



Endgame on 'Unsound' Eastleigh Plan

Eastleigh becomes the latest council to be asked to put the examination of its local plan on hold after an inspector challenged housing numbers. The council has decided instead to conclude the inquiry at the obvious risk of having its plan declared unsound.

Houses challenged. The inspector questioned whether Eastleigh council has underestimated the need for affordable housing and said the council had not justified including private sector rented homes in receipt of housing benefit in its calculations. He also said that around 2,000 extra market homes are required. The inspector gave the council a choice of suspending or withdrawing the plan. He said that the council's five year land supply position was unlikely to be undermined providing it continued to grant planning permission [LG](#) [O](#) [P](#) [L](#).

Response. The council asked the inspector and planning inspectorate for a number of clarifications to the arguments on housing. It said it wanted to know whether the inspector thought the plan currently unsound. It argued that at least 2,000 additional dwellings will require significant greenfield development. This could only be met through substantial infilling of green gaps between Eastleigh, Hedge End-Botley-Boorley Green and Horton Heath; or a major new area of growth; or by development of a significant number of smaller sites [LG](#). Replies from the inspectorate are not yet published.

Endgame. On 22 December, the council wrote to the inspector asking that he submit his report [LG](#). Unless the inspector has substantially changed his opinions, the plan will now be found unsound.



Christmas message from Denham against HS2 [f](#)

Oxford Challenges its Green Belt

Shortfall. Oxford city council has said that it can only find sites for between 32% and 43% of the 24,000 to 32,000 homes required for the city according to the controversial Oxfordshire Strategic Housing Market Assessment (SHMA) published earlier this year [O](#) [LG](#) [LG](#) [BBC](#). Council leader Bob Price said:

The conclusions to the [SHMA] show a shortfall of up to 21,800 homes. Even a more conservative estimate of Oxford's need shows a shortfall of 17,800 homes compared with what can be realistically and sustainably achieved. This leaves us with no doubt that a strategic review of the Oxford green belt, to allow us to plan for a sustainable urban extension, is urgently needed.

Green belt review. The council has announced that the Oxfordshire Growth Board, a partnership of local authorities, universities and agencies, will conduct a review of the green belt. It will report next summer [OM](#). Growth Board programme manager Paul Staines said:

The review will look at the green belt as well as the potential for new settlements or extensions to existing areas. However, it will be for individual councils to make the decisions on whether sites are released from the green belt, or whether the green belt is expanded, in reviews of their local plans.

Helen Marshall for CPRE Oxfordshire responded:

A review would be an unnecessary waste of public money. Any decision to go down this route should therefore be taken in a publicly accountable forum, rather than behind closed doors.

Planning context. In Surrey, Mole Valley and Guildford are reviewing plans to build housing the green belt, with a view to withdrawing them. [Planning practice guidance issued](#) at the beginning of October says that the green belt is one factor that could limit councils' ability to meet objectively assessed housing need (see the *Politics of Planning* eBulletin [PRE](#)). *Planning* reports the Home Builders Federation saying: "The guidance almost puts green belt reviews off limits." It cites planning lawyers No5 Chambers saying the guidance "drives a coach and horses" through the NPPF's requirement for councils to meet objectively assessed housing needs [P](#).

Tyce vs. Price. In an exchange in the Oxford press, city council leader Bob Price bravely squared up to CPRE Oxfordshire's Mike Tyce. Tyce accused the city council of a "long-standing aim to sprawl out over the surrounding countryside." He declared: "This is a life and death struggle for the green belt." Price retorted: "Nothing could be further from the truth. To meet the unmet housing need for Oxford would require less than 1% of the Oxford green belt to be given over to housing." Attacking the [Oxfordshire Growth Plan](#), Tyce said: "Despite the magnitude of the harmful change that the growth plan would make to all of us, the public has not been asked whether it shares this vision for Oxfordshire." Price slugged back: "There is little land left in Oxford that is available to build on without seeing significant reductions in urban open space for recreation, or impacting on the quality of the built and historic environment" [OM](#) [OM](#).

New Abercrombie Plan for London?

London Plan revised. The Greater London Authority's Further Alterations to the London Plan (FALP) has completed its examination. It sets a target of 42,000 homes a year for next ten years in the capital but accepts that the actual annual housing need is between 49,000 and 62,000. The planning inspector has recommended adoption despite the housing shortfall and a failure in the duty to cooperate. He warned that if the FALP was not adopted, the capital would be left with existing housing targets of 32,210 homes a year in the current London Plan "which are woefully short of what is needed". He has recommended that a review of the housing shortfall begins in 2015, not 2016 as scheduled [GLA](#) [P](#) [P](#). Boris Johnson has accepted the inspector's recommendations. He said he will publish the revised plan at the end of January unless Eric Pickles objects [GLA](#).

Overspill. The planning inspector welcomed the emphasis on building on brownfield land but warned that housing need might have to be built outside London:

I am concerned that the strategy of accommodating the development necessary for London's growth within its existing built confines will place unacceptable pressures on the city's communities and environment. In my view, the Mayor needs to explore options beyond the existing philosophy of the London Plan. That may, in the absence of a wider regional strategy... include engaging local planning authorities beyond the GLA's boundaries in discussions regarding the evolution of our capital city.

Abercrombie renewed? Planning reports that Boris Johnson is to host a summit of council leaders from across the greater South East to discuss drawing up a new regional plan. The GLA's assistant director of planning Stewart Murray said it could be a "new Abercrombie plan which embraced the needs of London and the South East that could be taken forward by the new London mayor after the 2016 [mayoral] elections" [P](#).

Reaction. Kent council's growth director Barbara Cooper said the county recognised that it was part of a "global city region" but warned it was not just a question of London expecting counties to accommodate its overspill [P](#). She said Kent would want to see local benefits if it had to meet London's needs. Oxfordshire's deputy director for strategy Bev Hindle said districts needed to recognise their regional role:

Some districts are inward-looking, seeking to create self-contained developments that meet local needs – rather than seeing their role within the wider area .

Housing in the wider South East. Fifty-one South East councils wrote to Boris Johnson asking for references to housebuilding outside Greater London in the [London Infrastructure Plan \(LIP\)](#) to be deleted [LG](#). They claim not to have been consulted on housing locations:

The LIP made some quite specific assumptions about potential locations of growth beyond London outside the statutory planning process and without the involvement of local authorities beyond the capital.

They want the planning process for accommodating any housing overspill into the greater South East to be handled through the London Plan process not through the LIP.

Horsham Inspector Says Mayfield Out

More housing. A planning inspector has said that Horsham's overall strategy for growth is sound but criticised the council for not having a formal Strategic Housing Market Assessment [LG](#) [P](#). The inspector admitted he "found it difficult... to arrive at firm conclusions about a definitive level of housing need" but nevertheless is suggesting 750-800 homes a year. The council is proposing 650 dwellings per year (dpa). Referring to environmental constraints, the inspector said:

Horsham District is a large area unconstrained by designated green belt and the areas protected for biodiversity or landscape reasons... There are no obvious general or particular landscape, ecological, highways or other infrastructure reasons to prevent a higher rate of development at about 750-800 dpa.

Mayfield out. The inspector backed housing at North Horsham and west of Southwater saying the developments will "not result in the loss of landscape of particularly high value." But in a statement that has cheered campaigners, he said the Mayfield Market Town (MMT) proposal is not sustainable or potentially deliverable [MST](#) [L](#). Noting the "strong opposition", he said:

The very significant increase in the amount of development involved in the MMT proposal is not required in current circumstances... To my mind significant concerns have been raised about the sustainability of the location of the MMT site, in particular its distance from railway services and the strategic road network and the potential usage and viability of the 'park and ride' proposals.

Suspension. Noting that he thinks that council has a defensible five year land supply, the inspector has recommended the council suspend the examination until next summer while it reassesses housing need.

Neighbourhood Plan Challenges Fail

Winslow: Gladman challenges. Gladman Developments has lost its latest challenge to the Winslow neighbourhood plan after the high court dismissed its judicial review [O](#) [T](#). Gladman's planning applications for housing outside the development boundary of the Bucks town have been repeatedly rejected. Its sites were not included in the recently adopted neighbourhood plan, which gained 98% support a referendum in July on a 60% turnout. Gladman had previously failed to block that referendum in the high court. In the latest challenge, the developer told the high court a neighbourhood plan should not set a settlement boundary or allocate sites for housing because these were strategic matters that should be dealt in the local plan. The local plan is out-of-date after examination of the Vale of Aylesbury Plan (VAP) was halted in January after a planning inspector said it did not provide enough housing.

Winslow: the legal argument. Gladman told the court that a neighbourhood plan could not be in general conformity with strategic policies when there are none. How could it set housing levels when there was no objective assessment of housing need due to the failed VAP? It argued:

Neighbourhood plans should not seek to perform the role of fixing what are in effect the strategic policies which will determine these matters.

Oxford Northern Gateway

Winslow: the judgement. Mr Justice Lewis disagreed with Gladman. He said there was nothing in legislation or the NPPF that prevents neighbourhood plans going ahead in the absence of strategic policies. There is nothing to stop a neighbourhood plan that promotes sustainable development being approved in the absence of a local plan. Only if a local plan and strategic policies exist and are up-to-date does the neighbourhood plan have to conform to them. Policies in a neighbourhood plan are not strategic and cannot become so, even if they are described as such, just because the local plan is out-of-date. If a local plan is adopted subsequent to the neighbourhood plan, its strategic policies will override the neighbourhood policies in the event of conflict. In any event, if a neighbourhood plan itself becomes out-of-date, that will be a material consideration in deciding a planning application. This might justify an application being approved despite conflicting with the neighbourhood plan.

Winslow: conclusion. Justice Lewis dismissed the judicial review and concluded:

In my judgment, a neighbourhood plan may include policies dealing with the use and development of land for housing, including policies dealing with the location of a proposed number of new dwellings, even where there is at present no development plan document setting out strategic policies for housing.

The examiner was entitled to recommend that the draft neighbourhood plan should proceed to a referendum. The council was entitled to make the neighbourhood plan in the light of the vote in favour of the neighbourhood plan at that referendum. Consequently, the Winslow Neighbourhood Plan is lawful.

The judge also disagreed with the developer that the strategic environmental assessment was inadequate or that the examiner of the neighbourhood plan had failed to give adequate reasons for approving it for referendum.

Uppingham. In a similar case, Larkfleet Homes challenged Rutland council's decision to allow the Uppingham neighbourhood plan to proceed to referendum. Like Gladman, Larkfleet was promoting a housing site outside the development boundary that had not been included in the neighbourhood plan. It argued that a neighbourhood plan could not allocate specific sites for development because they are "strategic in nature" and the strategic environmental assessment was inadequate. Rutland council's lawyer Martin Carter told the court:

The claim is, in effect, a commercial objection seeking on unmeritorious and technical grounds to disrupt the community neighbourhood planning process which has now received the support of 92% of those voting through the democratic process of a referendum.

In his judgement, Mr Justice Collins noted conflicts between the NPPF and national planning practice guidance. He concluded: "It would be surprising, indeed contrary to what a neighbourhood plan is supposed to achieve, if allocation of precise sites were not able to be dealt with in a neighbourhood plan." He also rejected the argument that the SEA was inadequate, despite the council report being "unhappily worded" [O](#) [T](#) [P](#) [L](#).

The inspector challenges. A planning inspector has confronted Oxford city council on the level of housing proposed in the Northern Gateway Area Action Plan (AAP). She says the proposal for 500 homes is "step change" from the core strategy allocation of 200 dwellings [LG](#) [LG](#). The proposals appear to "be a new local plan rather than an AAP" and the proposed changes to the green belt boundaries that go beyond those in the core strategy. Noting the plans could undermine the council's duty to cooperate with neighbouring councils, the inspector asks:

What benefits of the Northern Gateway might not be deliverable without the release of land from the green belt?

Whether the viability of the Northern Gateway is dependent on the extent of the housing proposed in the AAP?

Whether the proposed amount of housing could be delivered at a higher density without releasing land from the green belt?

The inspector has called for a two stage approach, dealing with these three issues before a full hearing is held.

The council rebuts. Oxford council has sent a lengthy rebuttal to the inspector claiming: "The Northern Gateway is a government priority project" [LG](#). It says the changes to the green belt are essential, are aligned with the core strategy and are minor (7.5 hectares; 0.000112% of the green belt). It says: "The city council is not seeking to use the AAP to advance a distinct housing allocation." The council denies that its legal duty to cooperate with neighbouring councils is threatened and says a two stage approach to the examination in public would be an "inefficient" use of resources.



The Northern Gateway Site

Port Meadow Report “Unorthodox”

After CPRE Oxfordshire went to the high court, Oxford University commissioned an environmental impact statement of the student blocks that loom over Oxford’s Port Meadow. Now, the city council’s own consultants have ruled that environmental statement confusing, unorthodox and biased towards to doing as little as possible to mitigate the damage the blocks cause. The highly technical but equally embarrassing report was slipped out by the council on Christmas Eve without a comment.



Castle Mill overshadows Port Meadow

Independent review finds ES ‘unorthodox’. On Christmas Eve, the city council published the independent review of the environment statement (ES) for the Castle Mill flats without comment [LG]. The review, by SLR Consulting, examined whether the ES complied with environmental impact assessment (EIA) regulations and whether the conclusions it draws are sound. The report is carefully worded but no less condemning of the ES, which SLR describes as “unorthodox” and “confusing in parts”. SLR’s conclusion understates the critical detail of its report:

It is recommended that the Council requests the submission of additional information as allowed by the [EIA] regulations.

The options. The ES examined three options to mitigate the damage from the student flats:

Option 1: building façade treatment and tree planting;

Option 2: building façade treatment, tree planting and install low level and hip roofs;

Option 3: building façade treatment, tree planting, removal of the top floor from six buildings, removing 33 student residential units, and install low level roofs.

Option 1 ‘preferred’. SLR describes the preference given to Option 1 early in the ES as an “unorthodox approach”.

It is considered unorthodox that [Chapter 6] concludes that Option 1 is the accepted solution prior to the reader having considered the technical assessments particularly when the process is reliant on the conclusions of those assessments e.g. socio-economic impacts and the accepted harm from a landscape perspective.

SLR also questions whether the proposals for tree planting in Option 1 are feasible. The trees would need constant watering, are too close to the buildings and will require strong tree anchors to withstand wind.

It is likely... that those responsible for the maintenance of the planting would want to cut the branches back from the buildings, thus firstly reducing their screening effect and secondly unbalancing the canopy – which would render the trees more susceptible to wind throw.

Options 2 & 3 not ‘economic’. The ES rejects both options as not being economically feasible, saying:

Anything more than the minimum required to achieve a measure of environmental improvements would have a disproportionate effect and should not be pursued on these grounds.

Heritage ‘honest’. The ES had concluded that the impacts on the historic heritage assets could be “highly adverse”. SLR says: “The impact assessment... provided a fair and honest overview of the indirect impacts that might occur.”

Ecology ‘not robust’. More information is needed in the ES: “The conclusion that the impacts of the development on ecology are not significant cannot be verified. The Ecological Impact Assessment... is not robust.”

Visual impact ‘disregards impacts’. SLR says the ES “broadly accords with best practice” but does not have sufficient detail on viewpoints, including from the Jericho and Binsey conservation areas. The ES: “Does not clearly identify which Landscape and Visual impacts are regarded as significant.” There is no mention of impacts on the Oxford skyline or on the campanile of St Barnabas and other spires and towers. Sequential effects for walkers and cyclists are underplayed and SLR says it is “remarkable” that users of waterways are ignored. Visual impacts on the green belt – “for example all the users of Port meadow” – are “largely disregarded”:

There are a number of viewpoints within the green belt, but no assessment is made of the effects of the development in relation to the functions of the green belt (and, more particularly, the preservation of the setting of Oxford) from these locations.

Geo-environment ‘confusing’. The ES largely relies on older information and “some readers may be confused and conclude that the chapter is rather unorthodox. [It] does not conform to what most professionals would perceive as an ES chapter.” The ES inclines to supporting Option 3. However, a more “logical application of the [EIA] methodology” might have led to the conclusion that Castle Mill “has brought former railway land which was contaminated to some degree back into beneficial use.”

Flood risk and drainage ‘sound’. “The ES is sound in flood risk and drainage terms.”

Transport ‘unverifiable’. “The summary statement made, that the impacts of the development on transport and traffic are not considered to be significant, may not be accurate and cannot be verified.”

Socio-economic impact ‘ignores local users’. SLR criticises the ES for ignoring points raised by consultees, including CPRE. The ES has not considered the potential impacts of creating jobs in the construction, tourism or leisure markets. It has inadequately covered the higher education and housing markets. SLR say there is no information on the potential impacts on local users:

An assessment of this could include investigating any deterrence effect on local users which could result in a potential loss of societal welfare, such as an erosion of the health and well-being benefits of exercise, fresh air, etc. for those individuals who may be adversely affected to the point that they walk or exercise less because of the effects of the scheme on local amenity... This appears to be a significant omission from the assessment.

See page 6 for more Port Meadow news.

Berkshire

Blacknest Park. Environmental campaigners held a protest over the failure of a developer to replace 1,280 illegally felled trees at Blacknest Park, Sunningdale. A member of local environmental group ASCENT said: “We need to be tenacious if we are going to counter the massive amount of development around Ascot. The issue is we need long-term sustainable development.” The developer is appealing a Tree Replacement Notice issued by the Royal Borough in the high court and has rejected an offer from campaigners to replace the trees themselves [L](#).

Roundup. There are more than 1,400 empty homes in the Royal Borough [L](#). Plans for a knacker’s yard and incinerator at Great Shefford have been recommended for refusal [L](#).

Buckinghamshire

Not a heavenly turbine. The Church of England has revealed that it opposed plans for the country’s largest wind turbine at Quarrendon, near Aylesbury. The 149-metre turbine has now been erected, despite the housing it was meant to supply not having been granted planning permission [BC](#) [BC](#).

Taplow. The Royal Borough of Maidenhead and Windsor has asked Berkeley Homes to amend its application to build 207 dwellings and a restaurant at the former Skindles site, in Taplow, in South Bucks. The council’s deputy leader said: “We are concerned about the... impact on Maidenhead Bridge. It needs to be a high quality development. That is the entrance to Maidenhead and it is a Grade I listed building; there aren’t many of those about so it needs to be high quality.” The developer responded: “Large amounts of open space are being made available to the public, we have increased the riverside walks and picnic areas together with the new footbridge, the boatyard is being brought back into use” [L](#).

Hampshire

Windfarm appeals. EDF Energy Renewables is to appeal a decision by three councils to reject a four turbine wind farm at Bullington Cross. The scheme will be part community owned. The company said: “We continue to believe the Bullington Cross site is an excellent location for the size of the wind farm proposed. The project has high levels of local support and will make an important contribution to meet the country’s future” [L](#) [C](#). TCI Renewables has said it will not to appeal the refusal in July by Basingstoke and Dean council of six 130-metre wind turbines at Woodmancott Down [C](#).

Horndean. CPRE Hampshire has given its support for up to 700 new homes at Horndean, East Hampshire. The group is calling for a better assessment of lighting at the site and says that planning conditions are needed to make sure all natural features are retained and that the planned community facilities are built. Christopher Napier said:

This would be a very large development on a greenfield site but we are impressed with the design of the scheme. There is a clear ‘Green Infrastructure’ approach with interconnected green spaces; retention of existing vegetation, mature woodland, trees and hedgerows; some 40% of the total area will be allocated to landscape and open space.



Plans for land east of Horndean

Kings Somborne. Gladman Developments is bidding for outline permission for 78 greenfield homes outside the development boundary [HC](#).

Kent

Flooding talks. CPRE Kent and the county council are organising a conference to learn lessons from the flooding earlier in the year [CP](#) [RE](#) [BBC](#) [KN](#). Richard Knox-Johnston said:

We feel it is vital to look at what has happened since those disastrous floods and what prevention work is planned and then to assess whether this will be enough to prevent the terrible damage to homes and land in the future. We must also highlight the danger of building on floodplains and ensure that proper planning controls are in place to minimise the risk to householders.

The Sunday Telegraph featured Yalding, one year after it was hit by flooding [T](#).

Fracking. CPRE Kent has submitted evidence to the Commons [environmental audit committee inquiry](#) into the environmental risks of fracking inquiry [RE](#) [KN](#). The submission says that the danger from fracking in East Kent and the Weald to water supplies is too great. It argues that planes of structural weakness which have developed along fractures in the rocks will allow vertical slippages of up to 100 metres. The licensed area at Woodnesborough, Tilmanstone and Shepherdsweil hosts up to 10 public supply boreholes. These boreholes would be at risk if any frack fluids escape. Director Hilary Newport said:

We have submitted strong arguments backed by scientific evidence detailing our very serious concerns about fracking. We fear the potential danger to Kent’s water supply is too big a risk.

A row blew up after Kent police asked Canterbury Christ Church University for a list of people due to attend a debate on fracking [BBC](#) [KN](#). Anti-fracking campaigners handed over a petition at 10 Downing Street [KN](#).

Oxfordshire

Ashford park. Ashford council has agreed a deal to create a 34-acre park, **Conningbrook Lakes**, which will be managed by a partnership of the council, Ashford Leisure Trust, Kent Wildlife Trust and Mid Kent Fisheries. It will be paid for by a developer who will build and sell homes in a lakeside village [□](#) [LG](#).

Dover AONB development approved. CPRE Kent called on Dover council to re-think its decision to grant planning permission for 521 houses and a 90-dwelling retirement village in the Kent Downs AONB at Farthingloe and a large hotel on the historically important Western Heights. Dover District Chairman Derek Wanstall said: "This plan would cause significant, irreversible harm to this beautiful and historic landscape." A planned countryside access area has been reduced from 116 hectares to 42 hectares, amid negotiations over a £8 million S106 and CIL package [RE](#). Despite concerns over the lack of affordable housing on the site, councillors voted in favour of granting full planning permission for the **controversial scheme** [L](#).

[L](#) [L](#) [L](#) .



Western Heights and Farthingloe [□](#)

Lodge Hill. Brandon Lewis has written to Medway council requesting further information on the plans it approved for 5,000 homes at Lodge Hill, a site protected for its nightingales. He is currently assessing whether to call the application in [□](#) [C](#) [C](#).

Solar. Tunbridge Wells council has approved plans for a 90,000 panel solar park at Knells Farm, Paddock Wood despite local opposition [L](#).

Speeding. Kent and Sussex campaigners are calling for greater powers to crack down on rural speeding in Weald's towns and villages [L](#).

Port Meadow. Oxford University's head of community relations criticised what she calls the "One Floor Off" campaign saying it will exacerbate a shortage of accommodation. She said the decision to build the flats was the "everyday reality of doing the right thing" [U](#). As we go to press, the headline on the Oxford Times' front page reads: "Dons could tell university to knock top floor off flats" [f](#) [OM](#).

Oxford. A bid to register land in Foxwell Drive, Oxford as a town green has failed. The land is due to be used for an access road to new housing at Barton [OM](#).

Roundup. Plans for a sand and gravel quarry at Culham in South Oxfordshire may be scuppered after English Heritage decided to schedule a Bronze Age barrow [OM](#). A planning appeal is underway into plans for 110 houses at Thames farm near Shiplake [L](#).

Surrey

Guildford green belt. Guildford council is to review plans to take sixteen villages out of the green belt to allow more development [L](#) [L](#) [C](#). Council leader Stephen Mansbridge said:

I can state categorically that no site will come forward for development within the green belt, AONB or area of flood risk, unless it has been fully reassessed against the tests set out in the planning practice guidance as amended in October.

CPRE Surrey director Andy Smith commented [L](#):

Councillors must come to terms with the strength of feeling among local people. The green belt is cherished as a vital safeguard for our countryside and open spaces. It should not be compromised.

The council, after trying for so long to force local communities to accept its plan for a massive roll-back of the green belt, now appears to have ditched this unpopular and discredited plan... It is late in the day but better late than never.

Ash. Mistaken advice from planning officers carried no weight when Ash parish council applied to the high court to get planning permission for 400 greenfield homes quashed. The judge said the lack of five year land supply and the NPPF were overriding. The judge concluded: "Although there was harm to the character of the land that was clearly outweighed by the material consideration of housing supply" [C](#) [T](#).

Sunningdale. The former civil service training facility at Sunningdale Park is to be sold for employment use or to "contribute towards alleviating" local housing need [C](#).

Surrey Hills national park? The **Guildford Greenbelt Group** has called for the Surrey Hills AONB to be upgraded to national park status to protect it from development. Susan Parker said:

The AONB is too important to be left to politicians. It should be run with the clear and unequivocal purpose of protecting the landscape, the wildlife and the countryside... A change to national park status would take control of planning here away from the hands of the politicians.

The AONB Board says the change is unnecessary [GS](#).

Cherkley Court. Campaigners have lost their bid to have the supreme court challenge plans for a hotel and golf course on the historic site [L](#) [L](#) [L](#). Lord Justice Aitkens ruled that the challenge did not meet the test of being of “general public importance”. Andy Smith director of the Surrey CPRE said:

It is a tragedy that the environmental and planning process issues which this case raises will not be aired before the Supreme Court after the conflicting judgments in the courts below. The consequences of this latest judgment will be felt for many years to come and will greatly increase the risk to countryside and green spaces throughout England.

Undershaw. The Victorian Society has added its voice to objections to an extension to Arthur Conan Doyle’s former home, Undershaw, amid fears the building might be delisted by English Heritage, which says the plans will cause substantial harm [GS](#).

Sussex

Fracking challenge rejected. Frack Free Balcombe Residents Association (FFBRA) has lost a high court bid to block planning consent for further oil and gas exploration at Lower Stumble. The residents were ordered to pay £10,000 costs [BBC](#) [L](#). Mr Justice Gilbert decided that the West Sussex planning committee was not misled on the facts [L](#):

The approach adopted... towards the relationship of planning control with other regulatory codes and regimes followed national policy guidance... I feel considerable sympathy for the Claimant association and its members, who have mounted what is no doubt an expensive claim on what FFBRA and its members no doubt considered and were advised were respectable grounds in law.

FFBRA spokeswoman Sue Taylor expressed disappointment and said: “Residents of Balcombe will be exposed to real health risks, as will local water courses and public water supplies.”

Ashdown Forest. Natural England has recommended that SANGS – Suitable Alternative Natural Greenspace – are introduced to protect the Ashdown Forest. First introduced to protect the Thames Basin Heaths Special Protection Area, SANGS aim to divert people and dogs away from environmentally sensitive areas by providing leisure space close to new housing developments. From January, developers will be required to fund a SANG at [East Court and Ashplats Wood](#) in addition to the Strategic Access Management and Monitoring (SAMM) contributions they are already required to make if they want to build within 7km of the forest [LG](#) [L](#).

A27 upgrading. The South Downs Society said the announcement by George Osborne that the A27 will be dualled was “very short on detail” [TA](#):

Any schemes for a bypass at Arundel could have a major impact on the park, as could proposals for the A27 between Beddingham and Polegate. It’s also a plus that there doesn’t seem to be any move towards solving the congestion at Worthing and Lancing by encroaching into the national park. We recognise the congestion and accident problems along parts of this road but the South Downs National Park is a very special place and that has to be taken on board.

Ferring plan approved. On a 45% turnout, Ferring approved its neighbourhood plan and community right to build orders with 71% to 85% voting in favour [L](#) [LG](#).

Mayfield. Arundel MP Nick Herbert and Mid Sussex MP Nicholas Soames said the “friendless” Mayfield new town proposal has “none of the qualifications for a garden city or town” [WSJ](#). Campaigners held a torch lit rally against the proposal for the new town [MST](#).

South Downs National Park. The park authority has launched a bid for to become Britain’s newest Dark Sky Reserve. The authority is mapping the quality of night time views throughout the park and has been contacting villages and parishes to encourage them to turn down the lights at night [C](#) [TA](#) [SP](#). The park authority is asking residents to take a “dark skies pledge” [SP](#). A new vision has been produced for Petworth, including traffic calming and guidance, and decluttering street signs [MAN](#) [LG](#).

The CPRE eBulletins

CPRE South East eBulletin is independently written and edited by Andy Boddington: cprenews@andyboddington.co.uk. Views expressed in the eBulletin and its editorial approach are those of its editor and not any part of CPRE.

Subscribe to regular copies of this eBulletin [RE](#).

CPRE London eBulletin [RE](#). **Sign up.**

CPRE Buckinghamshire eBulletin [RE](#).

All eBulletins are free of charge.