

**SOUTH DOWNS NATIONAL PARK AUTHORITY  
PLANNING COMMITTEE 8 NOVEMBER 2018**

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

Present: Alun Alesbury (Chair), Heather Baker, David Coldwell, Barbara Holyome, 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

Officers: Katie Kam (Solicitor), Richard Sandiford (Senior Committee Officer), Gill Welsman (Committee Officer) and Tim Slaney (Director of Planning).

Also attended by: Rob Ainslie (Development Manager), Richard Ferguson (Development Management Lead), David Cranmer (Development Management Lead), Natalie Chillcott (Senior Planner Minerals and Waste), Mike Scammell (Conservation Officer), Kelly Porter (Major Projects Lead), Mike Hughes (Major Planning Projects and Performance Manager)

**OPENING REMARKS**

174. 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**

175. Apologies were received from Neville Harrison, Roger Huxstep (part) and Margaret Paren.

**ITEM 2: DECLARATION OF INTERESTS**

176. The Chair disclosed a general non-prejudicial interest on behalf of all Committee Members in relation to agenda item 7, as the owner, Sebastian Anstruther, was also a South Downs National Park Authority Member and therefore known to all those present. He also declared a non-prejudicial interest in relation agenda item 9 as he was aware that many Committee Members and Officers would be a member of the National Trust, the landowner for the item.

177. Doug Jones declared a public service interest relating to the appendix of agenda item 12, as some of his Parish Council projects had submitted unsuccessful bids for Community Infrastructure Levy (CIL) funding.

178. Doug Jones also declared a personal interest in relation to agenda item 8. He gave the following statement: "In connection with Item 8 on the Agenda, I was notified yesterday that the National Park Authority had received a letter from a firm of Solicitors acting on behalf of the applicant. The letter suggests that I should not take part in the committee discussion nor vote on the planning application because they consider that I have predetermined to find against the application. I take my National Park duties and responsibilities very seriously and have never – and would never – make up my mind about any planning application before I have considered all the inputs, comments and discussions at the SDNPA Planning Committee. I think that colleagues around the table will be aware of my complete integrity and impartiality on all matters and I know that the suggestion about me carries no substance. Because I take my National Park duties and responsibilities very seriously, I would never want to do anything that could put the Authority in an awkward position and the letter from the Solicitors refers to court and other proceedings. At a personal level I feel somewhat intimidated by this incident and I would not want to put myself or my family through any stress or strain. I have therefore decided, on this occasion, not to take part in the discussion or debate about this item. I will leave the room and take no part in the process. I regret that colleagues on the Planning Committee will be deprived not only of my fairness and professional backgrounds but also a not inconsiderable amount of local knowledge. There may have been information that I could have provided which will not now be available. I have

not taken this decision lightly and I should stress that both the Park Authority and I recognise that the decision that I have taken only relates to these particular circumstances.”

179. Robert Mocatta declared a public service interest in agenda item 8 as all three speakers against the item were known to him. He also declared a public service interest in agenda item 12 as a considerable number of applications had been submitted for CIL funding by both East Hampshire District Council and Hampshire County Council.
180. David Coldwell declared a public service interest for agenda item 12 as Horsham District Council and his ward were referred to extensively.
181. Katie Kam, solicitor advising the committee, declared an interest in agenda item 11 as she was employed by West Sussex County Council, the applicant for the item. She informed those present that she had no previous dealings or knowledge of the application in front of Members and was the impartial legal advisor for the meeting.

### **ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 11 OCTOBER 2018**

182. The minutes of the meeting held on 11 October 2018 were agreed as a correct record and signed by the Chair.

### **ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES**

183. The Director of Planning advised the committee that there was an update in relation to agenda item 8 of the 11 October 2018 meeting for Minsted Sandpit. There had been a query from a member of the public in relation to minute 156 on page 3 with regard to proceeding to prohibition after a period of 2 years of inactivity on a suspension order. Officers were confident that as there had been some progress on the ROMP application that it was right to keep the suspension order in place.

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

184. The Development Manager updated the Committee in relation to Matterley coach pad where the decision had been for the coach pad to be removed and land returned to agricultural use. The area had been reseeded and Enforcement Officers continued to monitor the site.

### **ITEM 6: URGENT ITEMS**

185. There were none.

### **ITEM 7: SDNP/17/02862/FUL & 17/02683LIS - BARLAVINGTON FARM**

186. The Case Officer presented the application and referred to the update sheet.
187. There were no public speakers for the item.
188. The Committee considered the report by the Director of Planning (Report PC67/18), the update sheet and requested clarification as follows:
- On the location of the car parking.
  - As to the nature of the building to the left of the pond.
  - Whether the condition relating to roof lights satisfied the Dark Night Skies Officer given the change of use of the building.
  - Further information regarding the surfacing of the vehicular areas.
189. In response to questions, officers clarified:
- Car parking would be informal within the existing yard, there was a condition to prevent the landscape being delineated and the rural character would remain.
  - The queried building was the cart shed, which was to be retained and used for communal bin storage and cycle store. There would be some repairs to stabilise the building.
  - There were two conditions in relation to mitigating light spill; one for control of external lighting and an additional condition, included within the update sheet, addressed glazing.
  - A large area of the yard was currently concrete, it was proposed to remove the concrete and return to a simple appearance to blend into the yard and buildings.
190. The Committee discussed and debated the application, making the following comments:
- The inclusion of affordable housing was welcome.
  - The proposal was sensitive to the setting, the rear gardens would blend well into the countryside.

- The inclusion of the condition in relation to low transmission glass was positive and the condition to minimise energy consumption and maximise renewable energy was to be encouraged.
  - This demonstrated a sympathetic use of redundant farm buildings in the countryside, as promoted within the NPPF.
  - This was a model scheme in terms of dealing with disused buildings.
  - There should be some kind of sympathetic physical demarcation of soft areas to prevent encroachment of cars parking on verges.
191. It was proposed and seconded to vote on the officer's recommendation as detailed on the 8 November 2018 Update Sheet.
192. **RESOLVED: SDNP/17/02862/FUL**
1. That planning permission be granted subject to the conditions set out at section 10.1 of the report, the 8 November 2018 Update Sheet and a legal agreement to secure one Estate Worker/affordable dwelling; and
  2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement was not completed or sufficient progress made within 3 months of the 8 November 2018 Planning Committee meeting.
193. **RESOLVED: SDNP/17/02863/LIS**
1. That listed building consent be granted subject to the conditions set out at section 10.2 of the report.
194. Doug Jones left the meeting at 10:40.
- ITEM 8: SDNP/18/02405/FUL & SDNP/18/02709/LIS - MONKS WALK**
195. The Case Officer presented the application and referred to the update sheet.
196. Roger Huxstep joined the meeting at 10:55 and was advised that he should not to participate in the current item.
197. The following public speakers addressed the Committee:
- Canon Will Hughes spoke against the application.
  - Eimear Murphy spoke against the application representing herself.
  - Maggie Johnston spoke against the application representing Buriton Parish Council.
  - Janet Long spoke in support of the application as the agent for the application.
198. The Committee considered the report by the Director of Planning (Report PC68/18), the update sheet, the public speaker comments, and requested clarification as follows:
- Whether reference low transmission glass was within previous conditions as it was not mentioned in the current report.
  - On the current position of work that had commenced on site as there were pre-commencement conditions.
  - Confirmation that trees were protected by the conservation area or tree preservation order (TPO) to prevent unauthorised work.
  - On the condition of the trees to the south of the site along the access road.
  - If the proposals within the site management plan affecting areas 2 and 3 and other communal parking was above other landscape conditions.
  - Whether the appeal mentioned by a public speaker in relation to lack of consideration for the setting had any relevance.
  - If this was the same application as the application that was brought to Committee in April 2018, if so was it possible to use different grounds for refusal.
  - Confirmation that there had been no damage to the rear wall during the trench digging within the garage and that tree roots would not be damaged.
  - Clarification with regard to the site management of the open spaces, especially with regard to communal areas and the gardens which did not appear to have clear demarcation.
  - How restoration would be undertaken should the Committee be minded to refuse the application.

- Clarification with regard to the settlement boundaries.
  - Where the allocated parking was for the dwellings.
199. In response to questions, officers clarified:
- That whilst condition 21 referred to the use of black out blinds, the wording could be improved to include reference to low transmission glazing.
  - Enforcement investigations with regard to pre-commencement conditions were ongoing. Given that application was in progress, internal works to the building and roof lights would be reviewed by Enforcement Officers following the decision made at committee.
  - The damaged wall was to the south of the churchyard and was not related to the trench dug in the garage. The southern wall had been rebuilt and Tree Officers were still investigating whether trees had been affected.
  - The trench had been dug in the garage to assess tree roots, no roots were present. An assessment had been made within the churchyard boundary to assess whether tree roots had penetrated the wall at the higher level, but there were no roots evident. Other excavations included trial pits to look at the foundations. The foundations were better than expected at 450mm and there was no evidence of cracking or leaning, there was therefore no reason to assume there would be a problem with the retention of the wall, as long as the proposed steel frame took any additional load away from the wall.
  - An arboricultural survey had been requested for protected trees, Tree Officers found the report acceptable. Work on the garage could be carried out without the need to access the churchyard. Trees inside the churchyard would not be impacted. The conditions within the Landscape Management Scheme were sufficient. There would be some minor lower bough work carried out, with all works being dealt with via the church authorities.
  - There were three defined gardens, a small defined amenity area and the additional area of open space by the Manor House. Areas 2 and 3 were of greater interest and would be retained as grass meadow.
  - The appeal was unrelated to this setting. There had been a lot more emphasis on 'setting' following on from several appeal cases with gradation of settings considered. Consideration had been given to the setting of the proposals. The critical area of setting related to the churchyard, very sensitive and of high importance. The garage building was key to containing the space of the churchyard which would be impacted if there was a threat to the building through neglect. The setting relating to tranquillity and contemplation was lesser, a single residential use would not provide excessive noise or disturbance for those using the churchyard. The wider setting of other listed buildings, the Tithe Barn and Manor House, would not be affected by the proposed development. Monks Walk was a relatively recent addition and had little heritage interest.
  - The existing building was a single dwelling. The current curtilage arrangements were undefined and did not currently enhance the character of the conservation area. An advantage of the conversion would be an improved and enhanced setting of the conservation area.
  - This was a fresh application, the difference between the two applications were related to the Tithe Barn being ancillary use for the Manor House. Whilst this was a different application regard and awareness should be given to previous applications and the reasons for refusal.
  - If the application were refused, Enforcement Officers would review any works already carried out and take appropriate action.
  - There were two settlement boundaries, one outlining the settlement boundary in the adopted plan, one outlining the boundary proposed in the emerging Local Plan. All buildings in the application fell within both boundary lines.
  - Parking was proposed in the front of building and along the northern end of Monks Walk.
200. The Committee discussed and debated the application, making the following comments:

- That low transmission glazing as well as automatic shutters/blinds should be used for all glazing given the risk to Dark Night Skies. A condition was required in relation to use of low transmission glazing.
- The Dark Night Skies designation could be lost if light pollution was not minimised.
- The building needed to be brought back into use, it would be unrealistic to expect the building to remain as a garage.
- There were three separate buildings within this application, the Monks Walk and the garage conversions appeared to be compliant with paragraph 79 of the NPPF.
- The setting of boundaries was a major consideration.
- Conditions needed to be well enforced, reliance could be placed on the local community to support this.
- The development was too close to the proximity of the church and was harmful to the setting in line with the NPPF. There was an issue of impact in relation to the setting of the church.
- There was need for the buildings to be restored, this was long overdue. There would be a need for ongoing monitoring as the application progressed.
- There were no planned apertures that would overlook the churchyard, the advice given in relation to the NPPF was apt for the circumstances.

201. It was proposed and seconded to vote on the officer's recommendation with an amendment to the rewording of condition 21 relating to use of low transmission glazing to be delegated to the Director of Planning on consultation with the Chair of the Committee.

202. **RESOLVED: SDNP/18/02405/FUL**

1) That planning permission be granted subject to the conditions set out in Section 10.1 of the report and subject to the completion of a Section 106 Agreement with obligations relating to:

- The relinquishment of rights to use the Tithe Barn as a function room as approved on planning permission reference number F.33208/011/FUL dated 12 August 2002 (use of the Tithe Barn as a function room).
- The discharge of the S.52 Agreement dated 15 May 1985 relating to a previous consented application (F21080/02) for the conversion of part of stables to grooms accommodation.

and subject to conditions set out in Section 10.1 of the report, the 8 November 2018 Update Sheet and amended wording to condition 21 to include reference to use of low transmission glazing, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Committee.

2) That authority be delegated to the Director of Planning to refuse the application, with appropriate reasons if the S106 Agreement is not completed or substantial progress had not been made within 3 months of the 8 November 2018 Planning Committee meeting.

203. **RESOLVED: SDNP/18/02709/LIS**

That Listed building consent be granted subject to the conditions set out in Section 10.2 of the report an additional condition to include reference to use of low transmission glazing, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Committee.

204. Roger Huxstep declared a public service non-prejudicial interested in agenda item 10 as he was the division member for Hampshire which covered Hambledon.

205. Anthony Watts Williams declared an interest in agenda item 8 as he was acquainted with Councillor Tim Bryant, one of the public speakers.

**ITEM 9: SDNP/18/03970/FUL - CROWLINK CORNER**

206. The Case Officer presented the application and referred to the update sheet and gave a verbal update regarding a late submission of information received from the National Trust in relation to the impact of vehicular turning on the land. The National Trust had objected to the hammerhead turning area and not subsequently withdrawn their objection formally at a later stage. This was a civil matter and not key to the application.

207. The following public speakers addressed the Committee:

- Jonathan Vernon Hunt spoke against the application representing himself.
  - Dr Annemieke Milks spoke against the application representing herself.
  - Councillor Tim Bryant spoke against the application representing the East and Friston Parish Council.
  - Chris Wojtulewski from Parker Dann spoke in support of the application representing the applicant.
  - Mary Jane Higgins spoke in support of the application as the applicant.
208. The Committee considered the report by the Director of Planning (Report PC69/18), the update sheet, the public speaker comments, and requested clarification as follows:
- On the ownership of the land and whether, regardless of planning permission, it would be in the remit of the land owner to permit any work. Would planning consent bind the third party land owner?
  - Whether there was any indication of the surfacing materials.
  - If the development proposal from 2009 relating to the cottage was part of the planning history and whether the decision reached was still extant.
  - If the trees outlined for removal were diseased or whether their removal was required for construction access.
  - If the removal of the trees had been investigated and whether Officers were confident in the reasons given for removal in the arboricultural report.
  - If the trees detailed for removal in the arboricultural report were outside of the redline of the development.
  - Whether the reference to use of the cottage as a holiday let required a change of use.
  - The details of conveyance stated that there would be no excavation, was this outside the discussion and not a planning decision?
  - If the access was only required for the cottage.
  - What arrangements had been made for the disposal of the spoil.
  - Whether the National Trust, as landowner, had a right to develop a track for agricultural purposes.
  - Confirmation that there was to be no parking of vehicles on the National Trust land. If vehicles were not parking on the National Trust land, where did vehicles currently park?
  - Whether the width of the tracks, at just under 1m each, needed to be that wide given the general use.
209. In response to questions, officers clarified:
- The access would only serve the cottage.
  - The National Trust didn't initially object to the proposal until the reference to the turning circle was included.
  - The issue of the width of the track had been raised by Officers. The need for access by emergency vehicles justified the width of the track.
  - The property was C3 residential, if used for holiday let this classification still applied.
  - A track of this type would require prior approval under permitted development rights for farmers.
  - That parking was within the blue line of the land owned by the applicant, all other land was owned by the National Trust.
  - The trees detailed for removal were outside the redline of the development.
  - That the surfacing of the track was to be limestone.
  - There was no mention of parking on the hammerhead turning circle, just turning.
210. The Director of Planning advised that on checking the planning application submission the trees were not part of the application as they were outside the application line and did not need to be removed as part of this application.
211. The Committee discussed and debated the application, making the following comments:

- It appeared that the ash trees close to the field gate were adjacent to the red line and needed to be removed in order for the application to move forward. Other trees close to Crowlink Corner had been detailed for removal in the arboricultural report.
  - The trees were outside the red line of development and not part of this application, therefore a decision could not be made on trees that were not in the application.
212. The Director of Planning advised the Committee that having listened to the public speakers, Members debate and requests for clarification it would not be possible to make a decision on the application without gaining greater clarity on what was proposed for trees, car parking, turning area and width and nature of materials for the track. No decision should be made without the right information and full history being in front of the Committee Members. He advised that discussions be re-opened with the National Trust.
213. It was proposed and seconded to defer the decision.
214. **RESOLVED:** That the application be deferred to enable further information to be sourced to clarify the planning history, proposals for tree removal, car parking arrangements, hammerhead turning circle, width and materials proposed for the track and to facilitate further discussions with the National Trust as landowner.
215. The committee adjourned for lunch at 13:05 and reconvened at 13:35.
216. Tom Jones left the meeting at 13:05.

**ITEM 10: SDNP/16/03880/FUL - HAMBLEDON VINEYARD**

217. The Chair advised the Committee that there had been a representation within the last 24 hours from a third party objector which highlighted that notices had not been served to all persons who owned land covered by the application, specifically a small strip of land around the north west corner of the application site which was currently occupied by the applicant under a 35 year lease from the freeholder.
218. Following discussion with both legal and planning officers it was advised that the committee should resolve as to what it's position would be if the matter be in order, with the final decision being delegated to the Director of Planning in consultation with the Chair of the Committee to refuse/grant permission once the formal notices had been dealt with and representations made. Substantive issues of the application were not affected by this issue.
219. It was proposed and seconded to vote on the motion to delegate a final decision to the Director of Planning in consultation with the Chair of the Planning Committee.
220. The vote was carried.
221. The Case Officer presented the application and referred to the update sheet.
222. The following public speakers addressed the Committee:
- Melissa Thistlethwayte spoke against the application representing herself.
  - Tony Higham spoke against the application representing himself.
  - Trina Vincent spoke against the application representing herself.
  - Ian Kellett spoke in support of the application as the applicant.
  - Dr John Thornton spoke in support of the application representing Hambledon Parish Council.
223. The Committee considered the report by the Director of Planning (Report PC70/18), the update sheet, the public speaker comments, and requested clarification as follows:
- Whether the Design Review Panel had considered the landscape setting as well as the building design.
  - The width of the access road.
  - Whether there were cross-sections of the north-east to south-east crossing through the line of trees detailing the levels and if there was a root-protection area set out for the trees given the potential impact of excavations.
  - If Vineyard Lane would still be used as access to the site.
  - The location of previously erected marquees on the site and the plant processing.
  - If consideration had been given to the re-licensing of the site given the change in state.
  - Whether the issue of access raised by the public speaker with regard to the covenant on an access had been investigated.

- If there was a restriction on the use of the eastern access for a significant amount of the proposed traffic coming to and from the business, whether there would be any restrictions on the traffic using Vineyard Lane.
- If there was further excavation work to be carried out.
- If the development would break the view from Speltham Hill and be in relation to the size of the spoil heaps currently visible.
- Whether condition 13 took into account the removal of spoil that was currently on site.

224. In response to questions, officers clarified:

- There was a summary of the Design Review Panel's comments in paragraph 2.9 of the report, the wider surrounds had been considered in their discussions.
- There was a hard copy of the cross-section of the north-east to south-east crossing available for Members. Protection had been put in place during the excavation work, the ground levels had been maintained within the proximity of the trees.
- Excavation works had been completed, large areas of spoil were being retained for backfilling the cellar.
- Vineyard Lane would continue to be used for access, the new eastern access would be the primary access to the site given the width of Vineyard Lane and issues with traffic.
- The proposed building was on the location of previously erected marquees.
- The plant for the vineyard was located in the existing buildings, with all grapes being processed on site. The agricultural process was in close proximity to the cellar.
- Re-licensing would potentially be required, however this was an area where the planning regime interfaced with other civil regimes.
- The covenant on the track had not been seen by the Officer, it was thought to be an agreement between the vineyard and the current owner of the Dower House enabling use of the existing junction onto East Street. The track was owned by the neighbouring property, historically the vineyard had right of access, it was believed this would be relinquished should the new proposal be approved.
- There would be restrictions in place on traffic using Vineyard Lane and covered within the travel plan. Should the conditions in the travel plan not be in compliance then this would constitute a breach of planning conditions.
- The elevation of the building would not break the skyline of the view from Speltham Hill and would be seen against the background of the trees. There would be new planting around the car park. The proposed roof would be plain clay tiles, and banks against the western side of the building would reduce its visual prominence.
- Condition 13, outlined in the update sheet, added criteria on volume, storage and disposal of excess chalk. There was a condition in the previous planning application with regard to disposal of spoil, the construction management plan outlined details. The enforcement team were monitoring, there was a compliance issue that lay outside the planning permission. A separate condition relating to chalk spoil would be added to ensure effective management.

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

- There were considerable concerns in relation to management of noise and large numbers of visitors which would be difficult to manage and cause disturbance to the local community. The mitigation of keeping windows closed and visitors remaining inside the building would not be able to be managed.
- Noise could be further mitigated by the implementation of noise reducing external works such as baffles, fencing or walls as part of the external landscape works.
- The enforcement of noise conditions would be difficult, this was an issue for licensing, not planning. Condition 7 needed metrics to be imposed to assist enforcement.
- Tranquility of neighbours was a consideration.
- The landscaping reduced and minimised the views from vantage points.



- Hambledon Parish Council were to be commended on their approach to the development, there had been no formal objection and they were looking to work positively and collaboratively with the applicant to address key issues.
- The rise in visitor numbers were significant, an effective travel plan was vital and needed to be robust. Traffic needed to be managed in a sustainable way.
- A travel plan should be explicit and detailed.
- Concern about the disposal and management of chalk spoil.
- Concern that weddings were not directly related to the business of viticulture, this could become a standard wedding venue and there was no suggestion that there should be a limit on the number of weddings.
- The formation of a liaison group between the owners and local community would be beneficial. This should be added as an informative.
- There was a fine balance between approving a large building in the countryside and recognising the need for a business to grow. The compromise was a building which settled into the landscape.
- This application could become a beneficial asset to the community in the long term. The proposal supported NPPF paragraph 8 by supporting growth in innovation, productivity and helped to build a strong and responsive local economy.
- There could have been further design improvements, especially in regard to the roof line. Vines would not sufficiently screen the development during winter. Viticulture was part of the changing landscape of the South Downs and new wineries would become iconic buildings.
- More information was needed on levels of impact on the landscape which was unclear at present.
- There were concerns over traffic speeds along the long, straight stretch of track, chicanes could be introduced via landscape mitigation to reduce vehicle speeds.
- The application had benefitted from extensive pre-app engagement and consultation with the Design Review Panel.
- The application contributed to the local economy and could become a tourist destination in the future.
- The wording of condition 3 should be revised to prevent the site becoming a wedding venue operated by a third party contractor unrelated to viticulture.
- The covenant on the eastern access was a concern, substantial vehicular access via Vineyard Lane was unacceptable.

226. The Director of Planning summarised amendments and additions to the recommendation:

- A separate condition on chalk spoil;
- An informative regarding the creation of a Liaison Group;
- A separate condition relating to intensity of weddings;
- A noise condition in liaison with District Council;
- The management plan to have separate condition on noise;
- A travel plan, in relation to Dower House, was to be subject to a legal agreement S106 to check the precise arrangements of the covenant.
- The final decision and form of wording to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

227. It was proposed and seconded to vote on the officer's recommendation:

1. Subject to a legal agreement as outlined, a revised set of conditions incorporating concerns as detailed above with the final form of words being delegated to the Director of Planning in consultation with the Chair of the Planning Committee; and
2. That the formal decision to approve/refuse be delegated to the Director of Planning in consultation with the Chair of the Planning Committee following third parties being given notice and the opportunity to raise representations.

228. **RESOLVED:** That authority to grant planning permission be delegated to the Director of Planning in consultation with the Chair of the Planning Committee subject to:
1. Persons who have an interest in land within the application site to be notified and if following a 21 day period of consultation no new or substantive issues arise, should substantive issues arise the decision be brought back to the Planning Committee.
  2. A Travel Plan to be secured through a S106 legal agreement following consideration of any legal covenants affecting the proposed access onto East Street.
  3. Further conditions relating to (1) the management and disposal of chalk spoil for the entirety of the development; (2) the number and intensity of wedding events; (3) specific requirements for the management of noise (in addition to condition 7 in the report and the 8 November 2018 Update Sheet).
  4. Revise condition 5 (hard and soft landscaping scheme) to include details for minimising noise through the design (eg bafflements).
  5. The final form of wording for all conditions referred to above to be delegated to the Director of Planning in consultation with the Chair of the Committee.
  6. To include an informative relating to community liaison meetings between the Vineyard and Parish Council/local community.

**ITEM 11: SDNP/15/01862/FUL - ROTHERLEA**

229. The Case Officer presented the application and referred to the update sheet.
230. The following public speakers addressed the Committee:
- Sarah Robinson spoke against the proposal representing herself.
  - Jill Easton spoke against the proposal presenting herself.
  - Councillor Chris Kemp spoke against the proposal representing Petworth Town Council.
  - Peter Cleveland from Henry Adams spoke in support of the proposal representing the applicant West Sussex County Council.
231. The Committee considered the report by the Director of Planning (Report PC71/18), the update sheet, the public speaker comments, and requested clarification as follows:
- Whether the trees along the eastern boundary were within the red line. Canopies were to be cut back but there was a lack of clarity as to whether they were in the control of the applicant.
  - The lack of car parking was a concern. Was there a standard applied by the Highways Authority?
  - Confirmation that due diligence had been taken with regard to highways.
  - Whether the reference within the Neighbourhood Development Plan (NDP) and referred to approximate or at least numbers of dwellings and if the development complied with the plan.
232. In response to questions, officers clarified:
- The NDP referred to both 'at least' and 'approximately' 23 dwellings when referring to policy H5. The Inspectors report did not consider it appropriate to restrict number of properties on the site due to the nature of the development being proposed. The actual number was dependent on housing mix and layout. Officers had looked at the numbers of dwellings proposed and the character and nature of the area in relation to density.
  - West Sussex County Council as Highways Authority had been consulted. Officers were mindful of parking and access with regard to vehicular activity particularly in relation to the school. Parking requirements were less than set out in the plan, however regard needed to be taken as to whether that had an unacceptable impact. Highways deemed this to be an appropriate level for parking provision.
  - The Chichester Housing Officer was satisfied with the affordable housing provision and the mix of houses. The exact mix was not in compliance with the requirements of the NDP but had been considered to be acceptable by the relevant consultees.
  - The trees on the eastern boundary were within the application site, there was very little change in level as the site was fairly flat.
233. The Committee discussed and debated the application, making the following comments:

- 38% affordable housing was a good result for this site, Officers and the Design Review Panel had worked hard and achieved the best for the site.
  - The Ministerial statement was being followed and the inspector had encouraged the maximum use of land and mix.
  - Density and number of dwellings were appropriate.
  - This was a sustainable location.
  - Lack of car parking was a considerable concern, 57 spaces was inadequate. Highways stated that it was acceptable however there would be impact on streets, frontages and gardens to create informal parking. Where would the cars park?
  - The area was already busy with cars throughout the day, not just at peak times, the number of dwellings would exacerbate the issue.
  - Disappointment that all 4 bedroomed houses were market rather than affordable.
  - There were a number of trees being lost on the site, suggestion that all new trees being planted should be retained and planted in perpetuity, a TPO for tree management could be implemented and reduce the likelihood of trees being removed in future.
  - It was recognised that the community had worked hard on their NDP, however it was difficult to meet every policy in every NDP.
234. Advice was given by the Solicitor regarding the implementation of an advance TPO. Condition 4 already covered the landscaping for a minimum period of 5 years.
235. The Director of Planning further advised that an advance TPO could be done for newly planted trees in exceptional circumstances, it was for the committee to consider whether this was the right way forward.
236. The Case Officer advised that there was a management plan in place securing the long term management of landscape details, the S106 agreement also secured the eastern part of the site and secured the longer term retention of the corridor. The requirement was to be in the legal agreement. Officers had also considered the other sites in the NDP when looking at parking and vehicular activity for this site. Allocation H7 would provide access from Station Road and create new access to Petworth Primary School for parking and drop-off. This would alleviate issues in the future.
237. It was proposed and seconded to vote on the officer's recommendation.
238. **RESOLVED:**
1. That planning permission be granted for the reasons and subject to the conditions set out in Section 10 of the report and subject to the completion of a S106 agreement with obligations relating to:
    - A provision of 13 dwellings (38%) on site for affordable housing.
    - A contribution of £79,800 towards off site affordable housing.
    - A management plan securing the long term retention and management of the approved landscape details for the site.
  2. That authority be delegated to the Director of Planning to refuse the application, with appropriate reasons if the S106 agreement is not substantially completed or substantial progress has not been made within 3 months of the 8 November 2018 Planning Committee meeting.

## **ITEM 12: INFRASTRUCTURE BUSINESS PLAN 2018**

239. The Major Projects Lead presented an overview to the Committee.
240. The Committee considered the report by the Director of Planning (Report PC72/18) and debated and asked for clarification as follows:
- This was the implementation of decisions already made.
  - Whether it was the principle to carry forward any odd amounts of funding forward into the following year.
  - The principles had been agreed, the National Park retained the right to reallocate.
  - Parish Councils had already been advised of the opportunity to bid in the next round.
  - The work on the allocation of funds was good, with allocation across the parishes and councils. The Authority were ahead of some other councils.

241. In response to questions, officers clarified:
- Small sums would be carried forward into the following year.
242. It was proposed and seconded to vote on the officer's recommendation.
243. **RESOLVED:** The Committee:
1. Approved the Infrastructure Business Plan 2018
  2. Delegated authority to the Director of Planning to make minor amendments to the wording and images within the Infrastructure Business Plan prior to publication. Any such amendments shall not alter the meaning of the document;
  3. Approved the in-principle allocation of the Community Infrastructure Levy 2017/18 receipts of up to:
    - £70,275 to West Sussex County Council;
    - £23,425 to East Sussex County Council, and
    - £62,472.88 to the projects identified in paragraph 4.8 of this report, and
  4. Delegated authority to the Director of Planning to undertake further assessment of the projects prior to allocating funds as detailed within paragraphs 4.8 and 4.11 of this report.

### **ITEM 13: WEST ASHLING POST OFFICE**

244. The Conservation Officer presented an overview to the Committee.
245. The Committee considered the report by the Director of Planning (Report PC73/18), requested clarification and commented as follows:
- Confirmation that the notice could be served, given that it was not clear who the owner was, or where they could be contacted.
246. In response to questions, officers clarified:
- This was an unregistered property, and statutory procedures were being followed with regard to notice requirements.
247. It was proposed and seconded to vote on the Officer recommendation.
248. **RESOLVED:** The Committee agreed the serving of a Repairs Notice under S.48 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to secure necessary repairs to the former Post Office and attached cottage, West Ashling.

### **ITEM 14: TO NOTE THE DATE AND VENUE OF THE NEXT MEETING**

249. Thursday 13 December 2018 at 10am at the South Downs Centre, Midhurst.

### **CHAIR**

The meeting closed at 16:40.