

SDNPA Planning Committee 9 July 2015: Update Sheet

Agenda Item	Page No	Para	Update	Source/Reason
3	I		Should be Agenda Item 5	Correction
9			<p>Additional letter and documentation (information pack sent to Members) received from applicant in support of their application:</p> <p><u>Community consultation and support:</u> The application has been subject to extensive community consultation over a 10 year period. There has been an unprecedented level of community support.</p> <p><u>Community facilities:</u> A lack of public funding means it is necessary to cross-subsidise the permitted community facilities with mix-tenure housing in order to ensure their delivery. There are no other suitable alternative sites for the community facilities. This has been demonstrated through sequential testing.</p> <p><u>Housing requirements and site sustainability:</u> There is an unmet Joint Core Strategy Housing requirement of 175 units for Liphook. The application site is the most sustainable location in the village to meet this need, a fact acknowledged by the Design Review Panel.</p> <p><u>Response to Reason for Refusal I:</u></p> <p><u>No exceptional circumstances or public interest:</u></p> <ul style="list-style-type: none"> • The development will provide a large number of community facilities which cannot be provided elsewhere in the village and for which there is a proven need. These facilities are in the public interest. • The site is uniquely placed to provide a Gateway to the National Park in accordance with the Second Purpose of the Park. • Liphook is an exceptional case of a boundary settlement with opportunities for development expansion and sustainable travel. • There is a proven housing need in the area and no alternative sites available. • The scheme would set a benchmark for sustainable development standards in the National Park. 	Update.

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9			<p><u>Landscape harm:</u></p> <ul style="list-style-type: none"> • The SDNPA Landscape Officer does not object. • The landscape harm could only relate to partial implementation of extant permissions for community facilities. To not implement these consents would have been irresponsible and a loss to the community. <p><u>Adverse effect on the environment and recreational opportunities:</u></p> <ul style="list-style-type: none"> • The Case Officers assertion that there will be negative effects on the natural environment and recreational facilities is wrong. • GVI petitioned to have two parcels of land designated as SINCs. • The new proposed wetland will enhance local wildlife and biodiversity. • The 'Gateway' concept will improve opportunities for recreation and access to the Park. <p><u>Adverse impact on adjoining footpaths and wildlife:</u></p> <ul style="list-style-type: none"> • We do not agree that the experiential qualities of adjoining footpaths and wildlife will be adversely affected. The opposite is the case. • The development will provide 11 new pedestrian access points and the scheme has a permeable layout. • The development will provide new access to previously inaccessible land and provide A 2.km + circular walk as part of the SANGS provision. • The scheme will improve the experience of users of the Shipwright's Way. <p><u>Energy and sustainability credentials:</u></p> <ul style="list-style-type: none"> • Refer to Anthony Probert statement in the information pack. <p><u>Status, intrinsic nature and concept of the National Park:</u></p> <ul style="list-style-type: none"> • We do not agree with the Case Officer's statement on this point which offers no evidence to support it. • The scheme is designed to foster and facilitate greater awareness and understanding of the National Park. <p><u>Response to Reason for Refusal 2:</u></p> <p><u>Economic and social well-being of local communities:</u></p> <ul style="list-style-type: none"> • Significant evidence has been provided to show how the development will foster the economic and social well-being of local communities. 	

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			<p><u>Impact on the local economy:</u></p> <ul style="list-style-type: none"> • The Case Officers statement in respect to this is incorrect and unsubstantiated. • Third party representations have been received from local traders and businesses. • The development provides live-work homes, subsidised key workers homes and home offices. • Tourism benefits are likely from the 'Gateway' status of the location. <p><u>Response to Reason for Refusal 3:</u></p> <ul style="list-style-type: none"> • Our ecologists and Natural England have met on site and following further additional information and clarification the proposed SANGS and management plan have been agreed in principle. <p><u>Response to Reason for Refusal 4:</u></p> <ul style="list-style-type: none"> • A draft s.106 was submitted with the planning application. At no time have Park Officers sought to discuss, agree or even question the proposed Heads of terms of this. • The development will provide the agreed contributions and mitigation through a s.106 and this Reason for Refusal is a technical objection only and not one of principle. 	
9	12	3.3	Delete reference to community barn.	This element is does not form part of the application.
9			<p>An application is currently being considered by East Hampshire District Council in relation to two access points and a very small piece of land to the north of the site all of which lie outside of the National Park boundary but adjacent to the application site. In effect, they form part of an overall approach to the development being proposed.</p> <p>East Hampshire District Council are awaiting The SDNPA Planning Committee Members' decision before determining their application. Under delegated authority, officers are commenting on their application. These comments will take on board any relevant discussion and decision taken by Members.</p>	Update
9	15	4.3	<p>Further comments received from the Environment Agency in relation to Further Information. Objection is removed.</p> <p>Comments: <i>No objection subject to conditions</i></p> <p>Having reviewed the further information submitted in support of the application, including the proposal to connect to the main foul sewer network, we are able to remove our previous objection to this application. We can confirm that the Environment Agency has no</p>	Update

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			objection in principle to the proposed development as submitted; however, we request that planning conditions be attached to any planning permission granted in order to make the development acceptable.	
9	25	5.3	155-154	Correction
		5.1 to 5.15	<p>A large number of additional third party representations have been received since the publication of the committee report. Whilst every effort has been made to record these additional details, the large volume of representations means that it is not guaranteed that every representation received right up until the last minute can be included in this update sheet. The further representations received have largely been support comments provided in the form of written comments on an addressed proforma. As many of the representations received as possible have been uploaded to the public access system prior to the committee date. Due to the large volume of represents received it is difficult to provide a precise number however. Every effort has been made to remove duplicates. Many of the representations received have not provided addresses and therefore an analysis of their geographical origin (i.e. inside or outside the Liphook postcode) cannot be carried out. The representation figures contained within the report are therefore only correct as of 30/06/2015.</p> <p>As of noon on 08/07/2015, approximately 230 further support comments have been received, as well approximately 5 further objections.</p> <p>The following additional support comments were raised:</p> <ul style="list-style-type: none"> • 70% of the total space will be greenspace thus preserving the essence of the Parkland • The scheme upholds the legacy of the WWF <p>The following concerns/suggestions were raised by those who expressed support for the development in principle:</p> <ul style="list-style-type: none"> • The new medical centre could lead to traffic/highway issues • The housing should count towards the housing quota for Liphook • A link road should be provided to connect Station Road to Longmoor Road to give access to the A3 and ease congestion in the town centre. This should be provided as part of the development • More shops are needed in Liphook to support the development • The development could put pressure on the local schools • The family homes with workshop units should be protected to ensure they remain for 	Update

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			<p>land based occupations</p> <ul style="list-style-type: none"> • 1 bedroom units for over 60s should be provided • The football clubhouse should be in the centre of the pitches • The doctors surgery should be moved and replaced with a two storey car park • Is there enough parking for the new recreational facilities? • Dubious about the plan for greenstreet and a pond • Does the football club justify a building of that size? • Oak cruck frame/straw bale houses sound odd • Pedestrian crossing should be 30 yards from the roundabout • The orchard will suffer from birds • The Allotments could become an eyesore • Could tennis courts/skatepark etc for young people be provided in replace of the allotments etc? <p>The following additional objection comments were received:</p> <ul style="list-style-type: none"> • There is no need for a new doctors surgery in Liphook • There is no need for self-build houses in Liphook • Landscape harm of the development and visual harm of proposed 2.5 – 3 storey buildings • Threat to wildlife • Loss of high quality agricultural land and traditional field patterns 	
10	52	5	<p>Additional letter and documentation received from applicant in support of their application</p> <ul style="list-style-type: none"> • Light Pollution: Proposal to install external blackout roller shutters to each of the rooflights connected to light sensors which will close automatically at night time. Light control glazing to end elevations of Monks Walk Tinted glass will be installed to prevent light spillage. No additional external lighting proposed beyond that which already exists. • Additional Activity on site: Conditions imposed on maximum number of guests can be replicated on this application as can number of cars. • Compatibility/noise issues: Sound monitors were installed in 2002 which cut out music if it gets too loud. Weddings have to finish by 11 and live bands finish at 9pm. New dwellings are further from potential noise sources than closest existing cottages. Any 	Update

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			<p>future occupants will essentially know of the Estate activities and make a decision on that basis. Conditions of 2002 approval can be replicated.</p> <ul style="list-style-type: none"> • Access through and use of Community Car Park: /No additional trip across car park than those which currently take place. Owners prepared to make sure there is someone to help guests to leave in a quiet and orderly fashion. Additional dwellings will not significantly increase vehicular activity. • Use of paddock for Parking: Cars can be easily accommodated on parking areas P1 and P2. P3 is rarely used and is most problematic being furthest from the events building and sometimes muddy in the winter months. Represents the third choice parking area. • Need to develop business: Owner is keen that the potential assets on the Estate are developed to help pay for their upkeep. They inherited a lot of buildings and land which on close inspection were in a poor state of repair. • Benefits to the Local Economy: It will help the local economy. Local people are already employed by the business and there has been local interest in new jobs. Increased revenue for local pubs, hotels and taxi hire. Business is also embracing the opportunity to use locally sourced produce to cater for events. 	
10	52	5	<p>Additional letter from local resident:</p> <ul style="list-style-type: none"> • No current planning permission for cars to park in the open fields to the east of Old Spot Cottage. This application would designate this area of open countryside for parking. It is outside the settlement boundary in a prominent visual location. • Red line boundary for the 2002 application clearly excludes land to the East of Monks Walk so it is now not possible for permission for parking to have been granted in the area referred to as P3. • The occasional use of the field P3 by previous owners would have been covered by 28 day permitted development rights. • The hard standing area around Monks Walk will no longer be able to be used for weddings. • Design and Access statement infers that only 20 parking spaces are required for 150 guests, but a comparable venue shows 51 parking spaces for 150 wedding guests. • Permission should not be granted until the issue about significant shortfall in car parking provision is satisfactorily resolved. • Proposal is contrary to Policies H7, H14, H15 and H16 	Update

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10	60-63		<p>Amendments to conditions following further consideration and recommendation of additional conditions: (amendments in italics)</p> <p>Condition 17. When amplified music is being played <i>within the Tithe Barn</i> the full height doors to the Tithe Barn shall be kept closed. <i>When amplified music is being played within the Ceremony Room the doors to the Ceremony Room shall be kept closed.</i></p> <p>Condition 22. Prior to the commencement of development, detailed specifications and plans of the rooflights and associated blinds to be installed in the three dwellings hereby permitted (including details of how the blinds would be operated), shall be submitted to and approved in writing by the SDNPA. The rooflights and associated blinds shall be installed and operated in accordance with the approved details prior to the first occupation of the dwellings and shall remain in perpetuity. <i>The associated blinds shall, in accordance with the approved details, operate fully during the hours of darkness to prevent light pollution.</i></p> <p>Condition 23. The car parking provision serving the three dwellings hereby permitted, Old Spot Cottage <i>and the dwellings to the west of the courtyard</i> shall be maintained in perpetuity specifically for the purpose of car parking <i>serving the aforementioned properties.</i></p> <p>Additional Conditions:</p> <p>25. Prior to the commencement of development, detailed specification and plans of the proposed glazing (including details of the specific proposed tint for the glazing) to the end elevations of Monks Walk shall be submitted to and approved in writing by the SDNPA. The windows to these elevations shall be installed in accordance with the approved details prior to occupation of the dwellings and shall remain in perpetuity.</p> <p>Reason: To prevent dark sky pollution and to preserve the character of the Conservation Area.</p>	Update
11	72	5.1	<p>Additional Letter from resident</p> <ul style="list-style-type: none"> • In the absence of any evidence of financial viability, cannot see how the officer can blithely accept the applicant's blank refusal to consider a reduction in the number of units as requested by the majority of members at the April meeting. • Minimal additional planting will not materially affect the detrimental impact of the proposals and it is difficult to justify the officer's view that they will add value to the scheme. • The remodelling of the chimneys cannot be seen as significant. • Major flaw in officer's approach to the cricket ground is that the area of law which applies is Common Law nuisance and negligence. The advice he has received and his 	

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			<p>reliance on it is badly flawed and undermines the whole validity of the report.</p> <ul style="list-style-type: none"> • The officers reference to the fact the Parish Council refused an offer to pay for the work to move the square is not a material consideration in the determination of the application. The application has to be considered on its own merits and on the circumstances which apply at the date of the meeting. • The applicant has failed to deal with the concerns of the members so all options are still available and the application has to be considered afresh. • No weight can be placed on the recommendation in that the Director of Planning has changed his view based on irrelevant legal principles. • The Committee is therefore requested to refuse the application. 	
11	74	7.2	<p>Additional Policy of relevance to this application. (Wealden District Local Plan Core Strategy 2013)</p> <p>SP01 – Protection of Designated Landscapes</p> <p>SP13 – High quality Environments</p>	Omission from report
11	74	7.3	<p>Additional Saved Policy of relevance to this application. (Wealden District Local Plan 1998)</p> <p>EN10 – Sussex Heritage Coast</p>	Omission from report
11	76	8.13	<p>The legal position is that a sports club may be exposed to private law liability in negligence or nuisance to occupants of neighbouring premises, even if the claimants moved in after the establishment of the club, and even if the activities at the club are taking place in accordance with planning law. In order to mitigate against such claims the applicant is willing, at his expense, to move the cricket pitch. This was agreed with the Parish Council however that agreement has more recently been refused. There is therefore a small risk that the field may at some point in the future be prevented from being used for cricket if the pitch remains in its current location. Notwithstanding this, it must also be acknowledged that there is a willingness from the applicant to enable the pitch to be moved further away and this option will always be possible in the future, should there be an issue with nuisance to occupants of neighbouring properties. Therefore one would conclude that the risk of the field being prevented from being used for cricket in the future is small.</p>	For clarification Purposes. Additional sentences
12	86-90		Throughout policy and supporting text Policy Title changed SD37: Trees, Hedgerows and Woodland <u>and Hedgerows</u>	Amendment
12	86	2	Definitions of primary and secondary woodland to be added to glossary	For clarification purposes

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12	88	15	These provisions require people to notify the local planning authority, using a 'section 211 notice', six weeks before carrying out <u>certain work that may affect</u> on such trees,	For clarification purposes
12		23	The <i>British Standard BS 5837:2012 (or subsequently updated) Trees in relation to design, demolition and construction - Recommendations</i> was reviewed and updated in April 2012 and is the benchmark document for how to successfully take account of and retain suitable trees in proximity to development. <u>Further detailed recommendations on planting and establishment of young trees is contained in BS5454:2014 Trees: from nursery to independence in the landscape – Recommendations.</u>	For clarification purposes
12		24	The tree survey should be carried out by an arboriculturist as detailed within the British Standard. otherwise an application will not be considered valid	For clarification purposes
12		Policy SD37	<p>Development Management Policy SD37: Trees, Hedgerows and Woodland <u>Trees, Hedgerows and Woodland and Hedgerows</u></p> <ol style="list-style-type: none"> 1. Development proposals which conserve and enhance trees, hedgerows and woodland, and comply with other relevant policies, and legislation <u>and good practice recommendations</u> will be permitted. Where development proposals affect trees, hedgerows and woodland, it should be clearly demonstrated that: <ol style="list-style-type: none"> (a) Development proposals have been informed by a full site survey, including an arboricultural survey, and (b) Appropriate protection measures are in place throughout the development process. 2. An appropriate buffer zone, <u>where possible</u> of semi-natural habitat, should be established between any development and an area of woodland. A minimum buffer of 15 metres will be required between the development and ancient woodland or veteran trees. 3. Development proposals should, <u>where appropriate</u>: enhance trees, hedgerows and woodland by: <ol style="list-style-type: none"> (a) Incorporating existing trees, woodland and hedgerows into the design of the new development; (b) Providing adequate <u>protection zones and</u> buffers around trees, woodland and hedgerows to prevent damage to root systems and taking account of future growth; (c) Incorporate existing trees, woodland and hedgerows within public open space; and, where appropriate; (d) Provide new trees, woodland and hedgerows within the new development. which are consistent with local character, enhance biodiversity and deliver green infrastructure. 4. The felling of protected trees will only <u>be</u> permitted in exceptional circumstances and in 	For clarification purposes

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			accordance with the relevant legislation <u>policy and good practice recommendations</u> . Where protected trees are subject to felling, a replacement on a one-for-one basis of an appropriate species, <u>and size and in an appropriate location</u> will normally be required. The replanting should take place as close to the felled trees as possible.	
12	92	Policy SD58	Title Development Management Policy SD58: Air Pollution <u>Quality</u>	Correction
12	92	Policy SD58	<p>Development Management Policy SD58: Air <u>Quality</u> Pollution</p> <ol style="list-style-type: none"> 1. The local planning authority will seek to improve air quality throughout the National Park. Development proposals <u>Applications</u> for new development that might lead to a significant deterioration in local air quality resulting in unacceptable effects on human health, the natural environment or local amenity, will require the submission of <u>an</u> air quality assessment, which should address: <ol style="list-style-type: none"> a) The existing background levels of air quality; b) The cumulative background levels of air quality; and c) The feasibility of any measures of mitigation that would prevent the national air quality objectives being exceeded, or would reduce the extent of the air quality deterioration. 2. Applications for new development <u>Development proposals</u> that by virtue of their location, nature or scale could impact on an AQMA will be required to: <ol style="list-style-type: none"> a) have regard to any relevant Air Quality Action Plans (AQAP) and to seek improvements in air quality through implementation of measures in the AQAP. b) provide mitigation measures where the development and/or associated traffic would adversely affect any declared AQMA. 3. Applications for new development <u>Development proposals</u> that comply with other relevant policies, will be permitted where they: <ol style="list-style-type: none"> a) Provide mitigation measures where the development and/or its associated traffic could lead to a declaration of a new or extended AQMA, b) Ensure that the development will not have a negative impact on the surrounding area in terms of its effect on health, the natural environment or general amenity, taking into account cumulative impacts, c) Promote opportunities for walking, cycling and public transport and congestion management to reduce traffic levels in areas of reduced air quality, particularly in town or village centre locations, and promote the opportunity for cycling through the provision of cycleways, and 	Consistency with other draft policies / correction

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			<p>d) Secure best practice methods to reduce levels of dust and other pollutants arising from the construction of development and/or from the use of the completed development.</p> <p>4. <u>Development proposals that would have a potentially adverse impact on air quality that would result in the national Air Quality Objectives¹ being exceeded will be refused.</u></p>	
12	94	Policy SD59	<p>Where an application for development is submitted <u>Development proposals for a site with known or suspected contamination the applicant will be required to carry out robust investigations and subsequent remedial measures to ensure that any unacceptable risk to health is removed prior to the commencement of development proceeding.</u></p>	Consistency with other draft policies
13	95	Recom. 3	Remove “and Lewes District Council”. Advice from Senior Solicitor: If modifications required are not minor, a further decision will need to be taken by either Planning Committee or Full Authority.	
13	97	3.3(3)	Clarification: The statement “To make a less cautious allowance for “windfall” housing delivery of 50 homes per year” refers to the Examiner’s suggested amendment. The formal Main Modification submits: “An allowance for 600 dwellings to be permitted on unidentified small-scale windfall sites during the plan period and subsequently delivered.”	

¹ As set out in the Air Quality Standards Regulations, 2010 http://www.legislation.gov.uk/ukxi/2010/1001/pdfs/ukxi_20101001_en.pdf