

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 13 DECEMBER 2018

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

Present: Alun Alesbury, Heather Baker, David Coldwell, Neville Harrison (Chair), Barbara Holyome, Roger Huxstep, Doug Jones, Tom Jones, Robert Mocatta, Ian Phillips and Anthony Watts Williams.

Ex Officio Members for Planning Policy items only (may participate on Policy Items but not vote, no participation on Development Management Items):

Norman Dingemans, Margaret Paren

Officers: Katie Kam (Solicitor), Richard Sandiford (Senior Committee Officer), Gill Welsman (Committee Officer) and Rob Ainslie (Development Manager).

Also attended by: Richard Ferguson (Development Management Lead), Stella New (Senior Planner Development Management), Mike Hughes (Major Planning Projects and Performance Manager)

OPENING REMARKS

250. The Chair informed those present that:

- SDNPA Members had a primary responsibility for ensuring that the Authority furthers the National Park Purposes and Duty. Members regarded themselves first and foremost as Members of the Authority, and acted in the best interests of the Authority and of the Park, rather than as representatives of their appointing authority or any interest groups.
- The meeting was being webcast by the Authority and would be available for subsequent on-line viewing. Anyone entering the meeting was considered to have given consent to be filmed or recorded, and for the possible use of images and sound recordings for webcasting and/or training purposes.

ITEM 1: APOLOGIES FOR ABSENCE

251. Apologies were received from Tim Slaney.

ITEM 2: DECLARATION OF INTERESTS

252. David Coldwell declared a public service interest in agenda item 8 as he was the Ward Member for the development site.

253. Anthony Watts Williams declared a non-prejudicial public service interest in agenda item 7 as he was acquainted with the developers of the site.

254. Robert Mocatta declared a public service interest in agenda item 9 as the Councillor for Petersfield and was acquainted with both public speakers.

255. Doug Jones declared a non-prejudicial public service interest in agenda item 9 as he was acquainted with both public speakers.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 8 NOVEMBER 2018

256. There were two amendments to the minutes of the previous meeting held on 8 November 2018 as follows:

Minute 218 – deletion of apostrophe in the second line.

Minute 205 – Anthony Watts Williams declared an interest in agenda item 9 not 8.

257. The minutes, with the amendments noted, were then signed as a correct record by the Chair.

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

258. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

259. The Development Manager updated the Committee on previous decisions.

260. The 21 day period following the submission of the amended Certificate B for Hambledon Vineyard had expired and no substantive comments had been received. Work was progressing with regard to the conditions and S106 agreement.

261. A decision had been issued following the S106 agreement for Annington Mere being completed.

262. The Secretary of State had received a request to call in the Rotherlea application. Work was progressing on the S106 agreement; no decision could be made until a response from the Secretary of State had been received confirming their decision.

ITEM 6: URGENT ITEMS

263. There were none.

ITEM 7: SDNP/18/02850/FUL – THE BUNGALOW, CLAPHAM

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

265. The following public speakers addressed the Committee:

- Sally Morris spoke in support of the application representing herself.
- Trudi Starling spoke in support of the application representing herself.
- Carl Moore spoke in support of the application as the agent.

266. The Committee considered the report by the Director of Planning (Report PC74/18), the update sheet, the public speaker comments, and requested clarification as follows:

- Whether the scheme was in line with the Tree Protection Area (TPA) in relation to the courtyard parking area.
- Whether the appearance, depth and permeability of the hard surfaces would be reported to ensure it was sufficient to protect the Root Protection Area (RPA).
- Whether the impact of the dormers and roof lights had been considered in relation to the impact on Dark Night Skies.
- The width of the footpath along Long Furlong.
- On the process that had been followed in relation to the ownership of the small strip of land.

267. In response to questions, officers clarified:

- The planting along the southern boundary was in line with the TPA. The site survey showed accurate positioning of the trees.
- The RPA extended across the access road and into the shared surface of the courtyard area, car parking spaces, vehicle tracking areas and some of the communal garden spaces.
- Protection of the RPA in relation to depth, permeability and appearance would be looked at through the discharge of conditions.
- Condition 9 covered the integration of roof lights and blackout blinds with the details to be submitted before discharge. There had been an overall reduction in the number of roof lights across the scheme.
- The footpath was approximately 1.8-2m wide.
- The applicants had approached the Highways Authority and Arun District Council to confirm ownership of the land, both had confirmed that they land was not owned by them. Land registry had also looked at historic mapping to try and clarify ownership. There would be an absence of easement policy in place to protect future residents of the site.

268. The Committee discussed and debated the application, making the following comments:

- This was a good use of land within the settlement boundary of Clapham.
- Highways Authority were satisfied that the access was appropriate.
- Consideration had been given to ensure the development fitted in with the local character. Attention to detail was key to keeping the local character especially in regard to the window finishes.
- There were concerns in relation to the arboriculture and landscape comments which were not fully addressed by the conditions.
- The existing landscaping proposals needed further refinement, there was specific concern in relation to the protection of tree roots, future management of the low level planting in parking bays, engineering aspects of the parking area including surfacing and construction.

- The trees in the unowned area were not within the curtilage of individual gardens, there should be a separate landscape condition to cover the management and treatment of this area.
 - A formalised Management Plan was required for the communal areas.
 - The development had the support of the Parish Council and the Neighbourhood Development Team.
 - It was a shame that there was a lack of affordable housing, however the mix of dwellings was good.
 - The conditions covered the NDP's requirements in relation to biodiversity.
 - There was a requirement to include energy saving devices to ensure they were affordable to live in.
 - There was no green statement in the application, the highest levels of energy saving specifications should be the aspiration for the development.
 - There was no provision for electric vehicle and mobility scooter charging points. Charging points would be helpful given the proximity of the parking to the housing.
 - The width of the path along Long Furlong provided opportunity to have a shared cycle path.
 - Sustainable energy was covered under condition 11 however further details could be provided, there was opportunity to explore rainwater harvesting, use of solar panels and further improve biodiversity.
269. Officers further clarified that there was a landscape scheme proposed and an arboricultural method statement already submitted. There was a separate condition for levels, with the plans showing definitive levels. The wording of Condition 4 relating to landscape treatment could be amended to refine the landscaping scheme and landscape management plan. The planting in the car park was intended to break up the surface area of the parking area and would be very low level, this could be reviewed under the landscape conditions. Energy saving and sustainability were being looked into further with the applicants, with specific focus on meeting standards in water efficiency, carbon reduction. Use of renewables would be looked at through the conditions.
270. The Development Manager advised that there was a duplicate condition within the report, therefore Condition 17 would be removed.
271. It was proposed and seconded to vote on the officer's recommendation with the addition of conditions relating to arboriculture, levels, land management and construction relating to trees and sustainability, and amendments to add further detailing to Condition 4 in relation to landscaping and Condition 6 in relation to ground protection. The final form of wording to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.
272. **RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report and the December 2018 Update Sheet to include:
1. The removal of Condition 17;
 2. Amended wording to Conditions 4 and 6;
 3. Additional conditions relating to:
 - Arboriculture;
 - Levels;
 - Landscape management plan; and
 - Sustainable construction details relating to courtyard area and the safeguarding of trees and the implementation of those details.
 4. The final form of wording to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

ITEM 8: SDNP/18/01189/FUL – FRESHCOMBE AND SUMMERSDEANE FARM, TRULEIGH HILL

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

274. The following public speakers addressed the Committee:
- Bruce Heather spoke against the application representing himself and other residents of Truleigh Hill.
 - Michael Green spoke against the application representing Truleigh Hill objectors.
 - Tom Ormesher spoke in support of the application representing members of the NFU.
 - Mickelmus Blackman spoke in support of the application representing Enviroworks.
 - Annie Brown spoke in support of the application as the applicant.
275. Doug Jones and Neville Harrison declared interests in the item as they both represented SDNPA on the South Downs Local Access Forum and were acquainted with the speaker Annie Brown also a member of the LAF.
276. The Committee considered the report by the Director of Planning (Report PC75/18), the update sheet, the public speaker comments, and requested clarification as follows:
- Whether the plans outlined the planting as mentioned by the public speaker.
 - If the landscape objection meant that the proposal negated the National Park's Purpose to enhance the landscape.
 - Confirmation that the pods would be sitting on a 'pad' rather than being dug into the ground and therefore higher above the ground than specified in the application.
 - What the surface of the parking area and access paths was.
 - Why other locations for the pods had been discounted.
277. In response to questions, officers clarified:
- The details of ecology mitigation including rockeries and planting had not been submitted, this could be covered under the landscaping condition.
 - The site was sloped, the pods would be sited on level chalk pads.
 - The parking was located on existing hardstanding and had room for 3 cars, there was no proposal to change the surfacing.
 - The surfacing of the access paths was covered by the landscaping condition.
 - The Rampion Mitigation Fund had funded a Community Landscape Officer for Truleigh Hill.
 - Alternative locations had been discounted as they would impact on the working practices of the farm.
278. The Committee discussed and debated the application, making the following comments:
- The pods would be set below the line of the South Downs Way (SDW).
 - The siting of the pods to the east of the woodland minimised the visual impact from the SDW, and there would be minimal impact of sun reflection beyond mid-morning, use of non-reflective glass was suggested.
 - There was a balance to be found, the landscape harm was not substantial and the amenity outweighed this.
 - The pods were discreet.
 - Diversification of this type was good and should be supported.
 - This was a prominent, open landscape, which had already been developed.
 - Farming had an impact on the landscape and the location of the farm could not be changed. The impact on the landscape was minimal and was being mitigated.
 - This was an excellent initiative, with good mitigation. The owners of the site were conscientious.
 - This proposal created much needed accommodation for walkers and cyclists.
 - This was a sustainable proposal that mitigated the landscape impact.
 - There were concerns over the impact of the proposals. Development did cause harm to the landscape and the mitigation was too suburban, it did not enhance the landscape character of the South Downs.

- Existing trees were non-native and therefore harmful to the landscape.
 - The proposal would add to an already cluttered landscape.
 - There was opportunity to site the pods in a more sympathetic location.
 - The intention of the applicant was supported, however it defeated the first purpose of the National Park.
 - The application had a difficult balance. There was a need for farm diversification, but the location could be more discreet.
 - If landscaping work in the form of planting woodland could be appropriate.
 - Whether deferral was an option.
 - There was a clear balance between the two purposes. The farmer had a good working relationship with the National Park and diversification was to be encouraged.
 - The pods were unsympathetic, more effort could have been made to blend in with the landscape.
279. The Development Manager further advised the Committee that this was a challenging application in regard to the purposes of the National Park, and a number of issues had already been addressed by the applicant. The proposal conserved the open downland landscape and further mitigation in the form of woodland planting would be uncharacteristic. The red line denoted on the site plan meant that the decision could not be deferred to allow an alternative site to be brought forward.
280. The Solicitor advised the Committee that the application was limited by the red line, other locations were outside the scope of the application.
281. It was proposed and seconded to refuse the application by reason of the siting, location, design, the unacceptable impact on the open downland setting and the conflict with the first purpose of the National Park and paragraph 172 of the NPPF. The final form of wording to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.
282. The motion to refuse was carried.
283. **RESOLVED:** To refuse planning permission for the following reason due to:
1. The proposed siting and design would have an unacceptable impact on the open downland setting and result in incongruous development that would not enhance the landscape character of Truleigh Hill that would be contrary to the first purpose of the National Park and NPPF paragraph 172.
 2. The final form of wording to be delegated to the Director of Planning in consultation with the Chair of the Committee.

ITEM 9: SDNP/18/03309/FUL – PARIS HOUSE, PETERSFIELD

284. The Case Officer presented the application and referred to the update sheet.
285. The following public speakers addressed the Committee:
- Phil Humphries spoke against the application representing Petersfield Town Council.
 - Michael Blakstad spoke in support of the application representing himself.
286. The Committee considered the report by the Director of Planning (Report PC76/18), the update sheet, the public speaker comments, and requested clarification as follows:
- Whether there was any basis for the applicant seeking costs if refused.
 - If the apartments were to be rented or were some freehold units.
 - In the case of viability should the consideration be for maximum or optimum viability and whether if faced with a different resolution would viability be based on an alternative use.
287. In response to questions, officers clarified:
- The seeking of costs related to the concerns about the design of the scheme in contrast to the Applicant's experience of delivering these types of schemes. A refusal was however justified based on the concerns about the proposed design.
 - The matter of tenure was unclear in the application

- Whether viability considered optimum or maximum viability depended on variety of factors, including what was considered a reasonable return for the land owner.
288. The Committee discussed and debated the application, making the following comments:
- Whether loss of employment was justified.
 - There was a need for specialist housing for older persons' needs.
 - There was clear, up to date policy in place in the Neighbourhood Development Plan (NDP) and emerging Local Plan. The NDP underwent extensive consultations, revisions, and a referendum and it allocated this site as employment land and sites were included for the type of development proposed so the need was not being ignored.
 - There had been some interest in the site for industrial/business use which had not been fully followed up by the applicant.
 - Design was a valid reason for refusal. The design was poor and did not take local character into account.
 - This was not the best use of the available land.
 - The NDP did allow for change of use, extra care assisted living was a source of employment, there was a need for this type of accommodation.
 - Marketing and viability was not robust enough.
289. It was proposed and seconded to vote on the officer's recommendation.
290. **RESOLVED:** That planning permission be refused for the reasons set out in paragraph 10.1 of the report, the December 2018 Update Sheet and a verbal update to reason for refusal no.3 to include reference to the National Planning Policy Framework 2018.

ITEM 10: SUMMARY OF APPEAL DECISIONS RECEIVED FROM 28 AUGUST TO 26 NOVEMBER 2018

291. The Major Planning Projects and Performance Manager presented an overview to the Committee.
292. The Committee considered the report by the Director of Planning (Report PC77/18), and commented as follows:
- These were good outcomes.
 - The appeal decisions in relation to Dark Night Skies gave confidence in this respect to future decisions by the Authority.
 - Officers were commended in the success of the appeals.
293. It was proposed and seconded to vote on the Officer recommendation.
294. **RESOLVED:** The Committee noted the outcome of appeal decisions.

ITEM 11: TO NOTE THE DATE AND VENUE OF THE NEXT MEETING

295. Thursday 17 January 2019 at 10am at the South Downs Centre, Midhurst.

CHAIR

The meeting closed at 13:25.