunity for boundary recommendations to be reviewed per se. Any changes to the recommendations in #CD3 need to be justified by compelling "new" evidence or as a response to the *Meyrick* judgements and/or the NERC Act.

7.186 Winchester City Council puts forward a submission in respect of deletion 19 – land at Pondsides Lane. This triangular shaped site is at the northern edge of Bishops Waltham. It was included in the PSDNP initially but in response to an objection the Countryside Agency promoted a change to the boundary to exclude the land. The reasons for the change seemed to me to be well founded and #CD3 records my support. Deletion 19 implements that conclusion.

7.187 It now seems that the situation is not as straightforward as I had assumed. I have now reviewed the situation at Pondsides Lane and noted at a recent site visit that the site is separated from the open hillside beyond by a post and wire fence. A track along the eastern edge of the site provides a means of access to the wider countryside. Part of the site has a cover of bramble and scrub and the portion close to the built-up boundary contains a sports field. All of the land is allocated for recreational use the recently adopted Winchester Local Plan Review – in particular the provision of children's play space and general informal open space. Reflecting the Council's view that the land is required to meet a shortfall in recreational provision at Bishops Waltham, the southern part of the

site is subject to a confirmed Compulsory Purchase Order for recreational use.

7.188 It seems to me that the decision in respect of the site is finely balanced. The site is a continuation of the downland landscapes that abut the town and appears to be an important recreational resource. On the other hand the recreational uses are essentially settlement related and the current condition of the land is different in character and appearance to the adjoining farmland that is properly included in the PSDNP. The existing urban edge could form an easily recognisable boundary but there are many instances where the boundary of the PSDNP is defined by a post and wire fence. In the final analysis I am not convinced that the boundary favoured by the Countryside Agency is clearly wrong and therefore needs to be changed. I recommend accordingly.

#### *Recommendation*

7.189 No change to #CD3 recommendation necessary.

#### **Miscellaneous boundary concerns**

Inspector's note:

7.190 Under this head I deal briefly with some miscellaneous boundary concerns that do not fit neatly into the earlier detailed boundary sub-headings.

#### Patcham Recreation Ground

7.191 Brighton City Council argues that the boundary at Patcham Recreation Ground is difficult to discern on the ground and that a more obvious and clearer boundary would be the A23 which runs along the eastern edge of the site. While the boundary revision is not made under the umbrella of the *Meyrick* judgements or the NERC Act it seems to me that the suggestion should be supported in order to overcome a technical deficiency in the PSDNP boundary. Inclusion of the recreation ground itself is not undesirable in any event as it forms the attractive foreground to the wooded hillside to the west of it.

Land at Roedean Crescent

7.192 Secondly, Brighton City Council notes that the PSDNP boundary to the rear of Roedean Crescent is also largely unrelated to any physical features on the ground. Furthermore the boundary should follow the actual edge of the urban area to reflect the way it generally has been drawn at the edge of Brighton. I agree. In my view the PSDNP boundary should include the sliver of land that runs alongside the rear garden boundaries of the dwellings in Roedean Crescent.

7.193 My only reservation regarding this matter, and it also applies to Patcham Recreation Ground, is that the boundary revision should not be pursued if it would delay the designation process. Including the 2 areas in question would effectively enlarge the PSDNP without the benefit of any public consultation. If it is necessary to mount a consultation exercise it could delay the designation process significantly.

Land at Woodingdean

7.194 Mr Curtis made a very late objection to the inclusion of his smallholding at Falmer Road, Woodingdean. I offer the following comments albeit that his representation falls outside the terms of reference for the re-opened inquiry. While the smallholding is not pristine countryside on balance I feel that it merits inclusion as it forms part of a wider sweep of high quality landscape that provides recreational opportunities. For the same reason I also recommend the inclusion of the adjoining Happy Valley Recreation Ground even though it was created following land-fill operations in the 1950s.

Idehurst Manor

7.195 The PSDNP boundary at Idehurst Manor is said to be defective as it cuts through a residential garden. A more appropriate boundary would be either the Ha-Ha at the edge of the rear garden or the boundary of the field beyond. Although this issue seemingly falls outside the scope of the re-opened inquiry I recommend a change to the boundary to overcome a technical deficiency. It seems to me that rather than cut across a residential garden, contrary to the generally agreed boundary setting guidelines, a more appropriate boundary for the PSDNP would be the line of the Ha-Ha.

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## Appendix 1

# South Down National Park Public Inquiry 2007

### INQUIRY APPEARANCES

#### **For Natural England (NE)**

Robert Griffiths QC assisted by  
Richard Honey of Counsel

They called:

Alison Farmer  
Dr Val Kirby  
Christopher Fairbrother  
Susan Batstone  
Ray Woolmore

#### **FOR THE LOCAL AUTHORITIES**

##### **Hampshire County Council**

Peter Towler  
David Carman

##### **West Sussex County Council & Chichester District Council**

Rhodri Price Lewis QC, assisted by  
Scott Lyness of Counsel  
Edmond Robb of Counsel

They called:

Jeff Bartley  
Partick Ellis  
Katie Kam  
Chris Cousins  
Lisa Creaze-Griffin  
Moria Hankinson  
Sam Howes

**Winchester City Council**

Greg White

**East Hampshire District Council**

Stephen d'Este Hoare  
Stephen Olivant

**Lewes District Council**

P Hoppen

**Burton Parish Council**

Doug Jones

**Ferring Parish Council**

Wendy Ross

**Fittleworth Parish Council**

Dr. A R Poole

**Harting Parish Council**

Irene Curran

**Kinglsey Parish Council**

Colin Neville

**Milland Parish Council**

N JohnsHill

**Seaford Town Council**

Rosemary Collicot

**Selborne Parish Council**

Minete Palmer

**Stedham with Iping Parish Council**

Jane Crawford  
E C Wood

**Steep Parish Council**

David Llewellyn  
D Hocking

**Stroud Parish Council**

Tiggy Greenwood

**Woolbeding Parish Council**

J Andre  
R Meikle

**FOR COMPANIES AND OTHER ORGANISATIONS**

**South Downs Campaign**

Robin Crane CBE  
Chris Todd  
Prof. Robert Tregay  
Fiona Fyfe  
Margaret Paren  
Cllr Nigel Paren  
Emma Marrington  
Cllr Minette Palmer  
Brian Cheater  
Dr Ben Perkins  
Jacquetta Fewster  
Paul Millmore  
Christopher Napier  
Tony Struthers OBE  
Cllr Sue Halstead  
Ken Bodfish OBE  
Robert Cheesman  
Cllr Brian Clutterbuck  
Tom Dufty  
John Blamire  
John Rennie  
Ruth Chambers  
John Venning  
Rodney Chambers

**Tarmac Southern Limited**

David Brock of Counsel  
Called  
David Jarvis

**J W Cook Estates Ltd & Pecla Investments Ltd**

Trevor Blaney  
Philip Russell-Vick  
Martin Carpenter

**Sir Christopher Bellamy/R Cowen**

Christopher Corcoran  
Alison Wood

**Petersfield Society & Petersfield Town Councils**

Tony Struthers

**Council For National Parks**

Ruth Chambers

**CPRE National Office**

Tom Oliver

**Pelham Holdings Ltd**

Patrick Garner  
David Jarvis

**Newhaven Port & Properties**

Peter Rainier

**YHA**

John Templeton

**Railway Wildlife Trust**

John Parry

**Friends of Seaford Head**

Diane & John Foxley

**Harting Society**

J Steven

**The Coultershaw Trust**

Robin Wilson

**Fittleworth & District Association**

Mike Elliott

**Individuals**

Andrew Tyrie MP

Mary & Terry Blake

J Salbstein



R J Maile

Derek Stewart-Smith

Mary Herbert

Richard Everest

Susan Dipper

Colin Child

Anna Dale-Harris

David Herbert

Liz Ellsin

Mr Rogers

T Butler

C Child

A Carew

A Mason

R Webb

Prof. Milner-Gulland

## ***South Downs National Park -2007 Core Documents***

<b><i>Document number</i></b>	<b><i>Title</i></b>
# CD 1	NE Position Paper
# CD 2	NE - Statement of impacts of the Meyrick Case & relevant provisions of NERC
# CD 3	Report to SoS by Robert Neil Parry Vol.1 - 31 March 2006
# CD 4	Report to SoS by Robert Neil Parry Vol. 2 - 31 March 2006
# CD 5	Report to SoS by Robert Neil Parry Vol.3 - 31 March 2006
# CD 6	Addendum to Inspectors Report
# CD 7	Schedule of Additional Areas Recommended for Inclusion
# CD 8	NERC Act 2006, sections 59 & 99
# CD 9	Meyrick Judgment - High Court
# CD 10	Consultant's Report on alternative boundary from Petersfield to Pulborough
# CD 11	NE's brief to consultants on Petersfield to Pulborough boundary
# CD 12	DEFRA's Restart letter to the public 16 March 2007
# CD 13	DEFRA's Restart letter to the public 22 June 2007
# CD 14	South Downs Integrated Landscape Character Assessment – Technical Report; Land use Consultants; Dec 2005
# CD 15	Historic Farmsteads and Landscape Character in Hampshire; Pilot Project for English Heritage; by Forum Heritage Services; Feb 2005
# CD 16	New Forest District Landscape Character Assessment: ERM Consulting, July 2000.
# CD 17	Extract from Havant Local Development Framework re Havant Thicket
# CD 18	The Future of the South Downs' (Gerald Smart & Peter Brandon, Editors; Packard Publishing Ltd. 2007; ISBN 10:85341 137 X, ISBN13:978 1 853411373)
# CD 19	South Downs (Hampshire) Countryside Access Plan Oct 2005; Hampshire County Council.
# CD 20	Meyrick - Court of Appeal Judgment
# CD 21	Hansard - NERC Bill 20 March 2006
# CD 22	Circular No. 4/74 report of the National Park Policies Review Committee 7/76 of that Office) - 12 January, 1976
# CD 23	Hansard - NERC debate on 29 March 2006
# CD 24	Lewes-Historic Character Assessment -Dr Roland B Harris (English Heritage) ( March 2005 published 2007)
# CD 25	Lewes Conservation Area Character Appraisal, Lewes District Council (April 2007)
# CD 26	The South Downs Management Plan Revised Draft - October 2007
# CD 27	Recommended Boundary Modifications - Eastern Section
# CD 27	Recommended Boundary Modifications - Central Section
# CD 27	Recommended Boundary Modifications - Western Section
# CD 28	Map showing recommended Modifications - June 2007
# CD 29	Revised Boundary / Petersfield to Pulborough
# CD 30	Historic Farmsteads & Landscape Character In West Sussex
# CD 31	DEFRA Letter to NE asking for Inspector's Indicative Line to be detailed - 22 Dec 06

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- # CD 32 SI 2006 No 3165 - Countryside, England
- # CD 33 National Parks (Scotland) Act 2000
- # CD 34 Yorkshire Dales & Lake District National Parks - Review of Areas Proposed for Extension
- # CD 35 Origins and Intentions of 1949 Act Natural Beauty
- # CD 36 Recommended Area of Search for Land Worthy of Designation in the North West of England - March 2005
- # CD 37 Recommended Draft Boundary for an Extension to the Lake District National Park
- # CD 38 Ditchling - Historic Character Assessment Report by Dr Roland B Harris (English Heritage) (June 2005)
- # CD 39 Ditchling Conservation Area Character Appraisal, Lewes district Council (April 2007)
- # CD 40 Walk around Ditchling Village
- # CD 41 Natural England Board - Meeting 8 Paper No NEB PU08 05
- # CD 42 European Landscape Convention
- # CD 43 The Serpant Trail Official Guide
- # CD 44 The 1949 Act as amended by NERC
- # CD 45 National Parks & Access to the Countryside Act 1949
- # CD 46 The Chalk Downs & The Western Weald - A Common Cultural Heritage
- # CD 47 Liss Parish Landscape Character Assessment
- # CD 48 East Hampshire District - Landscape Character Assessment - July 2006
- # CD 49 A Community Landscape Charcter Statement for Parish of Buriton
- # CD 50 To be issued. (Wild but not free)
- # CD 51 A Living Landscape for the South East
- # CD 52 SDC - Geology & Sedimentology of the Wealden AONBs
- # CD 53 HCC - Petersfield Planning Policy (1969)
- # CD 54 Defra Letter of 25 Oct 07 - Notification of re opened inquiry
- # CD 55 Landscape Character Assessment of the Sussex Downs Area of Outstanding Natural Beauty 1995
- # CD 56 Lords debate on AONBs
- # CD 57 Electricity Pylons in Areas of Natural Beauty - House of Lords Nov 64
- # CD 58 SDC - Re-opened Inquiry Document Schedule
- # CD 59 Seafront to the Downs - A cycle freeway experience

## Appendix 3

## ***South Downs National Park - 2007 List of Proofs***

<b><i>Document number</i></b>			<b><i>Title</i></b>
19	1	1	Liss Parish Council - Proof
19	1	1 a	Appendix to Proof
225	1	1	Submission to J Shaw MP -23 Sept 07
225	1	2	Anna Dale-Harris Proof for 10 April 08
225	1	3	Map - Greatham
225	1	4	Map - Inset Map 27
225	1	5	Views of C13th Church
225	1	6	Views from Parish Church
225	1	7	Views into countryside from conservation area in Greatham AONB
225	1	8	Greatham 2000
254	1	1	Tony Struthers - Proof of Evidence
371	1	1	Selborne Parish Council Proof
371	1	2	Selborne Parish Council - Map
371	1	3	Selborne Parish Council - Extract of Integrated Charater Assessment 2006
371	1	4	Selborne PC - Proof regarding the proposed alternative boundary
557	1	1	Cllr. T Nicholson Deletion of Land south of Chyngton Way Seaford – 14 January 2008
590	1	1	Lewes DC Proof on Topic 4 - Addition 13
615	1	1	Seaford Town Council - Proof
615	1	1 a	Seaford Town Council - Landscape Photograph
692	1	1	East Sussex Economic Partnership - Proof
762	1	1	David Jarvis Drawings DJA 46 & DJA 47 -Hobhouse Plan of 1947 & Boundary Comprisons
762	1	2	Supplementary Proof (Section D Kingsley)
763	1	1	Struff & Parker on behalf of Glynde Estate - 29 Feb 08
770	1	1	The Harting Society for Topics 3 & 4
770	1	2	The Harting Society - Topic 5
772	1	1	South Downs JC - AONB status for the Western Weald
772	1	1 a	Covering letter to the above document
772	1	2	Appendices to 772/1/1
837	1	1	Friends of Seaford Head Proof by John Foxley
837	1	2	Friends of Seaford Head - Appendix 1 to Proof
837	1	3	Friends of Seaford Head - Appendix 2 to Proof
837	1	4	Friends of Seaford Head - Appendix 3 to Proof

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837	1	5	Friends of Seaford Head - Appendix 4 to Proof
837	1	6	Friends of Seaford Head - Appendix 5 to Proof
837	1	7	Friends of Seaford Head - Appendix 6 to Proof
837	1	8	Friends of Seaford Head - Summary of Proof on topics 1 & 2
849	1	1	Chichester DC - Sam Howes Letter of 24 Jan 08
849	1	1 a	Chichester DC - Tables to doc 849/1/1
936	1	1	White Young Green - Topic 3 - Alternative Boundary
936	1	3	David Forsdick - Legal Advice on Western Weald
936	1	4	White Young Green - Supplementary
937	1	1	DMH on Addition 13 (Newhaven)
970	1	1	Landscape Evidence for Toads Hole Valley
970	1	2	Planning Evidence for Toads Hole Valley
970	1	3	Joint Appendices for Toads Hole Valley
970	1	4	Supplementary to Planning Evidence for THV
1007	0	1	WSCC Closing Submission
1007	1	1	WSCC on Topic 1 NERC Act & Topic 2 Meyrick Judgements
1007	1	2	WSCC Appendix 1 to Topic 1 & 2
1007	2	1	HDA - Topic 3 for West Sussex CC
1007	2	2	HDA - Appendix
1007	2	3	HDA for WSCC - Topic 6
1007	2	4	Topic 6 Appendices
1007	2	5	HDA - Designations Plans
1007	2	6	WSCC - HAD Topic 6 Western Weald
1007	2	7	WSCC - Appendices to 1007/2/6
1007	3	1	WSCC & Chichester DC - Topic 5
1007	3	2	WSCC & Chichester DC - Topic 5 - Map
1007	3	3	WSCC & Chichester DC - Topic 5 - Aerial Photo
1007	3	4	WSCC & CDC on Topic 5
1007	3	5	WSCC - Tree & Hedge Planting on Leconfield Estate between 1980 & 2007
1007	3	6	Map to document 1007/3/5
1007	4	1	WSCC Topic 6 - Western Weald
1007	4	2	WSCC - Map to document 1007/4/1
1033	1	1	Tom Hollobone - In support of inclusion 9
1113	1	1	Cemex - Proof on Topic 4
1113	1	2	Cemex - Appendices & Figures to Proof on Topic 4
1113	1	2 a	Map to Appendices
1115	1	1	East Sussex CC - Written Statement Topic 4 Land at Wilmington
1115	1	1 a	East Sussex CC - Written Statement Topic 4 Annex 1
1133	1	1	T & R Butler - 1 Mar 08

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1147	0	1	SDC Updated Biography - Supporting Statement
1147	0	2	SDC - Public Opinion
1147	0	3	SDC - Opening Statement on Western Weald
1147	0	4	SDC - Materiality of National Park Designation
1147	0	8	SDC - Revised Updated Biography
1147	0	9	SDC - Note on HAD Map 104
1147	0	10	SDC - Topography Map of Western Weald
1147	0	11	SDC - Closing Statement
1147	0	12	SDC - Errata Sheet
1147	0	13	SDC - Western Weald Slide Show
1147	1	1	SDC Implications of Nerc & Meyrick Judgments for SDNP
1147	1	2	SDC - Supplementary Proof on The Demise of the Concept of Characteristic
1147	2	1	SDC - Inclusion of Ditchling & Lodge Hill
1147	2	2	SDC - Implications for inclusion of Ditching and Lodge hill topic 1 & 2
1147	2	3	SDC - Supplementary Proof by Ditchling PC & The Ditchling Society
1147	2	4	SDC - Supplementary Annexes to 1147/2/3
1147	3	1	SDC - Implications of NERC & Meyrick for inclusion of Lewes & Ouse Valley
1147	3	2	SDC - Implications of NERC Act 2006 & Meyrick Judgments/Lewes & Ouse Valley
1147	3	3	SDC - Inclusion of Lewes & the Ouse Valley
1147	5	1	SDC - Proof on New Boundary Petersfield to Pulborough
1147	5	2	SDC - Appendices on New Boundary Petersfield to Pulborough
1147	5	3	SDC - Opening Statement - Margaret Paren
1147	5	4	Errata to Doc 1147/5/1
1147	7	1	SDC - Proof on Recreation Opportunities in the Western Weald
1147	7	2	SDC - Appendices on Recreation Opportunities in the Western Weald
1147	7	3	Opening Statement - Recreation Opportunities in the Western Weald - M Paren
1147	7	4	Opening Statement - Recreation Opportunities - Ben Perkins
1147	7	5	Opening Statement - Recreation Opportunities - Jacquetta Fewster
1147	7	6	Opening Statement - Recreation Opportunities - Brian Cheater
1147	7	7	SDC - Supplementary - Recreation Opportunities in the Western Weald
1147	8	1 r	SDC - Impact of Agriculture & Agri-environment on Rother Valley Sandy Arable
1147	8	2	Appendices to 1147/8/1
1147	8	3	SDC - Opening Statement - Rother Valley's Sandy Arable Farmland
1147	9	1	SDC - Proof on Construction & Landscape of the A3 (T)
1147	9	2	SDC - Appendices on Construction & Landscape of the A3 (T)
1147	9	2 a	Annex A to 1147/9/2
1147	9	3	SDC - Opening Statement Construction & Landscape of A3 - Cllr Susan Halstead
1147	9	4	SDC - Photographs of the A24 & A29 South Downs Way

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1147	10	1	SDC - Proof on the Settlement of Petersfield
1147	10	2	SDC - Appendices on the Settlement of Petersfield
1147	11	1	SDC - Proof on Liss & Associated Settlements
1147	11	2	SDC - Appendices Liss & Associated Settlements
1147	11	3	SDC - Opening Statement on Liss & Associated Settlements
1147	11	4	SDC - Liss & Associated Settlements - Supplementary
1147	12	1	SDC - Land Detractors in Lower Rother Valley
1147	12	2	Appendices to 1147/12/1
1147	12	3	SDC - Opening Statement on Lower Rother Valley
1147	12	4	SDC - Opening Statement for Petersfield, Liss & Lower Rother Valley
1147	12	5	SDC - Opening Statement Lower Rother Valley - Emma Marrington
1147	13	1	SDC - Proof on Longmoor Training Area & Woolmer Forest
1147	13	2	SDC - Appendices Longmoor Training Area & Woolmer Forest
1147	13	3	SDC - Longmoor Training Area & Woolmer Forest
1147	13	4	SDC - Opening Statement on Longmoor & Woolmer Forest
1147	13	5	Longmoor Questionnaire
1147	15	1	SDC - AONB Status
1147	15	2	Appendices to 1147/15/1
1147	15	3	SDC - South Downs Joint Committee
1147	15	3 r	SDC - Supplementary Proof - South Downs Joint Committee
1147	15	4	SDC - AONB Status
1147	16	1	SDC - Prof. Robert Tregay on the Western Weald
1147	16	2	SDC - Appendices to 1147/16/1
1147	16	3	SDC - Summary of Proof
1214	1	1	East Hampshire DC - Topic 3
1214	1	2	EHDC - Summary to 1214/1/1
1214	2	1	East Hampshire DC - Written Submission
1222	1	1	WinchesterCity Council - Land at Pondsider Lane, Bishops Waltham
1269	1	1	Stroudbridge Farm Evidence
1290	1	1	Fittleworth Parish Council - Alternative boundary from Petersfield to Pulborough
1290	1	2	Fittleworth PC - Alterations to Boundary around Fittleworth
1330	0	4	Written note regarding Itchen Farm.
1330	0	5	NE Comments on SDC Proofs
1330	0	8	NE - Legal submissions on Topics 1 & 2
1330	0	8 a	Pascoe v First Secretary of State [2007] 1 WLR
1330	0	8 b	McCabe v SoS for communities & Local Gov. CO/10024/2006
1330	0	9	NE - Note on Section 65 of the Nerc Act
1330	0	10	NE Response to submission on behalf of Cemex Investments Ltd
1330	0	13	NE - Notification under Section 28 of WL & CS Act 1981 - LPA Lewes DC

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1330	0	16	NE - Note on Characteristic Natural Beauty & NERC Bill
1330	0	17	NE - Note on Evidence of David jarvis for Tarmac Re 19 Feb 08
1330	0	18	Legal Note on AONB Designations on behalf of NE
1330	0	20	NE - PP 6 - Topic 5 AONB
1330	0	20	NE - Position Paper 6 Topic 5 AONBs
1330	0	23	NE - Topic 5 Non-AONB Land included in Designated NP
1330	0	24	NE - Written Note to proof 1147/8/1r
1330	0	25	NE - Submissions on consultation & possible alternative boundary line
1330	0	28	NE - New Forest National Park Decision - Factual Paper
1330	0	29	NE - Closing Statement
1330	0	30	NE - SSSI within the Western Weald
1330	0	31	Burton Pond Trail
1330	0	32	Map of Maudlin Farm area
1330	0	33	NE - Reply to West Sussex CC Closing Submissions
1330	1		Natural England's Position Paper
1330	1	1	NE - Proof of Dr Val Kirby Topic 1 & 2
1330	2	1	N E - Proof of Evidence - Alison Farmer
1330	2	2	N E - Annexes to Proof of Alison Farmer
1334	1	1	Kingsley Parish Council - Proof on Topics 1 & "
1334	1	2	Kingsley Parish Council - Extract from the Integrated landscape Character Assessment
1334	1	3	Kingsley Parish Council - Map
1334	1	4	Kingsley Parish Council - Contour Map
1347	1	1	Steep Parish Council to R Parry 19 Jan 08
1347	1	2	Steep Parish Council to Jonathan Shaw - 18 Sept 07
1347	1	3	Steep PC - summary of main points for 19 Mar 08
1347	1	4	Appendix to 1347/1/3
1347	1	4 a	Steep - A Village History
1347	1	4 b	The Origins of Steep
1347	1	4 c	Map to accompany the proof
1348	1	1	EH - WR on topic 1 & Topic 2
1348	1	2	EH - Lewes Historic Character Assessment Report - March 2005
1348	1	3	EH - Ditchling Historic Character Assessment Report - June 2005
1348	1	4	EH - Steyning Historic Character Assessment Report - August 2004
1348	1	5	EH - Bramber Historic Character Assessment Report - August 2004
1348	2	1	EH - Consultant's report (Brian Short)
1356	1	1	Stedham with Iping PC - 4 Feb 08
1356	1	2	Stedham with Iping PC - Proof of evidence
1359	1	1	Lewis Railway Land Wildlife Trust - Dr J Parry



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1359	1	1 b	Lewes Railway Land Wildlife Trust
1365	1	1	Andrew Tyrie MP - Proof on Topics 1 & 2
1365	1	2	Andrew Tyrie - Proof on Topic 5
1417	1	1	Mary Blake Proof of Evidence
1417	1	2	Mary Blake Addition to Proof - 28 Jan 08
1417	1	3	Mary Blake Further Submission to Proof of Evidence
1417	1	4	Pictures of fields at Lode Farm
1417	1	4 a	Map showing location of Photos for 1417/1/4
1492	1	1	Stroud P C - Topic 3
1503	1	1	David Jarvis Proof on Pelham Holdings - Addition 11 Wilmington - Jan 08
1503	2	1	Pelham Holdings Ltd - Addition 11 Proof by Patrick Gurner
1555	1	1	Graffham Down Trust - Map for topic 3
1603	1	1	Dijkman Planning - site at Chyngton Farm Seaford
1629	1	1	Sir Christopher Bellamy - North Twyford Residents Proof
1629	1	1 a	SPP - Additional information following the site visit
1629	1	2	SPP - Itchen Farm - Notes following appearance
1631	1	1	SPP - For Richard Cowen - Winnall Down Farm Winchester
1631	1	2	SPP - Richard Cowen's response to 1330/0/3
1664	1	1	D. R. Stewart Smith Topic 3
1669	1	1	Rottingdean Parish Council - 10 March 2008
1812	1	1	Richard Winter for Hamsey Residents
1813	1	1	Ferring Parish Council - 1 Feb 08
1813	1	2	Ferring PC - Proof for Ferring DIP Slope
1816	1	1	Bishop's Waltham Society - Boundary
1926	1	1	John Hurwood - Addition 11 Wilmington 27 Feb 08
1969	0	1	Hampshire County Council - Closing Submission
1969	0	1 a	Errata to 1969/0/1
1969	1	1	Hampshire County Council Topics 1 & 2 NERC and Meyrick
1969	1	2	Hampshire County Council - Summary on Topic 1 & 2
1969	1	7	Hampshire CC - Topic 3 Petersfield to Pulborough
1969	1	8	Hampshire CC - Topic 4 Additional Areas
1969	1	10	Hampshire CC- Proof on Topic 6 - The Western Weald
1969	1	11	HCC - Topic 5 AONB
1969	1	15	Hampshire CC Summary statement on Topic 6
1969	2	1	Hampshire County Council Western Weald Submissions
1969	2	1 a	Hampshire County Council - Appendix to 1969/2/1 Weekly Law Report December 76 (part)
1969	2	1 b	Hampshire County Council - Appendix to Part II National Parks
1969	2	1 c	Hampshire County Council - Appendix to National Parks (Scotland) act 2000

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1969	2	2	Hampshire CC - Route of Hangers Way
1969	2	10	Hampshire CC - An Assessment of the Excluded Areas Against the Statutory Criteria for Designation
2024	1	1	Roedean School - Objection to Addition 16

## ***South Downs National Park - 2007 Responses To Submissions***

<b><i>Document number</i></b>			<b><i>Title</i></b>
762	1	3	Maps - Kingsley
762	1	3	Tarmac - Response to SDC 1147/1/2
970	1	5	Response to SDC on Addition 23 THV
1007	2	8	WSCC rebuttal to 1330/0/28 - NE Factual Paper on NFNP
1007	0	2	WSCC - Response to HCC's Closing submission
1147	10	4	SDC - Response to White Young Green #936/1/1
1147	4	2	SDC - Rebuttal to Objectors on Addition 11 - Wilmington
1147	4	4	SDC - Appendix to 1147-4-3
1147	6	1	SDC - Rebuttal of WSCC alternative boundary
1147	4	6	SDC - Addition 8 - Ryngmer Park
1147	4	3	SDC - Rebuttal on Addition 23 Toads Hole Valley
1147	10	5	SDC - Response to White Young Green #936/1/2
1147	4	7	SDC - Addition 9 - Gote Farm
1222	1	2	Winchester CC - Response to Southern Planning Practice on Winnall Down Farm
1330	2	4	NE - Alison Farmer Rebuttal to White Young Green Planning
1330	2	3	NE - Alison Farmer Rebuttal to WSCC & Chichester DC
1330	0	3	N E - Response to 1631-1-1
1330	0	2	N E - Response to 615-1-1,837-1-1,557-1-1
1330	2	5	NE - Alison Farmer Rebuttal to David Jarvis for Tarmac.
1330	0	1	N E - Response to 371-1-1
1330	0	14	NE - Rebuttal to DMH Stallard re Addition 13, Tide Mills
1330	0	6	NE - Written Note on objection by Richard Cowen (1631/1/1)
1330	0	7	NE - Written Response to David Jarvis of Tarmac (762/1/1 & 762/1/2)
1330	0	12	NE - Response to David Jarvis 1503/1/1 - Wilmington
1330	0	22	NE - Topic 5 Response to WSCC & CDC
1330	0	15	NE - Response to Proposed Additional Areas
1330	0	27	NE - Response to submission by WSCC on Topic 6
1330	0	11	NE - Response to David Jarvis on Topics 1 & 2
1969	1	3	Hampshire CC Response to NE Proof 1330/1/1
1969	1	9	Hampshire CC - Rebuttal on WSCC & Chichester DC
1969	1	6	HCC - Rebuttal to West Sussex CC
1969	1	5	Hampshire CC rebuttal on 762/1/1
1969	1	4	Hampshire CC rebuttal on 1631/1/1

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1969	1	13	HCC - Rebuttal to White Young Green Planning 936/1/2
1969	1	14	HCC - Rebuttal to WSCC & CDC on Topic 6

## ***South Downs National Park - 2007 Written Representations***

<b><i>Document number</i></b>			<b><i>Title</i></b>
15	1	1	Len Clark - Re Western Weald
19	1		Letter - Liss PC re programme and appearance
53	1	1	Long Man PC Written Statement on Addition 11 - Wilmington
53	1	2	Long Man PC - Appendices to Written Statement
121	1	1	National Trust on Topics 5 & 6
153	1	1	Fernhurst PC - Wealden Parish Exclusion
165	1		Letter - Mr & Mrs Klein 6 Jan 08 re exclusion of Lewes
195	1		Letter - E C Woods - 3 Feb 08
254	1		Letter - Toney Struthers 23 Jan - Re Wester Weald
371	1		Letter - Selborne Parish Council - 4 Feb 08
371	2		Letter - Selborne PC - covering letter to submission
452	1		Letter - Phillip Temmerman - Avalon Ventures Ltd
467	1	1	WRs from Mr Whitby and on behalf of others
494	1	1	Midhurst Town Council - Letter of 7 April 08
554	1		Letter - Seaford Town Council- 20 Nov 07
742	1	1	WR from the Sussex Archaeological Society
762	1		Letter - Mills & Reeve Covering letter to submission of documents - 21 Dec 07
762	2		Letter - Mills & Reeve Letter confirming appearance & requesting 'geographical' programme - 18 Dec
762	3		Mills & Reeve - 14 Feb 08
772	1		SDJC - 25 January 2008 Re-opened Inquiry
782	1		Letter from Michael Mates MP
782	2		Michael Mates MP/Arbuthnot Letter of 23 April
784	1		Des Turner MP
837	1		Norman Baker MP on behalf of John Foxley 14 Dec 07
870	1	1	Bepton Parish Council Submission
936	1	2	White Young Green Planning - Topic 5 - AONB Status
1007	1		Letter - WSCC & Chichester DC intended appearances
1007	2		Letter - WSCC - 25 Feb - Programming Matters
1007	3		Letter - WSCC 7 March 08 - dates for Appearances
1068	1	1	Norman Baker MP on behalf of Long Man PC - 29 Feb 08
1084	1		Letter - Petersfield Town Council - 5 Feb 08
1084	1	2	Petersfield Town Council - 2
1084	1	1	Petersfield Town Council - 5 Feb 08

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1084	2	Letter - Petersfield TC Letter of 26 March 08
1100	1	Letter - DEFRA (J Shaw) to Henry Smith WSCC
1115	1 2	East Sussex CC - Written Statement on Topic 5
1121	1 1	Horsham District Council - Written Representation - Jan 08
1128	1	Letter - Mr Barratt 30 Jan 08 - Re boundary change
1128	1 1	Mr Barrett - Written Representation - 30 Jan 08
1147	14 2	SDC - Annexes to 1147/14/1
1147	2	Letter - SDC to R Parry - 8 Feb 08
1147	18 1	SDC - WRs on Climate Change
1147	17 1	SDC - Bentley Nib
1147	18 2	SDC - Annexes to 1147/18/1
1147	0 7	SDC - Governance
1147	4 8	SDC - Addition 16 - Roedean School & Foreshore
1147	4 9	SDC - Additional Areas Wilmington & Tide Mills
1147	0 5	SDC - Note on Additional Representations
1147	1	Letter - SDC to R Parry - 2 Jan
1147	0 6	SDC - Note on Hewetts Solicitors' Letter LR2
1147	4 1	SDC - Additional Areas - Written Representation
1147	19 1	SDC - AONB Deletions
1147	14 1	SDC - Wildlife in the Western Weald
1147	4 5	SDC - Addition 7 Woods Mill
1153	1 1	Bridget Dimmer - Letter of 25 March 08
1204	1	Letter - Mr J C Green - Deletion 19 - Letter of 12 March 08
1232	1 1	Ringmer PC - Additions 8,9,& 10
1330	0 19	NE -AONB land outside the proposed NP
1330	0 26	NE - Response to White Young Green #936/1/2
1330	0 19	Maps to document 1330/0/19
1330	0 21	NE - Written note on Land South of Dale Avenue, Keymer (Rep 878)
1334	1	Letter - Request notice to appear
1336	1 1	Summersdale Residents Assoc. 7 March on Deletion 19
1346	1	Letter - Milland PC - 13 Jan 08 Letter re representations on Topic 3
1348	1 6	EH - Written Reps on Topic 3
1350	1 1	Brighton & Hove - Aerial View Bazehill Road & Bishopstone Drive
1350	1 4	Brighton & Hove WRs on Roedean Crescent (Map 8)
1350	1 4	Brighton & Hove Map C
1350	1 2	Brighton & Hove CC Written Representation- Addition 21
1350	1 5	Brighton & Hove - Addition 23 Toads' Hole Valey
1350	1 1	Brighton & Hove - Deletion 13
1350	1 1	Brighton & Hove Map Bazehill Road & Bishopstone Drive

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1350	1	3	Brighton & Hove Patcham Recreation Ground Map 7
1350	1	3	Brighton & Hove Map D Patcham Recreation Ground
1350	1	1	Brighton & Hove - Aerial View Bazehill Road & Bishopstone Drive
1350	1	4	Brighton & Hove Aerial View
1350	1	2	Brighton & Hove Map ACE School, Queensdown Rd
1350	1	2	Brighton & Hove - Aerial View ACE School, Queensdown Rd
1350	1	5	Brighton & Hove Aerial View
1363	1	0	Letter - T Curran to the Inspector 31 Jan 08
1365	1		Letter - Andrew Tyrie MP
1530	1	1	Robert Farwell - Written Representation - 4 Feb 08
1535	2		Letter - James Arbuthnot MP/Mates letter of 23 April
1535	1		Letter - James ArbuthnotMP
1555	1	2	Graffham Down Trust - Letter of 28 March 08
1573	1	0	Letter - CPRE - Inclusion of the Western Weald
1591	1		Letter - 6 Feb 08 - Addendum to letter of 16 Sept
1627	1		Letter - LG To B Bay
1664	1	2	Derek Stewart Smith - Letter of 28 March 08
1705	1	1	WRs - Forum of Arun DAG, East Preston & Kingston Preservation Soc., Worthing Soc., Mr & Mrs Tanner
1762	1	1	Nigel Brown - Additional comments 30/3/08
1763	1	1	Worldham Parish Council-Written Representation
1763	1	2	Photos to the WR.
1907	1		Letter - David Lepper MP
1969	1	12	Hampshire CC - Response to White Young Green #936/1/1
1969	1		Letter - Hampshire CC - 11 March - Dates for Appearances
1991	1		Letter - West Lavington PC 18 Jan to R Parry on inclusion of Western Weald
1991	2	0	Letter - West Lavington PC 13 Feb to The Inspector - Prposed Boundaries
1992	1		Letter - SPP on behalf of Mr Heaver/Eurequity Ltd - 14 Jan 08
2020	1	1	Greatham PC Local Authority Consultation - July 2002

## Appendix 6

### ***South Downs National Park - 2007 Representations***

<b><i>ID</i></b>	<b><i>Name</i></b>			<b><i>Company/organisation</i></b>
1	Lindsay	Mr	J	
2	Mathers	Mr & Mrs	D H	
3	Hayter	Mr	J	Bishop's Waltham Society
4	Greed	Mr	J	
5	Ford/Trask	Ms	R & M	
6	Stephenson	Mr	A	Arthur Stephenson & Associates
7	Beaver	Mr	C	Nash Partnership
8	Dodge	Dr	G	
9	Wedgwood	Lady	P	
10	Holmes	Ms	N	
11	Campbell	Mr	A	
12	Pugh	Mr	R	
13	Points	Mr	P	
14	Todd	Mr	C	
15	Clark CBE	Mr	L	
16	Pidgeon	Mr & Mrs	J & F	
17	Paine	Mr	C	
18	Tristram	Ms	E	Friends of Binsted Church
19	Bowery	Mr	R	Liss Parish Council



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20	Beckingham	Ms	C S	
21	Nundy MBE	Mr	J A	
22	Howland	Mr	P	
23	Wilson	Mr	W	
24	Hart	Mr	R	
25	Hague	Ms	B	
26	Paren	Dr	H	
27	Redhill	Mrs	P	Rotherlands Conservation Group
28	Battersby	Mr	P	
29	Fitzmaurice	Mrs	S	
30	Howland	Mrs	S K	
31	Mayo	Mr	B	

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32	Mayo	Mrs	J	
33	Pilliner	Ms	E B	
34	Weeks	Professor	J	
35	Bain	Mr & Mrs	G & S	
36	Owen	Mr	M B	
37	Grill	Ms	J	
38	Yarborough	Mr	G A	
39	Long	Mrs	M	The Ramblers' Association Godalming
	& Haslemere Group			
40	Verrinder	Ms	S G M	The Angering Society
41	Duffield	Mr	M C	
42	Stevens	Mr & Mrs	M & C	
43	Barlby	Mr	D	
44	Gardner	Mr & Mrs	R N	
45	Clarke	Mrs	J	
46	Coxhill	Mr & Mrs	D & B	
47	Lutener	Mr	H	
48	Miles	Mrs	G	Cocking Parish Council
49	Carnforth	Mr	T	
50	Johnson-Hill	Mr	N	
51	Porter	Ms	V	
52	de Jong-Smith	Mr	M J	
53	Vine	Ms	C	Long Man Parish Council
54	Orme	Mr & Mrs	A & L	
55	Collins	Mr	J	
56	Collins	Mrs	C	
57	Hodge	Ms	V	
58	Whatley	Ms	J	
59	Bower	Mr	J	
60	Waterhouse	Mr & Mrs	C	
61	Wilson	Mr	A	
62	Foot	Mr	N	
63	Doyle	Mr	T W A	
64	Oakley	Mr	C	
65	Deedman	Mr	D	
66	Wrathall	Mr	C	
67	Haines	Mr	P	
68	Mann	Mr	K	
69	Wardle	Mr	J	

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70	Dunne	Mr	C & A	
71	Hutson	Mr	P	
72	Botibol	Mr	D	
73	Belfield	Mr	D	
74	Doble	Mr	I R	
75	Hocking	Mr	D	
76	Forsyth	Mr	A	
77	Aslet	Mr	J J	
78	Green	Mr & Mrs	J & J	Midhurst Community Partnership
79	Lewis	Mr	R	
80	Ayliffe	Mrs	J	
81	Jeffery	Dr	D	The Petersfield Society
82	Rump	Mr	N H R	
83	Turner	Mr	M	
84	Mason	Mr	W	
85	Catchpole	Mr	R A	
86	Newman	Mrs	M	
87	Smith	Dr & Mrs	B	
88	Baldwin	Mrs	J	
89	Andrews	Ms	A	
90	Moss	Mr	P	Rogate with Rake Parish Council
91	Large	Mrs	H	
92	Hull	Mr	S	
93	Hamilton	Ms	J	
94	Keats	Ms	C	
95	Witchell	Mr & Mrs	J & T	
96	Bennett	Mr	J	
97	Pierson	Mr	M K	
98	Hooper	Mr	R	
99	Steven	Ms	H	
100	Friend	Mr	M	
101	Harwood	Mr	M	
102	Cahill	Mr	L	
103	Goodwin	Mr	A	
104	Mowll	Mr & Mrs	R & J	
105	Scarr	Mr and Mrs	C & J	
106	Evershed	Mr	W A	
107	Ashton	Mr & Mrs	M & N	
108	Sanders	Mr & Mrs	A E J	Kirdford Conservation Society

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109	Leonard OBE	Mr	P	
110	Chapman	Mr	A	
111	Laver	Mr	S	
112	Tordoff	Mr	H	
113	Symes	Mr	N	
114	Hague	Mr	D	
115	Lentaigne	Mr	D	
116	Solares	Mr & Mrs	P & C	
117	Berzak	Mr	J	
118	Piper	Mr	A	
119	Lees	Mr	J	
120	Steward	Mr	N J S	
121	Saville	Ms	S	The National Trust SER
122	Freivokh	Mr	K	
123	Denny	Mr	A M	
124	BoxMr	G T		
125	Owen	Mrs	L J	
126	Olivant	Mr	S	
127	Blackburn	Dr & Mrs	A	
128	Leaver	Mr	C	
129	Naumczyk	Mrs	J A	
130	Duckworth	Mr	G	
131	Dickenson	Mr	K	
132	Rothstein	Ms	M	
133	The Occupiers	Drs	RA & SE	
134	Broadhead	Mrs	J	
135	Payne	Mr & Mr	J	
136	CoxMr	D		
137	Thomas	Ms	E	
138	Beach	Mrs	C M	
139	Munro	Mr	R	
140	Baker	Mrs	L	Hassocks Parish Council
141	Mason	Ms	R	
142	Tebb	Mr & Mrs	R H	
143	Hicks	Mr	J C	
144	Owen	Mr	L	
145	BoxMrs	M		
146	Francis	Mr & Mrs	P	
147	Wyatt	Revd	N	

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148	Fletcher	Ms	R	
149	Low	Mr	W R M	
150	Rickard	Mr & Mrs	B & B	
151	Wheeler	Ms	M	
152	Thomas	Mr & Mrs	E	
153	Bleach	Mr	D	Fernhurst Parish Council
154	Tantram	Mrs	R	
155	Mason	Ms	R	
156	Evershed	Ms	D	
157	Wicks	Mr	R	
158	Budge	Mr	M	
159	Crockett	Ms	J	
160	Lange	Ms	A	
161	Stotesbury	Mr & Mrs	K & B	
162	IlesMr	S		
163	King	Ms	J	
164	Johnson/Lyons	Mr & Mrs		T&N
165	Klein	Mr and Mrs	F T & K	
166	Risley	Mr	D G	
167	Armson	Mr & Mrs	M & J	
168	Glover	Mrs	C	
169	Simmons	Mr	L	
170	Griffiths	Mrs	A L	
171	Murray	Mr	M	
172	Hibbard	Mrs	M	
173	Stewart	Mr	A	
174	Judd	Ms	S	
175	Brown	Ms	S	
176	Spence	Mr	J	
177	Everett	Mr	G A	
178	Presland	Mrs	M J	
179	Harvey	Mr & Mrs	C & C	
180	Bruce	Mr & Mrs	R & S	
181	Barton	Mr	T	
182	Brand	Ms	L	
183	Boswood QC	Mr	A	
184	Wood	Mr	J	
185	Moore	Ms	S	
186	Fraser	Mrs	A	

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187	Moor	Mrs	I	
188	Wells	Mr & Mrs	S & S	
189	Nicolle	Mr	A W	
190	Mocroft	Dr	A	
191	Lunn	Mr	M	
192	Harvey	Mr & Mrs	P & J	
193	Liebschner	Mr	J	
194	Martin	Mr & Mrs	P & P	
195	Woods	Mr	E C	
196	Woods	Mrs	J R	
197	Martin	Mr	A G	
198	Hide	Dr	D	
199	Norris	Mr	G W J	
200	Allan	Mrs	C	Easebourne Parish Council
201	Young	Ms	R	
202	Connell	Mr & Mrs	D & B	
203	Bunn	Mrs	F	
204	Cooper	Mr	J E T	Stansted Park Foundation
205	Pitts	Mr & mrs	A & J	
206	McLaren	Mr & Mrs	R & H	
207	Chalmers	Ms	S	
208	Latham	Dr	A	
209	Vickery	Mrs	P	
210	Robinson	Mr	D	
211	Collins	Ms	C A	
212	Butler	Mr	B	
213	Tanner	Mr & Mrs	M M	
214	Nicholls	Mrs	M	
215	Danbury	Mr	W D	
216	Davies	Mr & Mrs	M & J	
217	Pries	Mrs	H	
218	Cooke	Mrs	M	
219	Holter	Mr & Ms	E & G	
220	Burton	Mrs	M	
221	Bearns	Mr	R A	
222	Both	Mr	G	
223	Tregoning	Mr	J G	
224	Reynolds	Ms	A	Woolbeding With Redford PC
225	Dale-Harris	Mrs	A	

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226	Wood	Mrs	C	
227	Gould	Drs.	R A & S E	
228	Rennie	Mr	J	
229	Dore	Prof	E	
230	White	Ms	J	
231	Odell	Dr	RM	
232	McAllister	Mr	A	
233	Holt	Ms	O	
234	Owen	Ms	J	
235	Lessey	Mr	J K	
236	Kennedy	Revd	A	
237	Davis	Mr	W	
238	Vaesen	Mr & Mrs	P & D	
239	Nuggett	Mr	RDJ	
240	Dannett	Mr	M	Portsmouth Water
241	Kingsley	Mr	J G	
242	Keep	Mr	M W	
243	Orwell	Ms	P	
244	Johnson	Mr	B M	
245	Bradley	Mrs	S	
246	Luckhurst	Mr	R	
247	Reed	Mr	R	
248	Phones	Mr & Mrs	P & G	
249	Evans	Mr	E B	
250	Barnes	Ms	L	
251	Napier	Mr	C	CPRE Hampshire and CPRE Sussex
252	Oomkens	Ms	S L	
253	Gardner	Mr	C J	
254	Struthers	Mr	A	
255	Cooper	Mrs	P	
256	Long	Mrs	A	
257	Barnes	Mr	K	
258	Davis	Mr	B R	
259	Andrews	Mr	C	
260	Delany	Mr & Mrs	A & E	
261	Briggs	Ms	J	
262	Povey	Mrs	S	
263	Blyth	Ms	J	
264	Tremlett	Mrs	E S	

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265	McNicol- Norbury	Mrs	E A
266	Lynch	Prof	R
267	Green	Miss	A
268	Smith	Mrs	J
269	de Graaff	Mr	E
270	Mackeown	Mrs	E
271	Horton	Mr & Mrs	A J
272	Williams	Mrs	R J
273	King	Ms	S
274	Butler	Mr	P
275	Jones	Mr	R
276	Cooper	Mr	A S
277	Steel	Mr	J
278	Kent	Mr	P
279	Craven	Ms	L
280	Barber	Ms	J
281	Romeril	Mr & Mrs	J & V
282	Watkins	Mrs	E
283	HallMr	C	
284	Robertson	Mr	A
285	Lane	Mr & Mrs	P & J
286	Johnston	Mr	G
287	Brown	Mr	R
288	Kingsbury	Ms	S
289	Birkett	Ms	N
290	Pierson	Mr	D
291	Wellings	Mrs	D
292	Kruse	Mrs	S
293	Schuetz	Mr	D
294	Cooke	Mr	S J
295	Luke	Mr	P
296	Kellett	Ms	W
297	Heelan	Mr	B
298	Woods	Ms	V
299	Butler	Mr	J
300	Prince	Mr & Mrs	E & F
301	Stock	Mr & Mrs	P & V
302	Kent	Mr	N
303	Elwoll	Mr	P



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304	Tindall	Mr	D H	
305	Langley	Major	D	
306	Ostick	Ms	J	
307	Hart	Mr & Mrs	D & G	
308	Wilyman	Mrs	M	
309	Funnell	Mrs	A P	
310	Hughes	Mr	E M	
311	Davis	Mr & Mrs	J & R	
312	Newman	Ms	T	
313	Webster	Mr & Mrs	P & M	
314	Rose	Mr	V	
315	Warwick Gee	Mr & Mrs	E & L	
316	Yorwerth	Ms	A	
317	Carden	Mr	J	
318	Hunt	Prof	D	
319	Wright	Ms	I	
320	Williams	Mr	A	
321	Place	Mr	M T	
322	CoxMr	J		
323	Frost	Mr	L	
324	Risley	Mr	D	
325	Gibson	Dr	C	
326	Broughton	Mr & Mrs	A & L	
327	Wallace	Mrs	J	
328	Morris	Mrs	B	
329	Perkins	Mr	M	
330	Long	Mr	M A G	
331	Synge	Mrs	M G	
332	Crisp	Mrs	F E	
333	Harper	Ms	V	
334	Hammans	Mrs	J	
335	McGregor	Ms	M P	
336	Gilan	Ms	A	
337	White	Mr	J E	
338	Carr	Mrs	S	
339	Bakcina	Mr		
340	Jarman	Mr	D F	Kingston Parish Council
341	Wass	Mr & Mrs	JT & GM	

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342	Purkis	Mr & Mrs	J R & S J	
343	Heasman	Mr	N	
344	Heasman	Mrs	T	
345	Williams	Mr	H C	
346	Kinley	Mrs	D J	
347	Kerr	Mr & Mrs	J & A	
348	Robinson	Mr and Mrs	G	
349	Barnes	Mr	S	
350	Aberny	Mr		
351	Aberny	Mr	E	
352	Armsden	Mr		
353	Audus	Mr & Mrs	R	
354	Allen	Mr & Mrs	P & J	
355	Bushell	Ms	L	
356	Buiauce	Mr & Mrs	J	
357	Bone	Mr & Mrs	H J & I A	
358	Bennie	Mr & Mrs	B & S	
359	Brockhurst	Mr	R	
360	Brazier	Mr & Mrs	E & M	
361	Barber	Mr & Mrs	A & G	
362	Burley	Mr	M	
363	Bannister	Mr	P	
364	Bannister	Ms	I	
365	Clayton	Ms	J	
366	Court	Mr & Mrs	W & A	
367	Cameron	Mrs	M	
368	Cameron	Mr & Mrs	A & E	
369	Carter	Mrs	H	
370	Collison	Mr	T	
371	Palmer	Mrs	M	Selborne Parish Council
372	Chapman	Mr & Mrs	T & W	
373	Dickenson	Mr & Mrs	AG & M	
374	Diment	Mr & Mrs	R F	
375	Drinkwater	Dr & Mrs	A & J	
376	Darley	Mr	P J	Dunction Parish Council
377	Darley	Mr	P J	
378	Elliott	Mrs	C	
379	Eatwell	Mr & Mrs	D & E	
380	Eldridge	Mr & Mrs		

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381	Funnell	Mrs	P
382	Gates	Mr	R E
384	Greenslade	Ms	R
385	Garrod	Mr & Mrs	R & E
386	Gordon-Smith	Mr	H M
387	Gillam	Mr	C
388	Jacklin	Mrs	L
389	Pourton	Mr	R M
390	Parsons	Mrs	P
391	Phillips	Mr	R
392	Pusey	Mr	
393	Pusey	Mr	A E
394	Piper	Ms	M
395	Pryer	Mr & Mrs	B & C
396	The Occupier		
397	Veychodova	Ms	M
398	The Occupier		
399	Cussins	Mr & Mrs	J & A
400	Winton	Mr and Mrs	A & W
401	Wyle	Ms	H
402	Waters	Ms	A
403	Wilcox	Mrs	R
404	Wallace	Mr & Mrs	E & M
405	Ward	Mrs	M T
406	Whitestone	Mr	P
407	Wrathall	Mr & Mrs	C & S
408	Woodford	Mr & Mrs	M & P
409	Williams	Mr & Mrs	P & I
410	Verschoyle	Mr	P
411	Ulph	Mr	C
412	O'Neill	Mr	P
413	Page	Mr	G
414	Preddy	Mr	R J
415	Pollard	Mrs	E
416	Prout	Mrs	A M
417	Holdom	Mr	G
418	Hayes	Mrs	A R
419	Humphrey	Mr	C

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420	Linnett	Mrs	P A	
421	Linnett	Mr	R	
422	Logan	Mr	M	
423	Law	Mr	K	
424	Latham	Ms	C	
425	Logan	Mrs	P	
426	Kean	Mr	G	Wilmington Registered Commons
	Association			
427	Miell	Ms	S J	
428	Manning	Mr	K E	
429	Mellech	Ms	P	
430	Mynors	Mrs	J	
431	McCausland	Mr & Mrs	P & J	
432	Martin	Mr	B G	
433	McLean	Mr & Mrs	W & P	
434	Moore	Mr	P D	
435	Mortimer	Ms	J	
436	Moore	Mr		
437	Olney	Mr & Mrs	R & R	
438	Rosewam	Ms	C	
439	Reynolds	Mr	J	
440	Riley	Mr	P A	
441	RyeMr	A B		
442	Reed	Mr & Mrs	R & S	
443	Rhodes	Mr	S J	
444	Stayte	Dr	D J	
445	Sellwood	Ms	P	
446	Sawyers	Cllr.	B	Telscombe Residents Association
447	Smith	Ms	M	
448	Stephenson	Mr	R	
449	Stallard	Mr	R	
450	Stallard	Mrs	H	
451	Shapiro	Mr & Mrs	J	
452	Temmerman	Mr	P	
453	Taylor	Mr & Mrs	M & P	
454	Simon	Mr	J	
455	Briggs	Lt Col &	B & P	
	Mrs			
456	Lang	Mr	C	
457	Turner	Ms	J	

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458	Hookway	Mr	A	
459	Bone	Mrs	J	
460	Tuck	Mr & Mrs	A & J	
461	Littlejohn	Mr & Mrs	A & F	
462	Collier	Mr	J	
463	Sullivan	Mr	A P	
464	Redfern	Ms	S	
465	Timney	Ms	M	
466	Payne	Mr & Mrs	J & S	
467	Whitby	Mr & Mrs	L & C	
468	Cook	Mr	G K	
469	Bertelsen	Mrs	P E	
470	Woolston	Ms	G	
471	Hill Mr	B		
472	Howland	Ms	L	
473	Booker	Mr	B	
474	Davis	Mr	J	
475	Barrow	Captain	M E	
476	Talbet	Mr	M A	
477	Locke	Mr & Mrs	R & S	
478	Furlonger	Mr	P	
479	Digby	Mr	P	
480	Andrews	Mr & Mrs	E J	
481	Grinsted	Mr & Mrs	B & M	
482	Brookfield	Mr	A L H	
483	Moor	Dr	J F	
484	Hackman	Mrs	E A	
485	Harris	Mr	P	The Steyning Society
486	Hill Mr & Mrs	T & P		
487	Brown	Sir & Mrs	B	
488	Simmonds	Mr & Mrs	F & P	
489	Pooley	Mr	G	
490	Braithwaite	Mr & Mrs	J & N	
491	Grant	Mr & Mrs	M	
492	Drury CBE	Mr	M	
493	Dunt KCB	Sir	J	
494	Hughes	Mr	C	Midhurst Town Council
495	Holmes	Mr	A	
496	Riley	Mr & Mrs	T & J	

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497	Biggs/Bratlie	Mr & Ms	A & G E	
498	Henton	Mr	Y	
499	Mitchell	Mr & Mrs	R & L	
500	Anson Association Ltd	Mr	P W	Wheatsheaf Enclosure Residents
501	Bentall	Mrs	M	Trotton With Chithurst PC
502	Stride	Drs	A & J	The Murray Downland Trust
503	Vigars	Ms	C	
504	Perry	Mr	A	
505	Finucane	Mr & Mrs	R	
506	Johnston	Mr & Mrs	J & F	
507	Johnston	Mr	W	
508	Johnston	Ms	L	
509	Thomas	Ms	M	
510	Bone	Mr	R	
511	Packwood	Mr	N	
512	Williams	Mr & Mrs	M & R	
513	Barton	Mr	P	
514	Kelly	Mr	C	
515	Young	Mr	W D	
516	Glaysher	Ms	L	
517	Donegan	Mr	M	
518	Ost Cllr	P		
519	Everest	Mr	I	Newhaven Town Council
520	Hotham	Mr & Mrs	E & V	
521	Wilson	Mr	R	
522	Daniells	Mr	A	Rowlands Castle Parish Council
524	Wright	Ms	S	CPRE Sussex & Chichester North
525	Allden	Mr	R	CPRE Brighton & Hove
				Withdrawn
526	Francis	Mr	J	
527	Horgan	Ms	H	
528	Santolini	Mrs	C L	
529	Thompson	Ms	S	
530	Grocott	Ms	L M	
531	Holmes	Mr	A R	
532	Wingfield	Ms	G	
533	Vincent	Mr	M	
534	Sievwright	Mr	A	
535	Abey	Ms	M	

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

536	Tremain	Ms	S	
537	Warman	Ms	J	
538	Bryan	Ms	A	
539	Robinson	Mrs	E	
540	Harding	Ms	E	
541	Taylor	Mr	P J	
542	Skinner	Mr	B	
543	Kohn	Ms	N	
544	Meader	Mr	J	
545	Parkinson	Mr	S	
546	The Occupier			
547	Jenkins	Mr	D C	
548	Cartwright	Cllr	E	East Hampshire District Council
549	Peterson	Cllr	J	
550	Coni	Dr	H J A	
551	Cornford	Mr & Mrs	M & K	
552	Strange	Mr	M	
553	Hadon	Mr	J C	
554	Fisher	Mr	L	Seaford Town Council
555	Parkinson	Ms	F	
556	Clark	Mr & Mrs	A & C	
557	Nicholson	Cllr	A	
558	Padfield	Mr	K K	
559	Pavey	Mr	P R	
560	Bayly	Lady		
561	Camp	Ms	F	
562	Myers	Mr	M H	
563	West	Mr	B	
564	Pollard	Mr	H	
565	Rogers	Mr & Mrs	C & F	
566	Gordon-Smith	Mr	J	
567	Voorspuy	Mrs	S	
568	Vinall	Mr & Mrs	J C	
569	The Occupier			
570	Lein	Mr	C	
571	Radson	Mr	M	
572	Wilkinson/Frater	Mr & Miss	J & L	
573	The Occupier			

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

574	MacKenie	Mr	L	
575	Jewson		R C	
576	Elliott	Mr	M	Fittleworth & District Association
577	The Occupier			
578	Benham	Mr	P	
579	Lucking	Mr	D M	
580	Overton-Smith		Mr V	
581	Legget	Mr	R	
582	Maher-Lovghnan	Mr	J	
583	Garcia	Ms	I	
584	Kearly	Mrs	M	
585	Jeffery	Mr	A	
586	Kalsi	Mrs	A E	
587	Gainey	Dr	B W	
588	Udville-Rae	Mr	A	
589	Gosden	Mr	P	
590	Hoppen	Ms	S	Lewes District Council
591	Kitchener	Mr	S	
592	Grimstead	Ms	K	
593	Goddem	Mrs	F H	
594	Granger	Ms	M	
595	Gammie	Mr	R K	
596	Lockett	Mr	D P	
597	Greenwood	Ms	J	
598	Lenihan	Mr & Mrs	P & V	
599	Fan Mr	N		
600	Long-Innes	Ms	J	
601	Kinnear	Mr	J R M	
602	Laker	Ms	J	
603	Keith	Mr & Mrs	J & H	
604	Rolfe	Mr	L R	
605	Watts	Mr & Mrs	G & J	
606	Western	Mesrs	T & A & C	
607	Wagstaff	Mr	P	
608	Waters	Mr	S	
609	Weston	Ms	A	
610	Wilson	Mr	D A C	
611	Walsh	Mr	C T	



INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

612	Weston	Ms	S	
613	Whitwell	Mr & Mrs	A & R	
614	Williams	Mr & Mrs	D & R	
615	Wright	Mr	M E	Seaford Town Council
616	Williams	Mrs	B	
617	Wilson	Mr	R	The Coultershaw Trust
618	Wall	Mr & Mrs	N & P	
619	Watson	Mr & Mrs	D & D	
620	Wylde	Mrs	L	
621	Ward	Mr	S C	The Edward James Foundation
622	Wadey	Mr	R J	
623	Tweddle	Ms	PR	
624	Tipper	Mr	D	
625	Thompson	Mr	J P	
626	Turner- Hawkes	Mr & Mrs	C	
627	Turner	Mrs	A M J	
628	Simmons	Mr	B A	
629	Simmons	Mrs	J R	
630	Solleveld	Mr	E	
631	Spicer	Mr	D	
632	Seddon	Mr & Mrs	J & D	
633	Strange	Mrs	H	
634	Starding	Mr	G A	
635	Spiegelhalter	Mr	B	
636	Staden	Mr	P	
637	Sarage	Mr	M	
638	Synge	Mrs	M	
639	Predeth	Ms	T	Horndean Parish Council
640	Spellmen	Ms	R	
641	Smith	Mr	R	
642	Standing	Mr and Mrs		
643	Sandeman	Mr	R	
644	Stockton	Mr	R	
645	Saunders	Mr & Mrs	M & M	
646	Stanforth	Mr	A P	
647	Rawley	Ms	L	
648	Ramsay-Rae	Ms	R	
649	Redhill	Mrs	P E	

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

650	RyaMr	G	
651	McBride/Deeble		Ms & Mr C & P
652	Oates	Ms	S
653	Atkinson	Mr	R
654	Athim	Mr	M
655	Anderson	Mr	J
656	Adams	Mrs	B M
657	Ashman	Ms	L
658	Alder	Mr & Mrs	M & J
659	Abercrombie	Mr	G F
660	Allan	Mr	PJ
661	Allden	Mr	R
662	Barden	Mr	N D
663	Bence	Mr	R T J
664	Bore OBE	Mr	J E
665	Baggaly	Mr	S J
666	Bayne	Mrs	A C L
667	Brash	Ms	C
668	Brown	Revd	D
669	Removed		
670	Boyd	Mr	
671	Barstow	Ms	S
672	Booker	Mr	A
673	Barkworth	Mr & Mrs	T & H
674	Bougourd	Mrs	G
675	Broadhurst	Mrs	S
676	Bourke	Mrs	B M
677	Bushby	Mr	R F
678	Britten	Mrs	NM B J
679	Banks	Mr	P D
680	Bundett	Mr	M
681	Brown	Mr	R H
682	Butler	Mr	J P
683	Barber	Mrs	J
684	AialMr	J A	
685	Murray	Miss	S M
686	Roberson	Mrs	M N
687	Blaber	Mr	D
688	Buckley	Mr	A M

Graffham Parish Council

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

689	Carroll	Mr	R C	
690	Connor	Mr	M	
691	Chilcott	Mr	E H	
692	Cogswell	Mr	M	East Sussex Economic Partnership Ltd
693	Carter	Mr	C J	
694	Carter	Mrs	G V	
695	Comp	Mr & Mrs	E & B	
696	Cox	Mr & Mrs	A	
697	Conil	Ms	S	
698	Cooper	Mr	A	
699	Conil	CLlr	C	
700	Cobbett	Mrs	A	
701	Charman	Mr & Mrs	P	
702	Claxton	Ms	J	
703	Claxton	Mr	K	
704	Cosby	Mrs	S	
705	Cooper	Ms	J	
706	Crisp	Mr	T M	
707	Claydon	Ms	J	The Sussex Amphibian & Reptile Group
709	Donne	Mr & Mrs	C & C	
710	Dimmeol	Mr & Mrs	M & B	
711	Day	Miss	S	
712	Dlucking	Mr	J	
713	Dickson	Mr & Mrs	D & L	
714	Donald	Ms	S	
715	Lambert	Mr & Mrs		
716	Evans	Mr	B	
717	Groves	Mr	A S R	Bramshott & Liphook P C
718	Evans	Mr & Mrs	W & E	
719	Everest	Mr	R	
720	The Occupier			
721	Evans	Mr	D	
722	Edgington	Mr		
723	Feek	L Col.	A J	
724	Field	Mr & Mrs	G K	
725	Farmer	Mrs	L M	Newick Parish Council
726	Flexman	Mr & Mrs	N & J	
727	Foster	Mrs	G	
728	Froud	Mr	M	Sussex Enterprise

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

729	Forsyth	Mr & Mrs	S	
730	Garne	Mr	R	
731	Field	Mrs	S	
733	Hawkins	Mr & Mrs		
734	Henley	Mrs	L	
735	Hearnshaw	Mr & Mrs	I & P	
736	Hawkins	Mr	M	
737	Hester	Mr & Mrs	P	
738	Hay	Mr & Mrs		
739	Hurst	Mr & Mrs	P & B	
740	Henderson	Mr	P	
741	Harris	Mr & Mrs	J & J	
742	Milner-Gulland		Prof R R	
743	Hayden	Mrs	J A	
744	Maunder	Mr & Mrs	D & S	
745	Moine	Mrs	M	
746	Nolt	Mr & Mrs	A & R	
747	Maddock	Ms	A	
748	Pendell	Mr & Mrs	R & M	
749	Major	Mr & Mrs	P & D	
750	Morton	Mr	E A T	
751	Maile	Mr	R J	
752	Murphy	Mr	R H	
753	Polden	Mr	C D N	
755	Payne	Mr	E K	
756	Patesch	Mr & Mrs	M & M	
757	Poole	Mrs	P	
758	Pendleton	Ms	E	
759	Perry	Mr & Mrs	I & P	
760	Paker	Mr	C	
761	Penfold	Ms	J A	
762	Bussell	Mr	O	Mills & Reeve LLP
763	Mayhew	Mr	D	Strutt & Parker
764	Allanson-Baily	Ms	P	
765	Warner	Mr & Mrs	E & K	
766	Ferry	Mr	O	
767	Granger	Mr	P	
769	Spiers	Mr	S	CPRE

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

770	Sladden	Mr	J M	The Harting Society
771	Ferguson	Mrs	H D	
772	Renton	Lord	T	South Downs Joint Committee
773	Dovey	Ms	A	
774	Harrington	Ms	P	
775	Geal	Mr	D	Midhurst Society
776	Wright	Mr	V	
777	Taylor	Ms	D	
778	Maude MP	The Rt Hon	F	
779	Holden	Mr	W R	
780	Somerset Webb	Mr & Mrs	T	
781	Bowden	Mr	M	
782	Mates MP	The Rt Hon	M	
783	Hunt MP	The Rt Hon	J	
784	Turner MP	Dr	M P	
785	Waugh	Mr	M	Higham & Co
786	Locke	Mrs	V K	
787	Novis	Mr	D	
788	Collison	Ms	B	
789	Sanders	Ms	L	
790	Mann	Mr	J	
791	Catton	Mrs	L	
792	Locke	Mrs	P M	
793	Harlow	Miss	S	
794	Cemm	Mr	S	
795	Mead	Mr	C I	
796	Hinckley	Mr & Mrs	G & H	
797	Allden	Mr & Mrs	R M & J M	
798	Blincow	Miss	R	
799	Leigh	Dr	A	
800	Kelly	Mr	J	
801	Kelly	Mr	D	
802	Lewis	Ms	J	
803	Timms	Mr	A R	
804	Brodrick	Mr	I	
805	Jones-Parry	Mr & Mrs	C & P	
806	Adams	Mr & Mrs	B & J	
807	Adams	Mr	D	

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

808	Atley	Mrs	T	
809				
810	Braham	Mr & Mrs	I K & C	
811	BellMs	A		
812	Butcher	Mr	A G	
813	Butcher	Ms	P	
814	Bowyer	Mr	S	
815	Baxal	Mr	M J	
816	Buckley	Mr	D	
817	Burden	Mr	S D	
818	Buanhall	Mrs	J E	
819	Braham	Mr	E	
820	Buach	Mr	P	
821	Barnfield	Mrs	G	
822	Caldwell	Mrs	W M	
823	Collier	Mr	G	
824	Cleeve	Mr	K P	
825	Carroll	Mrs	M	The Ramblers' Association Mid-
	Sussex Group			
826	Cross	Dr	J	
827	Courtney	Mr & Mrs	D & M	
828	de Graaff	Mrs	E	
829	Dunkerton	Mr	J	
831	Daron	Mr	R	
832	Day	Mr & Mrs	K A	
834	Field	Mr	D	
835	Fooks	Ms	C	
836	Fitch	Mr	J S	
837	Foxley	Mr & Mrs	J & D	Friends of Seaford Head
838	Heads	Ms	A	
839	Harrison	Mr & Mrs	P & S	
840	Gaze	Mr & Mrs	R & P	
841	Gulland	Ms	S	
842	Gilpin	Mrs	P T	
843	Garrard	Mr & Mrs	R & J	
845	Huggett	Mr	R D J	
846	Harlow	Miss	S	
847	Houlden	Mr	W	
848	Harvey	Mr	T C	

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849	O'Neill	Ms	M-J	Drivers Jonas
850	Johnsal	Mr & Mrs	P & C	
851	Kemp	Mr	D	
852	Lenham	Mr & Mrs	R & R	
853	Longley	Mr	P	
855	MacLeod Sussex	Ms	F	Countryside Access Forum for West
856	MacMahon	Mr	U M	
857	Nicolle	Mr	M	Binsted Parish Council
858	Phillips	Mr & Mrs	L & I	
859	Plumridge	Mr	N	
860	Phillips	Mr	D	Wealden District Council
861	Reed	Mrs	J	
862	Read	Mr	N J	
863	Read	Mr	M	
864	Rapson	Mr & Mrs	G	
865	Read	Mr & Mrs	C P W	
866	Robinsond	Mrs	E	
867	Rosser	Dr	J	
868	Rose	Ms	S G	
869	Ruffy	Ms	E	
870	Ryan	Mr	G	Bepton Parish Council
871	Reed	Mr & Mrs	P & M	
872	Selby	Mr & Mrs	N & C	
873	Symes	Mr	M	
874	Smith	Mr	N C A	
875	Shorter	Mrs	G	
876	Shaw	Mr	P J	
877	Shorter	Mr	A	
878	Sullivan	Mr	A J	
879	Smith	Ms	C	
880				
881	Tuck	Mr & Mrs	H & D	
882	Thorp	Mrs	S	
883	Tancred	Mr	K	
884	Thatcher	Mr	R F	
885	Thayre	Mr & Mrs	C F	
886	Thompson- Lewis	Ms	J	
887	Wilson	Mrs	A	
888	Williams	Mr	S	

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889	Wills	Mr	C	
890	Williams	Mr & Mrs	C & S	
891	Welfare	Mr & Mrs	C & M	
892	Wadey	Mrs	M R	
893	Burgess	Mr	P	DHM
894	Sinclair	Dr	C	
895	Gowlland	Mrs	E J	
896	Thomas	Mr	H	
897	Romain	Miss	H	
898	Fitch	Mrs	A	
899	Gough	Mrs	L	
900	Innes	Mr	R	
901	Williams	Ms	B	
902	Pugh	Ms	D	
903	Beardmore	Ms	M O	
904	Bowes	Mr	W F	
905	Caten	Miss	S M	
906	Courtney	Mr	T	
907	Boait	Mr	J C	
908	Cook	Mr	P A	
909	Hoare	Mr & Mrs	R & I	
910	Humphrey	Mr	J	Humphrey Farms Ltd
911	Davis	Ms	S	
912	Dewdney	Mr & Mrs	R & E	
913	Leigh	Mr	M	
914	Woodhouse	Mr		
915	Nightingale	Mr & Mrs		
916	Livings	Cllr.	J	Peacehaven Town Council
917	Webb	Dr & Mrs	A & V	
918	Dudman	Mr & Mrs	M & S	
919	Craven	Mr	J	
920	Nathan	Mr & Mrs	R H D	
921	Benzimra	Mr	H & D	
923	Pearson	Mr	A R	
924	Laker	Ms	J C	
925	Haines	Mr & Mrs	C & M	
926	Ryder	Mr	D J	
927	Gradine	Mr & Mrs	R & L	
928	Courtney	Mrs	L G	



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929	Castague	Mr	N	
930	Leigh	Mrs	J	
931	Cryer	Mr & Mrs	C & H	
932	Crane	Mr	H W	
933	Innes	Mrs	J	
934	Paul	Mr	J	Sidlesham Parish Council
935	Atherstone	Mr	C H	
936	Hawthorne	Mr	M	White Young Green Planning
937	Frisby	Mr	D	DMH Stallard
938	Sims	Mr	D	Southern Water
939	Gray	Mrs	R K	
940	Hilleard	Ms	F	
941	Bryant	Mr & Mrs	R & B	
942	Tribe	Mrs	S	
943	Mellor	Mr & Mrs	J & J	
944	Melling	Mr	P	
945	Simister	Mr	J	
946	Skae	Ms	S	Rotherfield Parish Council
947	Harley	Mr	W	
948	Coote	Ms	S	
949	Wallraven	Cllr	L	
950	Lucas	Mr	R	
951	Kent-Philips	Mr	T	
952	Cartwright	Mr	J & R	
953	Miller	Ms	K	
954	Brooks	Ms	M	
955	Hewitt	Mr	J	
956	Jones	Mr	L	
957	Allen	Mr & Mrs	C & K	
958	Reynolds	Ms	R	
959	Woudhuysen/ Horrox	Ms & Mr	M & M	
960	Edwards	Mr	B G	
961	Andrews	Ms	R	
962	Brown	Mr	C	
963	Mason	Dr	D	
964	Rathle-Mason	Dr	M	
965	Quinnell	Mr	R M	
966	McCart	Mr & Mrs	M & G	

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967	Lucas	Mr	R	
968	Wood	Ms	A	
969	Ankers	Mr	S	South Downs Society
970	Blaney	Mr	T	Lawrence Graham LLP
971	Collins	Mr	H	
972	Quinn	Ms	S	
973	Sellars	Mr & Mrs	P & V	
974	Whatley and Thomas	Messrs	G & R	
975	Davies	Mr	B	
976	Chapman	Mr	G	
977	Verrall	Mrs	K	Telscombe Town Council
978	Pilley	Mr	J C D	
979	Whitehouse	Ms	M	
980	Larkinson	Mr	D R	
981	Kent-Philips	Ms	L	
982	Jones- Crampette	Mr & Mrs	S & S	
983	Chandler	Mr & Mrs	B & V	
984	Riddington	Mr & Mrs	P & M	
985	Swift	Mr	M	
986	Shearing	Mr	S J	
987	Munier	Mrs	S E	
988	Flint	Mr	A	
989	Wood	Mr	J	
990	Weir	Mr	A	
991	de Winter	Mr	R	
992	The Occupier			
993	Mumford	Mr	P	Friends of Beachy Head
994	Hinks	Mr	S	
995	Hamilton	Ms	E	Midhurst Area Cycling
996	Gilmore	Mr	A	
997	Perceval	Mr	C	
998	Field	Mr	J	
999	Nelson	Mr	G	Coldwaltham Parish Council
1000	Cole	Mr	J A	
1001	Spelly	Mr	F	
1002	Brittain	Mrs	B	
1003	Erskine	Captain	P	
1004	Jenner	Mr & Mrs	R & K	

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1005	Claydon	Mr	A	
1006	Clare	Mr & Mrs	M & M	
1007	Kam	Ms	K	West Sussex County Council
1007	Howes	Mr	S	Chichester District Council
1009	Hartly	Mr	VC	
1010	Hole	Mr	D L	
1011	Steel	Mr	D	Bishops Waltham Society
1012	Tomlinson	Mr	C	
1013	Gard & Hoare	Mr & Miss	M & G	
1014	Raw	Mr	R	
1015	Cooke	Mr	P C	
1016	Saunders	CLlr	S	Newhaven Town Council
1017	Wilson	Ms	C	
1018	Wyatt	Mr & Mrs	R & A	
1019	Clayden	Mr	M	
1020	Morgan	Mr & Mrs	D & R	
1021	Sayers	Mr	G B	
1022	Davy	Mr	T H	
1023	Brown	Mrs	C E	
1024	Brown	Mrs	E	
1025	Wyatt	Mr	B	
1026	Maxwell	Mr & Mrs	G & J	
1028	Deakin	Ms	J R	
1029	Brown	Mr	K G	
1030	Boyle	Mr	J	
1031	Woodley	Mr & Mrs	T & R	
1032	Cromwell	Mr & Mrs	R & J	
1033	Hollobone	Mr	T	
1034	Crawshaw	Ms	J	
1035	Friar	Mr	C	
1036	Allin	Mr	M	
1037	Aschan	Mr	P J	
1038	The Occupier			
1039	The Occupier			
1040	Barnes	Ms	S	
1041	Clark	Ms	B	
1042	Lusty	Mr & Mrs	P & T	

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

1043	Goody	Ms	J
1044	Kelly	Mrs	C
1045	Cockram	Mr	G
1046	Willson	Mr	N
1047	Gritt	Ms	J
1048	Hitchcock	Dr	
1049	The Occupier		
1050	Frost	Mr	T
1051	Kearley	Ms	M
1052	Tanner	Mr & Mrs	K & M
1053	Drake	Cllr	P
1054	Watson	Mr	D
1055	Davis	Mr	H
1056	Pailthorpe	Mr	D
1057	Davies	Mr	H & F
1058	Pook	Mrs	C
1059	Mullenger	Mr	R
1060	Smit	Mr	A
1061	Rodway	Mr	S
1062	Sanders	Mr	S
1063	Cowan	Mr	A
1064	Pettit	Mr	A
1065	Smith	Dr & Mrs	R
1066	Meuce	Mrs	L Y
1067	Constable	Mr	T B
1068	Baker MP	Mr	N
1069	Dudman	Mrs	G
1070	Holt	Ms	M
1071	Berrill	Mrs	F M
1072	Morse	Mr	M
1073	Rabjohns	Mrs	M
1074	Vaughan	Mr & Mrs	J
1075	Mayhew	Mr	C
1076	Jitton	Mr	N
1077	Baldwin	Mr & Mrs	R
1078	Prickett	Ms	D J
1079	BellMr	M	Vale of Sussex Society
1080	Coppard	Mr	A R
1081	Lauce	Mrs	S

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1082	Allen	Mr and Mrs	D	
1083	Fanshawe	Mr	L	
1084	Hitch	Mr	N	Petersfield Town Council
1085	Burrows	Mr	B	
1086	Denman	Cllr	C	West Sussex Joint Planning Board
1087	Quilter	Mr	J	
1088	Gilliard	Mr & Mrs	J & V	
1089	Cooper	Mr	R E J	Lurgashall Parish Council
1090	Ironside	Mrs	G	
1091	Brown	Mr	C	
1092	Cook	Mr	K F	
1093	Joslin & Gulland	Misses	S & M	
1094	Hay	Mr	A	
1095	Andrew	Mr	M	
1096	Patten	Mr	R W	
1097	Hatfield	Mrs	P	
1098	Brooks	Mr	C	
1099	Gilder	Mr	G B	
1100	DEFRA			Promoter
1101	Henderson	Mr and Mrs	P	
1102	Scott	Mr	M	
1103	Forster	Ms	M	
1104	Basley	Mr	T	Environment Agency Sussex Area
1105	Staples	Mrs	H	
1106	Ancell	Mr and Mrs	C	
1107	Archer	Mr	S	
1108	Atkins	Mr & Mrs	G & V	
1109	Bowman	Mr & Mrs	I & N	
1110	Bailey	Mr	D	
1111	Turner	Mr	M	Environment Agency (Sussex Area)
1112	Bateman	Mr	R	
1113	Weeks	Mr	P	Shoosmiths
1114	Harwood	Mrs	S	Froxfield Parish Council
1115	Claxton	Mr	N	East Sussex County Council
1116	Sander Area	Mr	J I	The Ramblers' Association Sussex
1117	Woodward	Ms	P	Lindford Parish Council
1118	Whitbread	Dr	A	Sussex Wildlife Trust
1119	Stepl	Mr	R	The Round Hill Society
1120	McKay	Mr	G	East Brighton Golf Club Ltd

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1121	Boulter	Mr	O	Horsham District Council
1122	Dew	Mr	M	CPRE Sussex
1123	Cutress	Ms	M	Falmer Parish Council
1124	Gray	Cllr	J	East Hampshire District Council
1125	Baumgardt	Ms	S	
1126	Bleach	Mr	P	
1127	Askey	Mr	D J	
1128	Barratt	Mr	D J	
1129	Brown	Miss	A V	
1130	Beardsmore	Mr	S F	
1131	Bradshaw	Mr & Mrs	D W	
1132	Buxton	Mr	K	
1133	Butler	Mr & Mrs	A & R	
1134	Bastin	Dr	J	
1135	Hodski	Mr	P	PH2 Planning Ltd
1136	Belcher	Mrs	E	
1137	Brooke	Mr	RNF	
1138	Bennell	Mr	AS	
1139	Bennell	Mrs	J	
1140	Burt	Mr	GC	Alton Town Council
1141	Black	Mrs	A	
1142	Crichton	Mr	C	
1143	Chatfield	Ms	A S	
1144	Cockram	Mr	D	
1145	Cutress	Mr & Mrs	M & T	
1146	Clague	Mr	G	
1147	Crane	Mr	R	South Downs Campaign
1148	Claxton	Mr	C J	
1149	Claxton	Mr	F J	
1150	Claxton	Mr	F A	
1151	Claxton	Mr	J	
1152	Dunphy	Mr & Mrs	D & JE	
1153	Dimmer	Mrs	B	
1154	Dawson	Mr	P	
1155	Downe	Mr & Mrs	J & F	
1156	Daggett	Mr	W F	
1157	Dawson	Mr & Mrs	A	

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

1159	Foote	Mr	L	
1160	Frost	Mr & Mrs	D & H	
1161	Eason	Dr & Mrs	S & L	
1162	Evans	Mr	DS	
1163	Evans	Captain	GB	
1164	Ewing	Mr	R	
1165	Edwards	Ms	B	
1166	Edwards	Mr	C & B	
1167	Jarrett	Mr	D	
1168	Hedges	Ms	S	
1169	Hemsley	Mrs	L	
1170	Hayman	Mr & Mrs	D & R	
1171	HallMrs	D		
1172	Hatfield	Mrs	P	
1173	O'Hegarty	Ms	J	
1174	Manning	Dr & Mrs	S	
1175	Merry	Mr	I	
1176	Merry	Mrs	M A	
1177	Morris	Mr & Mrs	T & P	
1178	Moore	Mr	E W	
1179	Gregan	Mr	D	
1180	Robinson	Ms	V	
1181	Rodgers	Mr	P	
1182	Rodgers	Mrs	J	
1183	Rossiter	Mrs	V	
1184	Latham	Mr and Mrs	L	
1185	Bassett	Mrs	P A	
1186	Paidley	Ms	E	
1187	Maschner	Mr	L	
1188	Charlwood	Mr	AT	
1189	Haskell	Mr	D K	Farringdon Parish Council
1191	Powick	Mrs	A D	
1192	Waller	Mr	D M	
1193	Francis	Ms	S	
1194	Bottomley	Mr	H	
1195	Dyke	Mr & Mrs	L & A	
1196	Whitley	Mr	E	
1197	Vincent	Mr	G	

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

1198	Brown	Mr	G E	
1199	Jeffry	Mr	D	
1200	Leggett	Dr	C	
1201	Watson	Mr & Mrs	B & D	
1202	Brownlee	Mr	C	
1203	Koussertari	Mr	F	
1204	Green	Mr & Mrs	J C	
1205	Paine	Mr	T J	Chichester City Council
1206	Rourke	Mrs	J O	
1207	Evans	Mr & Mrs	B & S	
1208	Reid	Mr & Mrs	D & D	
1209	Reynolds	Ms	B	
1210	Kilshaw-Smith	Ms	G L	
1211	Galvin	Mr & Mrs	L & B	
1212	Fleming	Mr & Mrs	A & M	
1213	Shaxson	Mr	A	Elsted & Treyford Parish Council
1214	Gardner	Ms	D	East Hampshire District Council
1216	West	Cllr	P	Green Group of Councillors
1217	Mayes	Mr	J E C	Chichester North District CPRE
1218	Cairnes	Mr	E	Eastbourn Borough Council
1219	Hoadley	Mr	A	
1220	Williams	Ms	J	MoD - Defence Estates
1221	Vercelli	Mrs	G M	
1222	White	Mr	G	Winchester City Council
1223	Burr	Dr	M	
1224	Arthur	Mr & Mrs	J & F	
1225	Banyard	Mr		
1226	Bird	Mr & Mrs	A & H	
1227	Bream	Ms	S	
1228	Buckley	Mr & Mrs	D & N	
1229	Burlyn	Mr	M	
1230	Grocott	Mr	A L	
1231	Jackson	Mr	F	
1232	Kay	Mr	J E	Ringmer Parish Council
1233	Lemon	Mr & Mrs	D & T	
1234	Nobbs	Mr	D	
1235	Purslow	Mr	N	
1236	Penny	Miss	S	



INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

1237	Baden-Powell	Ms	C	Pells Amenity Group
1239	Read	Mr & Mrs	G & P	
1240	Lowenstein-Lom		Mr and Mrs W	
1241	Leedham	Mr	R	
1242	Leader	Mr	R W	
1243	Latham	Mr	G	
1244	Law	Mr & Mrs	B & JA	
1245	Grey	Ms	A	
1246	Grey	Mr	H	
1247	Grey	Ms	R	
1248	Grey	Mr	F	
1249	Goody	Mr	J	
1250	Anderton	Mr	J	
1251	Gould	Mrs	A J	
1252	Graville	Mr	MF	
1253	Attenborough	Mr	P D	
1254	Poole	Ms	A	
1255	Crowe	Mr	D	
1256	Biggin	Mr	M	
1257	Bartley	Mr	R	
1258	Bloom	Ms	B	
1259	Butler	Mr	G	
1260	Caw	Revd	A M	
1261	Chrimes	Mr and Mrs	H & N	
1262	Claxton	Mr	P J	
1263	Cuff	Ms	J	
1264	Corser	Mr	P	
1265	Grey	Mr	J	
1266	Green	Mrs	S E	
1267	Granger	Mr	C	
1268	Gross	Mr	C	Eastbourne Green Party
1269	Greenwood	Ms	C	
1270	Goody	Ms	J	
1271	Wright	Ms	J	
1272	Wohlers	Mr	R	
1273	Williams	Mrs	H V	
1274	NallMr	G		
1275	Noe	Mr & Mrs	J & W	

## INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

1276	Sayer	Captain &	G & J	
	Mrs			
1277	Saunders	Mr	C	
1278	Shiret	Ms	D	
1279	Townend	Mr	P	
1280	White	Mr	P	
1281	Kean	Mr	A	
1282	Holmes	Mr	S	
1283	Jack	Mrs	P	
1284	Franks	Mr	A	
1285	Feaking	Mr & Mrs	N & D	
1286	Hill Ms	P		
1287	Dixon	Mr	E J	
1288	Schofield	Mr	S	
1289	Lyne	Dr	P	
1290	Poole	Mr	A	Fittleworth Parish Council
1291	Pearce	Mr	D T	
1292	Turner	Ms	D	
1293	Stephens	Mr & Mrs	M & J	
1294	Spilberg	Mr & Mrs	M & A	
1295	Sinclair	Mr	D M	
1296	Streeter	Ms	M	
1297	Titford	Mr	J	UK Independence Party
1298	Laker	Mr	A	
1299	Lowe	Mr	R	
1300	Talbot- Ponsonby	Mr	N E C	
1301	Birch	Mr	A	
1302	Williams	Mr	K O	
1303	Wheeler	Mr	R H	
1304	Wells	Mr & Mrs	J & A	
1305	Vivian-Neal	Ms	D	
1306	Tonkinson	Mr	D	
1307	Tonkin	Mr & Mrs	N & A	
1308	Theakston	Mr	G	
1309	Taylor	Mrs	R A	
1310	Swain	Revd Canon	A	
1311	Starkey	Mr	F W	
1312	Stock	Ms	S	
1313	Ryves-Webb	Ms	S	

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

1314	Palmer	Ms	S	
1315	Morrison	Mr	G M	
1316	Matthews	Mr & Mrs	R & J	
1317	Lee Ms	M J		
1318	Knight	Dr	R	
1319	Hanks	Mrs	D M	
1320	Freeman	Prof	H	
1321	Darlington	Dr	O	
1322	Harrold	Mr	T	CPRE Surrey
1323	Barnett	Prof & Ms	M& B	
1324	Entenman	Mr	R	
1325	Slyfield	Mr & Mrs	R & A	
1326	Burt	Mrs	G	
1327	Burt	Mr	J	
1328	Logan	Mrs	G	
1329	Yates	Mr	E M	
1330	Wood	Mr	A	Natural England
1331	Halstead & Town Councils	Cllr	S	East Hampshire Association of Parish
1332	Prescot	Mr	N	Lynchmere Hamlet Association
1333	BellMrs	P M		Whitehill Town Council
1334	Neville	Mr	C	Kingsley Parish Council
1335	Elliott	Mr	M	Fittleworth and District Association
1336	Spooner	Mr	SJ	Summersdale Residents' Association
1337	Papworth	Mrs	J IR	
1338	Stinton	Ms	D	
1339	Stinton	Ms	F	
1340	Carlton	Mr	M	
1341	Hoose	Ms	S	
1342	Dell	Mr	M	
1343	Hawkins	Mr	M D	
1344	Reid	Ms	D	
1345	Byrom	Cllr	E	Hampshire County Council
1346	CoeMr	A		Milland Parish Council
1347	Coles	Mr	R	Steep Parish Council
1348	Roberts	Mr	P	English Heritage
1349	Templeton	Mr	J	Youth Hostels Association
1350	Thomas	Ms	E	Brighton and Hove City Council
135	Lee	Ms	C	DMH Stallard
1352	Penfold	Mr	T	Midhurst Chamber of Commerce

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1353	Dignum	Mr	T	The Chichester Society
1354	Hawkins Forum	Ms	J	Local Community Wildlife Groups
1355	Weaver	Ms	F	Brighton Urban Wildlife Group
1356	Crawford	Ms	J	Stedham with Iping Parish Council
1357	Clark	Mr	J	Protect Our Woodand
1358	Miller	Mr	E	Ferring Conservation Group
1359	Parry	Dr	J	Lewes Railway Land Wildlife Trust
1360	Robinson Group	Mr	M	Benfield Wildlife and Conservation
1361	Quirk	Mrs	L	Washington Parish Council
1362	Robins	Mr	D	Wessex Society
1363	Curran	Mr	T	Harting Parish Council
1364	Bibby	Ms	C	Roberts & Corr
1365	Tyrie MP	Mr	A	
1366	Kenward	Ms	C	Friends of the Earth Lewes Branch
1367	Bousfield	Mr	R J	Tichborne Parish Council
1368	Cordy-Redden	Ms	C	Defence Estates
1369	Shaw	Mr	M H	The Lynchmere Society
1370	Fox Mr	M		Cuckmere Valley Society
1371	Cheesman	Mr	R	Friends of Lewes
1372	Liang	Mr	Y	
1373	Ferne	Mr	V	
1374	Crimp	Mrs	I M	
1375	Humphrey	Mr	A	
1376	Robinson	Mr	A	
1377	Van Buren	Mr	P J	
1378	Robinson	Mrs	C	
1379	Van Buren	Mrs	G R	
1380	Burt	Mr and Mrs	D	
1381	Humphrey	Mrs	J	
1382	Crimp	Mr	T M	
1383	Knight	Mr	B	
1384	Pollard	Ms	J	
1385	Pollard	Mr	D B	
1386	Longman	Mr	W E	
1387	Unknown			
1388	Ruth	Ms	J	
1389	Ruth	Mr	L J	
1390	Ruth	Ms	C	

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1391	Bartholomew	Mr	S	
1392	Haverstock	Mr	S	
1393	Bergh	Mr	V	
1394	Venus	Mr	L C	
1395	Skilton	Mr	D	
1396	Roland	Ms	J	
1397	Evans	Ms	C	
1398	Weld	Ms	C	
1399	Smith	Mrs	G	
1400	Simmonds	Mr	T	
1401	Simmonds	Mr	D	
1402	Lucas	Mr	M S	
1403	de la Haye	Ms	J	
1404	Kerr	Mr	J	
1405	Wright	Miss	B A	
1406	Bedford	Ms	D	
1407	French-Brooks	Mr	J	
1408	Pinder	The Rev	J	
1409	Scragg	Mr	R	
1410	Crane	Mrs	S	
1411	Upton	Mrs	S	
1412	Neilan	Ms	C	
1413	Paren	Mrs	M	
1414	Adams	Mr	N	
1415	Bell	Mr	J	
1416	Sollars	Mr	P	
1417	Blake	Ms	M	
1418	Barton	Mr	P	
1419	Croft	Mr	E	
1420	Tanous	Ms	F	
1421	Howorth	Mr	R	
1422	Partington	Mr	I	
1423	Gardner	Mr and Mrs	G	
1424	Settatree	Mr	G	Twyford Residents' Association
1425	Paren	Mr	N	
1426	Exley	Mr	C	
1427	West	Mr	I	
1428	Webster	Mr	A M	
1429	Charman &	Mr	H	

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

Saget			
1431	Palmer	Mr and Mrs	H W
1432	Ireland	Mr	D
1433	Monger	Mr and Mrs	P
1434	Lane	Mr	A Lanes to Independence Ltd
1435	Stewart	Mr	M
1436	O'Brien	Ms	D
1437	Burton-Page	Mrs	M
1438	Sands	Mr	G
1439	Effenberg	Ms	M
1440	Effenberg	Ms	M Liss Village Design Group
1441	Fitch	Mr and Mrs	J
1442	Jenner	Mr	C
1443	Hutchins	Mr and Mrs	BR and G
1444	Dowell	Miss	M S
1445	Ravenscroft	Mr	P
1446	Hutchings	Mr and Mrs	
1447	Cluse	Mr	P
1448	Collins	Mr	R Arlington Road West, The Glade and Robin Post Lane (North) Residents
1449	Crawley	Mrs	M
1450	Stowe	Mrs	E
1451	Hopkins	Dr	B
1452	Wright	Mrs	A M
1453	Burgess	Mr	G J
1454	Silber	Mrs	J
1455	Reid	Mr	D A
1456	Hopwood	Mr	A
1457	Skelton-Smith	Mr	I
1458	Neilan	Mr	J R
1459	Biggs	Mr and Mrs	J
1460	Lewis	Miss	S
1461	Millmore	Mr	P H
1462	Mordue	Dr	J E M
1463	Tink	Mrs	S
1464	Paine	Mr and Mrs	W L
1465	Harris	Mr and Mrs	A M
1466	Dipper	Ms	S Fittleworth Parish Council
1467	Mullins	Mr and Mrs	R

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1468	Marshall	Mr	J	
1469	Stockdale	Mr	J	
1470	Helmore	Mrs	R	
1471	Casement	Mrs	C	
1472	Casement	Mr	M	
1473	Wood	Mr	P E	
1474	Rollison	Mr and Mrs	J	
1475	Evans	Mr	G	
1476	Read	Mr	R P	
1477	Carew	Cllr	A S	
1478	Inglis	Mr	A	
1479	Barrs	Ms	J	
1480	Koralek	Mr	P	
1481	Wright	Ms	S	
1482	Cook	Ms	A	Woodmancote Parish Council
1483	Matthews	Mr	M	
1484	Shepherd	Mr	J V	
1485	Thorpe	Mr and Mrs	A L	
1486	Hill Mrs and Mrs	M		
1487	Wisden	Mr	C	
1488	Hallifax	Mr and Mrs	C	
1489	Hagen	Mr	R J	
1490	Heywood	Ms	A	
1491	Nicholson	Mrs	L	
1492	Brooker	Ms	E	Stroud Parish Council
1493	Morgan	Mr	H	
1494	Green	Ms	H	
1495	Payne	Mr	C W	
1496	Bangs	Mr	D	
1497	Crane	Mr	T P R	
1498	Henderson	Ms	L	
1500	Berrett	Mr	T L	
1501	Reynolds	Mr	E	
1502	Allen	Mr	S	
1503	Owen	Ms	J	
1504	Robinson	Ms	S	
1505	Douglas	Mr and Mrs	D	

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

1506	Aston	Mr	P	
1507	Eastwell	Mr	B	
1508	Sentence	Mrs	C	
1509	Eveleigh	Mr	G	
1510	Muir	Mr	R	
1511	Leonard	Mr	D J	
1512	Rozzell	Mr	B	
1513	Forshaw	Mr	S A	
1514	Felton	Mr	M	
1515	Napier	Mr	C	
1516	Wykeham- Martin	Mrs	D	
1517	Brymer	Mrs	J	
1518	Little	Mr	R	
1519	Knappitt	Mr	C C	
1520	Rowland	Mrs	J	
1521	Green	Mr and Mrs	R	
1522	Baxter	Ms	M	
1523	Whatley	Ms	J	
1524	Hurford	Mrs	D	
1525	Brymer	Miss	L	
1526	Girling	Dr	D K	
1527	Sonnet	Mr	R	
1528	Howes	Mr	T R	
1529	Mackarness	Mrs	T	
1530	Farwell	Mr	R	
1531	Chapman	Mr	T	
1532	Willet	Mr	M R	
1533	Day	Mr	T	
1534	Haarmann	Mr and Mrs	O	
1535	Arbuthnot MP	Rt Hon.		
1536	Oldfield	Mr and Mrs	D	
1537	Handcock	Mr	T S	
1539	Hursthouse	Ms	J	Midhurst Tourism Partnership
1540	Weston	Mr	J C	
1541	Cooper	Mr	W A	
1542	Westmacott	Mr and Mrs	M	
1543	Thornewell	Mr	D	
1544	Herbert	Mr and Mrs	D	



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1546	Nixon	Mr	D	
1547	Swain	Mrs	M G	
1550	Wohlers and Neunaber	Mr and Ms	R and H	
1551	Laker	Mrs	R	
1552	Deadman	Misses	S and J	
1553	Willings	Mr	J	
1554	Roxan	Ms	J	The Fernhurst Society
1555	Dimmer	Mr	P	Graffham Down Trust
1556	Dale	Ms	M	
1557	Lloyd Jones	Mrs	A	
1558	Lanigan	Mr	D S	
1559	Croker	Mr	M D	
1560	Collins	Ms	F	Country Land & Business Association
1561	Harcourt- Smith	Mrs	S	
1562	Hopwood	Ms	A	
1563	Hopwood	Ms	A	
1564	Hopwood	Mr	M	
1565	Squires	Mr	R	
1566	Culen	Mr	S E	
1567	Millward	Ms	S	
1568	Comber	Mr	P R	
1569	Lang	Mr	J G	
1570	Russell	Mr	I	
1571	Brooks	Ms	V	Twyford Parish Council
1572	Peel	Mr	C G	
1573	Marrington	Ms	E	CPRE National Office
1574	Fischer	Mr and Mrs	E	
1575	Woods	Mr and Mrs	S J	
1576	Ponsonby	Ms	L	
1577	Corcoron	Mr	C	Southern Planning Practice
1578	Klein	Mrs	M	
1579	Ashbrook	Ms	K	Open Spaces Society
1580	Langridge	Ms	A	
1581	Richards	Mr	G R	
1582	Wright	Mr and Mrs	C J	
1583	Cobb	Mr	V	
1584	Thorpe	Mr	A D	

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1585	Arnold	Ms	A	
1586	Hutchings	Ms	A	
1587	Whittaker	Mr and Mrs	T R	
1588	Peake	Mr and Mrs	B W	
1589	Lewis	Dr & Mrs	G M	
1590	Chapman	Dr	T	
1591	Williams	Ms	E	
1592	Robertson	Mr	S	
1593	Bond	Mr and Mrs	R G	
1594	Rennie	Mr	M	Fyning, Terwick & Borden Wood
	Residents' Association			
1595				
1596	Waterman	Mr and Mrs	R	
1597	Hurry	Mr	D J	
1598	Harwood	Mrs	J	
1599	Layson	Prof	J	
1601	Broomberg	Mrs	R	
1602	Fewster	Ms	J	
1603	Dijksman	Mr	K	
1604	Belden	Mr	P	Brighton Urban Wildlife Group
1605	Simon	Mr	A M	
1606	Tate	Dr	A	
1607	Jordan	Mr	M	Liss Archaeological Group
1608	Plunkett	Dr	O	Ramblers' Association - Hants Area
1609	Effenberg	Ms	M	West Liss Residents Association
1610	Taylor	Ms	G	Friends of Hollingbury and Burstead
	Woods			
1611	Galloway	Ms	T	The Green Street Green Village Society
1612	Robinson	Ms	A	
1613	McDonald	Ms	L	
1614	Cheater	Mr	B J	Horsham & Billingshurst Ramblers
1615	Toomey	Mr	M	
1616	Dawson	Mr	E	CPRE South East
1617	Taylor	Mr	M	Bedales School
1618	Upton	Ms	N	
1619	Upton	Mr	D	
1620	Harcourt-Smith	Messrs	A and E	
1621	Abey	Mr	M	
1622	Harcourt-	Mr	W	

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1623	Smith De Marco	Ms	C	
1624	Brigden	Mr	S	Lewes Town Council
1625	Harris	Mr	G P	Campaign for Residents Against
1626	Portobello Mayhew	Mr	D	Strutt and Parker
1627	Graham	Mr	L	LG Legal
1628	Grady	Mr	P	Ramblers' Association (Central
1629	Office) Wood	Ms	A	Southern Planning Practice
1630	Longhorn	Mr	J	PH2 Planning Ltd
1631	Wood	Ms	A	Southern Planning Practice
1632	Carter	Mr	W	Moulsecombe Forest Garden and
1633	Wildlife Project Sparrow	Mr	C	
1634	Denyer-Baker	Ms	P	
1636	Crawford	Mr	M	
1637	Baigent	Mr	G W	G W Baigent (Farms)
1638	Archbald	Ms	A	
1639	Parkin	Mrs	E	
1640	Lewis	Mr & Mrs	AP & E A	
1641	Woodcraft	Mrs	G	
1642	Driver	Ms	M	Wilmington, Folkington & Milton St
1643	Village Club Logan	Mr	G	
1644	Cartwright	Mr	M F	
1645	Allberry	Mr	S	
1646	Shaft	Mr	M	
1647	White	Mr	B V	
1648	Cooper	Mr	D C	
1649	Cooper	Ms	J M	
1650	Taylor	Mr	M	
1651	Tuck	Mr	R F B	
1652	Pulling	Mr	S J	
1653	Barnard	Mrs	A J S	
1654	Sherman	Mr	C	Tunbridge Wells Friends of the Earth
1655	The Occupier			
1656	Scott	Mr	P	
1657	Robinson	Canon and	A	
1658	Mrs Stevenson	Ms	P M	
1659	Stenning	Mr	G	
1660	Smith	Mr	N and V	

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1661	Stern	Mr and Mrs	R C and V	
1662	Wills and Winslade	Ms	G and V	
1663	Thornton	Mr	C A	
1664	Stewart Smith	Mr	D S	
1665	The Occupier			
1666	Gordon	Mr	A F	
1667	Bush	Mr	R	
1668	Beeson	Mr	L	
1669	Cumming	Cllr	J	Rottingdean Parish Council
1670	Walton	Ms	S	The Wildlife Trusts
1671	Talbot	Ms	J	Rottingdean Preservation Society
1672	Howard	Mr	A	Petworth Parish Council
1673	Dale-Harris	Mr	E	
1674	Dimbleby	Mr	D	
1675	Albery	Mr & Mrs	R & V	
1676	Stokes	Mr	S	
1677	Houlihan	Mr and Mrs	D and H	
1678	Griffin	Mr	J	Chilterns Conservation Board and Local Access Forum
1679	Stiles	Mr	D	
1680	Holden	Mr	A	
1681	Dannatt	Mr	M J	
1682	Lowe	Mrs	S	
1683	Masters	Mr	P	Regeneration Projects Ltd
1684	Dufty	Mr	T	The Ditchling Society
1685	Harris	Mrs	D M L	
1686	McBeth	Mr	D W	
1687	Larkin	Mr	D J W	Tillington Parish Council
1688	Davis	Mrs	R	
1689	Bishop	Mr	C	
1690	Barnes	Mr	R	
1691	Sanders	Ms	J	
1692	Putman	Mr & Mrs	M & J	
1693	Stannard	Mrs and	J & R	
1694	Hoddinott	Mr	P	
1695	Sharp	Mr	A	
1696	Kirkby-Bott	Mr	E	
1697	Allez	Mr	P	
1698	Brookes	Mr	I	SCAR

INSPECTOR'S REPORT: SOUTH DOWNS NATIONAL PARK

1699	McNair	Dr	N	
1700	Kerslick	Dr	G S	
1701	Rutherford	Ms	T	
1702	Benjamin	Dr	M	
1703	Metcalfe	Mr & Mrs	G A	
1704	Hawkins	Miss	J M	
1705	Sawers	Mr	D	East Preston and Kingston
	Preservation Society			
1706	Tyler	Mr	J	West Sussex Green Party
1707	Goldsmith and	Mr and Mrs	N and B	
	Patrick			
1708	Jones	Mrs	M	
1709	Penn	Ms	B	Graffham Parish Council
1710	Elcoate	Ms	V	
1711	Minshull	Mr	P	Highways Agency
1712	The Secretary			Liss Conservation Volunteers
1713	Van Linden	Prof	A	
1714	Digby	Mrs	D	
1715	Johnson	Mrs	V	
1716	Chisholm	Ms	S	
1717	Chisholm	Ms	L	
1718	Chisholm	Ms	C	
1719	Harman Family			
1720	Bancroft	Mr and Mrs	J	
1721	Wrapson	Mr and Mrs	I and L	
1722	Crease	Mr and Mrs	M and J	
1723	Grocott	Mrs	L	Bepton Parish Council
1724	Bulver	Mr	B	
1725	Johnson	Miss	E	
1726	Harrap	Mr and Mrs	R C H	
1727	Bower	Ms	A	
1728	Wimbush	Mrs	J	
1729	Child	Mr and Mrs	G C	
1730	Allnut	Dr & Mrs	M	
1731	Rachel	Mrs	M	
1732	Higgins	Mr	R	
1733	Moloney	Ms	G	Waverley Borough Council
1734	Elford	Miss	P	
1735	Besser	Prof and Mrs	M	
1736	Synett	Mrs	E	

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1737	Salbstein	Mr	D	J Salbstein
1738	Bulloch	Ms	A	
1739	Twomey	Miss	S	
1740	Wheeler	Mr	F	
1741	Smith	Miss	A	
1742	Skinner	Mr	D	Federation of Small Businesses (Surrey and West Sussex Region)
1743	Onslow	Ms	J	
1744	Lomas	Ms	A	
1745	Sydenham	Mr	R	
1746	Pope Mrs	Mrs and	D	
1747	Wesom	Ms	S	
1748	Sennitt	Mr	J	
1749	Carey	Ms	N	
1750	Court	Mr and Mrs	K	
1751	Higginson	Ms	S	
1752	Angus	Ms	B	
1753	Martin	Ms	J	
1754	Lockyer	Mr and Mrs	P W	
1755	Brooks	Mr	I	
1756	Brandon	Mr	P	
1757	Harvey	Mr and Mrs	J	
1758	Guiver	Mr	K	
1759	Goldring	Mr	J	
1760	Rawlinson	Mr	M	
1761	Price	Ms	F	
1762	Brown	Mr	N	
1763	Gordon	Ms	S	Worldham Parish Council
1764	Denny	Mr	T	
1765	House	Ms	S	
1766	Smith	Miss	V	
1767	Brayshaw	Mr and Mrs	M	
1768	Jones	Mrs	B	
1769	Curme	Mr	I	
1770	De Salis	Ms	J	
1771	Parsons	Mr	S	
1772	Crocombe	Mr	J	
1773	Garrett	Mrs	E	
1774	L'Estrange	Ms	R	

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1775	Ledden	Mr	C V	
1776	Crocombe	Mrs	P	
1777	Carr	Mrs		
1778	Sinnott	Mr	T M	
1779	Hurcombe	Ms	J	
1780	Glazier	Ms	C A	
1781	Irwin	Mr	R	
1782	Johnstone	Mr and Mrs	I A	
1783	Kelson Ford	Mrs	S	
1784	Bain	Ms	S	
1785	Muirhead	Mrs	P	
1786	Geering	Mr	I	
1787	Gomme	Prof	A	
1788	Irwin	Mrs	K	
1789	De Salis	Ms	A	
1790	Stafford	Ms	W	
1791	Aston	Mr and Mrs	P	
1792	Grimes-Boyun	Ms	M	
1793	Sennitt	Mr	M V	
1794	Lewis	ms	R	
1795	Davis	Mr	K	
1796	Clark	Mrs	C	
1797	Rickard	Mr	K	
1798	Girling	Mr	J	
1799	Warrand	Miss	J	
1800	Jones	Ms	V	
1801	Chapman	Mr	A	
1802	Jones	Ms	F	
1803	Hill	Mr	T	
1804	Clutton	Messrs	RW and RW	
1805	Dufty	Mr	T	The Ditchling Society
1806	Seed	mr	P	
1807	Pope	Mr and Mrs	T J	
1808	Clark	Mr	L	
1809	Halling	Mr and Mrs	D J	
1810	Templeton	Mr	J	
1811	Hopwood	Mrs	A	Saltdean Swimmers
1812	Winter, and others	Mr	R	

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1813	Ross	Mrs	P M	Ferring Parish Council
1814	Prescot	Mr	N	
1815	Lankester	Mr	D	Mid Sussex District Council
1816	Simon	Mr	A M	The Bishop's Waltham Society
1817	Coney	Mr	L	Bentley Parish Council
1818	Atkinson	Mr	A E	
1819	Piazza	Mrs	O	
1820	Halstead	Mr and Mrs	I	
1821	Burton-Page	Mr	P J	
1822	Ballard	Ms	A	
1823	Drake	Mr	c	
1824	BellMr	T		
1825	Usher	Mr	P	
1826	Dale-Harris	Mr	J	
1827	How	Mr	R	
1828	Smith	Mr	C	
1829	Ellison	Mr	R	
1830	Marshall	Ms	S	Poynings Parish Council
1831	Stanley	Mr	A	
1832	Halifax	Mr and Mrs	C	
1833	Wright	Mr	J	
1834	Hewitt	Ms	M	Low Carbon Trust
1835	Carder	Mr	P G	
1836	Hoare	Mr	J	
1837	Rennie	Ms	M	
1838	Cheyne	Ms	L	West Sussex Green Party
1839	Wickham	Mr	A	
1840	Humphrey	Ms	D	
1841	Paterson	Mr	B	
1842	Blamire	Mr	J	
1843	Attard	Mrs	M C	
1844	Packham	Mr and Mrs		
1845	Latham	Ms	A	
1846	Beinterna	Ms	E	
1847	Hughes	Mr	J	
1848	Stuart	Ms	S	
1849	Noble	Mr	J	
1850	Clark	Mr	P A	
1851	Joseph	Mr	M	



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1852	Newman	Mr and Mrs	M A	
1853	Black and Dudley	Mr and Ms	M and J	Ovingdean Arts Club
1854	Niall	Mr	C	
1855	McGarry	Mr	J	
1856	Drewett	Miss	C	
1857	Rudkin	Mrs	M J	
1858	Lewington	Mr	S	
1859	Franklin	Mr	D	
1860	HallMr	C		
1861	Spooner	Mr	H	
1862	Tondelier	Mr	L	
1863	Hannington	Mr and Mrs	R	
1864	Doussy	Ms	V	
1865	Halstead	Ms	C	
1866	Colkett	Mrs	L	Worthing Green Party
1867	Kent	Dr	A	Horley Residents Association
1868	Underwood	Mr	J	
1869	Read	Mr	B	
1870	Hughes	Mr	J	
1871	Bower	Mr	G	
1872	Wilson	Ms	F	
1873	Joseph	Ms	J	
1874	Thomas	Mr and Mrs	A	
1875	Napier	Mr	C	South Downs Advisory Forum
1876	Turton	Mr	G	
1877	Jones	Ms	C	
1878	Reed	Mrs	T	
1879	Dale-Harris	Mr	M	
1880	Muir	Mr	J	
1881	Coffee Sussex	Mr	D	Campaign for Better Transport, East
1882	Sanders	Ms	J	
1883	Tibbs	Mr	G M G	
1884	Inskip and Mnich	Mr and Ms	R and K	
1885	Marris	Mrs	G	
1886	Hunt	Mr and Mrs		
1887	Williams	Mr	J	
1888	BullMr	G		
1889	Andre	Mr	J	

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1890	Rickenback	Mr	J	
1891	Mason	Mr	M	
1892	Emanuel	Mr	P	
1893	Hannah	Mr	R D	
1894	Todd	Ms	S	
1895	Moffett	Ms	V	
1896	Maltby	Ms	J	
1897	Haynes	Dr	C	Buriton Parish Council
1898	Hiscock	Mr	C	
1899	Aston	Mr	P	
1900	Brady	Ms	A	
1901	Brailsford	Mr	E N	
1902	Pollack	Ms	B	Friends of the Earth South East
1903	Broughton	Mr	T	
1904	Chapman	Mr	J	
1905	Clyde	Ms	R J	
1906	Coombes	Mr	R C	
1907	Lepper MP	Mr	D	
1908	Evans	Mr	D S	
1909	Frears	Ms	A	
1910	Freedman	Mr	R	
1911	Gann	Mrs	D	
1912	Gardner	Mr	R	
1913	Gates	Ms	M	
1914	Gowar	Mr	B	
1915	Hammersley	Mr & Mrs	R & M	
1916	Harwood	Mr	C S P	
1917	Hampshire	Ms	T	Headley Parish Council
1918	Henry	Mr	J	
1919	Hill Ms	P		
1920	Hill Dr	A		
1921	Hocking	Mr	D	
1922	Hockley	Ms	A	
1923	Holmes	Mr	R	
1924	Hook-Reens	Ms	R	
1925	Huhne MP	Mr	C	
1926	Hurwood	Mr	J	Alfriston & District Amenity Society
1927	Jones	Mr	C	
1928	Davies-Jones	Mr & Mrs	M & V	

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1929	Lodder	Ms	V	
1930	McAlear	Ms	K	
1931	Mason	Mr & Mrs	P & D	
1932	McCallum	Ms	S	Lynchmere Parish Council
1933	Mernagh Partnership	Mr	A	Brighton & Hove Economic
1934	Heyman	Mr	M	
1935	Mills	Mr	D J	
1936	Moore	Mr	J A	
1937	Peel	Ms	N	
1938	Paterson	Mr	E	
1939	Randall	Mr	P	
1940	Schulte	Dr	T	
1941	Simpson	Mr & Mrs	A	
1942	Snowden	Mr	B	
1943	Songhurst	Mr	J	South Downs Society
1944	Stewart	Ms	I	
1945	Stimpson	Ms	J	
1946	Strong	Mr	D	
1947	Sykes	Mr	S	
1948	Symons	Ms	P	
1949	Thick	Mr	R	
1950	Thompson	Mr	G	
1951	Watters	Ms	L	
1952	Wigram	Sir	J	
1953	Wilson	Mr	R	
1954	Wilson	Mr	J	
1955	Blank record			
1956	Yates	Dr	E M	
1957	Blank record			
1958	Smith	Mr	C	
1959	Arnold	Ms	A	
1960	Wilson	Ms	D	
1961	Heywood	Ms	G	
1962	Venning			CPRE East Hampshire
1963	Barlow MP	Ms	C	
1964	Langrish	Mr	T R	
1965	Andrew	Mr	R J	
1966	Davies	Mr	R	

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1967	Shilston	Ms	C	
1968	Davies	Mr	S	
1969	Tartaglia-Kershaw	Ms	L	Hampshire County Council
1970	Cairns	Mr	I	
1971	Isepp	Mr & Mrs	M & R	
1972	Neville	Mr	L	
1973	Lester	Mr & Mrs	M & T	
1974	Long	Ms	O I	
1975	Blank record			
1976	Phelps	Mr	C	
1977	Hine	Mr	P	
1978	Buckle	Ms	P	
1979	Long	Mrs	M	
1980	Evans	Mr	R K C	
1981	Comber	CIlr	M	
1982	Waterson MP	Mr	N	
1983	Warwick Gee	Mr & Mrs	E & L	
1984	Austin	Mr	R	
1985	Bonnett	Mrs	K	
1986	Paterson	Ms	S	
1987	Fisher	Ms	E	
1988	Dennison	Ms	H	RSPB
1989	The Occupier			
1990	Poulson	Mr	I	
1991	Smith	Mr	A	West Lavington Parish Council
1992	Evans	Ms	L	Southern Planning Practice
1993	Lanning	Mr	W	
1994	Thorpe Lord	Rt Hon		
1995	Cook	Mrs	P	
1996	Alves	Mr	C	
1997	Fullerton	Mr	W H	
1998	Pettit	Ms	D C	
1999	Wilkie	Mr	D B	
2000	Watson	Ms	M	
2001	Gill Mr & Mrs	A & J		
2002	Crowhurst	Mr & Mrs	P & S	
2003	Burton	Ms	D	
2004	Catalan	Mr	T	

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2005	Mumford	Mr	P	CPRE
2006	Barkham	Mr	R N	
2007	The Occupier			
2008	Armstrong	Mr	J	
2009	Roberts	Mr	F	
2010	Rice	Ms	J	
2011	Bennett	Mr	R	
2012	Smith	Mr	B	Liphook Golf Company Limited
2013	Mackarness	Mr	P J C	
2014	Nickels	Mrs	P	
2015	Whittaker	Mr	C	
2016	Crowe	Miss	F E	
2017	Bridgman	Mr & Mrs	A & P	
2018	Hart	Ms	M	
2019	Williamson	Mr	E S	
2020	Buckland	Cllr	D	Greatham Parish Council
2021	Holman	Mrs	M	Ditchling Parish Council
2022	Burrows	Mr	J	
2023	Williams	Ms	M	WS Planning
2024	Rodean School			