

## **SOUTH DOWNS NATIONAL PARK AUTHORITY**

### **PLANNING COMMITTEE 10 OCTOBER 2019**

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

Present: Alun Alesbury (Chair), Heather Baker, Pat Beresford, Thérèse Evans, Barbara Holyome, Gary Marsh, Robert Mocatta, Vanessa Rowlands and Diana van der Klugt,

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

Officers: Tim Slaney (Director of Planning), Becky Moutrey (Solicitor), Richard Sandiford (Senior Governance Officer) and Sara Osman (Governance Officer).

Also attended by: Vicki Colwell (Major Planning Projects Officer), Kelly Porter (Major Projects Lead), Sarah Nelson (Planning Project Lead).

### **OPENING REMARKS**

146. The Chair welcomed Members to the meeting and informed those present that:

1. 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.
2. 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.

147. The Chair welcomed Therese Evans, Vanessa Rowlands and Diana van der Klugt as new Members of the Planning Committee. He also and thanked Ian Phillips who has stepped down as a Member of the Committee due to his new commitments as Deputy Chair of the Authority. Ian Phillips will, however, continue to attend future meetings in an ex officio role.

### **ITEM 1: APOLOGIES FOR ABSENCE**

148. Apologies were received from William Meyer and Ian Phillips (ex officio).

### **ITEM 2: DECLARATION OF INTERESTS**

149. The Chair declared a Public Service Interest on behalf of all Members for agenda item 8 as the applicant is the SDNPA.

150. The Chair declared a general non-prejudicial interest on behalf of all Members for agenda item 8 as Henry Potter, who is speaking on this item, is a Member of the South Downs National Park Authority and is known to all present

### **ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 12 SEPTEMBER 2019**

151. The minutes of the previous meeting held on 12 September 2019 were agreed as a correct record, subject to the following correction to the second bullet point on item 106 (page 5), which should read: 'Philip Walter-Mason spoke against the application representing himself'.

152. The amended minutes were signed by the Chair.

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

153. There were none.

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

154. There were none.

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

155. There were none.

**ITEM 7: SDNP/19/02256/FUL & SDNP/19/02257/LIS THE GOODWOOD HOTEL, HAT HILL ROAD, GOODWOOD, CHICHESTER, WEST SUSSEX**

156. The Major Planning Projects Officer presented the application and referred to the update sheet.
157. The following public speakers addressed the Committee:
  - Andrew Coggins spoke in support of the application representing the Agents.
158. The Committee considered the report by the Director of Planning (Report PC19/20-20), the update sheet and the public speaker comments, and requested clarification as follows:
  - Would there be specific conditions relating to the finish and materials used for the biomass boiler chimney?
  - What was the expected timeframe for all three project phases?
  - At which stage would the landscaping details be approved, and would they come back to committee or be approved by the Case Officer?
  - Did the conditions cover archaeology?
  - Did the conditions sufficiently protect the kitchen garden wall during works?
159. In response to questions, Officers clarified:
  - Materials were covered in condition 10, and samples for the biomass boiler would need to be provided and approved by the Planning Authority prior to any development being carried out above slab level.
  - The Applicants were keen have work completed within 18 months, however the standard 3 year time limit to commence works was imposed with reserved matters to be submitted within 2 years of the date of permission.
  - Landscaping and planting were covered in condition 8. It was agreed that this condition should be amended to delete phase 3 and refer to phases 1 and 2 only.
  - The landscaping for Phase 3 would be approved by Officers as part of reserved matters, unless exceptional reasons dictated a need to come back to Committee.
  - The SDNPA Archaeologist was satisfied that the archaeological information submitted was sufficient and that no further conditions were needed.
  - It was agreed that condition 5 would be amended to ensure that the kitchen garden wall was sufficiently protected and maintained during any works to the wall or near it, and that any damage caused would be made good.
160. The Committee discussed and debated the application, making the following comments:
  - The application was accepted as a good scheme with high standards of work. Members agreed that the scheme did not have an impact on the surrounding landscape due to its location and containment within the curtilage of the kitchen wall.
  - The positive impact the application would have on the local economy and tourism was noted.
  - Members welcomed the enhancement of the Scheduled Monument, including provision of interpretation to improve public understanding of the Monument.
  - The remnants of the kitchen garden wall were noted as integral to the overall design of the scheme. Whilst it was recognised that the work to create a service access through the wall was necessary, Members were clear that any damage caused during the works should be made good.
  - Brickwork for any new buildings, for example surrounding the flint work for the bedroom walls, should reference the brickwork used in the kitchen garden wall.
  - Members discussed and agreed that the landscaping did not need to come back to Committee for approval and that Officers could determine, as there was no overarching concerns on the reserved matters.
161. It was proposed and seconded to vote on the officer's recommendation, subject to the following amendments, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee:

- Condition 5 to include the amendment as set out on the Update Sheet (which should read in relation to condition 5 not condition 4 as listed), and to include a further amendment to ensure that any damage caused to the kitchen garden walls during the work should be made good;
- Condition 8 to include an amendment to remove phase 3 so that any landscaping and planting schemes should be submitted and approved during phases 1 & 2;
- Conditions 23 & 25 to be amended as detailed in the Update sheet.

**162. RESOLVED - SDNP/19/02256/FUL:**

- I. That planning permission be granted for application SDNP/19/02256/FUL subject to the conditions set out at section 9.1 of the Officers report (PC19/20-20), and subject to the following amendments, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee:
  - Condition 5 to include the amendment as set out on the Update Sheet (which should read in relation to condition 5 not condition 4 as listed), and to include a further amendment to ensure that any damage caused to the kitchen garden walls during the work should be made good;
  - Condition 8 to include an amendment to remove phase 3 so that any landscaping and planting schemes should be submitted and approved during phases 1 & 2;
  - Conditions 23 & 25 to be amended as detailed in the Update sheet.

**163. RESOLVED - SDNP/19/02257/LIS:**

- I. That Listed Building Consent be granted for application subject to the conditions set out at section 9.2 of the Officers report (PC19/20-20), and subject to any consequential amendments to conditions which may arise from the variations to conditions as set out in the resolution to approve application SDNP/19/02256/FUL.

**ITEM 8: SDNP/18/05920/FUL CENTURION WAY EXTENSION WEST DEAN TO HOEFIELD LANE AND HILLTOP CONNECTION, WEST SUSSEX.**

164. The Major Projects Lead presented the application and referred to the update sheet.

165. The following public speakers addressed the Committee:

- Sarah Rayfield made a comment on the application representing the British Horse Society.
- Henry Potter made a comment on the application as a Member of the South Downs National Park Authority.
- Philip Maber spoke in support of the application representing The Friends of the Centurion Way.
- Adam Bell spoke in support of the application representing Sustrans.

166. The Committee considered the report by the Director of Planning (Report PC19/20-21), the update sheet and the public speaker comments, and requested clarification as follows:

- Why could the entire route not be equestrian friendly?
- Had other existing tracks through Highdown Plantation been considered for the diversion around West Dean Tunnel, rather than the proposed route alongside the road?
- For the diversion around Singleton Tunnel, what mitigation had been put in place for the earthworks created by the proposed path through the ancient woodland?
- What mitigation was proposed for bats and other wildlife?
- Why the railways tunnels could not be used when shared paths in other parts of the UK had apparently been provided through protected tunnels where bats were known to be present? Was there any research or evidence that looked at shared use of tunnels where bats were in residence?
- Would the diversion around the tunnels increase the gradient of the Phase 2 section and make it inaccessible to wheelchair users?

167. In response to questions, Officers clarified:

- The applicant had not been able to negotiate equestrian rights along the whole of the proposed route with all of the Landowners and their tenants. They had, however, been

able to negotiate some equestrian rights through a field connecting Hoefield Lane to the car park.

- Other routes had been explored to divert the path around West Dean tunnel, however this was subject to negotiation between the applicant, the landowner and the landowners' tenants, and access rights had not been able to be secured.
- The applicant was not proposing direct compensation for loss of habitat from the path being diverted through ancient woodland, however paragraph 6.19 of the report outlined the applicant's proposed mitigation measures, and this was also covered by the conditions.
- Mitigation measures for wildlife were also covered by the conditions.
- To open the tunnel for public access would require a licence from Natural England. However the applicant did not at present have evidence sufficient to support an application for such a licence. There is currently no established evidence or studies on the impact of people on bats in a shared use tunnel. Whilst other tunnels in the UK have been opened, the long-term impact on bats is yet to be determined. This type of work would include long-term surveys, and the results of such work would be important in any future exploration of opening the tunnels for this application.

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

- It was noted that the current Phase 1 route of the Centurion Way provided a flat, accessible route, away from the road, for cyclists of all ages and abilities, as well as for wheelchair users. This encouraged people to access the Park who might otherwise not do so, with associated health and wellbeing benefits.
- Members expressed concerns about the safety of the proposed shared path alongside the A286 road, and that 1.5m was not wide enough. However after debate it was agreed that the majority of the proposed path takes users away from the road, and the short section along the main road (even though it was itself unsatisfactory) was outweighed by the benefit of the rest of the path being provided. It was noted that there is nothing at present to prevent users of Centurion Way Phase 1 from using the A286 footway if they wish to continue northwards on foot, so in that sense the present proposal would not worsen the existing state of affairs.
- It was however observed that, while not part of this application, the tunnels would provide the most direct and flat route, which would achieve the desirable result of making the shared path accessible to all. Members gave a clear steer that the applicant should further explore the potential to open the tunnels in the future, by gathering sufficient information to consider applying to Natural England for a licence, and following up the results of the studies understood to be taking place of joint bat and human use of disused railway tunnels in the north of England, and near Bath.
- Concerns were raised about the inclusion of provision for new fencing, and the view was expressed that fencing should be kept to a minimum, and only be erected for reasons of safety, or where there was a contractual obligation with a third party which requires fencing to be provided.
- It was noted that this application was a project of the SDNPA, and that the detailed implementation of the scheme would be under the aegis of (and approved by) the Policy & Resources Committee. It was agreed that a second recommendation would be added to the Officers recommendation to include the sending of a letter from the Chair of Planning Committee to the Chair of the Policy & Resources Committee, setting out the key points of concern which arose from the discussion that took place at Planning Committee.

169. It was proposed and seconded to vote on the officer's recommendations, subject to the addition of a second recommendation as set out below, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee:

- That the Chair of Planning Committee should write a letter to the Chair of the Policy & Resources Committee, setting out the key points of the discussion which took place at the October Planning Committee.

**170. RESOLVED:**

1. That planning permission be approved subject to the conditions set out in Section 8 of the Officers report (Report PC19/20-21);
2. That the Chair of Planning Committee should write a letter to the Chair of the Policy & Resources Committee, setting out the key points of the discussion which took place at the October Planning Committee.

171. Margaret Paren joined the meeting at 12.10pm

**ITEM 9: SUMMARY OF APPEAL DECISIONS RECEIVED FROM 25 JUNE – 18 SEPTEMBER 2019**

172. The Planning Project Lead presented the report.

173. The Committee considered the report by the Director of Planning (Report PC19/20-22) and made the following questions and comments:

- Clarification was sought on whether the landmark decision on Paris House in Petersfield had been brought to the attention of all of the host local authorities who took decisions on behalf of the SDNPA. It was proposed that a summary specific to the Paris House decision was sent to the Host Development Management teams within the SDNP, alongside the Summary of Appeals, to ensure the reasons for the decision were considered when deciding future applications.
- Members noted the Inspectors support in upholding one of the largest Neighbourhood Plans in the Park which should give confidence to other communities developing their Neighbourhood Plans.
- Clarification on whether a diversion was needed for the Binsted public footpath, as the order had not been confirmed.

174. In response to questions, Officers clarified:

- The Summary of Appeals quarterly report was sent to all heads of Development Management (DM) at Authorities in the SDNP, and the SDNPA Landscape Officer had written a summary of key points from the Paris House decision for Officers which the Planning Project Lead would ensure was also sent to DM Leads at Local Authorities.
- The Director of Planning explained that the SDNPA worked closely with East Hampshire District Council (EHDC) in presenting the case to the Paris House enquiry, and thanked Officers from EHDC for their work.
- The SDNPA had recently reformed a meeting of Heads of DM for all Local Authorities in the Park, and it was agreed that the Summary of Appeal Decisions should be taken to these meetings for discussion.
- The appellant for the Binsted application had submitted a new application to re-site the building away from the public footpath, which would mean that there would no longer be a need to divert the footpath.

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

176. The Chair closed the meeting at 12.22pm.

**CHAIR**

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

