

WORLDHAM PARISH COUNCIL

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Mr T Slaney
Director of Planning
South Downs National Park Authority
North Street
Midhurst
West Sussex

10th February 2021

Dear Mr Slaney,

Planning Application SDNP/19/03709/FUL Oaklands Farm

The above application was recently withdrawn by the applicant following the recommendation to the Planning Committee for refusal. As you will be aware this is the second time that this has happened following a process that has now extended to over three years.

Whilst we believe the decision to recommend refusal is the right one, Worldham Parish Council has considerable concerns at the officer's assessment that *'in principle the proposal could be acceptable'*. We believe that the proposal fails to meet the requirements of a number of SDNP Local Plan policies in addition to those which form the basis of the recommendation for refusal, but most importantly the fundamental 'exceptional circumstances' requirement of the NPPF para. 172 and SDNP Core Policy SD3.

The authority has designated this as major development yet in our view fails to apply the tests required for assessing it as a major development with the appropriate degree of rigour that would be expected given that National Parks *'have the highest status of protection'* (NPPF para. 172).

Section 31 of the UK Government Vision and Circular 2010 for English National Parks states *Applications for all major developments should be subject to the most rigorous examination and proposals should be demonstrated to be in the public interest before being allowed to proceed...The Government expects all public authorities with responsibility for the regulation of development in the Parks to apply the test rigorously.*

Paragraphs 8.8 to 8.13 purport to provide the case for the need for the development at this location but reflect issues pertinent only to the circumstances and interests of the AMA, not the issues relevant to National Park purposes or the local community. The applicant provides no evidence at all that alternative sites and the associated costs have been considered, a fundamental requirement in assessing the need for it to be held at this location. In fact, the reason for it to be held in this location is solely the wish of the AMA to hold it in a pleasant country setting where they happen to own a farm. One can sympathise with the AMA that

they purchased this farm essentially for the holding of their annual Jalsa Salana before the SDNP boundaries were designated. Notwithstanding this, there is nothing about this event that otherwise ties it to this particular location. They could use land outside of a National Park anywhere in the country. They could also use sites around the country which are purpose built for large events and which would provide much better facilities and access.

Circumstances cannot be considered exceptional if there is another way of meeting the need even though it may be judged to be in the public interest. We believe the arguments put forward in section 8.12 which relate more to the AMA's convenience rather than necessity, dilute this principle to the point where it effectively no longer applies.

The first 'public interest' argument in para 8.4, while acknowledging that there may be some impact on the conservation and enhancement of the National Park, refers to potential benefits so intangible and aspirational as, in our view, to be meaningless. In fact, as is reflected in the responses from the various officers of the SDNPA, HCC and statutory bodies, the impact is much more significant than the wording of this paragraph suggests.

Para 8.5 deals with what is referred to as the second public interest issue of meeting the socio-economic needs of communities within this part of the National Park. Whilst acknowledging, more specifically in the following para. 8.6, that it does not, the argument then suggests that this public interest requirement is met because (arguably) it meets the needs of the Ahmadiyya Muslim Association. The reasoning is difficult to follow considering the issue is about meeting the socio-economic needs of local communities as required under the Countryside Act 1949, not about meeting the needs of the AMA. In fact the negative socio-economic impacts of the event on the local community are effectively ignored. Para. 8.6 then goes on to conclude that as a result the public interest requirement is met, which seems to be a rather circular line of reasoning. The flaw in this reasoning is the assumption that the private interests of the AMA are the same as the public interest, and in fact outweigh the detrimental impacts of the event on the local community.

In our view, none of the reasoning contained in these paragraphs amounts to a rigorous application of the tests for major development.

We are writing to you about these concerns as we believe they raise important issues concerning the application of NPPF and the SDNPA's own Local Plan policies in the assessment of major developments within the National Park, at least as far as this application is concerned. If, as we expect, the AMA submit a further application, these issues will be significant in its determination.

In the meantime we will be interested to know what action is now proposed by the SDNPA in respect of the breaches of planning regulations on this site which have existed for over three years, in some cases much longer.

Yours faithfully

P Hibbins

Worldham Parish Clerk

Cc. Mr T Beattie - SDNPA
Mr A Alesbury – SDNPA
Mr D Jones - SDNPA
Cllr M Kemp-Gee - HCC
Cllr D Ashcroft – EHDC

Clr R Fletcher - Kingsley PC