

## **SOUTH DOWNS NATIONAL PARK AUTHORITY PLANNING COMMITTEE 9 APRIL 2015**

Held at The Memorial Hall, South Downs Centre, North Street, Midhurst at 10:00am.

Present:

Andrew Shaxson (Chair)	Alun Alesbury	Jennifer Gray	Neville Harrison
Barbara Holyome	David Jenkins	Doug Jones	Tom Jones
Charles Peck	Ian Phillips		

SDNPA Officers: Tim Slaney (Director of Planning), Rob Ainslie (Development Manager), Tim Bettany-Simmons (Development Management Lead), Rory Moores (Assistant Development Management Officer), (Becky Moutrey (Senior Solicitor), and Stella New (Member Services Support Officer).

### **OPENING REMARKS**

639. The Chair informed all present items that 10 to 13 would not be considered before 12.30pm.

### **ITEM 1: APOLOGIES**

640. Diana Kershaw.

### **ITEM 2: DISCLOSURE OF INTERESTS**

641. Charles Peck declared a Public Service interest in item 10, which was in his ward, as a member of Wealden District Council.

642. Jennifer Gray declared a Public Service interest in items 7 and 8 as a member of East Hampshire County Council, and knew public speaker Cllr Mrs Harwood in a non-prejudicial capacity as a friend.

643. Doug Jones declared that he knew several of the public speakers for item 8 from Buriton Parish Council and the Local Government sector.

644. Tom Jones declared a Public Service interest in item 11 as a member of Lewes District Council.

645. Neville Harrison declared a Public Service interest in items 9, & 11 as a member of the South Downs Society. With regard to Item 11, he declared that had known the applicant for around four years in his capacity of Chair of the Egrets Way Project, and that a section of the shared cycle path between Kingston and Lewes ran within a field on land owned and donated by the applicant. The cycle path was opened in September 2013 and would have no bearing on his consideration of the application.

646. During Item 7, Alun Alesbury declared that he knew the agent Matthew Utting and had worked with him in the past on non National Park business as detailed in minute 654.

### **ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 12 MARCH 2015**

647. With the amendments of:

- Page 2, minute 595, the deletion of the repeated 3<sup>rd</sup> bullet point;
- the minutes of the meeting held on 12 March 2015 were agreed as a correct record and signed by the Chair.

### **ITEM 4: MATTERS ARISING**

648. There were none.

### **ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS**

649. The Development Manager informed the Committee that following the inquiry in January for the erection of 10 dwellings at Under the Hill, Selborne the appeal had been dismissed.

- The inspector considered the proposal would have an unacceptable impact on the landscape and conservation area.
- The inspector had not considered that the proposal, consisting of 10 dwellings abutting the settlement boundary of a modest village, could be classified as major development as defined in paragraph 116 of the National Planning Policy Framework (NPPF).

## **ITEM 6: URGENT ITEMS**

650. There were none.

## **DEVELOPMENT MANAGEMENT**

### **EAST HAMPSHIRE DISTRICT COUNCIL**

#### **ITEM 7: SDNP/I4/03777/FUL, PENNS FIELD, HEATHFIELD ROAD, PETERSFIELD HAMPSHIRE**

651. The Case Officer presented the application and referred to the update sheet, and informed the Committee that the Highways Authority had retained their objection. He also explained that the land required for the highway works was either within the public highway or land within the ownership of the Town Council.
652. The Committee heard from Matthew Utting, who spoke in support of the application as the agent.
653. The Committee considered the report by the Director of Planning (Report PC30/15), the update sheet and the public speaker comments, and commented:
- Their support in principle for development on the site, given that this had been identified as reserved site by the emerging Petersfield Neighbourhood Plan.
  - Their support for the allocation of 40% affordable housing.
  - The site was flat and well screened.
  - Sites at the edge of settlements were of crucial visual importance.
  - Major new developments in the National Park required a high standard of design and layout, and this had been successfully achieved by other major developments in Petersfield.
  - The 2009 Development Brief for the site had stipulated a high standard of design that would retain and incorporate its landscape features.
  - The need for any development on the site to relate to the landscape and the view in and out of the development.
  - Code for Sustainable Homes Level 4 was a standard requirement for new developments of this size, and given the greenfield nature of the site a level of higher than 10% renewable energy could be achieved.
  - The importance of encouraging developers to engage with the police during the planning process to optimise the prevention of crime and antisocial behaviour.
  - Their concerns regarding
    - The suburban layout and design
    - The potential increase in level of traffic and the adequacy of the narrow access road.
    - The impact on the cycle route from Petersfield town to the leisure centre, which would also be the route of the planned Petersfield to Pulborough cycle path, and uses the proposed access into the site.
    - The presence of dormice which were European protected species, and the need for a thorough ecological survey.
    - The quality of the landscape design within the development, and the lack of opportunity taken to include play areas, planting to encourage biodiversity, Sustainable Urban Drainage Systems (SUDS), or demonstrate a Green Infrastructure multifunctional approach to the use of open space.
654. Alun Alesbury declared that he had known Matthew Utting on a professional basis and had worked with him in the past on non National Park business.
655. In response to questions officers clarified:
- Officers had been working with the applicant since July 2014, and the determination of the application had been extended to February 2015 to allow for ecology surveys to take place.

- Engagement by applicants with any required 3<sup>rd</sup> parties could take place independently of the planning application process.
  - The applicant had requested that the application be considered by the Committee at the earliest opportunity.
  - The site had been allocated by the Joint Core Strategy and the Petersfield Neighbourhood Plan, and the generation of additional traffic therefore accepted in principle.
  - The Highway Authority's objection related to the internal layout of the scheme and not to the proposed access or capacity of the surrounding road network.
  - Part of the proposed access route land was owned by the Town Council and Highways as shown by the red line, and removal of any trees on this land was a private matter.
  - The pavement and cycle route would continue as existing along the southern section of the access road.
  - A SUDS had not been included in the proposal details.
  - Crime prevention had been considered alongside the site's connectivity and permeability.
  - The wording '*illegible* layout' could be amended to '*poorly considered* layout' in the revised reason for refusal 1).
  - The wording '*including landscape*' could be added to the revised reason for refusal 1)
656. It was proposed and seconded to vote on an amendment to Reason for Refusal 1 as detailed on the 9 April update sheet) so that the wording '*poorly considered*' be used in place of '*illegible*'. Following a vote, the proposal was carried.
657. It was proposed and seconded to vote on the officer's recommendation, subject to the amendment to Reason for Refusal 1 as set out in minute 656 and to include the wording '*poor design including landscape quality*'. Following a vote, the proposal was carried.
658. **SDNP/I4/03777/FUL RESOLVED:** That planning permission be refused for the reasons set out in paragraph 10.1 of Report PC30/15 and the April update sheet, with the amendment of Reason 1 to include:
- i) Replacement of the wording '*illegible*' with '*poorly considered*'
  - ii) The addition of the wording '*including landscape*' following '*poor design*' and before '*quality*'.

## **ITEM 8: SDNP/I4/02964/OUT SITE ADJOINING PLAYGROUND, BOROUGH HILL, PETERSFIELD HAMPSHIRE**

659. The Case Officer presented the application and referred to the update sheet.
660. The Committee heard from the following public speakers:
- Drake Hocking spoke against the application on behalf of the Borough Hill Residents' Association
  - Tricia Newby spoke against the application on behalf of the Borough Hill Residents' Association
  - Cllr Mrs Sue Harwood, Town Mayor, spoke against the application on behalf of Petersfield Town Council.
  - Janet Hartnell spoke in support of the application on behalf of Mr Simon of Simon Matthew and Co Ltd, the agent.
  - William Hartnell spoke in support of the application on behalf of himself as the applicant.
661. The Committee considered the report by the Director of Planning (Report PC31/15), the update sheet and the public speaker comments, and commented:
- The established need for care homes in the Petersfield area
  - The site was an attractive and prominent plateau with views to Butser Hill and the Hangers.

- The tranquil and oasis-like nature of the site, which had the character of a public open space.
  - Their concerns regarding:
    - The narrow access road given the potential increase in traffic movements and need for frequent ambulance access, and the impact on road safety.
    - The indicative design and location of the building.
    - The felling of Tree Preservation Order (TPO) protected trees.
662. In response to questions officers clarified:
- The design of the building would be addressed at reserved matters and was not currently a subject for consideration.
  - The term brownfield was not always definitive, and in this case the site could be argued to be greenfield as it had not been used by the railway, had formed part of the recreation ground for some years and had not been fenced off.
  - Policy CPI7 of the East Hampshire District Joint Core Strategy was a broad policy and not site specific.
  - In the East Hampshire District Local Plan's 2<sup>nd</sup> review, the site was considered to be countryside outside the settlement boundary.
  - The East Hampshire District Local Plan's R4 Open Space Allocations Saved Policy related to another nearby site, and reference to it should be removed from the report.
  - The emerging Petersfield Neighbourhood Plan policy Natural Environment Policy 2 (NEP2) had designated the area as an open space and part of the town's green network in accordance with NPPF guidelines. Limited weight could be given to the plan currently, however reference to the policy could be included in reason for refusal 1).
  - Enforcement action relating to the felled TPO protected trees would be the responsibility of the SDNPA.
663. It was proposed and seconded to vote on the officer's recommendation, subject to the amendment of Reason for Refusal 1 to include reference to the emerging Petersfield Neighbourhood Plan Natural Environment Policy 2(NEP2), which seeks to identify the site as green open space that should be preserved. Following a vote, the proposal was carried.
664. **SDNP/14/02964/OUT RESOLVED:** That planning permission be refused for the reasons set out in paragraph 10.1 of Report PC31/15, with the inclusion of the Petersfield Neighbourhood Plan Natural Environment Policy 2(NEP2), which seeks to identify the site as green open space that should be preserved, in the revised Reason for Refusal 1.
665. The Chair adjourned the meeting at 11.45am.
666. The meeting reconvened at 11.55am.

## WINCHESTER CITY COUNCIL

### ITEM 9: SDNP/15/00461/FUL LITTLE VICARAGE FARM, VICARAGE LANE, SWANMORE, SOUTHAMPTON, HAMPSHIRE SO32 2PW

667. The Case Officer presented the application and referred to the update sheet.
668. The Committee heard from the following public speakers:
- Vanessa Wells spoke against the application on behalf of Mr and Mrs Kitts, who are representing the neighbouring properties.
  - Derek Horn spoke against the application on behalf of himself.
  - Xavier Kingsland spoke against the application on behalf of Swanmore Parish Council.
  - Eric Cox spoke in support of the application as the agent.
669. The Committee considered the report by the Director of Planning (Report PC32/15), the update sheet and the public speaker comments, and commented:
- The sensitive location of the site on the boundary of the National Park, where it was particularly important to avoid undesirable developments.

- The unsuitability of the site for keeping horses which require substantial provision for shelter.
- The development that had taken place was unsightly and had detrimentally impacted the landscape, views and character of the site.
- The development had negatively affected the existing rights of way, and one right of way had been obstructed.

670. In response to questions officers clarified:

- The entrance to the footpath was adjacent to the boarded fence at the site entrance.
- The proposal included stabling for 5 horses, with 2 additional stables being provided by a temporary field structure sited opposite the existing stable building.
- No lighting had been proposed for the site, and a lighting condition and site management plan could be put forward if the application went to appeal.
- If the Committee were minded to permit the application, permitted development rights could be restricted; however temporary field structures were not considered to be development and could not therefore be restricted.
- The field enclosures and fencing were not included in the current application; however the proposal's potential impact on the enjoyment of the Rights of Way in the area could be added to reason for refusal 1).
- Reference to fencing in reason for refusal 1) would be removed as this did not form part of the application.

671. The Director of Planning informed the Committee that any enforcement issues relating to Permitted Development were a separate matter and were not subject to consideration by the Committee. For information only, officers confirmed that:

- Erection of fencing at the site entrance formed part of a previous application and was not permitted development.
- Fencing adjacent to a highway was normally required to be 1m or less.
- The enforcement notice, which was the subject to an appeal taking place in April, required cessation of the use of the land for keeping horses, removal of the jumps, muck lorry, mobile stables and shipping container, and demolition of the flat roof, close boarding fence adjacent to the highway and post and rail fencing.

672. It was proposed and seconded to vote on the officer's recommendation, subject to the amendment of Reason for Refusal 1 to remove the wording '*associated fencing*' and include additional wording relating to the development's harmful impact on the enjoyment on the Rights of Way, the wording of which is to be delegated to the Director of Planning in consultation with the chair of the Planning Committee. Following a vote, the proposal was carried.

673. **SDNP/14/02964/OUT RESOLVED:** That planning permission be refused for the reasons set out in paragraph 10.1 of Report PC32/15, with the amendment of Reason for Refusal 1 to include:

- i) Removal of the wording '*associated fencing*'
- ii) Additional wording relating to the development's harmful impact on the enjoyment on the Rights of Way, the form of wording which is delegated to the Director of Planning, in consultation with the chair of the Planning Committee.

674. The Chair adjourned the meeting at 12.38pm.

675. The meeting reconvened at 1:10pm.

## DISCLOSURE OF INTERESTS

676. Charles Peck declared a Public Service interest in item 10 as a member of Wealden District Council.

677. Tom Jones declared a Public Service interest in item 11 as a member of Lewes District Council.

678. Neville Harrison declared a Public Service interest in item 11 as a member of the South Downs Society. He declared that had known the applicant for around four years in his capacity of Chair of the Egrets Way Project, and that a section of the shared cycle path between Kingston and Lewes ran within a field on land owned and donated by the applicant. The cycle path was opened in September 2013 and would have no bearing on his consideration of the application.

## **SDNPA (WEALDEN)**

### **ITEM 10: SDNP/14/03936/FUL LAND AT THE FRIDAYS, GILBERTS DRIVE, EAST DEAN, EAST SUSSEX**

679. The Case Officer presented the application and referred to the update sheet.
680. The Director of Planning informed the Committee that whilst no development had been proposed on the adjacent sports ground, officers were of the opinion that if the development went ahead it could lead to the loss of the cricket pitch and this was the subject of a Sport England objection.
681. The Committee heard from the following public speakers:
- Phillip Hill, Vice Chairman of the Parish Council spoke against the application on behalf of the Parish Council of East Dean and Friston.
  - Roy Webb spoke against the application on behalf of The East Dean & Friston Residents' Association.
  - Geoff Johnson spoke against the application on behalf of himself.
  - Stephen Dryburgh spoke in support of the application on behalf of Andrew Goodwin as the architect.
  - Charlie Davies-Gilbert spoke in support of the application as the applicant.
  - Mark Best spoke in support of the application as the agent.
682. The Committee considered the report by the Director of Planning (Report PC33/15), the update sheet and the public speaker comments, and commented:
- Their acknowledgement of the applicant's support for East Dean, and the consultation with the community that had been carried out.
  - A proportion of the residents of East Dean appeared to be in support of the development.
  - The iconic rural setting of the village of East Dean, and the sensitivity of the long views from the direction of Birling Gap.
  - The village's Heritage Coast designation and the gradual transition of the landscape towards the village that the site currently afforded.
  - Development on the unique and conspicuous site could be harmful to the landscape at the edge of the village.
  - The development could fail to deliver National Park Purpose 1, to conserve and enhance the area's natural beauty, wildlife and cultural heritage.
  - Greenfield sites within the National Park had the highest status of protection, and development should only be permitted if there was an exceptional reason.
  - The Maurici opinion of the definition of major development, which focused on context rather than housing numbers.
  - The development was the largest in the historic village's recent history, and could therefore be defined as major.
  - It was debatable whether developments of this scale could be considered major.
  - The local housing need was for small units that would allow older residents to downsize.
  - If viable, more affordable housing on the site would be desirable.
  - The SDNPA's Strategic Housing Land Availability Assessment (SHLAA) had allocated 10 houses to the site, whereas the application was for 11.

- The quality of the design was acceptable, and with further improvements could serve to soften the appearance of the village boundary and reduce impact on close views.
  - Further tree planting and boundary treatment could improve the landscape design and offer further protection from the cricket field.
  - Other measures of protection could be sought to mitigate any issues arising from the proximity of the cricket pitch.
683. In response to questions officers clarified:
- The counsel's opinion had been submitted by the applicant on Thursday 2 April 2015 just prior to the Easter break, and whilst officers had reviewed the opinion and taken appropriate legal advice there had been insufficient time to make a formal response to the applicant.
  - The settlement boundary was removed in the 2013 adopted Wealden District Joint Core Strategy.
  - The SHLAA carried limited weight as it had not yet been tested through the Preferred Options consultation and housing sites would be allocated later in the Local Plan process.
  - The allocation of housing beyond the 40% affordable housing ratio fell outside the planning regime and could not be deemed a substantive reason for refusal.
  - Whilst the 10 additional dwellings proposed by the Wealden District Joint Core Strategy need not be provided in one site, splitting the additional housing between sites would remove the requirement for provision of affordable housing.
  - The requirement for consideration of alternative sites only applied in the case of major developments.
  - Whilst the definition of major development within sites of sensitivity in the National Park related more to context than housing numbers, recent appeal decisions had not considered developments of similar size and location to be major.
  - The East Dean Village Design Statement was in the process of being developed and had not yet been adopted or endorsed by the SDNPA. Policy making including site designation was normally appraised by communities via Neighbourhood Plans.
  - Heritage Coast designation required Local Plans to maintain the area's character of undeveloped coastline, protect and enhance the landscape and improve public access.
  - The Landscape Officer was broadly supportive of the proposal.
  - If the Committee were minded to defer the application, this would be on the basis that Members were accepting of the proposal in principle, including the impact on the landscape, number of dwellings, and required further improvements to the design and landscaping to be brought back to the Committee at a future date.
684. It was proposed and seconded to defer the determination of the application so that the following issues can be considered further by the applicant and officers: mitigation of the impact on close views, improvements in the detailed design and landscape proposal, other measures for addressing issues raised by the proximity of the cricket pitch, and consideration of an ambition to seek to reduce the number of dwellings from 11 to 10 whilst still providing affordable homes on-site. Following a vote, the proposal was carried.
685. **SDNP/14/03936/FUL RESOLVED:** That the application be deferred subject to future negotiations with regard to:
- i) Mitigation of the impact on close views
  - ii) Detailed design and landscape proposals
  - iii) Other measures for addressing issues raised by the proximity of the cricket pitch
  - iv) An ambition to seek to reduce the number of dwellings from 11 to 10 whilst still providing affordable homes on-site. .
686. The Chair adjourned the meeting at 2.53pm.
687. Committee Member David Jenkins left the meeting at 2:54pm.

688. The meeting reconvened at 3.00pm.

## **LEWES DISTRICT COUNCIL**

### **ITEM 11: SDNP/12/02520/FUL SPRING BARN FARM PARK KINGSTON ROAD LEWES EAST SUSSEX BN7 3ND**

689. The Case Officer presented the application and referred to the update sheet.

690. The Committee heard from the following public speakers:

- Vic lent spoke against the application on behalf of himself.
- David Collins spoke in support of the application as the agent.
- Helen Wheeler spoke in support of the application on behalf of Louise Possegger as the applicant.

691. The Committee considered the report by the Director of Planning (Report PC34/15), the update sheet and the public speaker comments, and commented:

- The site was a popular tourist attraction that further educated children, a good example of farm diversification and an asset to the area.
- The importance of supporting and protecting tourist facilities within the National Park.
- The need for diversification within the farming business, which could include residential development.
- The dilapidated state of the play barn, and their support in principle for a replacement building.
- The curious nature of the finger of development along the north side of the road that had been included within the Lewes settlement boundary.
- The south side of the road was close to a flood plain and could not be built on.
- The proposed new barn retained the rural characteristics of the surrounding buildings.
- Their concerns regarding
  - The proposal for a large scale non-agricultural new building in a sensitive valley setting close to a settlement in the National Park, which was subject to the highest level of landscape protection.
  - The industrial style of the proposed new play barn.
  - The siting of the new barn in a gap which offered a view of the valley.
  - The lack of consultation with Kingston Parish Council.
  - The existing facility could be replaced by housing without the new barn being built and thereby lost.
  - The lack of detailed landscape proposals indicating how the impact of the proposal could be softened.
  - The lack of a management plan, which could address any issues regarding the overflow parking arrangements.

692. In response to questions officers clarified:

- The application was not within the parish of Kingston, and Kingston Parish Council had not been consulted. Site notification was however given.
- Lewes Town Council had been consulted according to the statutory requirements.
- A condition could be added to ensure that all parts of the application were built, if the Committee were minded to approve it.
- The proposed new barn was on a site outside the settlement boundary, and surrounded by other farming paraphernalia.
- The proposal was closely aligned with the National Park's Purpose II and was linked to the Egrets Way cycle path.

693. It was proposed and seconded to refuse the application for the following reason: the proposal for a large non-agricultural barn for children's farm park activities/tea room and



farm shop and relocation of existing farm shop would have an adverse impact with regard to its design, scale and industrial appearance on a landscape the conservation of which is subject to the highest status of protection as outlined in paragraph 115 of the NPPF. Following a vote the proposal was carried.

694. **SDNP/12/02520/FUL RESOLVED:** That the application be refused for the following reason:

- i) the proposal for a large non-agricultural barn for children's farm park activities/tea room and farm shop and relocation of existing farm shop would have an adverse impact with regard to its design, scale and industrial appearance on a landscape the conservation of which is subject to the highest status of protection as outlined in paragraph 115 of the National Planning Policy Framework (NPPF).

## **SDNPA (ARUN)**

### **ITEM 12: SDNP/15/00353/FUL CLAPHAM LODGE CARE HOME, WOODLAND CLOSE, CLAPHAM, WORTHING, WEST SUSSEX BN13 3XR**

695. The Case Officer presented the application and referred to the update sheet.

696. The Committee heard from the following public speakers:

- James Thorns spoke in support of the application on behalf of himself as the applicant.
- Sarah Sullivan spoke in support of the application as a historic building and conservation specialist.

697. The Committee considered the report by the Director of Planning (Report PC35/15), the update sheet and the public speaker comments, and commented:

- The established need for more care homes in the community.
- The applicant was commended for the sensitivity of the proposal, which would enhance the building and help to improve the appearance of the poorly designed single extension.
- The view of the building from the footpath would be enhanced, which aligned with the National Park's Purpose 1.
- The proposed replacement fenestration was a welcome improvement.
- The importance of outdoor space to residents, and whether a landscape condition could be included to enhance enjoyment of the grounds, protect the views from the Eastern side of the building and make the best use of a very tight outdoor space.

698. In response to questions officers clarified:

- The landscape design could be discussed further with the applicant.
- The Highway Authority had no objection to any potential additional vehicle activity.
- The draft Clapham Neighbourhood Development Plan policy had raised impact on residential amenity to the neighbouring property as a material consideration, however as the proposal was at an obscure angle the impact was considered to be acceptable.

699. It was proposed and seconded to vote on the officer's recommendation. Following a vote the proposal was carried.

700. **SDNP/15/00353/FUL RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of Report PC35/15

### **ITEM 13: SDNP/15/00314/HOUS WEPHAM FARM BARN, THE STREET BURPHAM WEST SUSSEX BN18 9RA**

701. The Case Officer presented the application.

702. The Committee considered the report by the Director of Planning (Report PC36/15), the update sheet and the public speaker comments, and commented that one of the photos shown indicated some potential for overshadowing in low sunlight.

703. The Committee considered the report by the Director of Planning (Report PC35/15), the update sheet and the public speaker comments, and commented:

704. It was proposed and seconded to vote on the officer's recommendation. Following a vote the proposal was carried.

705. **SDNP/15/00314/HOUS RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of Report PC36/15

**Chair**

706. The meeting closed at 4.18pm.