

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 8 AUGUST 2019

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

Present: Alun Alesbury, Heather Baker, Pat Beresford, Barbara Holyome, Gary Marsh, William Meyer, Ian Phillips and Robert Mocatta.

Ex Officio Members for Planning Policy items only (may participate on Policy Items but not vote, no participation on Development Management Items): Margaret Paren

Officers: Rob Ainslie (Development Manager), Becky Moutrey (Solicitor), Richard Sandiford (Senior Governance Officer) and Sara Osman (Governance Officer).

Also attended by: Mike Hughes (Planning Performance and Major Projects Manager), Lucy Howard (Planning Policy Manager) David Cranmer (Development Management Lead), Katie Sharp (Development Management Officer) and Kevin Wright (Planning Policy Officer).

OPENING REMARKS

54. The Chair welcomed Members to the meeting and informed those present that:
- South Downs National Park Authority (SDNPA) Members had a primary responsibility for ensuring that the Authority furthered 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

55. Apologies were received from Thérèse Evans, Diana van der Klugt and Tim Slaney (Director of Planning).

ITEM 2: DECLARATION OF INTERESTS

56. The Chair declared a Public Service Interest on behalf of all Members for agenda item 8 as the applicant was a Member of the SDNPA.
57. Robert Mocatta declared a Public Service Interest for agenda items 7 and 9 as a Hampshire County Councillor for Petersfield and also an East Hampshire District Councillor with Cabinet responsibility for Placemaking. He was known to some of the speakers for item 7.

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

58. The minutes of the previous meeting held on 11 July were agreed as a correct record and signed by the Chair, subject to the following amendment:
- Minute 11 should read: "Heather Baker was duly elected as Deputy Chair of the Planning Committee until the first Planning Committee meeting after the Authority AGM in 2020".

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

59. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

60. The committee received the following updates:
- Paris House – Following the public inquiry the appeal was dismissed. The Inspectors report agreed with all of the reasons given by the SDNPA for refusal of the application. It was noted that the Inspectors conclusions strengthen the Local Plan landscape-led approach in all settings of the National Park.

ITEM 6: URGENT ITEMS

61. There were none.

ITEM 7: SDNP/18/06292/OUT

62. The Case Officer presented the application and referred to the update sheet.
63. The following public speakers addressed the Committee:
 - Councillor James Deane spoke against the application representing Petersfield Town Council.
 - Councillor Jamie Matthew spoke against the application representing residents of the East Hampshire District Council ward of Petersfield Bell Hill.
 - Victor Ient spoke against the application representing the South Downs Society (Friends of the South Downs).
 - Andrew Elliott spoke in support of the application representing the applicant.
64. The Committee considered the report by the Director of Planning (Report PC19/20-07), the update sheet and the public speaker comments, and requested clarification as follows:
 - Were the definitions for self-build and custom-build set or were they negotiable?
 - To what extent could a zero carbon target be delivered?
 - Did the outline plans include a walkway route for access to Petersfield?
 - Could amendments be made to the main access road at a later stage?
 - What public consultation had been undertaken by the applicants or agents?
 - Would the housing mix comply with the SDNPA Local Plan and could it be changed at the reserved matters stage?
 - Was this application liable for CIL (Community Infrastructure Levy) payments?
 - Would this application come back to Committee for the Reserved Matters stage or would the decision be taken by an Officer?
 - Would the reserved matters be approved for the site as a whole or in stages?
65. In response to questions, Officers clarified:
 - The applicant used the NPPF definition for self-build, whilst a bespoke definition for custom-build would be sought as there was no clear definition available. Item 8.7 outlined the minimum customisable options to be included in a final, bespoke definition which would be tied into a legal agreement.
 - The South Downs Local Plan policy SD48 covered Climate Change and Sustainable Use of Resources. This pre-dated the recently announced Government emergency on climate change and the setting of new Government targets for zero carbon in new housing by 2050. However, condition 16 of the report allowed for the conditions to be assessed against the policy framework in place at the time of discharge of the conditions.
 - Access was a reserved matter and as such, was not covered at this outline stage of the application. Beckham Lane was a public Right of Way (RoW) and would remain so up to the point of the boundary of the application. Access through the site would be decided at the reserved matters stage.
 - The access junction onto Winchester Road had already been approved under a separate consent, and this outline application was to approve the principle of this access road being extended into the proposed site. Considerations for pedestrian and vehicular access would be a material consideration for the reserved matters stage of this application.
 - The housing mix set at the outline stage cannot be changed without applying to vary the legal agreement as reserved matters must accord with the conditions within the outline application.
 - Officers were content that this outline application met the development plan policies as a whole. A balanced position was taken in respect of the affordable housing, which considered the SDLP, the Petersfield Neighbourhood Development Plan (NDP) and the inspectors report on the Petersfield NDP.

- Developers were encouraged to engage with communities at an early stage of an application. It was believed that the applicant had engaged with the Neighbourhood Plan process, however it was unclear how much community engagement had taken place at this outline stage of the application. It was strongly advised that the developers should work closely with the Town Council and members of the Neighbourhood Plan steering group at the reserved matters stage.
- It was likely that the reserved matters applications would come back to Committee.
- Whilst all new housing development in the National Park is liable for CIL (determined if and after planning permission is granted), it was expected that this application would make zero contribution to CIL. This was due to a series of reliefs set out in Government legislation that applies across England. Both social housing relief and self-build relief might be applied to this scheme, subject to meeting the conditions specified in the legislation.
- Condition 1 set out that development would not commence until a phasing plan was put in place. This would provide some control over the timing of delivery.

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

- The principle of development was not challenged.
- Concerns were raised over the definition for custom-build in condition 8.7 which was not considered strong enough. It was proposed that an energy efficiency standard should be incorporated into the custom-build definition to prevent this definition becoming the maximum level achieved.
- It was noted that, as this was the first application to consider custom-build applications, it was an important opportunity to provide a clear definition which will lead the way for future applications.
- It was proposed and agreed to change the delegation in the first recommendation, to include the Chair. Therefore the final form of the legal agreement would be delegated to the Director of Planning in consultation with the Chair and Deputy Chair of the Planning Committee.
- Concern was raised that a number of local community groups had highlighted the lack of consultation on behalf of the developer. There was an expectation that they should be consulted and this should be strongly encouraged.
- It was noted that whilst there was no end date for the build, the update to the conditions would ensure that, should the self-build not be taken up immediately, housing will not revert back to general provision and will remain within the original tenure.
- It was noted that the reserved matters stage would be key to ensure accurate phasing conditions.

67. It was proposed and seconded to vote on the officer's recommendation, subject to the amendments set out in the update sheet, the amendment to the reason for condition 16 to now read "To ensure the development contributes to the management of the effects of climate change in accordance with Policy SD48 of the South Downs Local Plan 2014-2033, the NPPF, 'A Green Future' our 25 year plan to improve the environment 2018, and the Climate Change Act 2008 as amended", and subject to an informative that a Community Liaison Group was set up, and the applicant was strongly urged to liaise with the Community Liaison Group and including the changes set out in minute 66, 4th bullet point

68. **RESOLVED**

- I. That outline planning permission be granted subject to the conditions set out at paragraph 10.1 of the officer's report, the amendments set out in the update sheet, the amendment to the reason for condition 16 to now read "To ensure the development contributes to the management of the effects of climate change in accordance with Policy SD48 of the South Downs Local Plan 2014-2033, the NPPF, 'A Green Future' our 25 year plan to improve the environment 2018, and the Climate Change Act 2008 as amended", the addition of an informative that the applicant liaise with a newly formed Community Liaison Group, and subject to a legal agreement the final form of which is delegated to the Director of Planning in consultation with the Chair and Deputy Chair of the Planning Committee, to secure:

- A maximum of 85 dwellings consisting of:
 - 30% affordable dwellings (rounded up to the nearest whole dwelling) comprising of 50% affordable rent and 50% shared ownership;
 - A minimum of 10% self-build dwellings (including the definition of self-build and a local connection occupancy cascade); and
 - A maximum of 60% custom-build dwellings (including the definition of custom-build and a local connection occupancy cascade).
 - A housing mix for affordable dwellings of:
 - Approximately 35% 1-bedroom dwellings;
 - Approximately 35% 2-bedroom dwellings
 - Approximately 25% 3-bedroom dwellings; and
 - Approximately 5% 4-bedroom dwellings.
 - A housing mix for the open market (custom-build and self-build) dwellings of:
 - At least 10% 1-bedroom dwellings;
 - At least 40% 2-bedroom dwellings (of which 35% should be suitable for older residents);
 - At least 40% 3-bedroom dwellings (of which 75% should be suitable for older residents); and
 - Up to 10% 4-bedroom dwellings.
 - A maximum of 4,730sqm of employment floorspace to be limited to B1, B2 or B8 uses;
 - Off-site improvements relating to the vehicular access from Winchester Road and pedestrian connectivity between the site and Petersfield Town Centre;
 - A travel plan;
 - A management plan for the future maintenance of the open space; and
 - A Local Employment and Training Agreement.
2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress made within 3 months of the Planning Committee meeting of 8 August 2019.

ITEM 8: SDNP/19/02055/FUL

69. The Case Officer presented the application and referred to the update sheet.
70. The following public speakers addressed the Committee:
- Trevor Furse spoke in support of the application representing the applicant.
 - James Callaway spoke in support of the application representing the applicant.
71. The Committee considered the report by the Director of Planning (Report PC19/20-08), the update sheet and the public speaker comments, and requested clarification as follows:
- Would the solar panels on the stable roof sit on the same plane of the roof and not at an angle, and what would be their final colour?
 - How much power would be generated from the proposed solar arrays was there assurance that it would not be turned into a commercial venture in the future?
 - Would the solar arrays use reflective or non-reflective materials?
 - It was noted that the stable block roof had been designed to have minimal visual impact in the setting of a listed building. Would condition 4 on the update sheet ensure this was maintained?
72. In response to questions, Officers clarified:
- The solar panels on the stable would sit on the same plane as the roof, and their colour would be similar to what was currently in place. The update sheet contained a further condition which ensured these details would be provided.

- The expected output from the solar arrays in this proposal, along with the existing arrays, was less than the current use of the house and outlying buildings. It was not expected to produce commercial amounts of energy.
 - The use of non-reflective materials for the solar panels would be covered in the conditions.
 - Historic buildings officers would be involved with discharge of conditions to ensure minimal visual impact in the setting of a listed building would be maintained.
73. It was proposed and seconded to vote on the officer's recommendations, subject to the additional condition set out in the update sheet.
74. **RESOLVED:** That planning permission be granted, subject to the conditions set out in paragraph 9.1 of the officer's report and the update sheet.
75. Margaret Paren joined the meeting at 12:05pm.

ITEM 9: ARTICLE 4 DIRECTION

76. The Planning Policy Officer presented the report.
77. The Committee considered the report by the Director of Planning (Report PC19/20-09), and the update sheet, and made the following comments:
- Clarification was sought on whether Article 4 Directions could only be issued by the Secretary of State (SoS).
 - Would the value of these sites prompt an increase in applications from developers on these sites under permitted development, prior to the Article 4 Direction being approved?
 - Clarification was sought on why these specific sites were selected.
 - It was noted that monitoring was important to ensure that unwanted changes could not take place, such as conversions of offices to housing, leading to a loss of employment sites.
78. In response to questions, Officers clarified:
- Article 4 Directions could be issued by the Local Planning Authority or the SoS. Planning Authorities were obliged to notify the SoS of an Article 4 Direction
 - Officers were aware of the differential in land values between residential and employment sites, and the pressure on employment sites under permitted development rights. All developers would be required to submit a prior approval scheme before any application could be submitted.
 - Evidence showed that these were the main employment sites in the National Park. The Direction would be monitored in the annual Authority Monitoring Report. The Town and Country Planning (General Permitted Development) (England) Order 2015 provided the local planning authority with the power to cancel the direction if appropriate.
79. It was proposed to vote on the Officer recommendation.
80. **RESOLVED:**
1. That a non-immediate Article 4 Direction be made, removing permitted development rights for change of use from office or light industrial to residential in respect of the 14 employment sites as detailed in figure 5.1 of Appendix 1 of the Officers report
 2. Carry out public consultation on the Article 4 Direction in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015
 3. That authority be delegated to the Director of Planning, in consultation with the Chair of the Planning Committee, to consider the response from the public consultation, and subject to there being no major matters arising from the consultation take all reasonable and necessary steps to confirm the Article 4 Direction.
81. The Chair closed the meeting at 12:30pm.

Signed: _____

