

**SOUTH DOWNS NATIONAL PARK AUTHORITY**

**PLANNING COMMITTEE 11 APRIL 2019**

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

Present: Alun Alesbury, 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, Margaret Paren

Officers: Tim Slaney (Director of Planning), Laura Floodgate (Solicitor), Lucy Howard (Planning Policy Manager), Richard Sandiford (Senior Committee Officer), Sara Osman (Governance Officer) and Rob Ainslie (Development Manager).

Also attended by: Kelly Porter (Major Projects Lead), Stella New (Senior Planner Development Management), Ruth Childs (Landscape Officer), Kirsten Williamson (Planning Policy Lead), Sarah Nelson (Planning Project Lead), Kevin Wright (Planning Policy Officer) and Chris Paterson (Communities Lead).

**OPENING REMARKS**

331. Members were reminded that the Authority was within Purdah due to Parish and District elections, and that care must be taken to ensure that no actions taken, or discussions at this meeting, could be perceived as seeking to influence public opinion or support for any particular political party.
332. 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**

333. Apologies were received from Heather Baker and Roger Huxstep.

**ITEM 2: DECLARATION OF INTERESTS**

334. Tom Jones declared a public service interest in item 8 as a member of Lewes District Council.
335. Anthony Watts-Williams declared a non-prejudicial interest in item 9 as he knew the developer personally. He stated that he had no prejudicial views on the application and any decision he made would be based on evidence put forward at this meeting.
336. David Coldwell declared a public service interest in item 9 as a member of Horsham District Council.
337. Robert Mocatta declared a public service interest in item 10 as a member of Hampshire County Council.
338. Barbara Holyome declared a public service interest in item 7 as a Member of Hinton Ampner Parish Council, confirming that she had not taken part in any discussions held by the Parish Council on this application.
339. Neville Harrison declared a public service interest in item 8 as the SDNPA Member representative on the North Street Quarter Project Board, as a member of the South Downs Society and in item 12 as an SDNPA Member representative on the Lewes Neighbourhood Development Plan steering group.

**ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 14 MARCH 2019**

340. The minutes of the previous meeting held on 14 March 2019 were agreed as a correct record and signed by the Chair.

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

341. There were none.

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

342. The Hambledon Vineyard application decision had been issued and the case officer was setting up a liaison group with the Applicant and the Parish Council.
343. Rotherlea application in Petworth had not been called in by the Secretary of State. The SDNPA would issue a decision pending the signing of the S106 agreement.

**ITEM 6: URGENT ITEMS**

344. There were none.

**ITEM 7: SDNP/18/06249/FUL - MATTERLEY FARM, ALRESFORD.**

345. The Case Officer presented the application and referred to the update sheet.
346. The following verbal updates were also provided:
- There was a correction to item 4.3, which should have read Beauworth Parish Meeting;
  - Following discussions with the ecologist and the applicant's agent there was a proposed change to the wording of condition 4, to ensure that the timings of the ecological surveys and reports provided relevant information for assessing and reviewing mitigation controls. The exact wording was to be delegated to the Director of Planning in consultation with the Chair of Planning Committee.
347. The following public speakers addressed the Committee:
- Graham Tarbuck spoke against the application representing Terence Jones.
  - Cllr David Pain spoke against the application as a member of Cheriton Parish Council and also representing Tichborne Parish Council and Beauworth Parish Meeting.
  - Martin Hendry spoke against the application representing himself.
  - Peveril Bruce spoke in support of the application representing himself.
  - Finn Bruce spoke in support of the application representing himself
  - Cassandra Frey-Mills spoke in support of the application representing Boomtown Festival
348. The Committee considered the report by the Director of Planning (Report PC17/19), the update sheet and the public speaker comments, and requested clarification as follows:
- Clarification on time period covered by the proposed temporary permission.
  - Clarification on the difference between the licensing responsibilities held by Winchester City Council and the planning conditions, and which held greater weight.
  - Confirmation on whether condition 4 of the previous variation of conditions application (SDNP/18/00939/CND) had been satisfied, which required an annual report to be submitted each year to the LPA ecologist.
  - Whether a Whole Estate Plan (WEP) was in progress for the Matterley Estate.
  - Clarity on whether it was acceptable to renew temporary planning applications on an ongoing basis.
  - Was a six year permission too long and would there be opportunity to assess the impact on a regular basis and bring it back to committee.
349. In response to questions, Officers clarified:
- This application was for 6 years from the date of approval, to include 6 annual festivals up to, and including, a festival in 2024.
  - It was not unusual that planning conditions differ to licensing restrictions, and planning conditions can be enforced regardless of any consents under the licensing regime. For this application it was important to have a condition restricting numbers of attendees because any increase on current numbers could have an impact on the special qualities of the National Park.

- An ecological management plan was submitted as part of the application documents. Although some of the original ecology condition had not been fully met, the reasons for this were identified and officers were confident in the future monitoring process.
- The application documents stated that there are aspirations to produce a WEP for Matterley Estate and discussions were ongoing.
- The ongoing renewal of temporary permissions was acceptable where there had been a change in circumstances or where plans had altered and there was a need to have a longer time period to assess the impact before permanent permission could be considered.
- Six years was an appropriate length of time to adequately assess any ecological impact. Temporary permission could not be removed and the six years could not be shortened if this application was approved, albeit management plans could be amended in light of experience and information.

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

- An event of this size and scale may conflict with the statutory purposes of the National Park.
- Concerns over the quality of the ecological report. Temporary planning permission was required to enable more robust ecological surveying to be conducted over a reasonable period of time. This would provide the evidence needed to make decisions on any permanent application that may come forward at a later date. Clear guidelines were required on what needed to be monitored, when surveys needed to be done and how monitoring would be implemented in order to ensure that the right data was collected to enable accurate assessment of the ecological impact. Condition 4 on ecological assessment should be strengthened.
- Whilst it was acknowledged that this application was for the use of the land and not for a specific event, it was recognised that the current annual event, Boomtown Festival, attracted a wide demographic of people which provided opportunities for the SDNPA to engage with an otherwise hard to reach sector of the population.
- As a sporting event had not yet been held, the impact of this could not be assessed, and this went toward a further temporary permission rather than approval of a permanent permission;
- It was noted that there was pressure on farmers to diversify and a need to look at different ways to raise revenues to support their farming.

351. Officers clarified that the strengthening of condition 4 would enable enforcement action to be taken if the conditions were not adequately complied with. A breach of conditions was also not appealable.

352. It was proposed and seconded to vote on the officer's recommendation, subject to the inclusion of an informative on the production of a WEP for Matterley Estate, and subject to an amendment to strengthen condition 4 on ecological assessment, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

353. **RESOLVED:**

- I. That Temporary planning approval be granted subject to a Section 106 Agreement securing
  - i. a Land Management Strategy incorporating benefits to the landscape and wildlife of the application site, together with rights of way maintenance improvements, public rights of way benefits
  - ii. Retention of the improvements secured as part of Planning Application SDNP/15/06486/FUL

and subject to the conditions set out in Paragraph 10.1 of report PC17/19 and subject to an amendment to condition 4 and the inclusion of an informative on the production of a

WEP for Matterley Estate, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee:

2. And that authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the agreement is not completed or sufficient progress has not been made in securing the agreement within 3 months of the 11 April Planning Committee meeting.

**ITEM 8: SDNP/ SDNP/18/06615/REM – NORTH STREET INDUSTRIAL ESTATE, LEWES.**

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

355. The following public speakers addressed the Committee:

- Vic lent spoke against the application representing The South Downs Society
- Imogen Makepeace spoke against the application representing herself
- Jennifer Chibnall spoke against the application representing herself
- Robert Cheesman spoke in support of the application representing the North Street Quarter Sounding Board
- Roger Maskew spoke in support of the application representing the NSQ Design Working Group
- James Lacey spoke in support of the application representing the Agents

356. The Committee considered the report by the Director of Planning (Report PC18/19), the update sheet and the public speaker comments, and requested clarification as follows:

- Was this application to consider design and landscaping or appearance and landscaping, in relation to the appearance of solar PV roof panels versus best impact of design on sustainability?
- Did the conditions allow for further control on the finishes to fenestration and colouring of buildings?
- Why the report did not mention the proposed heat exchange using the river which was originally discussed.
- As there was no developer appointed to deliver this project at the time of this approval, confirmation was sought that controls were in place to monitor the quality of workmanship and landscaping details.

357. In response to questions, Officers clarified:

- This application was for reserved matters and only for the visual appearance of the buildings and landscaping. The layout, scale and form of the buildings had already been approved along with a detailed design code.
- The approved design code covers a number of issues related to the finishes of the buildings which includes a palette of approved materials, colours and details of the windows. A detailed schedule of materials is also required by the conditions attached to the hybrid permission.
- A district heating system, which explored the option of using the river to provide heating, was still being considered by Lewes District Council, the applicant is willing to continue the work with the District Council if such a scheme is proven to be viable and deliverable. The purpose of this application was to agree the remaining reserved matters of appearance and landscaping.
- There was control through the approved design code and the approval of the details required by the conditions which would need to be met by any developer that took on this site.

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

- This development would have its own character and was considered to be a valuable addition that would become an attractive and desirable part of Lewes.

- As no developers were in place at the time of this approval that it was important for the planning team to be closely involved when they were appointed to ensure clarity on the conditions that had been approved.
  - The size of this development meant there would be an impact on the roof-scape of Lewes which would have a major impact on appearance of the town. Therefore careful attention should be paid to the detail of the roof-scape, including the PV panels used.
  - The latest technology should be used, as this may have moved forward by the time the development was built, whether this be improved solar photovoltaics or the use of other air heat exchange systems which may remove the need for Solar PV and improve the visual impact of the roof-scape.
  - Members proposed changes to condition 3 to encourage a reduction in carbon emissions towards a zero target.
359. It was proposed and seconded to vote on the officer's recommendation, subject to the amendment to condition 3, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.
360. **RESOLVED:** That the reserved matters (appearance and landscaping of Phases 2 & 3) pursuant to permission SDNP/15/01146/FUL be approved, subject to the conditions set out in Section 10 of report PC18/19 and subject to the amendment to condition 3, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

**ITEM 9: SDNP/18/05657/FUL – LAND ADJACENT TO STRAWBERRY VILLAS, AMBERLEY**

361. The Case Officer presented the application and referred to the update sheet.
362. The following public speakers addressed the Committee:
- Malcolm Pheasey spoke against the application representing himself
  - Chris Barker spoke in support of the application as the Agent
  - Peter Cozens spoke in support of the application representing Amberley Parish Council.
363. The Committee considered the report by the Director of Planning (Report PC19/19), the update sheet and the public speaker comments, and requested clarification as follows:
- Where the formal public open space was located.
  - That the new access road would run parallel to the access road to Newland Gardens to the west of the site.
  - Why the developable area of the site had increased since a previous submission?
  - How the proposed density of development compared to already built out areas in Amberley.
  - Following the inclusion of affordable housing, had there been any further comment from Horsham affordable housing who objected to the original plans due to a lack of affordable housing?
364. In response to questions, Officers clarified:
- The public open space was to the southern border of the plans, adjacent to plot 15.
  - It was confirmed that the two access roads ran parallel to each other.
  - The developable area supported by the inspector did not include the tree belt. The developer had removed the tree belt which allowed the developable area of the site to be increased.
  - The proposal represented a density of 33.3 dwellings per hectare (dph), which was similar to that recommended by the NDP Examiner, who felt that development in the region of 10-11 dwellings could be appropriate on the site (31dph). The submitted information also cited nearby denser developments at Hurst Cottages (41dph) and Newland Gardens (35dph).
  - There had been no further comment from the Horsham Housing officer.
365. The Committee discussed and debated the application, making the following comments:

- It was noted that the National Planning Policy Framework (NPPF) was clear in regard to the importance of good layout and landscaping, and the SDNPA should be exemplary on this issue.
  - This application was not seen as a good example of landscape-led design, and the landscape objections set out in paragraph 4.8 of the Officer's report were appropriate.
  - The scheme was considered urban in nature with a dominance of hardstanding, and wildlife corridors and open spaces pushed to the edge of the site.
  - Amberley Parish Council was encouraged to work together with SDNPA officers to bring forward an improved, landscape-led design.
  - Drainage issues on the site needed to be addressed as they may affect the property to the south.
  - Lack of access across the watercourse to the public green space at Millennium Green was detrimental to the scheme and to enhancing connectivity.
  - While the proposed 15 dwellings was more than the 6 required by the emerging South Downs Local Plan, the number of proposed dwellings may not be considered to be an issue if the design and layout were landscape led. Any application of this nature should have started with a landscape led approach, as this would dictate the number of properties that could be accommodated on the site.
366. It was proposed to amend the first reason for refusal as set out in paragraph 10.1 of the report by removing the words "quantum of".
367. It was proposed and seconded to vote on the officer's recommendation, subject to the above amendment.
368. **RESOLVED:** That planning permission be refused for the reasons set out in paragraph 10.1 of report PC19/19, subject to the removal of the words "quantum of" from reason for refusal 1.
369. The Committee broke for lunch at 2pm and Tom Jones and Robert Mocatta left the meeting.
370. The Committee reconvened at 2.30pm and Norman Dingemans and Margaret Paren joined the meeting.

**ITEM 10: UPDATE ON THE PROGRESS OF THE REVIEW OF THE HAMPSHIRE MINERALS AND WASTE PLAN (2013)**

371. The Planning Policy Officer presented the report and referred to the update sheet.
372. The Committee considered the report by the Director of Planning (Report PC20/19) and the update sheet and requested clarification as follows:
- Was the HCC Decision report being considered by all affected Authorities?
  - Did the reason listed in the last bullet point of item 2.4 indicate that the landbank was being delayed as a result of planning applications and not as a result of policy?
373. In response to questions, Officers clarified:
- The content of the HCC Decision report was being considered by all affected Hampshire Authorities.
  - The landbank was affected due to developers not putting sites forward or delays in the planning application process, not due to policy reasons.
374. It was proposed and seconded to vote on the Officer recommendation.
375. **RESOLVED:** The Committee agreed to recommend that the NPA agree:
1. The decision that an update to the Hampshire Minerals & Waste Plan (2013) is not required at this time, but that a further Review will begin in 2020
  2. That a summary of the review process and the decisions be consolidated and published on the SDNPA website as the '2018 Review of the Hampshire Minerals & Waste Plan'.
  3. A programme of on-going engagement with interested parties commences following publication of the '2018 Review'.

**ITEM 11: SDNPA RESPONSE TO THE AQUIND INTERCONNECTOR PRE-APPLICATION CONSULTATION (A NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT)**

376. The Case Officer presented the report.

377. The Committee considered the report by the Director of Planning (Report PC21/19), and requested clarification as follows:

- What were the other developments referred to in item 4.3 of the report?
- Would the proposal fit into the site of the disused pit, as shown to the north of the site on page 184 of the report, allowing it to be lower on the skyline?
- Would the site create more local jobs?
- Considering the impact this proposal will have on the Park, could we ask to see more information on the site selection process and why other sites were dismissed? Would any of the other sites have less impact on the National Park?
- Was there a mechanism for valuing the visual impact of a nationally significant infrastructure project (NSIP) of this scale?
- Were the mitigation proposals listed in item 10 similar to responses from other Local Authorities?
- Could the proposed design options listed in item 10.2 be put to the SDNPA Design Review Panel (DRP) to enable further exploration of ways this proposal could be better integrated into the landscape?
- Would the 'duty to have regard to the purposes of the National Park' not apply as Aquind were not a public body?

378. In response to questions, Officers clarified:

- The other developments referred to include the substation extension and battery storage sites. Both had permission granted but the battery storage permission was quashed at a Judicial Review. It was likely to come back as a further application at a later date. There was also a major solar farm south-east of the site which was given permission and had been built.
- The proposal would not fit into the site of the disused pit
- It was not expected that the site would create a significant number of local jobs. The majority of jobs created during the construction phase would likely be specialist jobs and involve people from outside area.
- The report provided, which detailed the site selection process, did not look in detail at the impact on the National Park and more information on this process could be sought. The first part of the site selection process decided where in the UK the electricity would enter from Europe. Once it was decided it would come from France into the south of the UK, the proposed sites were narrowed down to three sites in the South of England. The Lovedean site was chosen as the preferred site. One of the dismissed sites would have a greater impact on the Park as it would involve underground cabling provision across the National Park. The third site may have had less of an impact on the Park and therefore could be more acceptable, so more information would be sought as to why this was dismissed.
- Although Natural Capital assessments were improving, there was currently no set agreed way to measure visual and landscape value.
- Discussions had taken place with EHDC and Winchester City Council to ensure consistency in responses.
- A joint DRP session was being arranged with Winchester. Although this would not happen in time to respond to this early stage consultation it would be planned before any further consultation stage.
- Aquind did not have a duty to have regard to the purposes of the National Park, however the Planning Inspectorate (PINS) and the National Grid did.

379. The Committee discussed the application, making the following comments:

- The Peacehaven Wastewater Treatment works was covered by one of the largest green roofs in Europe, and was suggested as an exemplary project of industrial buildings integrated into the landscape.
- The ability for undergrounding of cables had been evidenced by the National Grid in Cumbria, and this should be included in any mitigation plans.
- It was proposed to change the wording in the response, on item 1.4 to read “*The South Downs National Park borders the proposed location of the Converter Station on three sides*”
- *There was a need to strength the response in terms of the evidence behind the options considered.*

380. It was proposed and seconded to vote on the Officer recommendation subject to the additional points raised. The final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

381. **RESOLVED:** The Committee approved the SDNPA response to the pre-application consultation on the Aquind Interconnector, subject to the additional points raised. The final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

#### **ITEM 12: THE MAKING OF THE LEWES NEIGHBOURHOOD DEVELOPMENT PLAN**

382. The Planning Policy Officer presented the report.

383. The Committee considered the report by the Director of Planning (Report PC22/19).

384. It was proposed and seconded to vote on the Officer recommendation.

385. **RESOLVED:** The Committee:

1. Noted the outcome of the Lewes Referendum;
2. Agreed to make the Lewes Neighbourhood Development Plan part of the SDNPA's Development Plan for the parish of Lewes.

#### **ITEM 13: THE SOUTH DOWNS NATIONAL PARK AUTHORITY'S RESPONSE TO SUBMISSION (REG 16) CONSULTATION ON THE FITTLEWORTH NEIGHBOURHOOD DEVELOPMENT PLAN (FNDP)**

386. The Planning Policy Officer presented the report and referred to the update sheet.

387. The Committee considered the report by the Director of Planning (Report PC23/19) and the update sheet.

388. It was proposed and seconded to vote on the Officer recommendation.

389. **RESOLVED:** The Committee agreed the table of comments as set out in Appendix 2 of the report, subject to the minor amendments noted in the update sheet, which will form SDNPA's representation to the Independent Examiner of the FNDP.

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

390. Thursday 9 May 2019 at 10am at the South Downs Centre, Midhurst.

#### **CHAIR**

The meeting closed at 3:30pm.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_