

24 April 2025

Dear Sir/Madam,

**South Downs National Park Authority Response to SoS letter dated 27th
February 2025
Meeting the enhanced Duty introduced through the Levelling Up and
Regeneration Act 2023**

I write in response to the letter from the SoS for Transport, dated 27th February 2025 and specifically with reference to paragraph 15, that “*encourages Interested parties to reach agreement on what might be needed to meet this duty and provide any agreed provisions to be included in the Order accordingly.*”

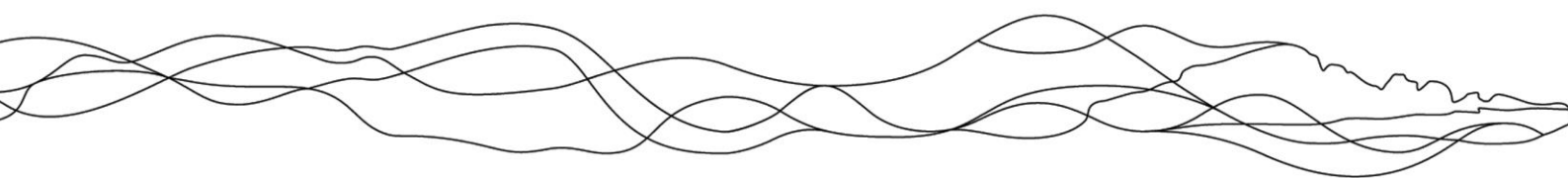
The South Downs National Park Authority (SDNPA) has engaged collaboratively with the Kent Downs National Landscape (KDNL), Surrey Hills National Landscape (SHNL) and the Applicant to respond to this request. This has included a joint meeting with the Applicant, KDNL, SHNL and SDNPA, as well as email exchanges. I am aware that the High Weald National Landscape have written to you separately, setting out their position on the matter and they have been copied into our various correspondence with the Applicant.

Given the stage in the process that the DCO application is now at, this presents limited opportunities to incorporate measures into the scheme that would further the enhancement of the Protected Landscapes and help demonstrate compliance with the Duty. Therefore, if it is determined that notwithstanding the acknowledged harm to the four Protected Landscapes (as set out at ER 12.4.48) and consent is to be granted, a financial contribution made to the four impacted Protected Landscapes would be the most appropriate measure.

It has been agreed with the Applicant, KDNL, SHNL and SDNPA that an appropriate mechanism to secure such a financial contribution would be through the insertion of an additional requirement within the DCO. It has also been agreed that it would be acceptable for this to be made as a single payment to the SDNPA for onward distribution, by agreement between these three Protected Landscapes, plus the High Weald National Landscape should they wish.

In accordance with Defra’s Guidance on the Protected Landscape Duty¹, the contribution would be used by the Protected Landscapes to deliver the aims and objectives of their respective Management Plans, with an intended particular focus on measures that respond to the specific harms arising from the development i.e. tranquillity and dark night skies. Each of the impacted Protected Landscapes Management Plans make specific reference to and seek

¹ Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes, Defra, 16 December 2024 [link](#)



to promote tranquillity and dark night skies. The South Downs Partnership Management Plan 2020-2025 is underpinned by 57 policies; of which policy 3 states “Protect and enhance tranquillity and dark night skies”. Further, the South Downs Local Plan 2019 has specific policies to conserve and enhance both tranquillity (SD7) and dark night skies (SD8) [APP-107].

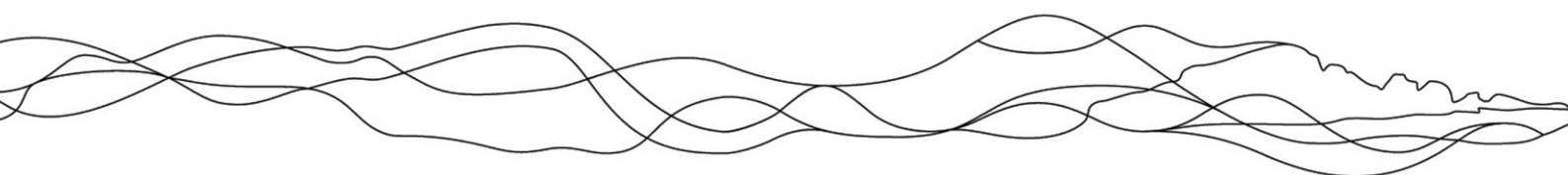
Enhancement measures that the SDNPA would seek to implement from a financial contribution include funding to support the ongoing preservation and promotion of the South Downs National Park’s Dark Skies Reserve. The funding will be allocated across three main areas: light monitoring and reporting, the Annual Dark Night Skies Festival (including a special ten-year anniversary event in 2026), and the creation of a Dark Night Skies Engagement Lead role. The light monitoring programme will track and report on light pollution, ensuring the continued protection of the park’s dark skies. The festival will serve as both an educational tool and a community celebration of the park’s natural beauty, with the 2026 anniversary providing a unique opportunity for wider engagement. The Engagement Lead will drive awareness campaigns, foster community partnerships, and encourage behaviour change to reduce light pollution, ensuring long-term stewardship of the park’s night skies. This initiative will have significant environmental, social, and educational impacts by reducing light pollution, connecting communities with nature, and promoting sustainable practices. It will ensure that the South Downs National Park remains a protected and cherished Dark Skies Reserve for generations to come.

Unfortunately, it has not been possible to reach an agreement with the Applicant on an appropriate financial amount. We are aware that a compensatory figure of £250,000 has recently been considered appropriate by the SoS in respect of impacts to the Chilterns National Landscape arising from the proposed Luton Airport expansion. Given that the proposal at Gatwick will result in impacts over a much wider geographical area, impacting four Protected Landscapes, and the much higher volumes of air traffic associated with Gatwick compared to Luton, it is considered appropriate to scale this up, while factoring in that the harm may not be as significant as identified from Luton for some of the Protected Landscapes.

It is therefore our position that a joint fund amount comprising a minimum of £750,000.00 is necessary. This is considered consistent with the Defra Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes that specifies relevant authorities should consider whether measures are “*appropriate and proportionate to the type and scale of the function and its implications for the area*”.

The above position is set out without prejudice and on the basis that the DCO will include all the noise mitigation requirements recommended to be incorporated in the Examining Authority’s report to the Secretary of State. Should such requirements be omitted, we would wish to review our position as set out above. We would also encourage the SoS to also consider whether any additional measures could be incorporated, such as operational controls and conditions to ensure that impacts to the Protected Landscapes are minimised as far as is possible.

We would also like to draw the SoS attention to Section 11 of the National Parks and Access to the Countryside Act 1949, which provides the equivalent legislation for National Parks, amended by Section 245 (3) of the Levelling Up and Regeneration Act 2023, to that in

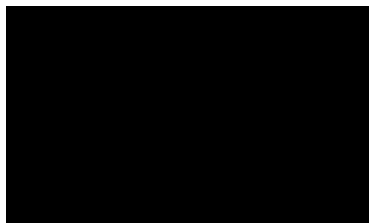


Section 85 of the Countryside and Rights of Way Act 2000, which applies to National Landscapes (formerly Areas of Outstanding Natural Beauty).

We would welcome the opportunity to continue discussions with the relevant parties, to reach an agreement. If you wish to discuss further, please contact Vicki Colwell

 [@southdowns.gov.uk](mailto:info@southdowns.gov.uk) 

Yours faithfully,



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