

Unconfirmed minutes – to be confirmed at the next meeting of the Planning Committee

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 12 December 2011

Held at Cowdray Hall, Easebourne, Midhurst at 10:30am

Present:

Andrew Shaxson - Chair	Tom Jones	Ken Bodfish	Charles Peck
Neville Harrison - Deputy Chair	Jennifer Gray	Alun Alesbury	David Jenkins
Margaret Paren (ex officio)			

SDNPA Officers: Tim Slaney (Director of Planning), Pat Aird (Major Applications and Enforcement Lead), Michael Scammell (Historical Buildings Officer), Claire Potts (Minerals and Waste Lead), Tim Richings (LDF Policy Lead), David Townsend (Link Officer) Becky Moutrey (Senior Solicitor) Rebecca Haynes (Member Services Officer). Jenny Nell & Steve Opacic (Winchester City Council) & Ian Godfrey (East Hampshire District Council).

APOLOGIES

208. Apologies for absence were received from Barbara Holyome.

DECLARATIONS OF INTEREST

209. Charles Peck declared a personal non prejudicial interest in item 6, as a member of Wealden District Council Planning Committee South.
210. Jennifer Gray declared a personal non prejudicial interest in item 8, as a member of East Hampshire District Council.
211. Tom Jones declared a personal non prejudicial interest in item 10, as a member of Lewes District Council.
212. Neville Harrison declared a personal non prejudicial interest in items 5, 6 & 10 as a member of the South Downs Society.

MINUTES OF PREVIOUS MEETING HELD ON 14 November 2011

213. The minutes of the meeting held on 14 November 2011 were agreed as a correct record.
214. The Director of Planning said that in reference to minute 189; the agreement had been signed within the agreed timeframe and included all of the elements from section (i).

URGENT ITEMS

215. There were no urgent items.

DEVELOPMENT MANAGEMENT

WEST SUSSEX COUNTY COUNCIL

Application No: WSCC/029/10/WL/SDNP
Proposal: Proposed backfilling with imported inert waste material to ensure long term stability of quarry faces
Address: Pendean Sand Quarry, West Lavington

216. The Committee considered the reports by the Director of Planning (Report PC63/11).
217. The case officer directed Members to the tabled update sheet which is available on the Authority website, highlighting the revised condition 30. The Committee were also advised that the proposed HGV movements on a Saturday would be a maximum of 12.

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218. Mrs J Denyer spoke on the application representing the residents of West Lavington Parish Council. Her concerns included the amenity impact of HGV movements on Saturdays and the impact of this in the summer months on the local tourist industry.
219. Mr Mike Thomas spoke on the application as the Chair of West Lavington Parish Council. His concerns included increased water levels, trees underwater, the loss of protected wildlife species, the possible risk of flooding, the environmental impact and HGV movements on a Saturday.
220. Kirsten Hannaford-Hill spoke in support of the application on behalf of the applicant Cemex. She spoke about the requirements to restore, a positive environmental impact, the previous landslides, why inert waste must be imported and that any hours of operation would be adhered to.
221. The Committee discussed the application, their suggestions and comments included;
- it would not be unreasonable to request reduced HGV movements on a Saturday
 - whilst sympathetic to the needs of the residents, the understanding of the importance of Saturday HGV movements.
 - the need to discuss environmental and HGV movements concerns
 - environmental concerns in monitoring the quality of the water discharged from the site and in capping the landfill with a layer or restoration soil.
 - geological barriers for the protection of groundwater and surface water receptors
 - the process of installing a geological barrier should the need arise, if identified after the commencement of works
 - the impressive restoration that had already been completed on the site
 - the long term benefits of the restoration and the need for stabilising the site
 - the benefits for biodiversity and wildlife in keeping with the South Downs National Park Authority's (SDNPA) Purpose 1
 - a Right of Way (RoW) in keeping with the SDNPA purpose 2, would ensure that it could be enjoyed by the local community.
 - unsure of what the use would be of the site once completed
222. The case officer clarified that;
- pumping on the site would resume to ensure that inert waste was deposited in dry conditions
 - a geological barrier could be placed behind the inert waste and whilst potential risk factors may not require this, the Environment Agency may still require a barrier to be in place
 - further assessments would be required by the proposed conditions and an environmental permit would be required and enforced by the Environment Agency
 - in regard to hours of operation the applicants would need to compete to attract waste to the site; restricting the permission to Monday to Friday working would be a disadvantage to the company
 - access arrangements would be considered through condition 39. As part of the restoration and management scheme a discussion could be held in regard to a RoW.
 - the details of the restoration scheme would be submitted as required by condition 39
 - the aftercare was for 5 years after completion of the restoration of the site
223. The Director of Planning said, he was confident that the Environment Agency would enforce any conditions associated with any permit. Conditions for aftercare would incorporate the control and monitoring of any potential contamination. Complying with industry standard hours, there would be a maximum of 12 HGV movements on a Saturday. It was suggested that there could be a trial of 2 years Saturday working if Members felt that the impact of Saturday working was uncertain and should be monitored.

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224. It was proposed and seconded to vote on the officers recommendation subject to no working on a Saturday and the proposed Saturday hours being distributed between the working week, with longer operating hours and higher vehicle movements between Monday – Friday. Following a vote the proposal fell.
225. It was proposed and seconded to vote on the officers recommendation, subject to amending several conditions. Condition 30 be amended as set out in the update sheet (to include the requirement for the operator to record volumes of waste imported and exported to and from the site) to allow the SDNPA to monitor the volumes of waste. Condition 39 be amended to allow consideration of pathways as part of the restoration scheme (as opposed to permissive pathways). Condition 11, which controls the hours of operation, to be amended to allow a one year period only for Saturday working. This would also need to include the provision to monitor the impact of working on Saturdays for the one year period from commencement of operations. Following a vote the proposal was carried.
226. **RESOLVED:** That planning permission be granted for the reasons and subject to the conditions set out in minute 225 and paragraph 10.1 of the report (PC63/11)

CONSULTATIONS

WEALDEN DISTRICT COUNCIL

Application No: WD/2011/2137/MEA
Proposal: **Erection of five wind turbines, on-site access tracks, temporary site access from A27, site access from Hailsham Road, one site substation and control building, one permanent meteorological mast and on-site underground cabling**
Address: **Land off Shepham Lane, north of A27, Polegate, BN24 5BT**

227. The Committee considered the reports by the Director of Planning (Report PC64/11).
228. The case officer confirmed that the wind turbines would have an overall height of 126.25m
229. Mr John Scott spoke in support of the application representing the applicant as the agent. He spoke about the application report focusing on landscape issues rather than environmental impact, sustainable energy and renewable energy targets.
230. Mr Robin Basten spoke in support of the application representing the applicant Regeneco. He spoke about Climate change being bad for National Parks (NP); how the propositions provides the Purposes and Duty of the NP; past applications for wind turbines and differences of land use.
231. Ms Brenda Pollack spoke in support of the application on behalf of herself and as a member of Friends of the Earth. She stated that the SDNPA did not have a policy on renewable energy and how when it came to the visual impact some people find them pleasing to the eye, others definitely not. She further pointed out that the proposed site had an urban background and that the Campaign for the Protection of Rural England (CRPE) Sussex had not objected to the proposal.
232. The Committee discussed the application, their comments, questions and suggestions included;
- to support the officers recommendation
 - the contribution to climate change was modest compared to the visual impact from an iconic stretch of the South Downs
 - if Wealden District Council were minded to permit to ask them for consideration to be given to the colour of the turbines to be different from the standard 'off white' to blend in with the landscape
 - in generating electricity, what would the turbines replace?
 - were they too expensive and only an attractive proposition because of the financial benefits attached to installation?

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- there were no speakers speaking against the application
 - there were wind farms in other National Parks that do not spoil the view.
 - wind turbines were a temporary structure, but national parks would be there for ever
 - how much weight should be given to what is unacceptable adverse impact on the South Downs?
 - a judgement to be made on a site outside the National Park but with an impact on the views from the Park.
 - if the Park followed the Sandford Principle of the preservation of the countryside, how would that apply to application outside the park and would the SDNPA object to all developments above 2 stories high just outside the Park boundary?
 - the site was in an urbanised location
 - part of the enjoyment of walking along the South Downs were the visual views.
 - should turbines be placed out at sea and where was the best location?
 - wind turbines have been allowed by appeal adjacent to many National Parks
233. **RESOLVED:** That the Committee advises Wealden District Council that the South Downs National Park Authority OBJECTS to the development on the grounds that the 5 wind turbines would have significant adverse landscape and visual impacts on the special qualities of the National Park and its setting. The qualities affected would include the perceived sense of remoteness and elevation above and away from built development and a diminished sense of perceived scale in relation to the dramatic profile of the chalk escarpment - an iconic feature of the downs. The development would be also likely to affect tranquillity and possibly the appreciation of historic villages and church spires within the foot slopes. The effects would not further the purposes of National Park designation.
234. **RESOLVED:** That if Wealden District Council were minded to permit to ask for consideration to be given to the colour of the turbines being a dark colour to blend in with the landscape
235. The chair adjourned the meeting for a comfort break at 12:32pm
236. The meeting re convened at 12:44pm

STRATEGY & POLICY

Winchester Pre-submission Joint Core Strategy

237. The Committee considered the reports by the Director of Planning (Report PC65/11).
238. The case officer directed Members to the tabled update sheet which is available on the Authority website.
239. Mr John Beveridge spoke on the joint core strategy on behalf of the City of Winchester Trust. He spoke about the proposed Bushfield Camp opportunity site, which would be visible from the South Downs National Park, including from St Catherine's Hill, his concerns regarding the area of the disused site and how the size would impact on the surrounding views.
240. The Committee discussed the Trust's comments, questions, concerns and their discussion included;
- had the Bushfield site been dismissed for housing?
 - to support the officer recommendation
 - how would the Local Authority show consultation with evidence for sustainable development for the Bushfield site? The director of Planning said that the last paragraph on page 37 of the Winchester Local Plan supported this
 - a concern was raised over the use of the Bushfield site and with a lack of clarity for use it could be used for anything. As an adjoining Authority the SDNPA should be consulted for comment on any application

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- the Committee should be mindful that the SDNPA were not the planning authority for areas outside the National Park, but consultees on areas directly affected to the Park
 - a concern was raised regarding policy MTRA 3 and should the SDNPA be concerned?
 - A concern was raised regarding the last paragraph of policy MTRA3 contradictory of National Park Protection and not sufficient for a National Park. The Director of Planning said that Policy CP19 must always be applied
241. An officer from Winchester City Council confirmed that
- the council were looking for a specific need, as yet unspecified, for the Bushfield site and not for domestic housing.
 - in regard to policy MTRA 3, a number of settlements wished to expand on a small scale; the policy would allow for this to happen in a controlled way. The Policy was defined into those areas with a defined settlement boundary and those without. All development would be of an appropriate scale and referenced to the SDNPA.
 - it was stated that the last paragraph of MTRA3 was to be replaced with the last paragraph of MTRA2.
242. The Director of Planning suggested that in the second paragraph of policy CP19 the words 'large scale' were removed and replaced with 'all development'. Development close to/on the boundary of the park would be covered and would include the Bushfield site.
243. **RESOLVED:** That the Planning Committee:
- 1) Recommends to the National Park Authority that the proposed Pre-Submission Winchester Joint Core Strategy, subject to the changes suggested in minute 242, be published for the purpose of submission of representations on soundness and
 - 2) Recommends to The National Park Authority, subject to any minor amendments agreed by the Director of Planning in consultation with the Chair of the SDNPA Planning Committee, that the Joint Core Strategy be subsequently submitted to the Secretary of State for examination

East Hampshire Pre-submission Joint Core Strategy

244. The Committee considered a report by the Head of Planning (Report PC66/11).
245. The case officer directed Members to the tabled update sheet which is available on the Authority website. Members were informed that the SDNPA had been more involved with the development of this strategy document than the Winchester joint Core Strategy. SDNPA Members and the LDF Lead had attended East Hampshire District Council (EHDC) Development Policy Panel meetings as well as working closely with EHDC on the Petersfield Study. This was because it was perceived that the Joint Core Strategy for East Hampshire District would have more impact on the SDNP than the joint core strategy for Winchester District.
246. A concern was raised in regard to the Whitehill Bordon eco-town development in that wording would need to be added to the document to protect the extraction of Soft Sand in this area in line with Policy 15 of the Draft Hampshire Minerals and Waste Plan. If the Soft Sand was not taken from Whitehill Bordon, there could be the need to take it from elsewhere, including possibly areas inside the National Park.
247. In response to concerns raised the Director of Planning recommended that;
- a reference should be made in Policy CSWB1 of the Core Strategy document regarding the extraction of Soft Sand, in line with Policy 15 of the Pre-Submission Hampshire Minerals and Waste Plan concerning Whitehill Bordon
 - in regard to policy CP13 consistency was important and the SDNPA LDF lead officer was working with all local authorities to achieve this. A gypsy and travellers assessment study was being undertaken, which would identify their needs generated within the National Park.

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248. **RESOLVED:** that the Planning Committee, subject to the relevant wording alteration in Policy CSWB1:
- 1) Recommends to the National Park Authority that the proposed Pre-Submission Joint East Hampshire and South Downs National Park joint Core Strategy be published for the purposes of submission of representations on soundness and
 - 2) Recommends to the National Park Authority, subject to any minor amendments agreed by the Director of Planning in consultation with the Chair of the SDNPA Planning Committee, that the Joint Core Strategy be subsequently submitted to the Secretary of State for examination.
249. Margaret Paren left the meeting at 1:46pm

Local Validation List Requirements

250. The Committee considered a report by the Head of Planning (Report PC67/11).
251. The case officer directed Members to the tabled update sheet which is available on the Authority website, in particular in Appendix 1 to the deletion of 'Site Waste Management Plan' from the table.
252. In response to questions, the case officer explained that;
- the 'tbc' in the attached appendix was for purposes of clarity as each local authority had a different policy. An assessment would be made on each of the local authority's policies.
 - at the present time the SDNPA had to adopt the local authority's policies until the SDNPA have developed their own strategy and policies. This includes parking provision in adopting the policies from the existing highways authorities
 - The types of documents required for the National Planning Policy Framework would not change, however the justification for, and content of the documents may
 - there was a prescribed list of Planning Policy Statement (PPS) documents although the SDNPA could in the future request additional documentation covering areas, such as telecommunications and renewable energy
253. **RESOLVED:** The Committee approves the proposed approach to the list of requirements for validating planning applications and related consents for consultation purposes.

Lewes Conservation Area Modifications

254. The Committee considered a report by the Head of Planning (Report PC68/11).
255. The Case officer directed the Committee to the tabled photos showing the views taken from points in the proposed extension of the conservation area.
256. Mr Steve Ankers spoke on the application on behalf of the Friends of Lewes, The South Downs Society and Lewes Conservation Advisory Group. He welcomed the extension of the conservation area.
257. The Committee discussed the application, their comments included;
- the views around County Hall and St Anne's were depicted well in the photos, the area was vulnerable to development applications and the extension of the conservation area would provide protection to safeguard the future of the area
 - on balance it was better to have the County Hall building inside the conservation area rather than outside. They would not wish the building to be conserved, only its surroundings
 - it was considered that the County Hall building should not become a listed building because of its location within the Conservation Area extension.
258. **RESOLVED:** that the Planning Committee:

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- 1) Approves the extension of the Lewes Conservation Area, as proposed by the Lewes Conservation Area Character Appraisal, 2007 and shown on the map at Appendix 1.
- 2) Appoints Lewes District Council to act as agent for the South Downs National Park Authority in relation to this matter

CHAIR

Meeting closed at 2:20pm