## Appendix 1 – Information concerning consideration of applications before committee

Officers can confirm that the following have been taken into consideration when assessing the application:

### National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage;
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

If there is a conflict between these two purposes, greater weight shall be given to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in a National Park, whereby conservation takes precedence. There is also a duty upon the National Park Authority to foster the economic and social wellbeing of the local community in pursuit of these purposes.

### S245 of the Levelling Up and Regeneration Act 2023

Section 245 of the LURA 2023 amends and strengthens the Section 11A (2) duty of the National Parks and Access to the Countryside Act 1949 upon relevant authorities, which includes the National Park Authority itself, to "seek to further the specified purposes of Protected Landscapes."

The Government's 'Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes', published 16 December 2024, sets out that this duty is active not passive and that, as far as is reasonably practicable, 'relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes.' It is therefore incumbent on the National Park Authority, as the Local Planning Authority, to give significant weight to the S.245 duty when determining applications.

### National Planning Policy Framework and the Vision & Circular 2010

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It was first published in 2012. Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010.

The Circular and NPPF confirm that National Parks have the highest status of protection in relation to landscape and scenic beauty. The NPPF states at paragraph 182 that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and that the conservation and enhancement of wildlife and cultural heritage are important considerations which should also be given great weight in National Parks. The scale and extent of development within the Parks should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

### Major Development

Paragraph 190 of the NPPF confirms that when considering applications for development within the National Parks, permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

For the purposes of Paragraph 190 whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

For the purposes of this application, the proposed development is not considered to be 'major development' for the purposes of Paragraph 190.

**The Town and Country Planning (Environmental Impact Assessment) Regulations 2017**

A screening opinion has concluded that for reasons of scale, use, character and design and environmental considerations associated with the site, the proposals are not EIA development within the meaning of the relevant 2017 legislation. Therefore an EIA is not required.

**The Conservation of Habitats and Species Regulations 2017**

Following a screening of the proposals, it is considered that a likely significant effect upon a European designated site, either alone or in combination with other proposals, would not occur given the scale, use, and location of what is proposed. Consequently, an Appropriate Assessment under a Habitats Regulation Assessment is not required.

**Local Nature Recovery Strategy (LNRS)**

Under the Environment Act 2021, Local Planning Authorities are to have 'regard to' Local Nature Recovery Strategies (LNRS). A LNRS is being prepared by East Sussex County Council (jointly with West Sussex County Council and Brighton & Hove City Council). A draft LNRS was consulted upon between October – November 2025.

The LNRS is a material consideration especially where the development plan pre-dates the publication of an LNRS. In this case, the publication of the final Sussex LNRS has been delayed due to the volume of consultation responses to the draft. It is therefore afforded limited weight.

**Relationship of the Development Plan to the NPPF and Circular 2010**

The development plan policies listed within the reports have been assessed for their compliance with the NPPF and are considered to be compliant with it.

**The South Downs National Park Partnership Management Plan 2026-2031**

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications."

The South Downs Partnership Management Plan 2026 – 2031 sets out a Vision, aims / objectives and how we will deliver those aims for the National Park over the next five years. The relevant aims (and associated planning principles)are listed in the report.

**South Downs Local Plan**

The South Downs Local Plan (SDLP) was adopted by the Authority in July 2019. All development plan policies are taken into account in determining planning applications, along with other material considerations.

The Planning and Compulsory Purchase Act 2004 S38 (6) confirms that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

All policies of the South Downs Local Plan which are of relevance to this application

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD6 - Safeguarding Views

- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD12 - Historic Environment
- Development Management Policy SD16 - Archaeology
- Strategic Policy SD17 - Protection of the Water Environment
- Strategic Policy SD19 - Transport and Accessibility
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD20: Walking, Cycling and Equestrian Routes
- Strategic Policy SD23 - Sustainable Tourism
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD34 - Sustaining the Local Economy
- Strategic Policy SD45 - Green Infrastructure
- Strategic Policy SD48 - Climate Change and Sustainable Use of Resources
- Development Management Policy SD50 - Sustainable Drainage Systems
- Development Management Policy SD51 - Renewable Energy

**New South Downs Local Plan**

The South Downs Local Plan will be replaced by the new Local Plan when it is adopted in 2027. The proposed Submission version was approved by the National Park Authority in March and comments are currently being reviewed following a consultation period which was undertaken between the 12 May and 23 June 2026 before submission for examination in November. This version now has some limited weight in planning decisions and will gain more weight as it gets closer to adoption.

All policies of the New South Downs Local Plan which are of relevance to this application

- Policy SDC1: Furthering National Park Purposes
- Policy SDC2: Development Strategy
- Policy SDC3: Regenerative Development and Ecosystem Services
- Policy SDC4: Major Development
- Policy SDL1: Landscape Character
- Policy SDL2: Design
- Policy SDL3: Safeguarding Views
- Policy SDL4: Relative Tranquillity
- Policy: SDL5 Dark Night Skies
- Policy SDL6: Historic Environment and Cultural Heritage
- Policy SDL9: Archaeology
- Policy SDN1: Nature Recovery

- Policy SDN8: Trees, Woodland, Hedgerows and Scrub
- Policy SDN10: Renewable Energy
- Policy SDW1: Protection of the Water Environment
- Policy SDW3: Sustainable Drainage
- Policy SDW5: Pollution and Air Quality
- Policy SDE1: Economic Development
- Policy SDE3: Winemaking and Wine Tourism
- Policy SDE7: Regenerative Tourism
- Policy SDT2: Active Travel Routes
- Policy SDT4: Parking Provision

Policy Documents (SPDs and TANs) which are of relevance to this application

- Design Guide, Supplementary Planning Document – adopted July 2022
- Parking for Residential and Non-Residential Development, Supplementary Planning Document – adopted April 2021
- Sustainable Construction Supplementary Planning Document – adopted August 2020
- Dark Skies, Technical Advice Note Version 2 – May 2021
- Biodiversity Net Gain, Technical Advice Note – March 2024
- Ecosystem Services, Technical Advice Note (non-householder)
- Viticulture, Technical Advice Note – April 2021

**Human Rights Implications**

These planning applications have been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

**Equality Act 2010**

Due regard has been taken within this application of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

**Crime and Disorder Implication**

It is considered that the proposal does not raise any crime and disorder implications

**Community Infrastructure Levy**

**IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.**