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DON'T URBANISE HAMSEY

Don't Urbanise Hamsey Research Group
Defining our policies and early site allocation proposals
Consultation Response

February 2025



OVERVIEW

In our response to this consultation, we have focused on the policies which most affect the sites in Cooksbridge & Hamsey. We acknowledge that LDC hasn't invited comments on sites in the northern villages in this phase of the consultation. Nevertheless, we are providing some comments on the sites in Cooksbridge & Hamsey to illustrate where LDC's policies require strengthening - and also to highlight some of our ongoing concerns, including about the errors being made in LDC's assessments of the sites. Of course we also expect to have additional comments at the next stage(s) of this process, both in respect of the proposed site allocations and in respect of policies.

Running through many of our concerns is a fundamental belief that within its **policies** and its **assessment of the sites** in Cooksbridge & Hamsey (including the evidence base relied on, such as its Landscape Sensitivity Assessment), LDC is not giving sufficient consideration to the special qualities of the South Downs National Park ('SDNP') and its setting, or to the legal framework that underpins LDC's obligations in this regard.

In its Local Plan, LDC must recognise that the SDNP is a nationally important precious landscape whose distinctive character and natural beauty is so outstanding that it is in the nation's interest to safeguard it. We are concerned that many of the draft policies (and therefore the site allocation proposals) do not fully reflect or achieve this.

National Parks have legal protection and LDC (and every one of its officers, as public servants) has a legal duty to seek to further the purposes of the National Park (Section 245 of the Levelling-Up and Regeneration Act 2023). This legal duty was strengthened in 2023 and has significant implications for LDC's policies as well as site allocations in the setting of the National Park. DEFRA issued guidance for Relevant Authorities in December 2024 – link here: [DEFRA guidance on protected landscapes for relevant authorities](#). In summary, the law imposes a new, active statutory duty on officials (including LDC, its officers & agents and therefore those appointed by it to conduct any work – including AECOM) to '*conserve and enhance*' national landscapes and national parks. The guidance emphasises that this is an '*active duty*' not a passive one, and that the duty applies to all authorities (any person holding public office), carrying out '*any function*', including '*the preparation of development plans and associated assessments and documents*'. The guidance makes it clear that '*the duty also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape*'.

A failure to comply will result in legal challenge, and the strength of the legislation has been made plain by (for example) the Government's decision in February 2025 to concede that its approval of a scheme in Manningtree, Essex, was *unlawful* and must now be reconsidered – a concession made in advance of a judicial review that was due to be heard in February 2025.

We believe that LDC's policies fall short in this regard. LDC must have a separate policy regarding its treatment of the setting of the National Park and show how it is actively meeting its legal duty; and must ensure that running through all relevant policies, it engages with and meets its positive statutory obligations.

Similarly, when conducting any assessment of potential site allocations, LDC must also meet its positive statutory obligations. Yet the current evidence base shows an ongoing lack of rigour, as well as inadequate regard for the importance of the location of Cooksbridge & Hamsey, adjacent to, in the setting of and as highly visible from the SDNP. With robust evidence and analysis, it is impossible to conceive how site allocations being considered in Cooksbridge & Hamsey would conserve and enhance the SDNP's special qualities.

Just by way of example, in the assessments and documents compiled by AECOM and LDC for the Local Plan, major errors have been made. We have spent the last year pointing out these errors to LDC with regards to Cooksbridge & Hamsey but these have not been addressed. Further, we

understand from other local groups in Ringmer and in Seaford that this is a district-wide issue. More concerning still is that, in the preparation of its Local Plan documents, LDC has both disregarded and even contradicted key evidence from the SDNPA (for example the 2012 Landscape Capacity Study, and the 2023 Landscape Sensitivity Assessment); and errors have been repeated or further errors made in more recent documents, such as the Interim Sustainability Appraisal and the Landscape and Visual Appraisals document. LDC's Cabinet approved this Reg 18 consultation on 5 December 2024 without having corrected these errors.

Furthermore, the SDNPA's consultation response (February 2024), in which they raised serious concerns about a potential site allocation at Cooksbridge, was inexplicably excluded by LDC from its own, edited summary of responses to the previous consultation. This is not the behaviour of a group of Councillors or planning officers who are seeking to positively further the purposes of the National Park (as by law, they must).

When we have passed on our concerns about these errors to LDC, the response from planning officers can be summarised as: "*...your concerns have been passed to AECOM – they are the experts and will decide what to do with them*". We find this attitude completely unacceptable, particularly as LDC are AECOM's client and must take responsibility for ensuring that their work that is outsourced to them is appropriately informed and robust. It is not acceptable to just defer to AECOM, particularly when communities have been given no opportunity to engage or consult directly with AECOM.

Further, in response to a newspaper article relating to concerns raised by Don't Urbanise Hamsey regarding LDC/AECOM's lack of engagement with the local community and the mistakes being made in gathering evidence, a spokesperson for the Council said, '*we refute entirely the comments made about AECOM*'. This is a further example of the Council not listening or engaging with the issues raised, but instead issuing a blanket denial that there are any errors in the evidence they are relying on. Denying that there are any issues with the work produced and ignoring the mistakes that have been identified to them by the local community (who know the landscape best), is not consistent with a Council taking its legal duty seriously.

LDC has been assessing 19HY and 11HY for two years, whilst ignoring key evidence, and this approach itself is endangering the special qualities of both the setting of the National Park and the National Park itself. LDC has taken a passive, and even irresponsible attitude to its site assessments despite plenty of evidence being available to reject the site for housing allocation at the outset of Local Plan preparation. As just one, tangible example, residents are alarmed by the likely deliberate degradation which is occurring to the country lanes, footpaths, hedgerows and soil across the site since being submitted through the 'call for sites' process. We urge you to look at Google street map images of both Hamsey Lane and The Drove and then visit the site to see the degradation which is taking place. We remind the Council of DEFRA's guidelines that in carrying out any function it has a legal duty to conserve and enhance the National Park.

Sites 19HY and 11HY support the natural beauty, special qualities and key characteristics of the National Park as clearly set out by DEFRA in its guidance. All of these special qualities – including tranquillity, dark skies, a sense of remoteness, wildness, cultural heritage and long views from and into the National Park – apply to these sites.

Hamsey has a strong ecological connectivity with the National Park, with the Sussex Biodiversity Records Centre recording no fewer than 313 internationally and nationally protected and designated species in the area in question, many using its nature corridors to travel into and out of the National Park. However, LDC has flippantly disregarded the importance of this greenfield area for wildlife, by ignoring local records and not consulting with the local community, giving it a 'green' rating. As an example, AECOM's Landscape and Visual Appraisals document ignorantly refers to Northend Stream as being an 'unnamed watercourse'. Nowhere has LDC acknowledged its geological importance and the presence of sea trout.

The area also has strong recreational links for local residents and visitors joining the National Park to the wider countryside. Rights of Way across the fields, and historic narrow country lanes which are quiet and unspoilt, provide recreational links from Lewes and the Downs Scarp into the wider countryside. The area provides important green space for the wellbeing of residents of Lewes and surrounding areas. It also benefits the local economy by attracting paying visitors to local establishments and businesses, drawn by the area's natural beauty and heritage.

LDC has not demonstrated how the potential allocation at 19HY and 11HY would protect AND enhance the special qualities of the National Park. The fact is it would do neither.

Looking at LDC's Spatial Strategy for the Local Plan, we believe that this is not only deeply flawed, but also that there is a complete disconnect between the spatial strategy LDC has set out, and the site allocations LDC is considering. Virtually all the potential site allocations being proposed are in rural villages in locations that are intrinsically unsustainable. This is particularly true for the site allocations in Cooksbridge & Hamsey, which is one of the least sustainable locations in the district (c. 160 homes in a constrained and car dependent location, on the boundary of and serving an important and sensitive function as a gateway to the National Park).

At present, the interaction between LDC's policies and potential site allocations is not set out clearly. LDC should clearly highlight where there is a conflict between policies on the one hand, and potential site allocations on the other - particularly regarding the large strategic sites. We believe that LDC's key Local Plan policies, once sufficiently strengthened to reflect LDC's legal duty, would render sites in Cooksbridge & Hamsey in the setting of the National Park, completely **unsuitable**.

We have already submitted a detailed response through the last Reg 18 consultation demonstrating why Cooksbridge & Hamsey are not suitable for the allocations being proposed, and ask that you consider this consultation response in conjunction with our previously submitted 'Don't Urbanise Hamsey: Response by the Campaign's Research Group with contributions from residents, to the Lewes District Council's 'Towards a Local Plan' Consultation'.

SECTION 1: COMMENTS ON CERTAIN POLICIES

DRAFT Strategic Policy SDS1: The Emerging Spatial Strategy

We welcome this policy in principle, particularly that it will '*make provision for the conservation and enhancement of the natural...environment, including landscapes...*' However, we would like to see it strengthened by stating that the conservation and enhancement of the natural environment including landscapes will be prioritised through the Local Plan.

Rather than '*seek to avoid*' a disproportionate level of growth in the less sustainable settlements, we would like to see a policy which '*prevents a disproportionate level of growth in the less sustainable settlements including the local villages*'- and there must be clarity as to what '*disproportionate*' means in this context.

With LDC's legal duty to '*seek to further the purposes*' of the National Park, LDC's Emerging Spatial Strategy must reflect LDC's obligations, particularly in respect of sites on the boundary and in the setting of the National Park, including Cooksbridge & Hamsey. LDC needs to include a policy to demonstrate that it will actively seek to conserve and enhance the National Park through its Spatial Strategy.

We would argue that LDC's Spatial Strategy is currently based on and led by the availability of sites, rather than being genuinely landscape led. Indeed, our views were confirmed by an LDC planning officer at a recent Local Plan public consultation meeting. The planning officer said that the Local Plan was not being driven by any strategy but instead by the 'call for sites' process and the 'availability' of land within the district. Planning officers also admitted that site 11HY had been turned green, not because it was necessarily suitable but because LDC didn't have enough green on the map.

A planning officer revealed that Cooksbridge was being considered purely due to the presence of a railway station. When we expressed our concern about the severe impact development would have on the road network, astonishingly the planning officer said that he thought increased road congestion was a good thing because it disincentivises car use longer term.

At the same meeting, a senior LDC planning officer said that he thought the allocation of houses in Cooksbridge & Hamsey was a 'good idea'. This demonstrates a preference or even a predetermined view or opinion, which is wholly at odds with what should be a consultative and evidence-led process. It is entirely inappropriate. The same officer also remarked that the North Barnes Farm development was a good idea because it would avoid unsustainable development in the rural villages, including Cooksbridge.

We agree with the CPRE's response to the previous consultation: *'...while there are a number of very welcome strategic policies proposed, we are deeply concerned that the fundamental approach to spatial strategy and settlement pattern used in this draft Local Plan would deliver the exact opposite. Virtually all the new housing proposed for rural villages is in locations that are intrinsically unsustainable.'*

Cooksbridge is one of the smallest and least sustainable villages in the district, it is also in one of the most sensitive locations relative to the National Park. The nature of the proposed sites (11HY and 19HY), and scale of the proposal for development of them, are completely incompatible with the Spatial Strategy and the description and the parameters of 'Spatial Option 5: disperse growth among all villages in the Low Weald' – which is the spatial option within which it has been put. Dispersed growth implies moderate and proportionate growth, spread across and in keeping with the size, sustainability and character of existing settlements. The scale of the proposals in this location are in fact the opposite. They amount to completely disproportionate and concentrated growth in an intrinsically unsustainable location.

DRAFT Strategic Policy SDS2: Achieving Sustainable Development

We believe this policy needs to be strengthened with regards to the Natural Environment. We would like to see a separate provision included for the treatment of the setting of the National Park to reflect LDC's legal duty to further its purposes.

We also consider that development in small villages, hamlets, scattered development and in the countryside (so, outside of larger sustainable locations – being existing Service Villages and above) should be restricted to that which *requires* a countryside location or meets an essential local rural need or supports rural diversification. The potential site allocations at Cooksbridge & Hamsey do neither.

Development in Hamsey & Cooksbridge would also have significant negative implications for the viability of future brownfield development in more sustainable locations – such as within Lewes. For example, any significant development in Cooksbridge & Hamsey would have such a negative impact on the existing, constrained and small road network, that it would compromise and severely limit the viability of future development in demonstrably more sustainable locations (such as brownfield locations within Lewes). Policies must ensure that this is acknowledged and avoided, particularly given the over-riding importance of a brownfield first approach, and the legal obligations to conserve and enhance the National Park and its setting - as well as the requirement in the NPPF to set any significant extension of an existing village within a 30-year vision, which has not been done. To include the site allocations at Cooksbridge & Hamsey in the Local Plan would be extremely short-sighted and would fail in both aspects mentioned above.

DRAFT Strategic Policy SDS3: Settlement Hierarchy

We agree that Cooksbridge should be treated as a 'village', further recognising that it is a village of c. 160 dwellings, and a car dependent location with few services and next to no employment. It should be acknowledged that, with the new classification, it is one of the *least sustainable* of the villages in this category. LDC should gather accurate population statistics and number of houses for each village (rather than looking at parish statistics) to determine whether growth can be considered 'proportionate' to the existing size of the settlement.

We consider that the Local Plan and the Spatial Strategy must also recognise that the small villages and hamlets to the north of Lewes, which are interspersed with farmland and woodland - including Cooksbridge & Hamsey in particular - provide an important and sensitive transition into the South Downs National Park. As such we consider the Local Plan and its policies should acknowledge the reality that opportunities for development in this area are limited, due to (for example) landscape considerations, settlement patterns, the small-scale road network and available infrastructure. Land availability alone cannot be allowed to 'trump' these fundamental realities. For these reasons, the Local Plan should not propose any significant development in these areas (including Cooksbridge & Hamsey).

DRAFT Policy SDS4: Settlement Boundaries

Settlement boundaries are essential to prevent the destruction of our countryside. The settlement boundaries defined in the previous local plan with regards to Cooksbridge should remain in order to protect the special qualities of the National Park and its setting, including the Cooksbridge conservation area. As above, we would like to see a policy that restricts development outside of settlement boundaries and in small villages, hamlets, scattered development and in the countryside, to that which *requires* a countryside location or meets an essential local rural need or supports rural diversification. Settlement boundary completion/ infill to create a coherent boundary is often seen as a more favourable approach to expansion. Proposed allocations at 11HY and 19HY would not offer this.

DRAFT Strategic Policy NE1: Protecting the Natural Environment

This policy needs to be strengthened, particularly in the context of updated legislation requiring authorities to seek to further the statutory purposes of the National Park. LDC's current draft policy is:

*6) **Resisting** development in the setting of the South Downs National Park if it fails to conserve and appropriately enhance its landscape qualities, including key views, its natural and scenic beauty, wildlife and cultural heritage, and dark night sky quality as informed by the most up to date South Downs Landscape Character Assessment and/or other relevant documents.*

Rather than 'resisting development', we would propose that the wording must be changed to '*Development will not be allowed in the setting of the South Downs National Park if it fails to conserve and enhance...*'. It should be considered essential that site allocations and any proposals for development do not have a significant adverse impact on the special qualities and tranquillity of the landscape, in particular the setting of the National Park.

We also propose that LDC makes reference to national environmental legislation, targets and commitments made at the national and international levels that are enshrined in law to tackle the biodiversity crisis and restore nature. It is incumbent on authorities at all levels to contribute to achieving these goals and it is in this context that all planning assessments should be made.

DRAFT Policy NE5: Strategic Green Gaps

This policy should include a green gap between Cooksbridge, Old Cooksbridge (Conservation Area), Hamsey, Offham, and North End, in order to protect the open and rural setting of the village and hamlets and views into and from the National Park.

DRAFT Policy IC6: Sustainable Transport and Movement

This policy needs to be strengthened, including to incorporate NPPF (paragraph 116) and prevent development where the residual cumulative impacts on the road network would be severe.

NPPF 116: “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”.

In line with DEFRA guidance regarding Section 245 of the Levelling-up and Regeneration Act 2023, this policy must also seek to prevent an increase in traffic going through the National Park given the potential damage to our cultural heritage (including country lanes and conservation areas), ancient trees, hedgerows, wildlife and air quality (as per DEFRA’s guidance).

The Planning Inspectorate, in their examination in 2016 of the previous Lewes District Local Plan, made it clear that any suggestion that development should be ‘...concentrated in the villages of the Low Weald is neither reasonable nor realistic’ and ‘would lead to an unsustainable pattern of development as well as unnecessary and unacceptable impacts on local services, facilities and infrastructure, including the largely small scale road network of that area’. Nothing has changed and the allocation of these sites in Cooksbridge & Hamsey would therefore be entirely contrary to the previous conclusions of the Planning Inspectorate.

Furthermore, we refer again to our comment on SDS3 above: policies in the Local Plan must avoid the significant negative implications of development in Cooksbridge & Hamsey, on the viability of future brownfield development in more sustainable locations – such as within Lewes. Any significant development in Cooksbridge & Hamsey would have such a negative impact on the existing, small-scale road network, the special character of the rural lanes lined with ancient hedgerows bordering the National Park and on the road network into Lewes to the south, that it would significantly compromise the National Park, impact its wildlife and severely limit the viability of future development in demonstrably more sustainable locations (such as within Lewes). Potential brownfield development in Lewes must be considered a ‘reasonable future scenario’ as per the NPPF.

We ask that LDC also confirm what positive steps they are taking to fully co-operate with the SDNPA in respect of the transport studies being commissioned by each, from ESCC and East Sussex Highways.

DRAFT policy W2 Protection of water resources and water quality

Water quality

We call on LDC to strengthen their policy on water quality which we believe should say:

*All new developments must **ensure** that their construction and occupation will not risk the water quality of surface water and ground water in the plan area.*

*When new development might cause harm to water bodies, as established in the Environmental Impact Assessment, actions to **prevent**, mitigate and remedy those risks must be approved by the council.*

All new developments on or around sites of importance for biodiversity must ensure that their construction and occupancy will not create risks to the site.

Wastewater and associated infrastructure

Southern Water's Drainage and Wastewater Management Plan anticipates a maximum of 70 additional houses in Cooksbridge by 2050. Any development on the scale being considered by LDC would put a massive burden on the sewage network which is already proving to be at capacity and frequently being discharged into local water courses. Instead the [BRAVA assessments](#) mention planning for potential significant developments at Burgess Hill, Brighton Marina and West Grinstead with planned work in the Lewes area limited to improving the resilience of the networks and treatment works to prevent pollution incidents from an already overburdened system.

We would also query the water resource pressure development will put onto our area which is already under stress from droughts and increased groundwater/ surface water abstraction. There is restricted water available for licensing from the chalk block aquifers and water availability from the Ouse is very low.

We reject the wording in the draft policy on wastewater and associated infrastructure that states that developments can be exempted from the obligation to decrease surface run off, including methods to catch, store, use or sustainably dispose of water run off, if to do so would impose an extraordinary burden. Additional run off and urban pollution will further exacerbate the declining trend across the catchment. Inadequate schemes would not address road and surface water drainage and there would be an inevitable rise in heavy metals, petrochemical and fine particulates entering the river system which are impossible to remove. Developments should be under an obligation to prevent such damage and we believe they should not be given exemptions from putting in the measures to protect the environment even if the burden is great.

SECTION 2: SPECIFIC CONCERNS REGARDING LDC'S EVIDENCE

Concerns arising from the apparent disregard of the SDNPA's response to LDC's 'Towards a Local Plan' consultation response

The SDNPA responded to the 'Towards a Local Plan' consultation a year ago in February 2024, reminding the Council of the need to comply with its legal duty to seek to further the purposes of the National Park. The SDNPA singled out and specifically commented on one site allocation that would conflict with the principles outlined by the SDNPA – Cooksbridge (as follows):

Some sites included within the spatial options could not be achieved at the capacities assumed whilst complying with the above principles. As an example, the proposed site for over 1,000 homes at Cooksbridge is of a scale that would be disproportionate to the existing settlements at Cooksbridge & Hamsey, would not reflect the characteristic north-south linear settlement pattern and would be highly visible from the National Park, including from Blackcap (an identified view within the above Study) and the historic settlement of Hamsey.

Nowhere has the SDNPA's consultation response been acknowledged in LDC's Local Plan documents, yet this is of the utmost importance when considering development in Cooksbridge. We would also point out that by splitting the site allocation into two separate allocations (19HY and 11HY), with theoretically slightly reduced numbers of housing, LDC / the promoters do not change the fundamental points raised by the SDNPA (or raised in this document).

The SDNPA's 2012 Landscape Capacity Study has been disregarded and contradicted

LDC and AECOM have completely contradicted the findings of the SDNPA's 2012 Landscape Capacity Study, by suggesting that development is 'more appropriate sited to the East of Cooksbridge' (also see AECOM's FIG5 Concept Landscape Strategy, produced as part of the evidence base for this

consultation). However, the LDC/SDNPA Study concludes that ‘in landscape terms, any scope for change around the village of Cooksbridge is limited to the West of the village.’ The SDNPA concludes that there is ‘negligible’ scope for development east of Cooksbridge and that any scope for change is limited to the west of the village. Absolutely no explanation is given for AECOM’s entirely contradictory (and therefore, unreliable) conclusion.

The extract from the SDNPA/LDC 2012 Landscape Capacity Study is as follows:

“It is considered that, in landscape terms, any scope for change around the village of Cooksbridge is limited to the west of the village. South of the railway line which runs through the centre of Cooksbridge, long views of the Downs can be gained. Areas where these views are obstructed are constrained to where development and mature screening already exists. The topography to the east of the village dictates that there is negligible scope for change without impacting on the landscape.” [Emphasis added].

Criticisms of the 2023 Landscape Sensitivity Analysis – the SDNPA’s comments have not been acknowledged, explained or addressed

Paragraph 6.3.4 of AECOM’s Interim Sustainability Appraisal acknowledges that, with regards to the LSA:

‘there were some criticisms of the conclusions reached, including with evidence presented to suggest that sensitivity at Cooksbridge should have been higher (from a local group) and that sensitivity in Plumpton Green should have been recorded as lower (from the site promoter). Natural England did also suggest through the consultation that: ‘...its does not appear that the special qualities of [SDNP]...have been clearly considered within the Landscape Sensitivity Study. For example sites within the setting of nationally designated landscapes would need to be carefully assessed for impacts...’

That Natural England believe the special qualities of the SDNP haven’t been carefully considered is damning enough. However, the criticisms of AECOM’s LSA report have been underplayed in the paragraph above. Criticisms were extensive (see the Don’t Urbanise Hamsey consultation response to the Towards a Local Plan consultation). Furthermore, the SDNPA also voiced significant criticisms of this report, yet their comments provided in a letter to LDC in August 2023 have not been acknowledged by LDC. The SDNPA concluded the following (noting that, at the time, they were only aware of 11HY being proposed):

“Overall, the Study [AECOM’s LSA] as currently drafted does not demonstrate a clear understanding of landscape character, settlement pattern and evolution, so we are unable to support the findings concerning impacts on the setting of the National Park”.

[Emphasis added]

Hamsey residents also submitted their criticisms of the Assessment to the Council at the end of 2023. LDC has failed to officially acknowledge these criticisms or those of the SDNPA, to take adequate steps to address them or to give any explanation as to why they think otherwise (if they do). Although it should be noted that the CEO of LDC did acknowledge to residents, in the summer of 2024, the flaws of this Landscape Sensitivity Assessment, and promised to redo it, consulting with local residents (in line with Natural England guidelines). Despite following up on numerous occasions, this has not happened.

The LSA, however, is still being used as evidence in this latest set of documents. Key mistakes haven’t been corrected. Cooksbridge is still described as having a ‘nucleated settlement pattern’ whereas the SDNPA pointed out that it has a ‘linear’ settlement pattern. The Visual Assessment says 19HY ‘remains within the overall medium sensitivity as set out in the LSA’ when the LSA conclusion was actually ‘high-medium’ sensitivity.

More errors in AECOM's 'Landscape and Visual Appraisals'

The latest landscape analysis in AECOM's 'Landscape and Visual Appraisals' document contains more glaring errors. One major error is the conclusion that 19HY can only be 'glimpsed' from Blackcap (page 13). This is simply not true. The vast majority of 19HY and 11HY is highly visible from Blackcap (see photographs at the end of this report).

Elsewhere in its report, AECOM concludes that: "*Views of the Site [from Blackcap] are possible; however, they are filtered by development north of the train station and by existing mature boundary vegetation*" (page 29). This, along with their conclusion that 19HY cannot be viewed from Mount Harry, is again untrue. Nearly all of 11HY is visible from Mount Harry (photograph at the end of this report). And in addition to views from Blackcap, 19HY is highly visible from Lewes Downs (Malling Down Nature Reserve) and from other points along Clayton to Offham Scarp, and these views must be factored into their analysis.

AECOM choose to present evidence from the Land Promoter with respect to 11HY in the Sustainability Appraisal report. To include that evidence, which is clearly not impartial and is deeply subjective, is a concern. The photos do not represent the reality. For example, the view from Blackcap presented by the Land Promoter (and then used by AECOM in their own analysis) has clearly been zoomed out and does not accurately indicate the location of Cooksbridge or the proposed site. No photo is provided of 11HY from Mount Harry. No attempt has been made to obtain or refer to independent evidence of these views, nor consult with the SDNPA.

And yet, the Sustainability Appraisal 2.3.2. says '*...A key issue is the landscape setting of the SDNP, particularly in the vicinity of Plumpton Green and Cooksbridge. Whilst land to the south of these villages within the SDNP is low-lying, the villages are visible from scarp (i.e. the high point, along which runs the South Downs Way) 2-4km to the south.*'

11HY was previously rejected by the ESCC architect on Landscape grounds

11HY was previously assessed as 'Not Suitable' on landscape grounds in the previous Local Plan by the East Sussex County Council' landscape architect, the SDNPA and LDC. Significantly, this decision was not overturned by the Planning Inspectorate at the previous Local Plan examination. With even greater weight now needing to be given to conserving and enhancing the special qualities of the National Park, it is reckless to not at least acknowledge and explain this decision. Indeed, we would argue that it would be irrational to go against this previous, approved assessment and decision.

The 2014 SHLAA stated:

11HY: Not Deliverable or Developable – Not Suitable

"Site is located in open area north of Cooksbridge. Whilst the Landscape Capacity Study indicated some scope across the character area, looking at the site specific proposal ESCC Landscape Architect has strong concerns over any development impacting on the open countryside character in this area. Small area of flood zone 2 along northern boundary of eastern parcel."

Yet, the 2023 LAA does mention a much earlier, and less consequential planning permission refusal in July 1973:

Relevant Planning History: No recent relevant planning applications. The site has a refused planning application in July 1973 (E/73/0798) for the outline application of twenty detached houses and garages and realignment of Hamsey Lane.

The biodiversity in Cooksbridge & Hamsey has been hugely underestimated

LDC's biodiversity evidence in Cooksbridge & Hamsey does not correspond to the evidence gathered by the local community. Importantly, absolutely no consideration has been given to Hamsey's role

in protecting the species and ecology of the National Park as set out in DEFRA's Protected Landscape duty guidance.

The following is taken from the Don't Urbanise Hamsey response to the 'Towards a Local Plan' consultation and highlights the abundance of wildlife and its importance for the National Park given Cooksbridge & Hamsey's location. More detail is provided from page 67 onwards of that report. Extract below:

The Hamsey site under consideration is a rural area of great natural beauty, full of wildlife and rich in irreplaceable ancient and veteran oaks and ancient hedgerows. Oaks alone provide habitat to 2,300 species, providing vital spaces to eat, shelter and breed.

Against the backdrop of the biodiversity crisis, the idea of a housing development which would tarmac over extensive farmland across rural Cooksbridge & Hamsey is an irresponsible and indefensible suggestion.

No fewer than 313 internationally and nationally protected and designated species have been recorded in the area, according to the Sussex Biodiversity Records Centre. These include rare birds including skylarks and raptors, rare and protected mammals including two thirds of UK bat species, protected reptiles and amphibians and a wide range of invertebrates. These species are vitally important and are already endangered. The UK is in the bottom 10% internationally in terms of our biodiversity. The State of Nature Report states the "best available information suggests that nature-friendly farming needs to be implemented at a much wider scale to halt and reverse the decline in farmland nature". It does not suggest concreting over prime farmland as a solution to the dramatic decline in nature that we are witnessing and are responsible for.

The Hamsey site adjoins the South Downs National Park and is in the Brighton and Lewes Downs Biosphere Reserve, is within the 100 mile Weald to Waves nature corridor led by the Knepp Foundation which is one of Natural England top twelve priority initiatives nationally and is part of the Lost Woods of the Low Weald action area. It is also a Buglife B-Line area and is in the vicinity of Lewes Brooks and the Ouse Valley BOA.

We would add that the Northend Stream that runs around the edge of the Hamsey sites is an essential spawning ground for the Sea Trout, an important indicator species of the health of the River Ouse. Copious overland drainage from development would carry waterborne chemical toxins and smothering silt into the stream. Increased sewage and drainage would be disastrous for the species. Other increasingly rare instream species present include freshwater brook lampfreys, other course fish such as roach and bullheads, as well as pea mussels, freshwater plants that oxygenate the water, instream insects, and all the bankside species dependent on the stream such as the kingfishers and heron that are observed at the stream. LDC is in the process of giving special protection to the River Ouse through its Rights of Rivers initiative, for which it should be congratulated, and should understand the potential impacts of its Local Plan on the very thing it seeks to protect.

As the Water Framework Directive classifications show, the ecological health of our rivers is declining. Further large-scale development will only exacerbate these issues through inevitable degradation from infrastructure and drainage.

The UK has agreed at the international level to ensure that 30% of land and ocean is effectively conserved and managed by 2030, just five years away, thereby committing to ensuring the UK's wildlife rich habitats are benefitting from effective, long term conservation and management for nature. This is a legal commitment enshrined in UK law that the government has said is essential to allow nature to recover, achieving cleaner rivers, boosting food security and protecting communities from flooding.

Despite these legal commitments at the national and international level and the ecological evidence on the environmental importance of the site, the LDC documents flippantly disregard the importance of this greenfield site for wildlife, giving it a 'green' rating. We strongly suggest the evidence is revisited (in the spring and summer months) and that LDC consults with the 'Sustainable Hamsey' local wildlife group and local wildlife records – in fact, we consider that LDC must do so if they are to discharge their positive duty to seek to further the purposes of the National Park.

SECTION 3: LDC'S TRANSPORT ASSESSMENT

We have huge concerns about the impact these proposed site allocations and development would have on highways both in and around Cooksbridge & Hamsey but also impacting congestion and road safety through the National Park, Lewes (air quality issues) and onto the A27 (Ashcombe roundabout), and through Ditchling. The level crossings (one on the Drove in Hamsey, and the other in Cooksbridge), the Lewes Prison Crossroads and the likelihood of traffic diverting along the lanes that demarcate the border of the National Park via the Drove level crossing and through the Offham conservation area (National Park) are major issues and were not given any consideration in the interim transport study carried out. To properly assess the sites in Cooksbridge & Hamsey and for LDC to meet its statutory duty with regards to the National Park, these are key issues which must be comprehensively addressed in LDC's forthcoming transport assessment and – as mentioned above – this must be co-ordinated carefully with the assessment being conducted by the SDNPA.

The Planning Inspectorate, in their examination in 2016 of the previous Lewes District Local Plan, made it clear that any suggestion that development should be '*...concentrated in the villages of the Low Weald is neither reasonable nor realistic*' and '*would lead to an unsustainable pattern of development as well as unnecessary and unacceptable impacts on local services, facilities and infrastructure, including the largely small scale road network of that area*'.

Nothing has changed and the allocation of this site in Cooksbridge & Hamsey would therefore be entirely contrary to the previous conclusions of the Planning Inspectorate. Development in Cooksbridge & Hamsey would disproportionately increase traffic in total and through the Park given it is a rural car dependent location. Given the attractions of Lewes and Brighton (and the proximity and relatively ease of travelling to both from Cooksbridge by car over the infrequent rail and bus service) the increase in trips by car through the National Park will be more significant than from other locations more connected to Burgess Hill and Haywards Heath.

We are pleased that the 2025 LAA does now make the following statement about Transport in Hamsey/Cooksbridge, and acknowledges that it is a car dependent location:

"Development of the site is likely to significantly increase vehicle movements on the A275 corridor with potential for further significant impacts on the A27 and B2116...Increased vehicular movements are likely to [we say this should read "would certainly"] impact on queue times at the level crossing which could result in vehicles routeing towards The Drove to by-pass queues along A275. Detailed transport assessments would be required to establish whether impacts on network capacity could be appropriately mitigated through highways improvements."

However LDC must also fully assess these junctions raised in its 2021 Issues and Options document:

"Outside of the plan area, Highways England has concerns about the A27 and the Ashcombe roundabout. North of the South Downs National Park, the small-scale nature of the rural road network within the Low Weald is also a constraint to growth. Furthermore, the Lewes Prison crossroads and Ditchling village both experience congestion at peak periods, for which no realistic solutions have so far been identified."

There is no mention of the A275 in any of the draft ESCC transport strategy. The only reference is in the 2020 integrated sustainability appraisal by TFSE which states on page 44 of Appendix A that

the A275 and A259 are some of the most dangerous roads in the UK. This must be factored into the conclusions of any highways assessment.

According to LDC's own statistics, only 2.3% of people in the district travel to work by train. This statistic is absent from LDC's Sustainability Appraisal and should be discussed and examined in the context of Cooksbridge and other sites. It appears in tiny, blurred print in figure 5 of the consultation document – Key Facts about our Plan Area – and is almost impossible to read.

Whilst Cooksbridge has a train station, there is only one train per hour in each direction and trains do not go to Brighton. There is little prospect of an improved service (as is the case with Plumpton, although in the Sustainability Appraisal, this is only mentioned in the context of Plumpton) and if there were, it would have a severe impact on the Cooksbridge Level Crossing junction as the barrier would need to be down for longer with more stopping trains.

We have looked at trip rates used locally in planning applications for comparable areas nearby (such as Chatfield Close, Plumpton Green and Barcombe) and these applications have used a rate of 6 daily trips per household. Given this is a car dependent location and Lewes is only 7 minute drive from Cooksbridge and Brighton 20 minutes by car, a train service of only one train per hour (passengers need to change at Lewes to get to Brighton) will certainly not provide a modal shift or incentive for people to travel by train, noting as mentioned above that only 2.3% of Lewes district residents (LDC's own statistics) travel to work by train, and anyhow there is little by way of employment in Cooksbridge.

This low level of train use must be acknowledged by LDC. It cannot be blamed on a lack of train services in the district. LDC does not mention the excellent and superior rail connections just outside the district boundary (Hassocks, Burgess Hill, Wivelsfield, Haywards Heath) which are used by some residents in Lewes' northern villages – indeed, LDC does not appear to have assessed what proportion of the 2.3% of residents who do travel to work by train, in fact drive to one of those locations to access the far superior train service available.

Whilst use of Cooksbridge station has slightly increased, this is partly due to the fact that until 2020, this rural station did not have a Sunday service. It only came as a result of a campaign by locals, ironically focused on Cooksbridge station providing tourists with a gateway to the National Park.

To state the position very simply: development in Cooksbridge will only create more car dependent households, as the vast majority of residents which will use their cars to travel and access services, and any development in Cooksbridge & Hamsey would disproportionately increase car use across the district and be contrary to LDC's Vision and Aims.

CONCLUSION

In Summary, LDC has been assessing 19HY and 11HY for two years, ignoring key evidence, and making serious errors. LDC has taken a passive, and even irresponsible attitude to its site assessments, despite plenty of evidence being available to reject the site for housing allocation at the outset of the Local Plan process.

LDC has not demonstrated how the potential allocation at 19HY and 11HY would protect AND enhance the special qualities of the National Park. The fact is it would do neither.

Cooksbridge & Hamsey is one of the least sustainable locations in the district (c. 160 homes on the boundary of and serving an important and sensitive function as a gateway to the National Park), making a potential allocation at 19HY and 11HY completely **unsuitable**.



View of 11HY and 19HY from Blackcap



Photograph of walkers on the South Downs Way at Blackcap



View into 19HY from the Clayton to Offham Scarp



View of 11HY from Mount Harry

SOUTH DOWNS NATIONAL PARK

From rolling hills to bustling market towns, the South Downs National Park's landscapes cover 1,600km² of breathtaking views, hidden gems and quintessentially English scenery. A rich tapestry of wildlife, landscapes, tranquillity and visitor attractions, weave together a story of people and place in harmony.

For your guide to everything there is to see and do in the National Park visit southdowns.gov.uk/discovery-map

Keep up to date with the latest news and events from the South Downs National Park, southdowns.gov.uk/newsletter

SOUTH DOWNS WALKS
HAMSEY HERITAGE

HAMSEY PARISH

The villages of Cooksbridge, Offham and Hamsey sit in the East Sussex parish of Hamsey. Here you can discover a variety of landscapes ranging from high chalk downland, the water meadows of the Ouse and the heavy clay pasture and woodlands of the Low Weald. There are great viewpoints from the top of Offham Chalk Pit and on the approach from the Ouse Valley.

YOUR COUNTRYSIDE CODE:
RESPECT. PROTECT. ENJOY.

Respect other people

- Leave gates and property as you find them
- Keep to the paths unless on Open Access Land

Protect the natural environment

- Take your litter home
- Keep dogs under effective control

Enjoy the outdoors

- Plan ahead and be prepared
- Follow advice and local signs

SOUTH DOWNS NATIONAL PARK

'The picturesque villages of Cooksbridge, Offham and Hamsey sit within a serene mixed landscape of chalk downland, water meadows and the woodlands of the Low Weald. Be sure to take a good camera as there are great viewpoints from the top of Offham Chalk Pit!'

South Downs National Park website