

Guidelines on “Significance” for South Downs National Park Planning Applications

Background

The South Downs National Park Authority (SDNPA) is the Local Planning Authority for the National Park from 1 April 2011. It is expected to receive some 4,000 planning applications a year, but through Agency Agreements, each of the 15 constituent Councils will determine most applications on its behalf for the duration of the Agreements. The Agreements provide that the SDNPA will only determine applications likely to have significant effects upon the National Park in terms of the statutory purposes of the SDNPA.

National Parks have two statutory purposes which must be taken into account when considering planning proposals that could have an impact upon the National Park:

1. *'To conserve and enhance their natural beauty, wildlife and cultural heritage.'*
2. *'To promote opportunities for the public understanding and enjoyment of these special qualities.'*

If there is a conflict between these two policies, then the first purpose must take precedence.

The SDNPA also has an important duty, as follows:

“To seek to foster the economic and social well-being of the local communities within the National Park”.

This note seeks to provide some general guidance on what might and might not be considered significant applications in National Park terms, and hence whether or not they are likely to be determined by the SDNPA itself, or by the Councils on its behalf. It has been produced for guidance only, and is not intended to be definitive or prescriptive.

It is important to recognise that individual characteristics of proposals alone or in combination with other development ('cumulative impact'), within the context of relevant constraints within or adjacent to the SDNP will determine whether or not an application is likely to have a significant effect upon the statutory purposes of the SDNP.

'Significance'

There is no formal definition of “significant” applications, so the starting point is that, prima facie applications for major development (as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2010) are likely to be significant and so will be determined by the SDNPA. However, not all major applications as so defined will necessarily have significance for National Park purposes, and these may be determined by the respective Council on its behalf.

In the case of minerals and waste applications (County Matters) all applications are defined as major. However, the majority of applications (such as variations to operational matters and extensions to ancillary infrastructure/buildings) are unlikely to have significance for the National Park and are may, therefore, be determined by the respective County/Unitary Council.

It should be noted that applications for a Local Authority's own development will be determined by the SDNPA or the Local Authority itself, depending on whether the proposal is significant for NP purposes. Typically, therefore, a new school is likely to be considered by the SDNPA, but a mobile classroom, unless significant for a particular reason, is likely to be determined by the Local Authority.

Major Applications

The SDNPA is likely to determine most major applications itself, including typically the following:

- Major residential schemes (10 or more dwellings) which are proposed outside the defined urban areas of towns in the National Park.
- Major commercial schemes (1,000 square metres of floorspace or more) which are proposed outside established commercial areas within the towns and some smaller settlements within the National Park.
- All residential schemes of 30 dwellings or more and all commercial schemes of 3,000 square metres or more within the National Park.
- All major assembly/leisure and retail proposals.
- All major community facilities/infrastructure and conference proposals, such as new schools, libraries, highways, emergency services, or major extensions to such facilities
- Major infrastructure (including road and rail) and energy proposals.
- Changes of use where the floorspace involved exceeds 3,000 square metres

Examples of the types of major application that the SDNPA may consider not to be of significance to National Park purposes, which could, therefore, be determined by the respective Council on its behalf, include the following:-

- 'Major' residential schemes (10 to 29 dwellings) that are proposed within existing towns and are considered not to be of significance for National Park purposes
- 'Major' commercial schemes (1,000 to 2,999 square metres of floorspace) that are proposed within established commercial areas within towns and some smaller settlements and are considered not to be of significance for National Park purposes.

Minerals and Waste Applications

The potential for significant impacts on the National Park will be dependent on the individual characteristics of each case. The following gives an indication of the types of minerals and waste applications that the National Park will likely determine itself:

- Applications where an Environmental Statement is required.
- Major departures from the Development Plan.
- Applications that include new or physical extensions to mineral extraction areas.
- Applications for major new waste management facilities outside established Built-up Areas.
- Applications at minerals and waste sites that involve new or extended ancillary structures or buildings that would significantly exceed the height of existing structures, or would significantly increase site footprints.

Examples of the types of minerals and waste applications that the SDNPA may not consider of significance to National Park include the following:-

- Applications for variations to operational matters not raising issues of significance for National Park purposes.
- Small extensions to existing structures/buildings.
- Reviews of Mineral Permissions (ROMPs).

Non-major applications

Non-major applications which are not of significance for National Park purposes will be determined by the respective Councils on behalf of the SDNPA. However, where non-major applications are considered to be of significance for National Park purposes, the SDNPA will determine them itself. There can be no clear or set rules on this because no two applications are the same and each raises very different issues. However, some examples of the type of non-major application that the SDNPA may wish to deal with itself include the following:-

- 3 or more dwellings not within a defined urban area or settlement boundary.
- Tourism, leisure and visitor accommodation schemes.
- Larger scale hospice or residential care schemes outside established settlements
- Renewable energy schemes (turbines/solar etc.) and other energy infrastructure.
- Smaller scale infrastructure projects proposed outside existing settlements.
- Telecommunication proposals with visual impacts on the National Park, including overhead power lines.
- Proposals that include more significant lighting outside existing settlements.
- Smaller scale development which cumulatively might have an adverse impact on the character or appearance of the National Park.

Examples of non-major applications that the SDNPA expects normally not to be of significance for National Park purposes, and thus will be determined by the Councils on its behalf include:

- Householder applications
- Applications for works to protected trees (TPOs)
- Advertisement consent applications
- Small scale proposals for Conservation Area and Listed Building Consent.
- Minor changes of use.
- Simple variations to or removal of planning conditions
- Minor material amendments to previously approved schemes
- Straightforward Certificate of Lawful Development applications
- Prior Notification applications
- The discharge of planning conditions.

Applying the guidelines

These guidelines are only provided as examples and each proposal will be considered on its merits. For advice on any particular proposal, potential applicants should refer to the appropriate Council for the area, where more specific advice can be given. The Councils are the agents for the SDNPA and will seek advice from the SDNPA as appropriate. There will be effective and regular liaison between each LPA and the SDNPA through the SDNPA Link Officers to help ensure that this works effectively.