

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE

Held at: 10.00am on 13 February 2025 at The Memorial Hall, South Downs Centre.

Present: Heather Baker (Chair), Alun Alesbury, Paul Bevan, Antonia Cox, John Cross, Janet Duncton, John Hyland, Gary Marsh, Stephen McAuliffe, Andrew Shaxson and Daniel Stewart-Roberts.

Officers: Tim Slaney (Director of Planning), Rebecca Moutrey (Senior Solicitor), Claire Tester (Planning Policy Manager), Richard Ferguson (Development Management Lead (West)), Sarah Round (Principal Development Management Officer), Kelly Porter (Major Projects Lead), Richard Fryer (Senior Governance Officer) and Jane Roberts (Governance Officer).

OPENING REMARKS

The Chair welcomed Members to the meeting and informed those present that South Downs National Park Authority (SDNPA) Members had a primary responsibility for ensuring that the Authority furthered the National Park Purposes and Duty. That Members regarded themselves first and foremost as Members of the Authority and would act in the best interests of the National Park as a whole, rather than as representatives of their appointing body or any interest groups.

ITEM 1: APOLOGIES FOR ABSENCE

134. There were apologies for absence from Debbie Curnow-Ford and Robert Mocatta

ITEM 2: DECLARATION OF INTERESTS

135. The following declarations was made:

- John Hyland declared a personal interest in Agenda Item 6 as he had a relative that lived in Findon.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 12 DECEMBER 2024

136. The minutes of the previous meeting held on 12 December 2024 were agreed as a correct record and signed by the Chair.

ITEM 4: UPDATES ON PREVIOUS COMMITTEE DECISIONS

137. The following updates were given by the Development Manager:

- SDNP/24/02686/FUL - Hockley Golf Club, the refusal has been issued.
- SDNP/23/02340/FUL – Land North of Hazely Road Twyford, the planning permission was issued on 10 February.
- SDNP/23/05134/FUL - Ditchling Ruby Club, Ditchling. The decision to refuse planning permission had been appealed by the applicant.
- SDNP/23/04270/OUT - Land adjacent to The Causeway & The Buriton Link Road Underpass, Petersfield. A hearing date of 29 April 2025 has been confirmed.

ITEM 5: URGENT ITEMS

138. There were none.

ITEM 6: SDNP/23/04993/FUL - LAND AT ELM RISE, FINDON

139. The Officer presented the application and reminded Members of the report (Report PC24/25-22), the update sheet and the amended recommendation.

140. The following speakers addressed the committee against the application:

- Cllr Sean Smith, Chairman of Findon Parish Council Planning Committee representing Findon Parish Council.

- Samantha King OBE representing herself as a local resident.
 - Alice Bock representing herself as a local resident.
141. The following speakers addressed the committee in support of the application:
- Mark Symonds representing Flo Consulting.
 - Liam Russell representing LRA Retinue.
 - Simon Bareham representing Lewis and Co Planning.
142. The Committee considered the report by the Director of Planning (Report PC24/25-22), the updates and the public speaker comments and commented as follows:
- This was an allocated site in the Local Plan with houses expected to be built on the site.
 - Was happy with the layout and the design generally albeit concerns about parking and position and outlook of the flats in relation to neighbouring properties.
 - Concern over parking provision and would like more parking spaces included on site provided this didn't have an adverse impact on landscape and design. Tandem parking spaces could prove difficult to utilise.
 - Liked the use of flint materials but would not like to see the use of flint panels in straight lines.
 - Concern over water runoff and of the potential for overlooking from the flats.
 - Surprised that individual residents were to be responsible for organising the maintenance of the Sustainable Drainage System (SuDS) given that it was such an engineered scheme. There could be impact downstream if issues were not sorted out and people downstream would be placed at risk from negligence or neglect.
 - The application was premature in relation to drainage and had come before the Committee too early. There was work to be done on the drainage scheme particularly given local concerns. Would prefer to lose a house or two on the plans to rectify the flooding issues.
 - This application would be acceptable as an outline application, however as a full application the scheme was not acceptable due to lack of detail on drainage primarily.
 - The Local Plan for Land at Elm Rise, Findon SD69 (9.90) stated 'A site specific FRA (Flood Risk Assessment) should therefore accompany any planning application for this site and should particularly consider the flood risk to access and egress.'
 - Could further details be provided on the conditions concerning drainage?
 - What were the distances with regards to overlooking on the east of the site, from the flats? Would the change in levels impact the overlooking from the flats? And what were the boundary treatments here?
 - Would the affordable housing be for sale or rent and for what length of tenure?
 - Could the width of the access from Elm Rise be clarified?
 - Was the existing boundary wall in a dip?
 - Had any neighbouring properties been previously flooded?
 - What was meant by a 'shady pergola'?
 - New plans had been recently submitted in the last couple of weeks so was there a need to redesign the drainage scheme to match them?
 - If the application was to be permitted the wording to condition 4 should be amended to include 'in writing'.

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- Was the local Highways Authority content regarding access and turning for refuse vehicles?
- The Local Plan for Land at Elm Rise, Findon SD69 (9.89) noted that single-storey housing would be encouraged in the more elevated parts of the allocation site. How was the most elevated part determined?
- Could further detail be provided on the appearance of the properties?
- Findon Parish Council had commented that there was no Construction Engineering Management Plan (CEMP). Was that correct?
- Could the height of the flats be clarified? If the block of flats was higher than the existing neighbouring housing, if you moved things around it would reduce the impact of overbearing.
- What was the width of the swales? If less than 1 metre, and with the lack of a maintenance plan, it could quickly become overgrown.
- It had been clarified that there was a four-metre soakaway on the attenuation tank. Had there been an impact assessment on groundwater as this was within a groundwater source protection zone (SPZ)? With the amount of sedimentation on the site and the pollution risks from driveway run-off and the risk of that going into a drinking water SPZ, then that was a concern.
- The ecology report was out of date and needed updating. It was understood that there was a badger sett on site. It was understood the badger sett was located in the proximity of the SuDs basin and there was a 30-metre exclusion zone around active badger setts which could impact the application significantly, as it was near the proposed site for the attenuation tank.
- How would the attenuation tank be safely maintained given the one-in-three slope as that was beyond the safe working limit of most mowers or strimmers?
- Car parking would need to be addressed should the application be deferred.

143. Members were advised:

- There was a condition relating to foul drainage but no other drainage conditions as the report was requesting delegated authority to officers to finalise the drainage scheme, in consultation with the Lead Local Flood Authority, and apply conditions accordingly.
- The distances with regards to overlooking the east of the site were to One Elms Rise and Plot one 29 metres and 22 metres to the flank. With 29 metres to the property and 22 metres to the garage. One Horseshoe Close was 19 metres to the rear elevation of the flatted block. It would be the garden of One Horseshoe Close that would be overlooked rather than the property itself. The change in levels would make the overlooking potentially feel more overbearing. However, the distances met the Design Guide SPD.
- A section was shown setting out the difference in level between the flatted block and the properties on Horseshoe Close. The existing boundary wall to number 1 Horseshoe Close was a high retaining brick wall which was sunken below the field and members were shown pictures of this.
- Affordable housing would be secured in perpetuity through a Section 106 agreement.. There would be six social rented properties and two intermediate/shared ownership dwellings.
- Couldn't provide a measurement immediately for the width of the access from Elm Rise. However, there wasn't an objection from the Highways Authority or from the Arboricultural Officer, and a detailed arboricultural statement had been provided that the access could be created without damaging the longevity of the adjacent tree. Whilst 14% of its Root Protection Area (RPA) would be affected, there would be a management

strategy in place during construction and materials, the applicant would have an arboriculturist on site and use a geo-cellular technique to protect the roots. There was a condition in place to request that information.

- A shady pergola was a lightweight wooden structure like a canopy. In the summer it would provide shade in high sun but in winter it would not block natural light into the property.
- The full scheme of the application went out in September 2024 and went out to consultation in November 2024. There were minor errors and inconsistencies in the floor plans and elevational drawings and site plan which resulted in the submission of the most recent plans. Otherwise, there were no fundamental changes to the layout, height, mass and bulk or design approach of the development hadn't changed since the re-consultation exercise in December so no further consultation with statutory consultees was required.
- There were no objections from the Highways Authority on the road design and turning head which would be large enough for bin lorries to turn.
- There were various designs, chalet bungalow, two story houses and flats. The chalet bungalow was proposed at the highest area of the site to meet the allocation policy. The landscape officer was comfortable with the scheme but did have concerns with SuDS. The materials were in line with the South Downs National Park Authority (SDNPA) Design Guide SPD and would be brick and tile hung for the flatted block, and a mix of brick and flint or brick and tile hung for the remainder of the properties. Some of the properties, such as the semi-detached 09-10 had slate roofs and others tile roofs. All properties were proposed to have timber windows. There were a number of conditions to secure further details such as barge boards, rainwater goods, detailed design of the windows and doors samples of materials would also be conditioned.
- The CEMP was detailed in condition 6.
- The flats were two-story, as with the surrounding housing. The Velux windows in the roof would lead to minimal overlooking.
- There was some disagreement between the Applicant's consultant and the Lead Local Flood Authority on groundwater testing which was an item that needed to be resolved. There have been no objections from the Lead Local Flood Authority in regard to groundwater source protection matters specifically and the consultant was relying upon infiltration methods to resolve.
- The Section 106 agreement would include a management plan to maintain the site, but that has not been conditioned as the SuDS and drainage were outstanding and haven't yet been agreed. We don't yet have the detail of what was going to be managed as we were still working through the technical details of the scheme.
- There was a site walkover in April 2024, which revealed that foxes were currently using the badger sett. Condition 22 required a pre-commencement updated badger survey.
- The distances between the properties were not out of the ordinary and not out of kilter from the Design Guide SPD. The flats would overlook gardens, but that was not unusual. Officers would re-examine the siting of the flat to see if it could be improved.
- The car parking was compliant broadly with the thrust of government advice being Vision-led rather than predict and provide, but policies allowed some flexibility, so Officers would look again at it.

144. **RESOLVED:** That the determination of the planning application be deferred in order for the applicant to have the opportunity to address the Committee's concerns in relation to technical matters of the drainage scheme, its consequent maintenance and management plan and a groundwater impact assessment. Officers would also consider the relationship of the flats with the neighbouring property and parking provision.

145. The meeting adjourned for a short comfort break.

ITEM 7: SDNP/22/05353/FUL - GRACES FARM, ABBOTTS WORTHY

ITEM 8: SDNP/22/05354/LIS - GRACES FARM, ABBOTTS WORTHY

146. The Officer presented the applications and reminded Members of the reports (Report PC24/25-23) and (Report PC24/25-24) and the update sheet.

147. The following speaker addressed the committee in support of the application:

- Chris Horn of BCM Wilson Hill, the Land Agent representing the applicant.

148. The Committee considered the report by the Director of Planning (Report PC24/25-23), the updates and the public speaker comments and commented as follows:

- Could not find any significant issues with the proposed development. This made the farm sustainable by letting the farmer diversify. It was a fabulous development and would love to see it built.
- Had concerns in principle with large agricultural buildings being moved to elevated land whilst converting a previous farmstead into non-agricultural use, but the proposals' advantages outweighed the movement of the large agricultural buildings. It was a large site which could accommodate the change.
- A very good scheme which should not set a precedent for new dwellings outside a settlement boundary when inappropriate or putting large farm buildings on green fields if they could go elsewhere. But this was a unique case, and the farm buildings had to move for good reason.
- The B3047 road was not suitable for walkers so welcomed the improved Rights of Way allowing walkers to avoid the road.
- Pleased to see the block wall would be removed and a new one added.
- Could detail be provided in regard to building 8?
- Could the rationale behind condition 4 of SDNP/22/05354/LIS be explained? Could there be circumstances where the building could benefit from dampproof treatment? Could this be amended to allowing treatment where appropriate?
- Was it realistic to make the barn into a residential space, due the size and would they be energy efficient?
- This scheme was a mix of a conservation approach, such as maintain the roofing materials on the threshing barn, and a pragmatic approach with regard to the stables roof. Would it be better served following just one philosophy or approach to maximising the conservation of the site, rather than a mix of both?
- Could further detail be provided on the two new permissive routes?
- Welcomed the addition of condition 25 to SDNP/22/05353/FUL. Concerned with the wording of condition 13 for SDNP/22/05353/FUL. The biodiversity management plan was almost 5 years old and would normally only be valid for between 18 and 24 months. Could condition 13 be amended so that it's a pre-commencement condition, and we would seek a biodiversity action plan and surveys before any development.

149. Members were advised:

- It was initially proposed that building eight would be moved and replaced with a detached dwelling. However, Officers were of the opinion that a detached dwelling on the road was not appropriate, and that part of the application was withdrawn. Building eight was now proposed to be used as farm storage and would no longer be used for livestock. The current cattle would be relocated away from the residential development.

- Condition 4 of SDNP/22/05354/LIS was a result of a discussion with the conservation officer. It could be amended to include the wording in that condition that says "unless otherwise approved in writing by the LPA."
- The barn would achieve a 12% reduction in carbon emissions through external insulation. The applicant had submitted a sustainable design and construction report, and there was a condition which required those standards were achieved.
- The Winchester Heritage Officer has provided support for the scheme. The threshing barn was the more important building in terms of its heritage significance. It was Grade Two listed in its own right, whereas the stables were curtilage listed. Officers were of the opinion that the application had put forward an approach which addressed the respective significance of the listed buildings and maintained this as best they could whilst they changed the use of the buildings.
- There were two new permissive routes, one of which would come off the existing public right of way which would allow the occupants of the old farmyard can go straight out onto a footpath. The other permissive route was down the side of East Lane to Easton. This would allow people to walk along a path all the way down to Easton, and that was requested by Easton Parish Council.
- Condition 13 of SDNP/22/05353/FUL could be amended to require a pre-commencement biodiversity management plan to be submitted for approval.

150. ITEM 7 RESOLVED:

1. That planning permission was granted subject to:
 - i. A S106 legal agreement, the final form of which was delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to secure:
 - the creation and dedication of a Public Right of Way connecting Itchen Valley Footpath 44 with the HCC Itchen Valley Rail Path along the route of the disused railway line adjacent to the north boundary of the development site.
 - the creation and dedication of a Public Right of Way for a route that would run west from Itchen Valley Footpath 29 to the field entrance on the south side of the B3047 opposite the southern access to Itchen Valley Footpath 44.
 - the works to the heritage assets to secure their optimum visible use.
 - to enter into permissive footpath agreements.
 - ii. The other conditions set out in Section 9 of the report, the update sheet and the amendment to Condition 13 agreed at the meeting.
2. That authority be delegated to the Director of Planning to refuse Planning Permission, with appropriate reasons, if the legal agreement is not completed, or insufficient progress made, within six months of the 13 February 2025 Planning Committee meeting.

151. ITEM 8 RESOLVED:

That listed building consent was granted subject to the conditions set out in Section 9 of the report and the amendment to Condition 4 agreed at the meeting.

152. Tim Burr joined the meeting

ITEM 9: PLANNING REFORMS

153. The Officer reminded Members of the report (PC24/25-25).

154. The Committee considered the report by the Director of Planning (Report PC24/25-25) and commented as follows:

- The planning reforms increased the urgency to resolve the Local Plan. Could the timetable be accelerated?

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- With devolution, would the elected Mayors be bound by the duty to cooperate? Was there a risk the elected Mayors may use their call in powers or compulsory purchase orders (CPO)?
- The mayor could allocate the number of houses allocated on National Parks, was that a fear or had it been specifically indicated by the government?
- The finalized Gypsy and Traveller Accommodation Assessment for South Downs was published in December, but does it cover the whole of the Park or just Adur and Worthing, Brighton and Hove? (Separate report for East Hampshire).
- Didn't Mid Sussex produce a Gypsy and Traveller Accommodation Assessment with the SDNPA?
- Can Officers confirm that reports come to the Planning Committee at the discretion of the Director of Planning and in consultation with the Chairman of the Planning Committee?
- Could there be a buffer around the National Park for development, as with Sites of Special Scientific Interest (SSSI) impact zones?
- Could confirmation be provided that the Government seems to have ignored the Authority's submission around the affordability accelerator and what that might mean, in practice, for the SDNP in terms of higher housing allocations?
- In regard to delivery bodies and delivery plans Natural England look to have a key scrutiny role. And may even be the delivery body. This may slow decision making and would lose local expertise. Was there a risk the SDNPA could be overlooked, and it could be one of the best delivery bodies.

155. Members were advised:

- The existing timetable looked for submission of the Local Plan by September 2026, with a hard deadline of December 2026 to be considered under the existing plan-making system. Those extra three months may be required to respond to national reforms, especially National Development Management Policies. There was no scope to accelerate the timetable.
- Some of the proposed changes could make the Local Plan easier, with the National Development Management Policies replacing some of our policies. There was a pace in government to streamline the process, the question was how far the streamlining would meet the Authority's purposes.
- By the time the new mayors were elected they would be preparing spatial development strategies under the new planning system, so the Duty to Co-operate would not be relevant but would likely be replaced by something similar. The mayor would still be bound by Section 245 duty to further our purposes. How they would use their powers and resources would, if history was any guide, be down to their individual personalities.
- Spatial Development Strategies would be part of the new mayor's responsibility and would include distribution of housing numbers. It was currently unknown if this would include allocating housing numbers to National Parks.
- The finalised Gypsy and Traveller Accommodation Assessment does cover the whole of the SDNP, but Adur and Worthing Councils, and Brighton & Hove Council commissioned the report.
- Mid Sussex did produce a Gypsy and Traveller Accommodation Assessment with the SDNPA. It was one of several studies that had been updated as part of the overall study.
- It was confirmed that reports come to the Planning Committee at the discretion of the Director of Planning and in consultation with the Chairman of the Planning Committee

- The Authority cannot designate a buffer around the Park, as by its nature that would be outside the National Park and therefore outside its jurisdiction. Also impact of development in the setting of the National Park depends on many factors including functional connectivity and tranquillity and was a nuanced judgement, not a spatial buffer.
- Representations were made by the Authority to the National Planning Policy Framework (NPPF) consultation raising concerns about the affordability accelerator, but the final version had actually increased its influence on the numbers in this area. The Planning Policy Guidance (PPG) provides some clarification on how housing need should be assessed in National Parks and those local authorities that intersect with them. We were discussing this with local authority partners and gathering relevant data. We know that affordability is more of an issue in the SDNP hence our focus on the provision of affordable housing.
- The housing stock in some National Parks could be up to 40% second homes, but that would need to be evidenced to provide an alternative to the standard methodology.
- The Authority was in direct communication with Government about the threats and opportunities around delivery plans and delivery bodies.

156. John Cross left the meeting.

157. **RESOLVED:** The Committee:

1. Received and considered the report on Government's Planning Reforms
2. Noted the issues raised and provided a steer on key messages for officer interactions on the future proposals with Ministers and civil servants

ITEM 10: SUMMARY OF APPEAL DECISIONS FROM 21 SEPTEMBER 2024 – 23 JANUARY 2025

158. The Officer reminded Members of the report (PC24/25-26).

159. The Committee considered the report by the Director of Planning (Report PC24/25-26) and commented as follows:

- The Queens Hotel appeal dismissal by the inspector was very thorough.
- Surprised by the reasons of the appeal outcome for Garratts Field, the dog walking paddock. The impact of the fencing on the area would likely have been permitted development if the mention of dogs using the site had been omitted. The reason for refusal was the fencing and hedging.
- There had been a new submission identical to Land at Mill Lane. Would that be called in or would it be dealt with by Winchester City Council?
- Were there any enforcement issues with the Queen's Hotel?

160. Members were advised:

- Garratts Field, was not permitted development on that scheme submitted.
- The new application at Land at Mill Lane would be dealt with by Winchester City Council who have this appeal decision to inform their handling of the case.
- An investigation would need to be carried out to identify any enforcement issues with the Queens Hotel. Some works were internal and would not require permission, other works could be classed as permitted development. Works above the Tap Room have no material change of use.

161. **RESOLVED:**

The Committee noted the outcome of appeal decisions,

162. The Chair closed the meeting at 1.10pm

CHAIR

Signed: _____

