

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 9 MAY 2019

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

Present: Alun Alesbury, 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), Rob Ainslie (Development Manager) and Richard Sandiford (Senior Governance Officer).

Also attended by: David Cranmer (Development Management Lead), Heather Lealan (Development Management Lead) Stella New (Senior Planner Development Management) and Chris Paterson (Communities Lead).

OPENING REMARKS

391. 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

392. Apologies were received from Roger Huxstep.

ITEM 2: DECLARATION OF INTERESTS

393. The following declarations of interest were made:

- Tom Jones – Agenda Item 7, Public Service Interest as a Lewes District Councillor and Parish Councillor for Ditchling and Westmeston.
- Neville Harrison – Agenda Item 7, Personal Interest as an acquaintance of one of the persons speaking on this item.
- All Members – Agenda Items 10, 11 and 12, the Chair declared a Public Service Interest on behalf of all Members as one of the persons speaking on these items was an officer of the SDNPA.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 11 APRIL 2019

394. The minutes of the previous meeting held on 11 April 2019 were agreed as a correct record and signed by the Chair.

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

395. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

396. The planning appeal inquiry date for appeal SDNP/19/00014/REF, Paris House, Petersfield had been scheduled for 2 July 2019.

ITEM 6: URGENT ITEMS

397. There were none.

ITEM 7: SDNP/I8/06553/FUL – THE BEACON NURSERIES, BEACON ROAD, DITCHLING, BN6 8XB

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

399. The following public speakers addressed the Committee:

- Councillor Paul Farrands spoke against the application representing Ditchling Parish Council.
- Edwina Rowling spoke against the application representing herself.
- Sarah Sheath spoke in support of the application representing the applicant.
- Catherine Robinson spoke in support of the application as the applicant.
- Philip Andrews spoke in support of the application representing himself.

400. The Committee considered the report by the Director of Planning (Report PC24/19), the update sheet and the public speaker comments, and requested clarification as follows:

- Had officers considered calling in this application earlier or was calling it in considered only once the recommendation by Lewes District Council (LDC) had been published?

401. In response to questions, Officers clarified:

- The Authority's concerns had been made known to LDC through link officers. LDC had published its recommendation without taking the Authority's concerns into account, hence, it was considered the application should be called in.

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

- Although the design was well considered and responded to its surroundings the fundamental issue was one of planning policy. This application fell foul of settlement boundary policy which was in place for good reason and support should be given to the settlement boundary identified by the Neighbourhood Development Plan (NDP).
- It was correct that the Authority called this application in for the protection of the landscape. This application would represent further intensification of a suburbanised area in the countryside.
- The Authority needed to take careful note of planning policy and guidelines as well as NDPs. With the highest level of protection afforded to this landscape there seemed to be no exceptional circumstances to allow this development.
- There were many sites similar to this across the National Park;
- The intention of the Previously Developed Land policy seemed to be to catch larger developments outside the settlement boundary. .
- This was an appropriate re-use of a previously developed site and therefore should be considered in conformity with planning policy. The development was appropriate to and enhanced the site.
- This development would not conserve or enhance the wider landscape of this area of the National Park.
- Although it was accepted there was community support for this development this was not a referendum, but a matter of planning policy. The policy was clear. This application had also demonstrated that although planning functions were delegated to other authorities the National Park Authority, as the planning authority, did monitor what happened across the National Park.

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

404. **RESOLVED:** That planning permission be refused for the reasons set out in paragraph 10.1 of the report.

ITEM 8: SDNP/18/05595/FUL – WESTERLANDS, NORWOOD LANE, EAST LAVINGTON, GU28 0QJ.

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

406. The following public speakers addressed the Committee:

- Charles Britton spoke against the application representing East Lavington Parish Council.
- Barry Gosden spoke against the application representing himself.
- Alan Perry spoke against the application representing Sussex Ornithological Society.
- Pamela Jamison spoke in support representing Westerlands Estate.
- Stella Gurney spoke in support of the application as the applicant.
- Mark Griffiths spoke in support of the application as the applicant.

407. The Committee considered the report by the Director of Planning (Report PC25/19), the update sheet and the public speaker comments, and requested clarification as follows:

- What was the position of the National Trust?
- What did the purple dashed line on the landscape drawing represent?
- Would the cellular surfacing be in root protection areas?
- What permanent structures would be on site?
- What number of tents could be on the field at any one time?
- Did the 28 day rule apply or was this application a year round site?
- The speakers referenced pre-application advice for a similar campsite 1 mile north and the refusal of a campsite application in 2012; were these the same application?
- Why were campervans referenced in the conditions but not the report?
- Where would the campervans park and how would they move around the site?
- Could the use of local materials, produce, companies, etc. be embedded into the permission?
- How would condition 10, disposal of compost from toilet blocks, be enforced?

408. In response to questions, Officers clarified:

- The National Trust had registered an objection as a local land owner responsible for the management of the SSSI.
- The purple dashed line represented the grey water flow area.
- Details of cellular surfacing, including any within root protection areas, would be secured by condition.
- The kitchen, shower and toilet blocks were permanent structures.
- The permission was for 24 pitches and a separate site manager's pitch between 1 April – 30 September. Pitches would not exceed 10 for more than 6 days per calendar month between 1 October – 31 March. The 28 day permitted development rule would not apply as this permission would override it.
- The permission was for 24 pitches of which 5 may be occupied campervans at any one time and was secured via conditions. The condition could be amended to make this clearer.
- The hatched areas on the plan indicated areas campervans would be restricted to as they were less visually sensitive. There were no access tracks proposed for the site.

- In 2012 pre-application advice was given by Chichester District Council on a nearby campsite application. There had been no other applications.
 - The management plan condition could seek to control local sourcing or a personal permission may give additional control.
 - The drainage team would be consulted in regard to the discharge of condition 10.
409. The Committee discussed and debated the application, making the following comments:
- This application met SDNPA objectives in regard to ecological and economic benefits.
 - This type of development proposed was inappropriate for the site which was open and visible in the wider countryside.
 - The applicant's sensitive approach could be an appropriate way to encourage greater engagement with the SDNP from a wider group of people.
 - Farm diversification was an important way of assisting land owners and through that preserving the wider landscape and allowing farming practices to continue.
 - The risks from noise and traffic were low.
 - The cellular surfacing could be addressed with a standard tree protection condition.
 - There were concerns whether the business model would be carried through.
 - The risk to water was a concern. The waste management plan needed robust reviewing to ensure it was met.
 - The site's location near a Site of Special Scientific Interest (SSSI) posed a risk, particularly from uncontrolled dogs, and the campsite could be located elsewhere.
 - Whilst the proposal met purpose 2, conservation must take priority.
 - The management of people, space and vehicles was important as there was potential for negative impact on the site and the adjacent SSSI. The harm from campervans was a concern.
 - The community had raised noise concerns which should be given consideration.
410. Members were advised that notwithstanding any lack of detail as to how vehicles would navigate around site, formal tracks could be more damaging to the landscape. The National Trust actively promoted the SSSI. If minded to approve the application, Members could consider allowing a temporary personal permission of 5-7 years to allow effective monitoring of impacts.
411. The Committee discussed and debated the application further, making the following comments:
- A temporary personal permission alongside a tight management plan and effective monitoring could address the concerns and risks raised.
 - The applicant was encouraged to collaborate with third parties, including the National Trust and Sussex Ornithological Society in regard to monitoring.
 - Although a temporary permission reduced the negatives of the development there was still concern the Sandford principle was not being fully considered.
412. Members were further advised that a sufficiently long permission was required in order to effectively monitor impacts on a landscape scale and to provide an acceptable level of certainty for a commercial operation. The length of the permission could be agreed by the Director of Planning and the Chair of Planning Committee following discussion with National Park Rangers on an appropriate length of monitoring period. The conditions relating to the management plan and number of camper vans could be strengthened and clarified and a further condition relating to tree protection could be added.

413. It was proposed and seconded to vote on grant of temporary personal permission, subject to the strengthening of conditions 4 and 6 and a further condition relating to tree protection, the final form of wording for which would be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.
414. **RESOLVED:** That temporary, personal permission be granted, the period of which is delegated to the Director of Planning in consultation with the Chair of Planning Committee, subject to the conditions set out at paragraph 10.1 of report PC25/19 and the 9 May Update Sheet, with the strengthening of condition 4 and 6 and a further condition relating to tree protection, the final form of wording of which is delegated to the Director of Planning in consultation with the Chair of Planning Committee.

ITEM 9: SDNP/18/04918/FUL – LAND AT POOK LANE, LAVANT, WEST SUSSEX

415. The Case Officer presented the application and referred to the update sheet.
416. The following public speakers addressed the Committee:
- Caroline Reynolds spoke against the application representing Lavant Parish Council.
 - Derek Kingaby spoke against the application as a resident of Lavant.
 - Nick Reynolds spoke against the application representing himself.
 - Amanda Sutton spoke in support of the application representing Sunley Estates Ltd.
417. The Committee considered the report by the Director of Planning (Report PC26/19), the update sheet and the public speaker comments, and requested clarification as follows:
- The location of the alleyway referred to by the public speakers?
 - The height of boundary treatments and reasons for the height. Also were any hedges included in the design?
 - Further details on and rationale for the design changes.
 - Why did the housing mix not match policy?
 - Who would be responsible for the management of external green spaces and roads?
 - Further details on the treatment of the Scheduled Ancient Monument (SAM).
 - How many parking spaces were provided for the 18 dwellings?
 - Did the development meet the policy requirements on energy reduction?
418. In response to questions, Officers clarified:
- The case officer highlighted the alleyway on the site plan.
 - The boundary treatments were 1.8m in height to provide occupants with appropriate privacy. Hedging was proposed by open spaces and onto Lavant Road.
 - The original layout had merit but provided no active frontage to the main road which was not characteristic of the area. The site had approximately 120m of street elevation so the design of plots 1-5 were changed to enable the dwellings to front onto Lavant Road in order to bring the positive characteristics of Lavant into the development. A consequence of this was that some gardens now faced to the east rather than to the south, however, this was considered acceptable. Plot 8 was also relocated so the street view was terminated with a substantial building which picked up local form and characteristics.
 - The S106 legal agreement would require an agreement on the management of unadopted open spaces and roads.
 - The guidance from Historic England was that the merit of the SAM was its form in the landscape and the aim should be highlight this feature. Any sporadic vegetation should be managed and any trees should be allowed to reach the end of their life, but not be replaced.

- 54 parking spaces would be provided.
 - The development does comply with policies on energy reduction, however flexibility would be provided via the planning condition with regard to how it would be delivered.
419. The Committee discussed and debated the application, making the following comments:
- The design proposals and SAM treatment were appropriate. The reduction in hard surfacing and the changes to bring in the character of the area were also positive. The car park area should be landscaped to a much higher standard as it was currently utilitarian. Also a landscape management plan for the whole site should be sought. The majority of concerns raised could be dealt with by condition.
 - Concern about how the NDP was working out in practice. The need for high fences and walls seemed to come from a doctrinal approach to fronting houses onto the road, but regard should also have been given to maintaining, at least the impression of, a gap between Chichester and Lavant. The development was close to acceptable, but this application should be deferred for further work to bring forward something acceptable to all parties.
 - The 50% affordable housing was commendable, but the market housing mix was uncomfortably distant from the policy.
 - The NDP policy on in-line parking had been breached in the design changes.
 - NDP groups should be supported where possible. This application should be deferred and reviewed.
 - Deferment could jeopardise the affordable housing if the market housing mix was reviewed.
 - Amended conditions could not address the design concerns.
 - Care should be taken in the management of the SAM.
420. Members were advised that this application had received significant pre-application advice prior to the policies of the new Local Plan having significant weight, hence the current housing mix. The matters raised by Members on design could not be dealt with by condition and the application would need to be deferred if further work was to take place.
421. It was proposed and seconded to vote to defer the application to review the design and layout, approach to energy reduction, treatment of the SAM and landscape management.
422. **RESOLVED:** That the application be deferred to review the design and layout, approach to energy reduction, treatment of the SAM and landscape management.
423. The Committee broke for lunch at 1:50pm.
424. The Committee reconvened at 2:20pm.
425. The Chair advised Members that the case officer would present agenda items 10, 11 and 12 together and that a single discussion would be had covering the three agenda items, following which, the recommendations for each item would be taken individually.

ITEM 10: SDNP/19/00968/FUL – VARIOUS SITES – SOUTH DOWNS NATIONAL PARK WEALDEN HEATHS HEATHLANDS REUNITED PROJECT, AND;

ITEM 11: SDNP/19/00970/FUL – SHORTEATH COMMON, OAKHANGER ROAD, BORDON, GU35 9JP, AND;

ITEM 12: SDNP/19/00971/FUL – WIGGONHOLT RSPB PULBOROUGH BROOKS, WIGGONHOLT, PULBOROUGH, RH20 2EL.

426. The Case Officer presented the applications and referred to the update sheet.
427. The following public speakers addressed the Committee:
- Lucy Petrie spoke against the application representing Stedham with Iping Parish Council.

- Colin Carre spoke in support of the application representing the SDNPA as the applicant.
428. The Committee considered the reports by the Director of Planning (Reports PC27/19, PC28/19 and PC29/19), the update sheet and the public speaker comments, and requested clarification as follows:
- Who was funding the sculptures?
 - What arrangements for maintenance were in place?
 - What were the plans for interpretation and enabling people to locate the sculptures?
 - As this was an application by the Authority should it be considered at the NPA meeting?
429. In response to questions, Officers clarified:
- The majority of the funding was from the Heathlands Reunited project, which was a HLF funded project. The sculptures were also part funded by the SDNPA.
 - Maintenance would be managed as part of the ranger and volunteer programme of works.
 - There would be no interpretation on site. The project would mainly be driven by word of mouth and the premise was based on visitors discovering the sculptures whilst on the heath and the sculptures stimulating their interest to find out more about them.
 - Consideration by the NPA would be inconsistent with other applications made by the Authority. Decisions on these were made by this committee.
430. The Committee discussed and debated the application, making the following comments:
- Prior to the SDNP's designation communities were concerned that in becoming a National Park the countryside would be filled with interpretation boards and other gimmicks which would neither conserve nor enhance.
 - Uncertainty whether these were public art, however, the sculptures were respectful and they could encourage visitors to the park and help them to understand the heathland habitat.
 - Harm was minimal and would have very limited visual impact.
 - The sculptures related to the flora and fauna in their proposed location and provided educational opportunities.
 - The level of opposition from parish councils was surprising and should be considered before the Authority progressed this further.
 - Concern that the majority of sculptures would be quickly hidden and whether these would be a positive legacy.
 - The lack of any interpretation was a missed opportunity, any interpretation should have no impact, maybe through the use of passive tags. Could this be included as an informative?
 - This was a good scheme of public art with well-designed sculptures that were not gimmicky.
 - Was this progressive development and a gradual erosion of natural beauty?
 - The beauty of the heathlands was their remoteness and these sculptures possibly detract from that.
 - The Local Plan supported public art.
431. Members were advised to ensure their decision was based solely on planning considerations. An informative could be included to consider interpretation.

432. It was proposed and seconded to vote on the officer's recommendation for agenda item 10, subject to the inclusion of an informative that that applicant should consider appropriate interpretation on the sites, the final form of words to be delegated to the Director of Planning in consultation with the Chair of Planning Committee.
433. The vote was tied, the Chair re-opened the discussion and Members made the following further comments:
- Significant efforts had been taken to ensure no damage to plants and the ground. Visual impact was minimal and any harm from the sculptures was also minimal.
 - The sculptures were promoting the culture and heritage of the national park. They also provided a clear connection with their location.
 - The sculptures were manmade objects being placed into a sensitive landscape in ways the local community find unacceptable.
 - This would have an unacceptable impact on the landscape and would not conserve or enhance the park.
 - Professional advice from landscape officers was that this would not harm the landscape.
434. It was proposed and seconded to vote on the officer's recommendation for agenda item 10, subject to the inclusion of an informative that that applicant should consider appropriate interpretation on the sites, the final form of words to be delegated to the Director of Planning in consultation with the Chair of Planning Committee.
435. The vote was tied, hence, a second vote was cast by the Chair to approve the recommendation for agenda item 10.
436. **RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report and subject to the inclusion of an informative that that applicant should consider appropriate interpretation on the sites, the final form of words to be delegated to the Director of Planning in consultation with the Chair of Planning Committee.
437. It was proposed and seconded to vote on the officer's recommendation for agenda item 11, subject to the inclusion of an informative that that applicant should consider appropriate interpretation on the site, the final form of words to be delegated to the Director of Planning in consultation with the Chair of Planning Committee.
438. The vote was tied, hence, a second vote was cast by the Chair to approve the recommendation for agenda item 11.
439. **RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report and subject to the inclusion of an informative that that applicant should consider appropriate interpretation on the site, the final form of words to be delegated to the Director of Planning in consultation with the Chair of Planning Committee.
440. It was proposed and seconded to vote on the officer's recommendation for agenda item 12, subject to the inclusion of an informative that that applicant should consider appropriate interpretation on the site, the final form of words to be delegated to the Director of Planning in consultation with the Chair of Planning Committee.
441. The vote was tied, hence, a second vote was cast by the Chair to approve the recommendation for agenda item 12.
442. **RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report and subject to the inclusion of an informative that that applicant should consider appropriate interpretation on the site, the final form of words to be delegated to the Director of Planning in consultation with the Chair of Planning Committee.
443. Norman Dingemans and Margaret Paren joined the meeting at 3.30pm

ITEM 13: QUARTERLY UPDATE ON THE PROGRESS OF NEIGHBOURHOOD PLANNING

444. The Communities Lead Officer presented the report and referred to the update sheet.
445. The following public speakers addressed the Committee:
- Lucy Petrie spoke representing Stedham with Iping Parish Council.
446. The Committee considered the report by the Director of Planning (Report PC30/19), and requested clarification as follows:
- The matter of delays to NDPs caused by the Local Plan should be looked into further and, if necessary, reported back on at the next meeting of this committee.
 - Had the discrepancy on housing numbers in the Lewes NDP been resolved?
447. In response to questions, Officers clarified:
- The reasons for the delay to NDPs due to the Local Plan were outlined. A number of Parishes had been affected and officers were working with them. It was appreciated that the delays were frustrating and the Authority's apologies were expressed to Parishes who felt let down by this situation. A number of NDPs have been affected by recent Neighbourhood Planning legislation change, which has resulted in the Neighbourhood Plans having to prepare additional evidence to support their NDPs. Officers continue to progress these NDPs working closely with the Qualifying Bodies.
 - The housing numbers would largely be met by North Street Quarter and Old Malling Farm.
448. Robert Mocatta left the meeting at 3:45pm.
449. It was proposed and seconded to vote on the Officer's recommendation.
450. **RESOLVED:** The Committee noted the progress to date on the preparation of Neighbourhood Development Plans across the National Park.

ITEM 14: REVIEW OF VALIDATION REQUIREMENTS FOR PLANNING APPLICATIONS AND RELATED CONSENTS

451. The Development Manager presented the report.
452. The Committee considered the report by the Director of Planning (Report PC31/19), and requested clarification as follows:
- Would the telecoms statement include fibre optics to normal builds?
 - What was the Authority's view on a buffer around the Special Area of Conservation (SAC) as requested by Selbourne?
 - Should information required on dark night skies also be extended to include core areas of the reserve?
453. In response to questions, Officers clarified:
- The telecoms statements applied to all equipment allocations. Some works did only require notification, rather than full permission.
 - Other SACs already had buffer zones, so a buffer zone for Selbourne was acceptable.
 - It was felt sufficient to require a light assessment for applications. Officers were very aware of potential impacts on dark night skies.
454. Members commended the guidance on ecosystem services.
455. It was proposed and seconded to vote on the Officer's recommendation.
456. **RESOLVED:** To approve the revised local list of requirements for validating planning applications and related consents for adoption.

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

- 457. Thursday 6 June 2019 at 10am at the South Downs Centre, Midhurst.
- 458. The Chair closed the meeting at 4:00pm.

Signed: _____