

This representation, on behalf of the Amberley Society and its 177 members, addresses the soundness of allocation **SDA35** in the Regulation 19 draft Local Plan. The evidence presented in support of the allocation is incomplete in several key areas, including flood risk, chalk stream classification, access and highway safety, green infrastructure capacity, and the definition of the settlement boundary. As a result, the allocation is not supported by adequate or proportionate evidence and fails to demonstrate **justification** or **effectiveness** as required by **NPPF 35**.

Given the scale of the evidence gaps and the uncertainty they create regarding deliverability and environmental impact, **SDA35 cannot be considered sound in its current form and should be withdrawn..**

In each case, the representation sets out the specific deficiency, identifies the relevant policy conflict, explains the implications for soundness, and proposes the modification necessary to address the issue. The following comments set out the specific deficiencies and the modifications related to SDA35 and are such that the

COMMENT 1 – Settlement Boundary (Policies SD25 / SD26 / SD4 / SD5)

Issue: The proposed settlement boundary for SDA35 encompasses the entire 3.15ha site, despite the developable area being only 1.0–1.1ha. The boundary appears to include land required for ecological protection, flood management and landscape buffering rather than land capable of accommodating built development.

Deficiency: No evidence is provided to justify extending the boundary beyond the developable area. This approach is inconsistent with the methodology applied to other SDNP allocations (e.g., SDA11), and no explanation is provided for the departure from the approach applied elsewhere in the Plan. The boundary does not reflect landscape character or the functional extent of developable land. Including non-developable land within the boundary creates ambiguity, contrary to NPPF 16(d).

Relevant Policies:

- SD25 – Development Strategy
- SD26 – Supply of Homes
- SD4 – Landscape Character
- SD5 – Design

Consequences:

- Creates future development pressure on land intended for green space, flood mitigation and ecological protection.
- Introduces policy ambiguity and undermines long-term landscape protection.

- Risks the allocation being found unsound for lack of justification (NPPF 35b) and lack of effectiveness (NPPF 35c).

Modification Sought: Settlement boundary to be redrawn to reflect the developable area only, consistent with SD25 and other SDNP allocations.

COMMENT 2 – Flood Risk (Policies SD17 / SD49 / SD50)

Issue: The site contains multiple areas of flood risk which are not adequately reflected in the allocation. Independent flood mapping undertaken since Regulation 18 indicates that the extent of flood risk to the Middle Field has been under-estimated.

Deficiency: No site-specific flood modelling is provided. The allocation appears to assume that flood constraints, SuDS, ecological buffers and built development can all be accommodated simultaneously, yet no integrated capacity assessment has been provided. The sequential approach required by SD49 and NPPF 159–161 is not evidenced.

Relevant Policies:

- SD17 – Protection of the Water Environment
- SD49 – Flood Risk Management
- SD50 – Sustainable Drainage Systems

Consequences:

- Allocation may be undeliverable once flood constraints and SuDS requirements are applied.
- Risk of unsoundness due to lack of justification and effectiveness (NPPF 35b/c).

Modification Sought: Updated flood modelling and reconsideration of the indicative capacity.

COMMENT 3 – Chalk Stream Classification (Policies SD9 / SD17 / SD2)

Issue: The Local Plan identifies a watercourse but does not classify it as a chalk stream, despite evidence submitted during Regulation 18. The supporting evidence base and allocation policy do not address this evidence or explain why it has been discounted. The omission affects biodiversity assessment, flood management, green infrastructure and Habitats Regulations Assessment assumptions.

Deficiency: The ecological baseline is incomplete. Chalk stream status has significant implications for buffer zones, SuDS design, biodiversity net gain and the extent of developable land.

Relevant Policies:

- SD9 – Biodiversity
- SD17 – Water Environment
- SD2 – Ecosystem Services

Consequences:

- Incorrect buffer zones → inflated developable area.
- SuDS design may become unviable.
- Biodiversity Net Gain may be undeliverable.
- Potential legal vulnerability: HRA must be based on accurate ecological data.

Modification Sought: Reassessment of chalk stream status and revision of constraints accordingly.

COMMENT 4 – Access, Highway Safety and Traffic Impact (Policies SD19 / SD21 / SDA35 Requirements)

Issue: The proposed access is located within the influence zone of a busy junction, and the traffic assessment fails to account for key existing and future traffic movements.

Deficiencies in the Traffic Assessment

1. Failure to account for traffic entering and exiting the village car park Significant daily movements occur, including school drop-off and pick-up, visitors, recreational users, Black Horse and tea rooms customers, and event traffic. None of these appear to have been included in the modelling.

2. Failure to account for future traffic generated by the proposed community centre The community centre and shop will generate regular daily trips, event-based surges, staff movements, and servicing and refuse collection. These movements are absent.

3. Failure to account for delivery vehicles The assessment omits shop deliveries, community centre servicing, home deliveries for 20 dwellings, and maintenance and utility vehicles.

4. Failure to account for the volume of traffic on the B2139 WSCC has described the B2139 as carrying “high volumes of through traffic.” Despite this, the Transport Technical Note (DE/ITB210728-001) does not include baseline traffic counts, peak-hour flows, cumulative development impacts, or interaction with the School Road junction.

5. Failure to model cumulative impacts at the Turnpike Road / School Road / Mill Lane junction The proposed access is only 25m from the junction, well within its area

of influence. No modelling is provided to demonstrate queue lengths, turning conflicts, pedestrian safety, interaction with car park traffic, or interaction with B2139 flows.

Relevant Policies:

- SD19 – Transport and Accessibility
- SD21 – Highway Design and Safety
- SDA35 – Site-specific access requirements

Consequences:

- The access may be unsafe and undeliverable.
- The allocation may fail to comply with SD19 and SD21.
- The plan may be unsound due to lack of justification (NPPF 35b) and lack of effectiveness (NPPF 35c).
- The omission of B2139 flows and car park movements represents a material evidence gap.
- The Inspector may require Main Modifications or removal of the access arrangement.

Modification Sought: A revised transport assessment including:

1. Full traffic counts for the B2139.
2. Car park flows including school peak times and the village bus.
3. Predicted traffic from the community centre and shop.
4. Delivery and servicing movements for the community centre and housing.
5. Cumulative modelling of the Turnpike Road / School Road / Mill Lane junction.
6. Assessment of alternative access arrangements outside the influence zone.

COMMENT 5 – Green Infrastructure and Landscape (Policies SD4 / SD5 / SD9 / SD31)

Issue: The plan requires a landscape-led layout with meaningful internal green space, but no evidence demonstrates that this is achievable.

Deficiency: No capacity testing is provided to show that 20 dwellings, a community hall, SuDS, chalk stream buffers, hedgerow retention and internal green space can be accommodated within 1.0–1.1ha. Without such testing, GI and biodiversity requirements are aspirational rather than deliverable.

Relevant Policies:

- SD4 – Landscape Character
- SD5 – Design
- SD9 – Biodiversity
- SD31 – Green Infrastructure

Consequences:

- GI and biodiversity requirements may be undeliverable.
- Risk of design compromise, contrary to SD5.
- Allocation may not be deliverable, failing NPPF 35c.

Modification Sought: Capacity testing to demonstrate deliverability of GI and ecological requirements.

COMMENT 6 – Evidence Base (Policies SD2 / SD9 / SD17 / SD49)

Issue: Key evidence is missing.

Deficiency: Evidence gaps include flood modelling, chalk stream classification, access safety, cumulative traffic impacts, settlement boundary justification, capacity testing for GI and SuDS, an integrated constraints plan, and junction modelling.

Relevant Policies:

- SD2 – Ecosystem Services
- SD9 – Biodiversity
- SD17 – Water Environment
- SD49 – Flood Risk
- NPPF 31 – Evidence must be adequate and proportionate

Consequences: • Collectively, the missing evidence means it is not possible to determine whether SDA35 is deliverable in the form proposed.

Modification Sought: Strengthening of the evidence base prior to submission.

COMMENT 7 – Affordable Housing (Policy SD28)

Issue: The Society supports the requirement for 50% affordable housing. However, the allocation should not rely on future viability arguments arising from constraints already known or reasonably foreseeable at the plan-making stage.

Deficiency: The viability of delivering 50% affordable housing within the known constraints of the site has not been demonstrated.

Relevant Policy:

- SD28 – Affordable Homes
- NPPF 58 – Viability should be addressed at plan-making stage

Modification Sought: Confirm that viability will not be used to dilute affordable housing due to known site constraints.

Reasons given for attending the hearing

- 1. To assist the Inspector in examining disputed technical evidence**
2. To clarify the implications of missing or inadequate evidence for soundness
3. To examine the deliverability of the proposed access arrangement
4. To assist the Inspector in understanding the cumulative effect of constraints on site capacity
5. To support the case that SDA35 should be withdrawn