

Unconfirmed minutes to be confirmed at the next meeting of the Planning Committee

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 14 DECEMBER 2017

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

Present: Alun Alesbury (Deputy Chair), Heather Baker, David Coldwell, Neville Harrison (Chair), Barbara Holyome, Doug Jones, Tom Jones, Robert Mocatta, Ian Phillips

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

Norman Dingemans

Officers: Tim Slaney (Director of Planning), Becky Moutrey (Senior Solicitor), Richard Sandiford (Senior Committee and Member Services Officer), Gill Welsman (Committee Officer)

Also attended by: Rob Ainslie (Development Manager), Lucy Howard (Planning Policy Manager), Victoria Corrigan (Senior Planner), Richard Ferguson (Development Management Lead - West), Stella New (Development Management Officer), Rob Thain (Planning Policy Lead), Stephen Cantwell (Development Management Lead – East), Mike Hughes (Major Planning Projects and Performance Manager), Chris Paterson (Communities Lead)

OPENING REMARKS

The Chair informed those present that:

- SDNPA Members had a primary responsibility for ensuring that the Authority furthered the National Park Purposes and Duty. Members regarded themselves first and foremost as Members of the Authority, and would act 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

817. Apologies for absence were received from Gary Marsh and Margaret Paren.

ITEM 2: DECLARATION OF INTERESTS

818. Doug Jones declared a public service interest in Item 7 as the applicant was known to him and one of the speakers was a member of the South Downs National Park Authority Sustainable Communities Fund Panel to which he was Chair. He informed the meeting that the application and site had never been the subject of any discussions or decisions made by the panel so there were no conflicts of interest.

819. Tom Jones declared a non-pecuniary interest in Item 8 as a member of Lewes District Council.

820. Robert Mocatta declared a public service interest in Item 7 as he was acquainted with Christine Seward, one of the speakers, through her work running the Sustainability Centre in East Meon and was also one of his constituents. He also declared a public service interest in Item 9 as Keith Budden, one of the speakers, was a fellow District Councillor.

821. Neville Harrison declared a public service interest in Items 7 and 8 as a member of the South Downs Society who had commented on these items.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 9 NOVEMBER 2017

822. The minutes of the meeting held on 9 November 2017 were agreed as a correct record and signed by the Chair.

ITEM 4: MATTERS ARISING

823. There were none.

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ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

824. Rob Ainslie updated the Committee on the previous decision made on the planning application relating to Park House Hotel, Bepton. The Appeal Inspector had dismissed the appeal concluding that; the development would be harmful to the living conditions of local residents, the on-street overflow parking had potential to have some adverse visual effects in the area but that this would be of less significance than the permanent visual harm to the National Park and the setting of the conservation area arising from establishing a permanent car park.

ITEM 6: URGENT MATTERS

825. There were none.

DEVELOPMENT MANAGEMENT

ITEM 7: SDNP/I7/03623/FUL - DANGSTEIN CONSERVANCY, C/O LAUNDRY COTTAGES, DANGSTEIN ROAD, ROGATE, GU31 5BZ

826. The Case Officer presented the application, referred to the December 2017 update sheet and verbally updated the Committee on comments that had been received overnight from the Ravens Archery Club relating to the pre-commencement conditions.
827. The following public speakers addressed the Committee:
- Paddy Walker spoke against the application as a local resident, representing himself.
 - Elizabeth Brown spoke against the application on behalf of Rogate Parish Council.
 - David Campion spoke against the application as the agent representing Mr Nick Jacobs and other objectors.
 - Christine Seward spoke in support of the application representing herself and the Sustainability Centre.
 - Peggy Field spoke in support of the application representing herself and the Friends of Dangstein Conservancy.
 - Paddy Cox spoke in support of the application as the application representing the Dangstein Conservancy.
828. The Committee considered the report by the Director of Planning (Report PC76/17), the December 2017 update sheet, the public speaker comments and commented:
- There was considerable reliance on proposed management plans sought by conditions.
 - That by meeting the pre-commencement conditions, an indication of the future effective management of the site would be demonstrated.
 - That a clearer distinction between the Landscape and Ecology Management Plan (LEMP) and the Ancient Woodland management was required.
 - The site management plan needed to ensure that access via the gate on Fynings Lane be restricted to key times.
 - Issues over Access and the Management Plan had not been sufficiently addressed since the previous refusal.
 - That there was still no site Management Plan in place and that these plans should be seen before a new decision was made given that historically the site had not been well managed.
 - Assurance that nothing would be commenced on site until the plans had been approved.
 - That the planning terms were unclear with regard to access of the site.
 - The level of activity was detrimental to the nearby residential properties.
 - Not enough weight was being given to the conserving the natural beauty and heritage of the Park.
 - There was a positive impact of the proposal on the restoration of the heathland and woodland education.

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829. The Committee also raised concerns and requested clarification as follows:
- Concern regarding the impact of the proposal on the special quality of tranquillity in this area of the National Park.
 - Clarification as to whether there was an extent planning permission limiting access use or whether the access was just a private matter.
 - Concern over access and noise disturbance.
 - Whether the buildings that were currently on site, which did not have planning permission, would still be removed if the Committee refused this application.
 - Whether enforcement was still the responsibility of Chichester District Council or whether it was now the responsibility of the Authority.
 - Concern that the level of activity was too intense.
830. In response to questions, officers clarified:
- The planning permission granted limited use of access for Laundry Cottage and for forestry operations.
 - Some of the structures currently on site were unlawful and therefore action would follow pending this decision, but Members had to make a decision based upon the application in front of them.
 - That enforcement was undertaken by Chichester District Council as agent for the SDNPA. The National Park consistently assisted and supported the District Council with enforcement.
831. It was proposed and seconded to vote on a revised officer recommendation with amended wording to Condition 13 relating to woodland management and clarification surrounding the pre-commencement conditions.
832. The revised recommendation was not carried by the Committee. The Committee discussed possible reasons for refusal.
833. It was proposed and seconded to refuse the grant of planning permission for the reason that the proposed uses of the site would cumulatively lead to a level of activity which, through noise and disturbance including from traffic arriving and departing the site, would not conserve or enhance the National Park landscape and its tranquillity. The proposals therefore did not accord with saved policies R2 and RE12 of the Chichester District Local Plan 1999, policies SD4 and SD7 of the South Downs Pre-Submission draft Local Plan 2017, the 1st Purpose of a National Park, and the National Planning Policy Framework 2012. The final form of wording of the refusal were to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.
834. **RESOLVED:**
- To refuse the grant of planning permission for the following reason:
- The proposed uses of the site would cumulatively lead to a level of activity which, through noise and disturbance including from traffic arriving and departing the site, would not conserve or enhance the National Park landscape and its tranquillity. The proposals therefore do not accord with saved policies R2 and RE12 of the Chichester District Local Plan 1999, policies SD4 and SD7 of the South Downs Pre-Submission draft Local Plan 2017, the 1st Purpose of a National Park, and the National Planning Policy Framework 2012.
- The final form of words being delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

ITEM 8: SDNP/17/03100/FUL - LAND AT UNITS 6-8 BROOKS ROAD, LEWES, EAST SUSSEX

835. The Case Officer presented the application, referred to the December 2017 update sheet and verbally updated the Committee on matters relating to drainage of the site and land registration relating to site access.
836. The following public speakers addressed the Committee:
- Robert Cheesman spoke against the application representing the Friends of Lewes.

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- Paul Burgess spoke in support of the application as the agent.
 - Paul Fender spoke in support of the application as the architect.
 - Chris Oakley spoke in support of the application on behalf of Cross Stone Homes.
837. The Committee considered the report by the Director of Planning (Report PC77/17), the December 2017 update sheet, the public speaker comments, and commented:
- That the principal of mixed use development was to be encouraged in towns within the National Park.
 - The buildings within the proposal were a good design and appropriate to Lewes.
 - The development of this type would fulfil a local need.
 - There was concern over the uncertainty of the access rights for the proposal.
 - The layout of the development was poorly designed, specifically with regard to the neighbouring service yard.
 - To refuse this proposal seemed premature; there was opportunity to improve the proposal.
 - There was concern over the lack of affordable housing being provided within the scheme, the percentage should be higher.
 - Parking was not an issue for this site.
 - This was a sustainable development.
 - There was scope to challenge the viability assessment that had been put forward by the developers.
 - The site had been dormant for several years, this development would add something different into the location.
 - Site viability would improve with securing access to the site.
 - The external landscaping could be improved as it was dominated by parking.
838. The Committee also requested clarification with regard to:
- Whether the marketing of the site, which had been on the market for a considerable time, was robust.
 - Concern over the uncertainty of access to the site, especially with regard to the unregistered land.
 - Clarification regarding which policies applied to this area of land and what weight could be given to the emerging Neighbourhood Development Plan (NDP).
 - How the Committee could feasibly address the lack of affordable housing.
 - Whether the affordable housing was time limited or in perpetuity.
839. In response to questions, officers clarified:
- Further advice would need to be sought with regard to access from the unregistered land and the access from the current Tesco site.
 - Officers referred to the report regarding policy. Regeneration was encouraged, this proposal met with policy as it provided business units within the site as part of the development.
 - The NDP was in pre-submission draft form. Some weight had been given to this emerging plan. This site had not been included in the plan as other sites had been deemed more suitable by the NDP steering group.
 - It would be possible to carry out an independent viability assessment to consider whether there should be an increase percentage of affordable housing.
 - The affordable housing was now in perpetuity.
840. It was proposed and seconded to vote to defer the application so that further assessments of affordable housing, access grounds and the need for improvement of external landscaping can be undertaken and considered by Members.

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841. RESOLVED:

That consideration of planning application SDNP/17/03100/FUL be deferred in order that further assessment on the following be obtained to better inform a decision:

- 1) Viability (to include increase of affordable housing provision)
- 2) Access (to include confirmation of all means of access to the site)
- 3) Landscaping (improvement of external landscaping).

842. The Committee took a short recess at 12:46.

843. Robert Mocatta left the meeting at 12:46.

844. The Committee reconvened at 12:52.

ITEM 9: SDNP/17/00873/CND & SDNP/17/01406/FUL - MOBILE HOME I HALF ACRE, HAWKLEY ROAD, LISS, HAMPSHIRE, GU33 6JS

845. The Case Officer presented the application and referred to the December 2017 update sheet.

846. The following public speakers addressed the Committee:

- Cllr Keith Budden spoke against the application as the Ward Councillor for Hangers and Forest Ward.
- Geoff Brighton spoke against the application as the Chair of Planning, Hawkley Parish Council.
- David Lentaigne spoke against the application as a local resident.

847. The Committee considered the report by the Director of Planning (Report PC78/17), the December 2017 update sheet, the public speaker comments, and requested clarification as follows:

- Whether the hedgerow on the northern boundary was within the control of the applicant and whether the landscaping was sufficient.
- Clarity sought regarding the personal permission for the resident dependents and the extent of this condition
- Whether it would be possible to grant temporary permission given the status of the site within the emerging Local Plan.
- Clarity sought regarding granting temporary permission and whether the site would automatically be deemed an allocated gypsy and traveller site if the current residents relocated.
- Whether the Authority had control over the colour of the proposed mobile homes.
- Whether it was possible to place a temporary permission on what would be deemed a permanent structure.

848. In response to questions, officers clarified:

- Further landscaping within the blue line had been requested. There was scope along the northern boundary to move pitches and mobile homes to accommodate further screen planting.
- A condition specifically detailed those named and referenced their dependents who may or may not currently live on site.
- Some weight had been given to the emerging Local Plan. There was an argument for temporary permission, however the current health issues of individuals would not change.
- The Authority did not currently have control over the colour of mobile homes, just the number of static mobile homes located on the site. This would not change through the proposed conditions.
- Placing a temporary permission on a building would be the same as some permissions that were given for agricultural buildings and as such reasonable in the circumstances.

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849. The Director of Planning advised the committee that the proposed conditions meant that should the current residents relocate, or the health issues no longer be an issue, the use of the site could not under this permission be retained.
850. It was proposed and seconded to vote on the grant of a temporary planning permission for application reference SDNP/17/00873/CND for a period of 6 years subject to the conditions set out in report reference PC78/17.
851. **RESOLVED:** The Committee resolved:
To grant temporary planning permission on application **SDNP/17/00873/CND** for a period of 6 years subject to the conditions set out in paragraph 10.1 of report PC78/17; the final form of words which is to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee in order to address the grant for a temporary period.
852. It was proposed and seconded to vote on the grant of temporary planning permission for application reference SDNP/17/01406/FUL for a period of 6 years subject to the conditions set out in report reference PC78/17.
853. **RESOLVED:** The Committee resolved:
To grant temporary planning permission on application **SDNP/17/01406/FUL** for a period of 6 years subject to the conditions set out in paragraph 10.2 of report PC78/17 and the December 2017 update sheet; the final form of words which is to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee in order to address the grant for a temporary period.
854. The meeting broke for lunch 13:30.
855. Tom Jones left the meeting at 13:30.
856. The meeting reconvened at 14:02.

ITEM 10: SDNP/17/00001/TPO - SOLDIERS FIELD, SOLDIERS FIELD LANE, FINDON, WORTHING, BN14 0SH

857. The Case Officer presented the application.
858. The Committee considered the report by the Director of Planning (Report PC79/17) and commented:
- This was an excellent specimen which could however impact on any future development.
 - Whilst the tree was out of character with the natural landscape it could significantly enhance a future urban environment.
 - The TPO would not be a block to future development but could ensure that consideration would be given to replacement planting or landscaping.
859. It was proposed and seconded to vote on the officer's recommendation.
860. **RESOLVED:** That the provisional Tree Preservation Order SDNP/17/00001/TPO made on 29 June 2017 be confirmed.

ITEM 11: THE MAKING OF EAST MEON NEIGHBOURHOOD DEVELOPMENT PLAN

861. The Communities Lead Officer presented an overview to the Committee.
862. The Committee considered the report by the Director of Planning (Report PC80/17) and:
- Commended the community of East Meon for their hard work and in overcoming the challenges faced.
863. It was proposed and seconded to vote on the Officer's recommendation.
864. **RESOLVED:** The Committee:
- 1) Noted the outcome of the East Meon Neighbourhood Plan Referendum;
 - 2) Agreed to make the East Meon Neighbourhood Development Plan part of the SDNPA's Development Plan for the parish of East Meon.

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ITEM 12: THE MAKING OF LISS NEIGHBOURHOOD DEVELOPMENT PLAN

865. The Communities Lead Officer presented an overview to the Committee.
866. The Committee considered the report by the Director of Planning (Report PC81/17) and:
- Commended the community of Liss and the Communities Team for their hard work on the plan.
 - Highlighted that Liss had allocated a good number of houses whilst being able to retain the nature of a 'hidden' village within the National Park.
867. It was proposed and seconded to vote on the Officer's recommendation.
868. **RESOLVED:** The Committee:
- 1) Noted the outcome of the Liss Neighbourhood Plan Referendum;
 - 2) Agreed to make the Liss Neighbourhood Development Plan part of the SDNPA's Development Plan for the parish of Liss.

ITEM 13: APPROVAL OF PROPOSED MODIFICATIONS TO THE WEST SUSSEX JOINT MINERALS LOCAL PLAN

869. The Planning Policy Lead Officer presented an overview to the Committee.
870. The Committee considered the report by the Director of Planning (Report PC82/17) and:
- Requested clarification on the soft sand joint review.
 - Queried whether policy MM5 had procedures in place to ensure restoration delivered net gains to natural capital.
 - Clarification requested regarding hydraulic fracturing not being permitted over 1200m in Groundwater Protection Zone 1 and whether this was a new standard being set by the National Park.
 - Request for confirmation that hydraulic fracturing was not permitted within the National Park, therefore it was to be assumed that the policy referred to drilling under the National Park.
 - Noted that the Steyning soft sand allocation had been removed from the plan and the site in Coldwaltham not included. Confirmation was required as to whether these sites could be added to the plan after adoption.
 - Should an application be proposed before the plan was adopted, what weight would be given to this plan.
871. In response to questions, officers clarified:
- There had been debate with West Sussex County Council regarding restoration. It was not possible to extract minerals without localised damage. Amended wording referred to 'net gains' for biodiversity post extraction.
 - Reference to hydraulic fracturing followed statutory guidance and was not setting a new standard for the National Park.
 - Vertical drilling was not permitted within the National Park, but drilling could take place under the Park.
 - Sites that had been left out of the plan could be added, along with other sites, when the plan was reviewed in future.
 - Primary weight would be given to this plan in consideration with other existing minerals plans, West Sussex County Council would be applying the same weight.
872. The Director of Planning advised the Committee that commendable policies had been included in the plan, with the exception of the soft sand policy which would be reviewed further. Work would continue with West Sussex County Council in order to adopt the plan as soon as possible.
873. It was proposed and seconded to vote on the Officer's recommendation.

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874. **RESOLVED:** The Committee recommended the National Park Authority to:
- 1) Agree the proposed Modifications to the draft West Sussex Joint Minerals Local Plan (Appendix 1) for publication and public consultation on their soundness followed by submission to the Inspector;
 - 2) Agree primary weight should be placed on the draft West Sussex Joint Minerals Local Plan, in conjunction with other material considerations, when determining minerals development proposals in the interim period until the date of adoption.
 - 3) Agree to undertake a single issue (soft sand) joint review of the Plan after adoption.

ITEM 14: SUMMARY OF APPEAL DECISIONS RECEIVED FROM 30 AUGUST 2017 TO 27 NOVEMBER 2017

875. The Major Planning Projects and Performance Manager presented an overview to the Committee.
876. The Committee considered the report by the Director of Planning (Report PC83/17) and:
- Asked what the national picture was with regard to appeals when compared with the statistics of the National Park.
 - Requests confirmation of how much weight was being given to Partnership Management Plans (PMP) in regard to appeals.
 - Suggested that the appeals results were shared with Parish Councils and other Authorities as they would benefit from the information, especially where the National Park had been successful in upholding policies.
877. In response to questions, officers clarified:
- The appeal statistics were broadly consistent with the national picture. Around 65-70% of appeals are dismissed nationally.
 - PMP policies were not always referred to in appeal decisions, weight afforded was lower than a development plan but broadly comparable to a supplementary planning document.
 - Moving forward this appeals information would be made available to all host authorities via a shared website. The Authority would look at adding appeals information into the planning e-newsletter which was sent to all Parish Councils.
878. The Director of Planning highlighted that 70-90% success was positive. It demonstrated that the Authority were pushing boundaries when making decisions.
879. It was proposed and seconded to vote on the Officer's recommendation.
880. **RESOLVED:** The Committee noted the outcome of appeal decisions between 30 August 2017 and 27 November 2017.

ITEM 15: TO NOTE THE DATE AND VENUE OF THE NEXT MEETING

881. Thursday 18 January 2018 at 10am at the South Downs Centre, Midhurst.

CHAIR

The meeting closed at 14:50.