

PLANNING COMMITTEE 12 April 2012

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

Present:

Andrew Shaxson - Chair	Barbara Holyome	Tom Jones	Alun Alesbury
Neville Harrison - Deputy Chair	Jennifer Gray	Charles Peck	David Jenkins
	Doug Jones		

SDNPA Officers: Tim Slaney (Director of Planning), Pat Aird (Development Management Lead), Lewis Oliver (Development Management Officer), David Cranmer (Development Management Officer), Becky Moutrey (Senior Solicitor) & Rebecca Haynes (Member Services Officer).

APOLOGIES

428. Apologies for absence were received from Ken Bodfish & Margaret Paren (ex officio).

DECLARATIONS OF INTEREST

429. Jennifer Gray declared a personal non prejudicial interest in items 5 & 6 as a member of East Hampshire District Council (EHDC) and represents the South Downs National Park Authority (SDNPA) and EHDC on Hampshire Alliance for Rural Affordable Housing (HARAH). Jennifer Gray was also a District Councillor for Froxfield & Steep until May 2011.

430. Neville Harrison declared a personal non prejudicial interest in items 7 & 10 as a member of the South Downs Society.

MINUTES OF PREVIOUS MEETING HELD ON 15 March 2012

431. The minutes of the meeting held on 16 February 2012 were agreed as a correct record with the following amendments to minute 386, bullet point 3:

- Change the word 'could' for 'would'
- Insert the word 'and' after 'encouraged'

URGENT ITEMS

432. There were none.

DEVELOPMENT MANAGEMENT

EAST HAMPSHIRE DISTRICT COUNCIL

Application No: SDNP/53047/FUL

Proposal: Development of 10 affordable dwellings, associated access, parking and landscape

Address: Land west of Cobdens, The Street, Binsted

433. The Committee considered the report by the Director of Planning (Report PC 21/12)

434. The case officer highlighted items on the update sheet which was available on the Authority website on Wednesday 11 April including:

- The relevant East Hampshire District Plan policies had been checked against the National Planning Policy Framework (NPPF)
- 2 letters of objections had been received since publication of the report and a further objection received late on Wednesday 11 April, which had been responded to by an SDNPA officer

- An amended condition schedule as set out in Appendix 2 (published on the Authority website on Wednesday 11 April) clarifying conditions regarding Solar Panels and 2 further conditions as requested by the Highways Authority.
 - It was stated that in regards to alternative sites, their criteria and relationship on sustainability had been assessed prior to the application that was before the Committee for decision
435. Colin Dean spoke against the application, on behalf of himself and other local residents; he spoke about:-
- Living local to the application site
 - Their disappointment regarding the handling of the application
 - The percentage of residents opposed to the development and letters of objection received
 - Inadequate studies carried out
 - Alternative sites
 - The inspectors report of 2004
 - The bus services was 3 times a week and not per day, as stated in report PC 21/12
 - Concern regarding the developer's contribution for transport for how much and for how long?
 - Concern over agricultural vehicles using the housing site where children would be playing
 - There was no employment in Binsted
436. Councillor Ken Carter spoke in support of the application, as the East Hampshire District Councillor; he made reference to:-
- The bus service was 3 times a week and not per day, as stated in report PC 21/12
 - Affordable housing needs
 - Discussions held at the Parish Council meetings
 - Public meetings held to increase awareness and to ensure all local residents had a say
 - The majority of attendees at the public meetings were in favour of the application
 - The majority of objections were for personal and not planning reasons
 - The support for the application by the Parish Council
 - How the application met the criteria for exception sites
 - Regulations were satisfied for affordable housing
437. Jane Rukin spoke in support of the application, representing HARAHA; she explained the process of consultation that led to the application before the Committee including:-
- The 4 years working with Binsted Parish Council
 - The Housing needs survey available to all households
 - The percentage of support for an affordable housing scheme for local residents in Binsted
 - The exhibition event held encouraging all households to attend where all proposed sites were looked at
 - How all concerns and queries were covered with the majority of comment in support
 - How Binsted Parish Council and HARAHA kept the local community involved throughout the whole process
 - Their report was made available for the local community
438. Chris Buchon-Hepburn spoke in support of the application, as the applicant; he explained:-
- The partnership with HARAHA over the application and were involved when invited

- The 2009 outcome of housing needs survey and were asked to help to find a suitable site, design and layouts for public exhibitions
 - The transparent process joint working with EHDC and the SDNPA
 - The site constraints with planning requirements
 - Local Housing need was monitored
439. The Committee discussed the application, their concerns included;
- the SDNPA should be insisting on code level 4 for sustainable homes
 - Affordable housing was generally encouraged by local residents although not always supported within their village
 - Few sites were made available for affordable housing
 - The proposed road for agricultural vehicles to access the land behind the development could be extended for future development
 - the location of the application site within a gap in the settlement frontage to the road
 - The visual impact on the landscape
440. The Committee commented on:
- The value of site visits before consideration at Committee
 - The site was in the most northern parish in the South Downs National Park (SDNP)
 - The need to shield views on all directions
 - The thorough consultation process by the developer
 - Exception sites and planning considerations
 - The need for more affordable housing to offer to those with a local connection who are often at a disadvantage from rising house prices and having to move outside the National Park
 - The housing register would be halved in one development in relation to recorded need in this area
 - Securing housing for future generations
 - The majority of people had vehicles and therefore would be able to access local villages and towns without using public transport although public transport should be encouraged
 - large agricultural vehicles were a part of rural living
 - Landscaping conditions should be strengthened and trees introduced for screening
 - For future policy making the need for SDNPA officer involvement in relation to site selection having regard to:
 - landscape assessment
 - alternative sites
 - sustainability particularly the use of using recycled water
441. In response to the Committee's questions; the case officer and the Director of Planning clarified that:
- With regard to landscaping the SDNPA would liaise with the applicant and the agent
 - With regard to site selection the SDNPA had not been actively involved in site selections since its commencement on 1 April 2011; the site selection process was understood to have been carried out at least in part before this time
 - There was no Village Design Statement, but a Parish Plan, from which the proposal was developed
 - The solar panels referred to in the report were for hot water. Condition 13 had been added to remove permitted development rights to ensure a level of control in terms of appearance

- EHDC regularly update the local housing register
 - the EHDC plan requires a minimum of Code level 3 for sustainable Homes although this could be upgraded within the SDNPA Core Strategy.
 - Affordable housing by nature was an exception and the proposed site was acceptable in this location
 - The grade of agricultural land was not known
 - Homes in perpetuity would be secured through the S106 agreement
 - There was a requirement for contributions to improve public transport, the SDNPA were in discussions regarding appropriate schemes
 - The local connection criteria in Hampshire districts, needed to be at least 10 years in duration in the first instance, before the cascade mechanism came into force
 - Condition 14 & 15 had been added for highway safety reasons
 - the local community were in support of the scheme and a legal agreement was to be agreed
 - with regard to the visual impact on the ridge, the landscaping condition 6 could be strengthened to require maintenance for 10 years
 - The open space area would be reserved for residents of the development
442. It was proposed and seconded to vote on the revised recommendation as stated on the update sheet incorporating the revised conditions in appendix 2 and Condition 6 amended to read landscaping maintenance for a minimum period of 10 years instead of 5 . Following a vote the proposal was carried.
443. **RESOLVED:** that planning permission be granted for the reasons set out in paragraph 10.1 of report PC 21/12 and subject to:
- (i) completion of a S106 agreement with obligations relating to:
 - all of the residential unit as “local needs affordable housing”;
 - contributions towards transport, public open space, environmental enhancements;
 - and
 - (ii) the revised conditions set out in Appendix 2
444. The Chair adjourned the meeting for a comfort break at 11:44am
445. The meeting re convened at 11:50am

EAST HAMPSHIRE DISTRICT COUNCIL

Application No: SDNP/24385/010

Proposal: 4 Affordable dwellings and 2 market dwellings following demolition of farm building

Address: Steep Marsh Farm, Rockpits Lane, Steep Marsh

446. The Committee considered the report by the Director of Planning (Report PC22/12).
447. The case officer highlighted items on the update sheet which was available on the Authority website on Wednesday 11 April including:
- The relevant East Hampshire District Plan policies had been checked against the National Planning Policy Framework (NPPF) and the Committee were advised that greater weight should be given to the emerging policy in the joint core strategy, notwithstanding that the policy had not been tested in the public arena, other than policy H12 which was significantly in conflict with the NPPF
 - The explanation of enabling development
 - That the application was in outline
 - There was a revised officer recommendation including an additional reason for refusal

448. Andrew Howard spoke against the application on behalf of himself and 5 others; Susan and Andrew Dimbleby, Mr & Mrs Hindson, Carol Karner , Mr & Mrs C Kennett and Graeme & Yvonne Rowden: he spoke about:
- Objections on non conformance to policy
 - It was a small agricultural community
 - The road not suitable for an increase in traffic movements
 - No access to public transport
 - The site not within any settlement boundary
 - The dangers of cycling on the road
449. Councillor Charles Gibson spoke against the application on behalf Steep Parish Council; he spoke about:
- The Parish Council's objections
 - An outline application was inappropriate
 - The road network was a single track and not suitable for increased traffic movements
 - Unsuitable location for affordable housing
 - No footpaths or public transport
 - Steep Marsh was a small hamlet with no facilities
 - The level of local objection
 - Areas that would be suitable for development
 - Steep Marsh did not have a settlement boundary and the development would be an intrusion
450. Alastair Wilson spoke in support of the application on behalf of the applicant; he explained:
- The planning history and discussion with the planning authority from the application submitted to EHDC and subsequently to the SDNPA
 - Justification for affordable housing and housing need
 - Previous Officer support for the application until it was to be determined by the SDNPA
451. The Senior Solicitor advised the Committee that the first public speaker for the item quoted policies that had been replaced by the NPPF and therefore his policy comments should be ignored.
452. The Committee commented:
- The road was dangerous
 - Houses on the site would be an intrusion in the countryside
 - Development sites should be near facilities within a community
 - Consistency on the countryside/landscape impact of applications would need to be measured, when considering similar applications at Committee
 - Visual impact was important in the decision making process
 - Support for the officer recommendation
 - It was inappropriate to have applications for outline development within a sensitive landscape such as the SDNP
453. In response to the Committee's questions; the case officer and the Director of Planning clarified that;
- With regard to suitable development sites the Parish was in early stages of working with EHDC and the SDNPA would also like to be involved in the discussions
 - With regard to redundant agricultural building that may have been constructed under permitted development the NPPF annex gave definitions on agricultural buildings not being Brownfield land.

- The Highways agency had responded in paragraph 4.2 of the officer report
454. It was proposed and seconded to vote on the revised officer's recommendation incorporating the additional reason for refusal. Following a vote the proposal was carried.
455. **RESOLVED:** That planning permission be refused for the following reasons:
- (i) The proposal would create a form of development which was:
 - Unjustified in policy terms in respect of cross subsidy;
 - Unsustainable due to its isolated location within the countryside; and
 - Would be an undesirable intrusion of residential development in the countryside by reason of its location, size and scale leading to an urbanising and formal impact which will adversely affect the visual appearance and character of the South Downs National Park.

In this respect the proposal is contrary to the National Planning Policy Framework, policies GS1, GS3, GS4, C4, C5 and H12 of the East Hampshire District Local Plan: Second Review 2006 and policy CP12 of the emerging East Hampshire District: Joint Core Strategy.
 - (ii) In the absence of a completed legal agreement, no provision has been made for financial contributions towards transport, public open space or environmental improvements, which is contrary to Policies GS4, R3 and T2 of the East Hampshire District Local Plan: Second Review 2006 and the Council's 'Guide to Developers' Contributions.

CONSULTATIONS

Consultation to vary conditions at the AMEX Stadium Falmer relating to capacity & parking provision

456. The Committee considered the report by the Director of Planning (Report PC 23/12)
457. The case officer highlighted the item on the update sheet which was available on the Authority website on Wednesday 11 April
458. Steve Ankers spoke on the application, on behalf of the South Downs Society (SDS); The SDS:
- Objected to initial application and set out why
 - Had no principle objection to the application
 - Supported the officer report & recommendations
 - Urged the SDNPA to strengthen recommendation to restrict capacity until updated travel plan and A27 traffic congestion alleviated
459. Peter Rainer spoke on the application on behalf of the applicant. He spoke about:
- Taking the concerns of the SDS seriously
 - Take required conditions on board
 - How the SDNPA was not the Planning Authority and would not be in receipt of all of the facts concerning the application. They had met with rail company / highways authority / bus companies and East Sussex County Council. The discussions have lead to;
 - increased rail capacity
 - a S106 to improve road junctions to ensure highways concerns are addressed
 - changed car parking prices to encourage use of public transport
 - 10% of stadium capacity was parking
460. The Committee commented:
- On severe traffic congestion on match days on the A27 and surrounding roads
 - Brighton & Albion Hove Football Club (BHAFC) should encourage use by public transport wherever possible

- The SDNPA should discourage the use of cars in favour of sustainable methods such as public transport
 - The SDNPA was not the planning authority and as a consultee should only consider implications affecting the National Park
 - The impact on the tranquillity and noise pollution would be significant to the National Park
 - On a wish for greater knowledge of the master plan for the stadium
 - Support for the officer recommendation
461. In response to questions; the case officer and the Director of Planning clarified that;
- discouraging car use could be added to the recommendation
 - arrangements to alleviate traffic congestion on surrounding junctions could be added to the recommendation
462. It was proposed and seconded to vote on the officer's recommendation with the addition of recommendations regarding car use and traffic congestion. Following a vote the proposal was carried.
463. **RESOLVED:** That the South Downs National Park Authority inform Brighton and Hove City Council that they raise no objection to the principle of the proposed development subject to the imposition of planning conditions requiring:
- the submission of samples of materials for any new external works to the stadium;
 - the imposition of a travel plan encouraging collaborative working to:
 - minimise unauthorised parking;
 - improve the capacity of Falmer Train Station;
 - minimise congestion at the junction of the A27 and B2123 which is harmful to the landscape setting and accessibility of the South Downs National Park
 - reduce the carbon footprint of stadium users through the discouragement of the use of private motor vehicles and the promotion of sustainable modes of transport.

Construction of Temporary Car Park: Former Falmer High School Brighton

464. The Committee considered the report by the Director of Planning (Report PC 24/12)
465. Peter Rainer spoke on the application on behalf of the applicant. he clarified concerns regarding:
- Lighting columns would only be utilised on match days in the car park and would reduce glow and light pollution
 - Temporary permission was sought due to current land ownership not sure of their future development
 - BHAFC were keen to minimise private vehicle use
 - Supporters arriving by sustainable modes of transport were higher than other stadiums in the country
 - The Football Club had a number of initiatives to ensure sustainable modes of transport were used
466. The Committee commented:
- It was pleasing that all 1,000 spaces allowed by the Inspector in 2007 were not to be used
 - The tunnel access was very small, would harm traffic conditions close to the SDNP and have an impact on the tranquillity of the SDNP
 - The application did not fulfil the Purposes and Duty of the SDNP with light pollution affecting the National Park

- Reassured that the temporary use would be monitored
 - The 1000 spaces were allowed on appeal before the change in legislation and the launch of the SDNPA and, as such, there is a strong extant position
 - There would need to be a one way system to use the tunnel increasing traffic congestion
467. In response to questions; the case officer and the Director of Planning clarified that;
- 1,000 spaces had already been consented and would be implementable if the current application was not permitted
 - There would be controls to monitor the work regarding the travel plan to solve arising issues and to improve traffic congestion around the stadium
468. It was proposed and seconded to vote on the officer's recommendation. Following a vote the proposal was carried.
469. **RESOLVED:** That the South Downs National Park Authority advise Brighton & Hove City Council that the South Downs National Park Authority raise no objection to the principle of the proposed development subject to measures being put in place to ensure that the extant permission cannot be concurrently built out and planning conditions imposed requiring further details of the proposed temporary lighting columns to be submitted prior to development; the imposition of a travel plan to monitor event day vehicular congestion accessing the application site; and a requirement for appropriate remediation and landscaping works once the temporary consent expires.

Proposed training ground and football academy for Brighton and Hove Albion Football Club

470. The Committee considered the report by the Director of Planning (Report PC 25/12)
471. The case officer highlighted the item on the update sheet which was available on the Authority website on Wednesday 11 April including a revised officer recommendation.
472. Peter Rainer spoke on the application on behalf of the applicant; he clarified:
- He understood the objection in principle
 - The visual impact on the SDNP was insignificant as was a distance away from the SDNP
 - There was an airport adjacent to the application site
 - Only 12% of the strategic gap would be built on
 - The social and economic benefits from BHAFC extensive community programme
 - Other sites had been considered that were in the SDNP
 - The height of the building had been reduced
473. The Committee commented:
- The strategic gap was 1km away from the SDNP mitigating impact therefore conflicting with the officer recommendation
 - If lighting conditions were adhered to, the development would not have a significant harm on the setting and the impact on the SDNP, therefore the 1st bullet point of the revised recommendation should be removed
 - Their appreciation of the difficulty in finding a site close to the stadium and the social and economic benefits
 - It would be useful to know what materials would be used for the roof and car park to reduce the impact further
 - The nearby active airport had buildings of a white and metallic construction
 - They were not aware that sites had been considered that fell within the SDNP boundary
474. In response to questions; the case officer and the Director of Planning clarified that;

- Distance was not the only barometer in the impact on the SDNP as the strategic gap links the SDNP visually to the coast, which was the rationale behind the 1st bullet point in the revised recommendation
475. It was proposed and seconded to vote on a revised officer's recommendation with the removal of the 1st bullet point and additional comments on materials. Following a vote the proposal was carried.
476. **RESOLVED:** That the South Downs National Park Authority advise Adur District Council that if they are minded to approve the application the following planning conditions are imposed:
- the submission of samples of materials for any new external works which should respect the landscape setting of the South Downs National Park in their choice of material and colour
 - further consideration and implementation of a landscaping scheme
 - further consideration regarding the proposed lighting to ensure that light spill is minimised
 - limits upon the frequency of usage of external lighting
477. The Chair adjourned the meeting at 1:35pm for lunch
478. Committee member David Jenkins left the meeting at 1:35pm
479. The meeting reconvened at 2:02pm

Response to the s47 E.ON consultation for the Rampion off-shore wind farm

480. The Committee considered a report by the Director of Planning (Report PC 26/12).
481. The case officer referred to the update sheet which was available on the Authority website on Wednesday 11 April.
482. Steve Ankers spoke on the application on behalf of the SDS; he commented on:
- Whilst the SDS supported wind energy the proposal would not enhance the view from the South Downs
 - The proposal would help achieve the National Park Purposes and Duty in the long term from the significant energy contributions from the wind farm
 - The SDS welcomed the use of underground cabling
 - The SDS urged the SDNPA to seek environmental compensation from E-ON for disruption to the landscape and wildlife during installation
 - Funding contributions could be sought from E.ON to improve Shoreham Cement works and for undergrounding other cables
483. The Committee commented:
- The item should be deferred as there was not enough information on such a major proposal to consult at this time
 - They did not want to miss an opportunity for consultation
 - Their concern not to be seen to have a pre disposition in favour of the application at the early stage in the process
 - Their caution of supporting the proposal in principle at such an early stage in case the proposal changed and the turbines were closer to the shore line
 - It should be implemented in a way that did not cause harm to the SDNP
 - Their support for underground cabling
 - The recommendation would need to be strengthened
 - Questioning if wind power would always meet the needs of the South Downs and beyond, and should the SDNP be excavated for this purpose
484. In response to questions; the lead officer and the Director of Planning clarified:

- The next formal consultation would be the statutory s42 consultation starting in May, the SDNPA would have 6 weeks to respond
 - There would be opportunity for informal consultation and after the s42 consultation the next stage to comment would be via the Local Impact Report once the application was accepted
 - The purpose of consultation was to define the scope and direction, working towards tight timescales
 - It was inappropriate to take the developer into account on the consultation
 - An alternative form of words to strengthen potential mitigation of recommendation (i) to reword (a) and for the SDNPA to acknowledge the emergence of the off shore renewable energy proposal rather than raise no objection in principle
 - Heritage assets in section (e) of the recommendation covered archaeology
485. It was proposed and seconded to vote on the alternative form of words. Following a vote the proposal was carried.
486. **RESOLVED:** That the South Downs National Park Authority Advise E-ON that they:
1. Acknowledge the emergence of the off-shore renewable energy proposal and the benefit of underground cabling for the majority of the proposed route. The issues that are identified at this time and should be considered are:
 - a. The visual landscape impact on the South Downs National Park of the off-shore wind farm and on-shore cabling;
 - b. The cabling demonstrably following the optimum route possible across the NP once acceptable constraints are taken into account;
 - c. Any earth works, either permanent or temporary, being remediated to secure a restoration improvement to the landscape character;
 - d. Any new structures or ancillary paraphernalia being sited to result in the least possible visual landscape impact;
 - e. Confirmation that there will be no unacceptable detrimental impact upon any heritage asset;
 - f. The presentation of acceptable ecology reports and surveys;
 - g. Reassurances regarding alterations to surface-water run-off and drainage;
 - h. Appropriate community engagement and meaningful consultation;
 - i. Securing appropriate long-term community benefits commensurate to the impact of the proposals upon the South Downs National Park and in accordance with the aspirations of the South Downs National Park Authority.
 2. The SDNPA commits to engaging fully with the forthcoming s42 E.ON consultation (circa May-July 2012) and future PINS assessment process.

STRATEGY & POLICY

Landscape Advice Brief

487. The Committee considered a report by the Director of Planning (Report PC 27/12).
488. The Committee commented:
- The average homeowner may not be aware of Tree Preservation Orders
489. The Committee suggested the following amendments:
- The scale of Ordinance Survey to be added to the Glossary
 - Historic Buildings to be added to the Glossary
 - The introduction on page 3 of Appendix 1 was repeated in section 2
 - Page 4 Paragraph 2.1, last line to be amended to read 'special place'

- Page 5 to provide a definition of Mature Trees in the Glossary
 - Page 8 & 9 the links to the Hampshire Biodiversity Information Centre and the Sussex Biodiversity Records Centre were the wrong way around
 - Page 9 for clarity, to amend 'Does your proposal affect a listed building?' to read 'Is your building listed and / or does your proposal affect a listed building'
 - Page 11 section 3.1, second paragraph to read 'within 15m of the base of a mature tree'
 - The glossary section to be amended to ensure the visual impacts section was different to landscape impact
490. In response to questions; the lead officer and the Director of Planning clarified:
- The Advice Note would be used during the pre application stage, for the householder to identify what documents were needed to process an application. The SDNPA could not insist that other local authorities outside the SDNPA used it
 - The Baseline assessment would identify if a homeowner needed to produce a full Landscape and Visual Assessment and if none was required submission of the checklist would satisfy the validation requirement
 - The document was in accordance with the NPPF
 - The document could be reviewed after a pilot period of 6 or 12 months
491. It was proposed and seconded to vote on the officer's recommendation, incorporating the suggestions from the Committee in minute 489 and to delegate to the Director of Planning in consultation with the Chair of the Planning Committee, minor amendments, with an additional recommendation to review the document within a period of 6 or 12 months. Following a vote the proposal was carried.
492. **RESOLVED:** That the Planning Committee
- 1) Approve the adoption of the advice note for Householder Applicants on Assessing Impacts on the Landscape, Wildlife and Cultural Heritage of the South Downs National Park, subject to any minor changes delegated to the Director of Planning in consultation with the Chair of Planning Committee
 - 2) Delegate to the Director of Planning, in consultation with the Chair of the Planning Committee, the ability to make any necessary minor amendments and to review the advice note for Householder Applicants on Assessing Impacts on the Landscape, Wildlife and Cultural Heritage of the South Downs National Park within 12 months
493. The Senior Solicitor stated that there were minor amendments needed to Appendix 2 from report PC 21/12. In one instance the reason for the imposition of a condition was omitted and incorrect policies had been referenced elsewhere.
494. **RESOLVED:** That the Planning Committee delegate to the Director of Planning the ability to make necessary minor changes to the approved conditions.

CHAIR

Meeting closed at 3:15pm