

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

**SOUTH DOWNS NATIONAL PARK AUTHORITY
PLANNING COMMITTEE 11 JUNE 2015**

Held at The Memorial Hall, South Downs Centre, North Street, Midhurst at 10:01am.

Present:

Neville Harrison (Chair)	Alun Alesbury	Jennifer Gray	Barbara Holyome
Doug Jones	Tom Jones	Diana Kershaw	Ian Phillips
Margaret Paren (ex Officio)			

SDNPA Officers: Tim Slaney (Director of Planning), Lucy Howard (Planning Policy Manager), Anna Ludford (Senior Policy Officer), Lara Southam (Local Plan Lead), Ray Drabble (Local Development Framework Policy Officer), Sarah Nelson (Strategic Planning Lead), Gareth Giles (Planning Policy Officer), Katie Kam (Senior Solicitor), and Stella New (Member Services Support Officer).

OPENING REMARKS

833. The Chair took the opportunity to thank:

- Andrew Shaxson for the time and dedication he had given to the Planning Committee. Andrew had been the Chair of the SDNPA Planning Committee since 2011, and his exceptional contribution and commitment to the role was acknowledged as was his extensive local knowledge. He also had an understanding of the important role good planning could play in delivering the National Park Purposes
- Charles Peck, Jennifer Gray and David Jenkins for their valued contribution to the Committee.

834. It was clarified to the Committee that EHDC had confirmed their appointee change would commence on 8 August.

835. The Chair informed all present that Item 9 (Public Consultation Draft of Milland Neighbourhood Development Plan) would be considered before Item 8 (Draft Composite Local Plan).

ITEM 1: APOLOGIES

836. Apologies were received from Norman Dingemans.

ITEM 2: DISCLOSURE OF INTERESTS

837. Doug Jones declared a Public Service interest in item 8 as he lived in the National Park in a village mentioned a number of times in the Local Plan, which had a settlement policy boundary, and as a parish councillor for that village.

838. Jennifer Gray declared a Public Service interest in item 8 as she lived in the National Park.

839. Margaret Paren declared a Public Service interest in item 8 as she lived in the National Park in a village mentioned a number of times in the Local Plan, which had a settlement policy boundary.

840. Barbara Holyome declared a Public Service interest in item 8 as she lived in the National Park in a village that was not mentioned in the Local Plan that had a settlement policy boundary.

841. Alun Alesbury declared a Public Service interest in item 8 as a parish councillor and he lived in the National Park in a village that did not have a settlement boundary for consideration, but was however close to other villages whose settlement boundaries he believed were being considered.

842. Neville Harrison declared a Public Service interest in item 8 as he lived in a parish within the National Park, in a village without a settlement policy boundary.

843. Tom Jones declared a Public Service interest in item 8 as the councillor of a parish within the National Park.

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ITEM 3: MINUTES OF PREVIOUS MEETINGS HELD ON 14 MAY 2015

844. The Part I minutes of the meeting held on 11 May 2015 were agreed as a correct record and signed by the Chair.
845. The Committee considered that as Members had nothing to raise in respect of the matter that had been considered, there was no requirement to move into Part II confidential session for Item 11.
846. **RESOLVED:** That the Authority would not move into Part II for Item 11, and this item would therefore be considered during Item 3.
847. The Part II minutes of the meeting held on 14 May 2015 were agreed as a correct record and signed by the Chair.

ITEM 4: MATTERS ARISING

848. The Director of Planning informed the Committee with regard to the appeal decision for Little Vicarage Farm:
- The application previously refused by the Committee for the change of use to keeping of horses, and the associated works, and the resulting enforcement notice had been the subject of a public inquiry, the results of which had been received.
 - The primary reason for refusal had been the landscape impact resulting from the change of use from grazing to keeping horses.
 - During the inquiry the appellant had dropped the appeal on the planning application, and continued with the appeal against the enforcement notice.
 - The appellant had sworn under oath, and during cross examination confirmed, that he was predominantly grazing horses, and undertaking only minimal keeping of horses.
 - The inspector had carried out a site visit, and based on this and the appellant's statements under oath and during cross examination, considered that the appellant was grazing rather than keeping horses.
 - The inspector had invited the Planning Authority to consider whether the size and type of buildings associated with the grazing of horses fell within agricultural permitted development guidelines.
849. The Committee commented:
- The difficulty of determining whether agricultural structures were within permitted development rights.
850. In response to queries, officers clarified:
- The assessment of the outbuildings would be undertaken in the near future.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

851. The Planning Policy Manager updated the Committee with regard to the public hearing of the Petersfield Neighbourhood Plan:
- This had been held the previous week in Petersfield Festival Hall with the Petersfield Neighbourhood Plan Group, SDNPA officers, Members, landowners and developers, and had been attended by other Local Authorities and members of the public, concluding with a number of site visits.
 - A number of issues had been raised with regard to:
 - The Sustainability Appraisal, and seeking alternative scenarios of growth
 - Self build properties and their deliverability
 - The protection of land for employment uses
 - The hearing had proceeded well, and it was felt the examiner had understood the context of the National Park setting, and that Petersfield was sited in an exceptional location in a protected landscape.

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- The inspector had commended the efforts of the Petersfield Neighbourhood Plan Group for a clearly considered and well laid out Neighbourhood Development Plan (NDP).
- The outcome would not be known for some time, as a decision would first need to be made by the Court of Appeal with regard to a particular NDP, which was being challenged in regard to its ability to allocate sites. This decision could obviously have implications for the Petersfield Plan and all NDPs seeking to allocate sites. .
- The Petersfield Neighbourhood Plan would be brought back to the Planning Committee with the Examiner's findings before going to referendum.

ITEM 6: URGENT ITEMS

852. There were none.

STRATEGY & POLICY

ITEM 9: PUBLIC CONSULTATION DRAFT OF MILLAND NEIGHBOURHOOD DEVELOPMENT PLAN

853. The responsible officer informed the Committee:

- For clarity, Neighbourhood Plans would now be referred to Neighbourhood Development Plans.
- The SDNPA provided a tiered level of support for groups wishing to produce NDPs, with officers attending the steering group meetings of the larger settlements. Smaller communities such as Milland were given more limited officer assistance and feedback.

854. The Committee considered the report by the Director of Planning (Report PC57/15) and commented:

- Their support of work done by local communities in producing NDPs.
- Milland's commendable community spirit and the huge effort that the community had put into developing the plan.
- The excellent aims and principles behind the policies.
- The challenge for the community, who had produced the plan without external planning expertise.
- The concerns raised in the plan with regard to potential for increased traffic along narrow roads, which had formed the basis for the community's objection to the recent Durand Academy application.
- Their concerns regarding
 - The length of the plan, and whether it could be more specific to matters concerning the community, and whether policies that did not relate to land use could be annexed.
 - Whether there was a sufficient evidence base to support the plan at examination.
 - The lack of maps, and any assessment of housing need, particularly affordable housing.
- The criteria for NDPs were evolving, and new information could be made available to community groups as knowledge increased.
- The need for NDP policies to be aligned with the SDNPA's Local Plan, and for smaller communities to also receive support to achieve this.
- Whether Milland needed to aspire to the level of a NDP and the associated work required, and if not whether the community could use the good work already done to provide evidence for comment on the SDNPA's Local Plan.
- Whether Milland required a settlement policy boundary.
- The plan would need to be updated to reflect the amended Local Plan SD policy numbers.

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855. The Director of Planning summarised the feedback and suggestions from Members, and any subsequent actions to be taken:
- Feedback to the community would be as positive as possible, and guidance given as to how to strengthen the plan's policies.
 - The Community Planning Toolkit would be kept up to date and reflect the latest information available.
 - The proportionality debate, and whether the need for land use planning justified a NDP, or whether a Village Design Statement could be more appropriate.
856. **RESOLVED:** That the Committee agreed the Authority's response to the pre submission consultation draft of the Milland Neighbourhood Development Plan as set out in Appendix 3 of Report PC57/15

ITEM 8: DRAFT COMPOSITE LOCAL PLAN & ISSUES ARISING FROM THE SUSTAINABILITY APPRAISAL (SA) & HABITAT REGULATION ASSESSMENT (HRA)

857. The Planning Policy Manager advised the Committee:
- Members would be asked to consider whether the document was easily navigable, explained clearly, and sufficiently accessible.
 - Members would also be asked to focus their debate on a number of new policies, including Allocations and the Development Management policies, whilst looking at the Local Plan as one document.
858. The Planning Policy Manager informed the Committee:
- The SA and HRA had been appraised by the consultants and generally endorsed.
 - Work was being done on reasonable alternatives, with regard to the quantum of development that was appropriate to the National Park.
859. The Committee considered the report by the Director of Planning (Report PC56/15) and the Update sheet.
860. The Committee's recommendations with regard to issues arising from the SA and HRA were recorded in the Schedule of Changes attached as **Appendix I**.
861. In response to questions officers clarified:
- The recommendations from the HRA represented new measures, and there were no proposed changes to the existing management regime for SPAs and related buffer zones
 - Reasonable alternatives were a key element of the SA and would be publicly available documents.
 - There was less flexibility for allocation of development sites within the National Park due to the landscape character constraints.
 - 'Likely significant effects' was wording taken from the HRA and therefore appropriate.
 - The final wording of the HRA was subject to change, with a report expected on 26 June that would give further clarity to the recommendations received to date.
 - The Greatham housing allocation was now under review, and had been removed from the allocations list.
 - The allocations would be reviewed following the Strategic Housing Land Availability Assessment (SHLAA) update early next year, and included in the submission version of the Local Plan.
862. The Committee considered the accessibility and ordering of the Draft Composite Local Plan, and their recommendations recorded in the Schedule of Changes attached as **Appendix I**.

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863. In response to questions officers clarified:
- The document would be A4 landscape when published, in line with the SDNPA's existing suite of documents including the Partnership Management Plan and the State of the Park Report.
 - Work was being done with the consultation software provider to ensure consultation channels were as inclusive as possible, as previously directed by Members. Resource would need to be given to the testing of these channels to ensure they were sufficiently robust, and Parishes had offered to help with this.
 - The Communications team had commissioned a film about the Local Plan which would direct the public to the document, and would ensure the online document was as accessible as possible.
864. The Committee considered the Draft Composite Local Plan Introduction, and their recommendations recorded in the Schedule of Changes attached as **Appendix I**.
865. In response to questions officers clarified that following recent challenges in court, the National Planning Policy Framework (NPPF) was generally considered to be rigorous, and the weight given to National Planning Policy Guidance (NPPG) was equal although not followed to the letter in every case, as other evidence may weigh against the NPPGs.
866. The Chair adjourned the meeting at 11.34am
867. The meeting reconvened at 11.45am
868. The Committee continued to consider the Draft Composite Local Plan Chapters 2-6, and their recommendations recorded in the Schedule of Changes attached as **Appendix I**.
869. In response to questions officers clarified:
- Following advice from Legal Services, all policies had now been amended to reflect the wording 'comply with' rather than 'in accord with other policies'.
 - The Spatial Strategy for Broad Areas policies would be brought back to the Local Plan Members Working Group (LPMWG) to consider whether reference to settlements could be moved to Strategic Policy SD22 Development Policy, and reference instead made to the dispersion of growth in the various Broad Areas.
870. Committee member Tom Jones left the meeting at 12:00.
871. In response to questions officers clarified:
- The need for the Local Plan policies to be considered as a whole package.
 - Water extraction was the responsibility of the Environment Agency (EA), and the SDNPA aspired to work in partnership with the EA and water companies to ensure water extraction was carried out appropriately. However this applied more to Development Management applications, and could not be addressed through Local Plan policy.
 - Policy SD18 Transport and Accessibility had not included the level of detail of the East Hampshire County Council (EHCC) Joint Core Strategy (JCS) as the National Park's quantum of development did not require the same level of transport modelling and highways upgrades.
 - Whilst the SDNPA had limited influence over the protection of railway crossings, clear guidance had been issued in order to ensure new bridges could be used by all users in order to ensure rights of way and access were protected.
 - SD20 I v) referred to emerging visitor accommodation and attractions rather than commercial market enterprises such as pubs.
 - The debate around the accessibility of tourist hot spots involved other organisations including the Highways Agency, and had wider implications than those relating to Planning policy. In the meantime, development proposals in hot spots would be considered as they came forwards.
872. The Chair adjourned the meeting at 12.55pm

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873. The meeting reconvened at 1.34pm
874. The Committee continued to consider the Draft Composite Local Plan Chapters 7-11, and their recommendations recorded in the Schedule of Changes attached as **Appendix I**.
875. Members debated the issue of whether a legal agreement could be sought in order to secure affordable housing in perpetuity:
- The need to await the new national legislation, which could negate any existing legal agreements.
 - The issue was being considered at the South Downs Land Managers Group, which included representatives from the Country Land and Business Association and the National Farmers Union.
 - The National Parks UK Chair and Chief Executive were lobbying parliament at a high level to try and ensure the Act took into consideration the special position of National Parks within a protected landscape.
876. In response to questions officers clarified:
- Many of the allocations listed in SD23 Housing had been tested on a SHLAA perspective, however they were not SHLAA led and would need to be tested against other criteria and policies including the Spatial Broad Areas concept.
 - The National Park was obliged to consider supplying housing where this was possible.
 - Whilst the National Park was community focused, the Defra Circular and NPPF allowed the Authority to ensure that housing development could proceed on sites that were appropriate and available, and provided an appropriate housing mix was provided.
 - Washington were progressing a NDP with Storrington and Sullington, and development sites had been identified within Storrington parish outside the National Park, with no sites now identified in Washington.
 - The allocation for Findon had been revised down to 20, which was considered a more appropriate number given the village setting.
 - The BREAM Excellent standard could be difficult for developers to achieve and standards might be best raised incrementally.
 - Old Malling Farm site had been included in the Draft Site Allocations as the inspector had required its inclusion in the Lewes JCS, and the recommendation for 50% affordable housing put forward in view of the greenfield nature of the site.
 - The Local Green Spaces referred to in Policy SD36 were allocated the same level of protection as Greenbelt land, and could require works such as flood defences.
 - The major development referred to in Policy SD41 Sustainable Drainage referred to the standard definition of 10 or more units.
 - Policy SD44 Replacement Dwellings, Extensions and Annexes aimed to ensure dwellings and built form did not adversely impact on the landscape, and ensure a stock of small homes. However larger plots were not always affordable, and 2 semi-detached dwellings could be preferable on some sites.
 - The percentage increase of extensions and annexes in SD44 could be further discussed at LPMWG, however there was a need for this to remain open to debate when cases came forward.
 - Whilst 120sqm was an appropriate way to define a small dwelling in Policy SD46 Farm Diversification this was not an overarching definition of a small dwelling that could necessarily be applied elsewhere in the plan.
 - Not all agricultural buildings were heritage assets, and many non-historic buildings could be appropriate for re-use.
877. It was proposed and seconded to vote on the officer's recommendation. Following a vote, the proposal was carried.
878. **RESOLVED:** That the Committee:

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- 1) Endorsed the direction of the draft composite Local Plan and the Schedule of Changes as detailed in Appendices 1 and 2 of Report PC56/15, subject to any comments made by the Planning Committee being addressed.
- 2) Noted the main issues arising from Sustainability Appraisal (SA) and Habitat Regulation Assessment (HRA) set out in this report, subject to any comments made by the Planning Committee being addressed.
- 3) Noted that the Local Plan Preferred Options document will be subject to final approval by the National Park Authority (NPA) on 16 July 2015 prior to publication for public consultation.

ITEM 10: CIL DRAFT CHARGING SCHEDULE

879. The responsible officer informed the Committee that this was the penultimate stage of the CIL Charging Schedule.
880. The Committee considered the report by the Director of Planning (Report PC58/15).
881. It was proposed and seconded to vote on the officer's recommendation. Following a vote, the proposal was carried.
882. **RESOLVED:** That the Committee:
- 1) Endorsed the direction of the CIL Draft Charging Schedule, as set out in Appendix I of Report PC58/15, for publication alongside the Community Infrastructure Levy and Local Plan Preferred Options consultation documents, subject to any comments made by the Planning Committee being addressed, and
 - 2) Noted that the CIL Draft Charging Schedule will be subject to final approval by the National Park Authority.

CHAIR

883. The meeting closed at 4.17pm.

