

Horsham District Council

Our Ref: SDNP/26/03091/ADJAUT
Contact Officer: Samuel Bethwaite
Tel. No.: 01730 819271

20th August 2026

Dear Sir/Madam,

Neighbouring Authority Consultation

Applicant: Horsham District Council
Proposal: Adjoining Authority Consultation - Horsham District Council (DC/26/0826) - Outline Planning Application for up to 93 residential dwellings (including 35% affordable), pharmacy, shop/cafe and open space, all matters reserved except access.
Location: Toat Cafe , Stane Street , North Heath , West Sussex

Thank you for your correspondence received 30 July 2026, consulting us as a neighbouring authority on the above noted development proposals.

Although the application site is located outside of the National Park, the Council has a statutory duty to consider the Purposes of the National Park when making its determination.

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

Section 245 of the Levelling-Up and Regeneration Act 2023 (S.245 duty) amends and strengthens the Section 11A (2) duty of the National Parks and Access to the Countryside Act 1949 upon relevant authorities, which includes the National Park Authority itself, to 'seek to further the specified purposes of Protected Landscapes'.

The National Park's comments on the development are as follows:

Thank you for consulting the South Downs National Park Authority (SDNPA) on the above application. The SDNPA makes no comment on the principle of development. The site is approximately 520m from the boundary of the National Park at its closest point. The proposed outline development for 93 dwellings and associated amenities with all matters reserved apart from access would be located in an area where there is limited pre-existing development. As such the development would result in impacts to the setting of the National Park.

Section 245 of the Levelling-up and Regeneration Act 2023 strengthens the Section 11A (2) duty of the National Parks and Access to the Countryside Act 1949 and requires all relevant authorities including neighbouring Local Planning Authorities to "seek to further the specified purposes of Protected

South Downs National Park Authority, South Downs Centre, Midhurst, GU29 9DH
Tel: 01730 819361 Email: planning@southdowns.gov.uk

ADADJZ

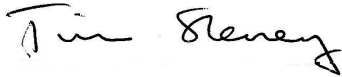
Landscapes." The Government's 'Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes', published 16 December 2024, sets out that this duty is active not passive and that, as far as is reasonably practicable, 'relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes.' It is therefore incumbent on the Local Planning Authority, to give significant weight to the S.245 duty when determining applications.

Development within the setting of a national park should be consistent with the section 245 duty, and section 19, part N4, paragraph 4 of the NPPF (2026), which relates to the setting of Protected Landscapes:

"Development proposals within the setting of Protected Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape."

It is therefore important to consider direct and indirect effects upon the National Park's designated landscape and its setting as well as its Special Qualities. The LPA officers will therefore need to assess any impacts upon the National Park in order to address the above statutory duty.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tim Slaney', with a stylized flourish at the end.

TIM SLANEY

Director of Placemaking
South Downs National Park Authority

Contact Officer

Samuel Bethwaite
samuel.bethwaite@southdowns.gov.uk