

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 14 MARCH 2019

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

Present: Heather Baker, David Coldwell, Neville Harrison (Chair), 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 and Margaret Paren.

Officers: Tim Slaney (Director of Planning), Katie Kam (Solicitor), Richard Sandiford (Senior Committee Officer), Sara Osman (Governance Officer) and Rob Ainslie (Development Manager).

Also attended by: Natalie Chillcott (Senior Planning Officer), Stella New (Senior Planner Development Management), Sarah Nelson (Strategic Planning Lead), Andy Player (Woodlands - Landscape and Biodiversity Lead) and Michael Scammell (Conservation Officer).

OPENING REMARKS

386. The Chair informed those present that:

- South Downs National Park Authority (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

387. Apologies were received from Alun Alesbury and Roger Huxstep.

ITEM 2: DECLARATION OF INTERESTS

388. The Chair declared a general non-prejudicial interest on behalf of most of the Committee Members in relation to agenda item 8, as Charles Peck, who was speaking on this item, was a former SDNPA Member and Deputy Chair of the Authority, and was therefore known to most Members present.

389. Neville Harrison declared a public service interest in agenda item 8 as a member of the South Downs Society and the Woodland Trust who had made representations.

390. Anthony Watts-Williams declared a public service interest in agenda item 9 as a Mid Sussex District Councillor for the ward of Hurstpierpoint and Downs.

391. Tom Jones declared a public service interest in agenda item 10 as a trustee of a children's charity supporting children with severe illnesses.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 14 FEBRUARY 2019

392. The minutes of the previous meeting on 14 February were agreed as a correct record and signed by the Chair, subject to the following amendment:

- The first part of minute 355 should have been included as a bullet point in minute 354.

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

393. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

394. The Director of Planning updated the Committee on the following previous decisions.

- The application at Paris House in Petersfield, which was refused by the Committee at the December 2018 meeting, had gone to appeal and a public enquiry was expected to start on 2 July 2019.

- Various changes to further improve the variation on conditions for Penns Field in Petersfield had been made, and a decision had been issued under delegated authority.
- The application at Rotherlea in Petworth was still being considered for call in by the Secretary of State. Members would be updated once the Secretary of State had confirmed his decision

ITEM 6: URGENT ITEMS

395. There were none.

ITEM 7: SDNP/18/02170/FUL – OAKLANDS FARM, EAST WORLDHAM

396. This application was withdrawn by the Applicant.

ITEM 8: SDNP/18/03970/FUL – CROWLINK CORNER, FRISTON

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

398. The following public speakers addressed the Committee:

- Councillor Lesley d'Urso spoke against the application representing East Dean and Friston Parish Council.
- Dr Annemieke Milks spoke against the application representing herself.
- Charles Peck spoke against the application representing himself.
- Chris Wojtulewski spoke in support of the application representing the Applicant.
- Richard Murray spoke in support of the application representing the Applicant.
- Mary-Jane Higgins spoke in support of the application as the Applicant.

399. The Committee considered the report by the Director of Planning (Report PC12/19), the update sheet and the public speaker comments, and requested clarification as follows:

- Whether householders had a legal right to emergency access to their property.
- Whether parking and turning was included inside the red line referred to in this application, and if so, would there be a significant impact on the trees under a Tree Protection Order?
- Confirmation on the position of the National Trust.
- Whether consideration had been given to access from the south rather than across land to the north.

400. In response to questions, Officers clarified:

- Householders did not have a legal right to emergency access to property.
- There had been informal parking on site for many years. After discussions with the Highways Authority, Officers took the view that, on balance, access which allowed passing or turning at any point along the track would be less detrimental than turning in one area.
- Whilst the previous application had included a formal turning area, this application was for an access route only. There was no provision for parking or turning as part of this application. The matter of informal parking or turning in the field was a civil matter between the applicant and the landowner.
- The objections received from the National Trust related to the width of the track.
- Access to the property from the south had been considered but ruled out as it would require a longer route with greater impact on the landscape character.

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

- Concerns were raised about the current parking area in the enclosure, available space for turning vehicles and issues of parking in the field. It was noted, however, that provision for parking or turning was not included in this application.
- Concerns were raised that the red line appeared to extend into an area of trees with a Tree Protection Order, and that no provision for protection of the trees had been made in this application. Officers advised that conditions 12 and 13, which covered protection to trees and hedges, had been approved by the tree officer.

- Whilst it was accepted that it was not unreasonable to request a safe vehicular access to a residential property, the current access across the field to this property had existed for a long period of time, and the proposed application for a more formal track was considered to have an unacceptable impact on the unique downland landscape.
 - The importance of the history of the land being bought by local people and donated to the National Trust, was felt to have significant public interest which outweighed the private benefit of the householder.
 - It was noted there were no other tracks of a similar nature in the area.
402. It was proposed and seconded to vote on the officer's recommendation.
403. The vote was not carried.
404. It was proposed and seconded to refuse the application due to the adverse impact of the formalisation of the track and the adverse impact on the special qualities of the area and to the visual and perceived landscape character.
405. The motion to refuse was carried.
406. **RESOLVED:** To refuse planning permission for the following reasons, the final form of wording to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee:
1. The adverse impact of the formalisation of the track.
 2. The adverse impact on the special qualities of the area and to the visual and perceived landscape character.

ITEM 9: SDNP/18/06068/FUL – LAND EAST OF CHURCH LANE, PYECOMBE

407. The Case Officer presented the application and referred to the update sheet.
408. The following public speakers addressed the Committee:
- Councillor Chris Bere spoke against the application representing Pyecombe Parish Council.
 - Councillor Colin Trumble spoke against as a Mid Sussex District Councillor.
 - Peter Rainier spoke in support of the application representing the Applicant.
 - Louise Anderson spoke in support of the application representing herself.
409. The Committee considered the report by the Director of Planning (Report PC13/19), the update sheet and the public speaker comments, and requested clarification as follows:
- Confirmation of the amount of CIL liable on this application.
 - Whether this application should be considered for CIL along with the other 9 permitted dwellings recently built out on an adjoining plot.
 - Confirmation that condition 9 fully addressed local residents concerns over foul water drainage issues.
410. In response to questions, Officers clarified:
- The charge for CIL would be £200/m².
 - The allocation site had come forward as parcels of land under separate applications due to different ownership.
 - Officers had received reassurance from Southern Water that 4 dwellings could be connected to the foul network without detriment and condition 9 had been included to address this.
411. The Committee discussed and debated the application, making the following comments:
- Whilst the proposal was acceptable, it was not a landscape led design and did not enhance the landscape.
 - The details of materials and external works relating to the public areas of this site, including tree planting, were critical to the success of the scheme and securing landscape enhancement.
 - The landscaping condition, to include ecological management of open areas and the area given over to reptile mitigation, should be enforced to a high standard.

- The lack of affordable housing in this scheme was not acceptable.
 - Policy SD26 of the emerging Local Plan cited 8 as the number of houses to be provided for Pyecombe, and this had already been met.
 - Whilst the inclusion of electric charging points and rainwater harvesting in this application was welcomed, more added value could be included, such as solar panels.
 - Public transport provision was considered poor for those who did not have access to a car. However, it was recognised that there was good access to the countryside via a significant number of Rights of Way.
 - In order to address issues of drainage, condition 9 should include a reference that surface water and foul water should be separate and not use the same drains.
412. Officers further clarified that the application was validated prior to the examination of the South Downs Local Plan, when more weight was being given to the adopted Mid Sussex Local Plan. However there was scope to negotiate a financial contribution towards offset affordable housing under delegated powers.
413. It was proposed and seconded to vote on the officer's recommendation, with the final grant of approval delegated to the Director of Planning subject to the successful negotiation of an appropriate affordable housing contribution.
414. **RESOLVED:** That the grant of planning permission be delegated to the Director of Planning, subject to
- i) The conditions set out in Section 10 of report PC13/19 and the 13 March update sheet;
 - ii) The successful negotiation of an appropriate affordable housing contribution.

ITEM 10: SDNP/18/00023/FUL – CHESTNUT TREE HOUSE, ANGMERING

415. The Case Officer presented the application and gave the following verbal update:
- There were approximately 60 staff cars every day which rose to 75 during clinical handovers which were twice per day.
 - There were 7-10 families visiting in vehicles each day.
 - There was one event every two weeks that increased the number of cars by approximately 20-25 cars.
 - Major events were held approximately 5 times per year with approximately 80 cars in total.
416. The following public speakers addressed the Committee:
- Victoria Holland spoke in support of the application representing the Applicant.
 - Fiona Baker spoke in support of the application representing the Applicant.
 - Steven Williams spoke in support of the application representing Chestnut Tree House.
417. The Committee considered the report by the Director of Planning (Report PC14/19), the verbal update and the public speaker comments, and requested clarification as follows:
- Clarification of the term 'priority habitat'.
 - Whether concerns had been raised to Officers of the risk of accidents on Dover Lane, as mentioned by one of the public speakers.
 - Whether Officers and the Applicant had discussed other potential locations for parking.
418. In response to questions, Officers clarified:
- That priority habitats were habitats identified as being the most threatened and requiring conservation action. This priority habitat area contained a number of ancient woodland indicators.
 - No details of accidents had been provided to Officers but reference had been made to towing cars in wet conditions and lack of lighting.
 - Officers had met with the Applicant and Agent on site to discuss alternative locations for parking. Due to logistical reasons no further sites had been brought forward for consideration.
419. The Committee discussed and debated the application, making the following comments:

- As the current overflow car park was not in the ownership of Chestnut Tree House the drainage issues in that car park were not able to be addressed.
- Using a no-dig construction could represent a significant risk to surrounding trees in the proposed area, and not just to the trees directly affected by removal. This proposal affected an area of woodland which was important for its biodiversity and landscape value.
- It was felt that alternative locations for parking on the site had not been thoroughly explored by the applicant and concerns in regard to impacts on tranquillity could be addressed through design measures. This would be preferable to the irreversible impact on the woodland from the current application.
- If there was no alternative to the proposed location for parking, on balance, the need of the applicant could carry greater weight than the objections related to the impact on the landscape.

420. It was proposed and seconded to vote on the officer's recommendations.

421. **RESOLVED:** That the application be refused, for the reasons set out at paragraph 10.1 of report PC14/19, and given that other locations in the wider site have not been fully explored, the final form of wording to be delegated to the Director of Planning in consultation with the Chair of the Committee.

422. The Committee broke for lunch at 13:00.

423. The Committee reconvened at 13.30.

ITEM 11: SDNP/18/05744/FUL – WOOLBEDING GARDENS

424. The Development Manager presented the application and referred to the update sheet.

425. The following public speakers addressed the Committee:

- Mr Stepan Martinovsky spoke in support of the application representing the Applicant.

426. The Committee considered the report by the Director of Planning (Report PC15/19), the update sheet and the public speaker comments, and requested clarification as follows:

- Whether the plant equipment would have noise insulation.
- Was it included in the area already covered by listed status?

427. In response to questions, Officers clarified:

- Condition 11 addressed noise and would be subject to scrutiny by Environmental Health teams.
- It would not be included in the listed status as it was outside the listed curtilage.

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

- The application was seen to be an exciting structure which was a good example to developers of how design can be unique and add to the sense of place of a site.
- Whilst visible from many points in the wider countryside, including Rights of Way, it was acknowledged that its attractive design could be of interest to people.
- It was proposed that condition 4 be removed as continued use of the glasshouse should be encouraged and supported.
- This application exceeded what was expected in a landscape scheme.

429. It was proposed and seconded to remove condition 4.

430. The vote for the amendment was carried.

431. It was proposed and seconded to vote on the officer's recommendations.

432. **RESOLVED:** That planning permission be granted subject to the conditions set out in section 10 of the Officer's report (PC15/19), subject to the removal of condition 4.

433. Norman Dingemans and Margaret Paren joined the meeting at 13:57

ITEM 12: QUARTERLY UPDATE ON THE PROGRESS OF NEIGHBOURHOOD PLANNING

434. The Strategic Planning Lead presented the report.

435. The Committee considered the report by the Director of Planning (Report PC16/19), and commented as follows:

- It was noted that there was a correction on page 102: that the Authority should read Winchester not Chichester for the Withies Cottage application in Fittleworth.

436. **RESOLVED:** The Committee noted the outcome of the appeal decisions.

ITEM 13: TO NOTE THE DATE AND VENUE OF THE NEXT MEETING

437. Thursday 11 April 2019 at 10am at the South Downs Centre, Midhurst.

CHAIR

The meeting closed at 14:10

Signed: _____