

Report to	Planning Committee
Date	16 January 2020
By	Director of Planning
Local Authority	Horsham District Council
Application Number	SDNP/19/04886/FUL
Applicant	Amberley Developments Ltd
Application	Resubmission of planning application SDNP/18/05657/FUL for the development of 14 new residential dwellings consisting 2No. one bedroom and 3No. two bedroom apartments, 1No. two bedroom, 5No. three bedroom, and 3No. four bedroom dwellings; ecological corridors and landscape buffer, open space and landscaping.
Address	Land adjacent to Strawberry Villas, Newland Gardens, Amberley, West Sussex

Recommendation:

- 1) That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report and a legal agreement to secure seven affordable dwellings as discounted market sales units;**
- 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 has been made within 6 months of the Planning Committee meeting of 16 January 2020.**

Executive Summary

The application site is located within the settlement policy boundary of Amberley and allocated for a minimum of 6 dwellings through the Amberley Neighbourhood Development Plan (NDP) (2017). The principle of residential development on the site is therefore acceptable.

The application is a re-submission of previous application SDNP/18/05657/FUL, which sought permission for 15 dwellings, and was refused for reasons relating to design and landscape impact. The current scheme seeks to address the reasons for refusal, and proposes the erection of 14 dwellings of a significantly improved design and layout, and of a mix which would deliver an acceptable amount of smaller dwellings and affordable homes.

The affordable housing provision (all units are proposed as discounted market sales dwellings) does not comply with policy SD28, which requires 75% of affordable units to be rented affordable tenure. However, given the strong view held by Amberley Parish Council that there is a local need for discounted sales market housing, and the size and proximity of the adjacent rural exception site which comprises largely of social rented units, officers consider that the affordable housing provision is on this unique basis, on balance, acceptable.

The application is placed before Members as it is a revised scheme following a previous decision of refusal made by the Planning Committee.

I. Site Description

- 1.1 The site relates to a 0.54ha parcel of land in the southern part of Amberley village. It falls some 130m outside the Amberley Conservation Area and is separated from the main village which lies mainly to the north, being bounded to the north by the Millennium Green and to the east by the Amberley Playing Field. There is a small, 12 unit rural exception scheme at Newland Gardens some 30m to the west, otherwise the nearest dwellings are sited some 70m distance to the north and north east.
- 1.2 The site is an undeveloped greenfield plot that slopes gently from the north and east to the south and west, with scrub field boundaries and a line of cypress trees along the northern boundary. A drainage ditch flows along the northern and eastern boundaries of the site. The site is within 215m (at its closest point) to Amberley Wildbrooks site of Special Scientific Interest (SSSI) and the Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar wetland site.
- 1.3 The site is accessed off Turnpike Road (B2139) via an existing private access road Newland Gardens, which serves the adjacent rural exception site. A public footpath (No 3708) links Newland Gardens with the village to the north and west.
- 1.4 The adjacent site, Newland Gardens, is a rural exception site managed by Saxon Weald which comprises 10No social rented affordable units and 2No shared ownership affordable units that are subject to a local connection criteria and cascade.

2. Relevant Planning History

2.1 The following planning history is relevant to the application site:

- SDNP/18/05657/FUL Development of 15 new residential dwellings consisting of two no. one bedroom dwellings, 4No two bedroom dwellings, 6No three bedroom dwellings, 2No four bedroom dwellings and 1No five bedroom dwellings, an ecological corridor and landscape buffer. Refused at Committee 11.04.2019 (report and meeting minutes appended at **Appendices 2 and 3** respectively).

The reasons for refusal were:

- 1) The development proposed, which has not been demonstrably informed by any assessment of landscape capacity, would result in a form of development that is harmful to the intrinsic landscape character of the area. The proposal therefore fails to meet the National Park's First Purpose, saved policy DC2 of the Horsham District Plan (2006), emerging policy SD4 of the submitted South Downs Local Plan (2014-2033), policies HD4 and EN1 of the Amberley NDP (2017) and the NPPF.
 - 2) The proposal, by reason of its layout and design, would fail to conserve and enhance the landscape character of the site and its setting. The proposal is therefore contrary to saved policy B1 of the Horsham District Plan (2006), emerging policies SD2, SD4 and SD5 of the submitted South Downs Local Plan (2014-2033), policies EN1 and HD2 of the Amberley NDP (2017), the NPPF, and the First Purpose of the National Park.
- SDNP/18/02756/PRE Development of 15 new dwellings consisting of two no. one bedroom dwellings, 4No two bedroom dwellings, 6No three bedroom dwellings, 2No four bedroom dwellings and 1No five bedroom dwellings, associated access, landscaping and amenity open space.) Pre-application advice provided 06.07.2018.

The advice raised concerns in regard to the lack of demonstration of landscape or visual evidence being used to inform the capacity of the site and proposed layout, and lack of consideration and space given in the layout to Ecological mitigation. Although 15 unit proposal might be acceptable, convincing landscape evidence would need to be provided to demonstrate that the size, layout and design was not harmful to the landscape character and over-development of the site.

2.2 The following planning history relates to the adjacent rural exception site at Strawberry Villas, which is also relevant:

- DC/08/0847 Erection of 4 x 1 bed, 4 x 2 bed and 4 x 3 bed (total 12) affordable homes and apartments. Approved 11.06.2008.

3. Proposal

3.1 The application seeks to provide a total of 14 dwellings comprising of 3No 4 bed, 5No 3 bed, 4No 2 bed and 2No 1 bed units. The smaller units, including flats and smaller dwellings would be accommodated within the row of buildings along the western boundary of the site, with the larger dwellings provided in the eastern area of the site.

Affordable Housing

3.2 The application seeks to provide 50% affordable homes, with units 1-7, incorporating a mix of 1-3 bedroom units, proposed as discounted market sales.

Layout & Access

3.3 The development is laid out with the smaller and mainly affordable homes fronting on to the Strawberry Villas site, and accessed from a number of points off Newland Gardens, including 'drive thru' access to the northernmost, flatted units with parking behind. The larger dwellings will be accessed from Newland Gardens in the south eastern corner of the site.

3.4 Pedestrian access is provided north-south through the site and will connect with a new footway running along the northern watercourse buffer, with links to Millennium Green and Newland Gardens. Public footpath 3708 to the west of Newland Gardens provides pedestrian access towards the village.

Design and Landscaping

3.5 A mix of natural materials is proposed including clay roof tiles; red brick facing materials, knapped flint, black timber boarding and wooden doors and window frames. The submitted landscaping plan includes a shared garden area for the flats and an ecological corridor and pedestrian access running north-south between gardens. A 5m buffer to the watercourse running along the northern and eastern boundaries will provide ecological enhancements, including the removal of the non-native cypress tree stand. Replacement and additional native tree, shrub and wildflower planting is also proposed.

3.6 The form and appearance of the western, linear part of the site, where the smaller, affordable units are located, reflects that of the existing Newland Gardens site. The eastern part of the site, where the larger dwellings are located, has a different, farmstead typology arranged around an area of shared public space.

3.7 The access and driveways would be surfaced with resin bound gravel and demarcated with granite setts. Parking areas would be constructed with permeable paving, and be formed using a no dig construction in the vicinity of retained trees. A 1.2m post and rail fence with wire mesh is proposed along the site boundary with a small feature wall to the south of plots 9 and 10. An informal bridge would link the site with the Millennium Green to the north.

4. Consultations

4.1 **Amberley Parish Council:** Support. Comments:

- The scheme has been developed with input from the community through a series of consultations. These demonstrated a need for reasonable cost housing for younger couples and older people wishing to downsize without having to leave the village.
- The foul water drainage plan must be agreed by HDC Drainage.
- Full details of the maintenance and management of the SuDS system should be secured.
- Clarification required on the intended access arrangements for Newland Gardens Road, the maintenance of which is currently paid for by Newland Gardens' residents via their annual service charge.
- Assurances should be provided in regard to the provision of adequate mobile phone reception and broadband download speed.
- The provision of social rented housing is not supported as this sector is adequately provided for on the same site at Newland Gardens, and at Hurst Cottages in Amberley.
- There has been little demand for more rental accommodation in public consultations held in connection with the Neighbourhood Plan or this specific development.

- Six couples resident in Amberley have expressed interest in discounted market sales housing, which meets the NPPF definition and is a form of affordable housing that the local community both supports and needs.
- 4.2 **Archaeology:** No objection, subject to conditions.
- 4.3 **Design:** No objection, subject to conditions. Comments:
- The revised submission demonstrably incorporates a landscape-led approach to inform the layout, which now responds to the existing residential development and the settlement edge, and allows for access to a potential development site to the south.
 - The scale, siting and orientation of buildings 1-9 relate well to the existing Newland Gardens development, cultivating local distinctiveness. The proportions of buildings, architectural detailing and material choice complement and enhance the area and the new houses will create a positive setting for the existing buildings.
 - Units 10-14 are a cluster of dwellings developed with a shared identity and grouped around a common space, enjoying pedestrian priority and direct access to the Millennium Garden.
- 4.4 **Drainage:** No objection, subject to conditions.
- 4.5 **Ecology:** No objection, subject to conditions.
- 4.6 **Flood Risk:** No objection, subject to conditions.
- 4.7 **Highways:** No objection, subject to conditions.
- 4.8 **Housing:** Comments awaited. Members will be updated at Committee.
- 4.9 **Landscape:** No objection, subject to conditions. Comments:
- The western part of the site is still suburban in character.
 - The Drainage Strategy should include vegetative and capture-at-source solutions such as rain gardens, water butts, green roofs on sheds; and opportunity to use central green corridor as space to receive surface water;
 - Provide climbers on northern blank elevations to improve thermal efficiency of buildings and provide key spaces for wildlife.
 - The bridge to the Millennium Green must be clear-span not culverted;
 - A workable solution is required to prevent garden encroachment onto the wildlife corridor behind Plots 13 and 14;
 - Further measures are required to comply with SD2 and provide more ecosystem services through the development, including:
 - Improved SuDS and carbon storage;
 - Waste management
 - Conservation and enhancement of water and soil
 - Habitat creation.
- 4.10 **Natural England:** No objection.
- 4.11 **Southern Water:** No objection, subject to conditions.
- 4.12 **Tree Officer:** No objection.
- 5. Representations**
- 5.1 One letter of objection has been received, raising the following concerns:
- Significant and unacceptable risk of flooding to Downland, and additional mitigation measures are required.
 - Standing water accumulates after heavy rain and does not flow away, contrary to the Environment Agency information.
 - The drainage strategy involves the use of two soakaways along the ecological corridor running north-south across the centre of the site. These will concentrate water falling on the roofs of the buildings and lead to flooding.

- The proposed soakaways are smaller and deeper but of similar aggregate capacity in relation and offer no improvement over the previous application.
- Water currently pools within an area designated for visitor parking, where ground will be compacted.
- Direction of water collecting along the southern boundary to a location to the west of the site is required.

6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan is South Downs Local Plan (2014-33) and the Amberley Neighbourhood Development Plan (NDP) (2017). The relevant policies are set out in section 7 below.

National Park Purposes

6.2 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and the revised National Planning Policy Framework (NPPF) issued in July 2018 and further amended in February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Relationship of the Development Plan to the NPPF and Circular 2010

6.4 The development plan policies listed below have been assessed against the NPPF and are considered to be compliant with it.

The South Downs National Park Partnership Management Plan

6.5 The South Downs National Park Partnership Management Plan 2020-25 is a material consideration in the determination of the application. The following policies are relevant:

- 1: Conserve and enhance natural beauty and special qualities of the landscape;
- 3: Protect and enhance tranquillity and dark night skies;
- 5: Conserve and enhance populations of priority species
- 50: Housing and other development.

7. Planning Policy

The Amberley Neighbourhood Development Plan (2017)

7.1 The Amberley Neighbourhood Development Plan (NDP) was adopted by the SDNPA on 15 June 2017 and also forms part of the Development Plan. Relevant policies include:

- EN1 Natural Environment
- EN2 Landscape Character and Open Views
- EN3 Protection of Trees and Hedgerows
- EN4 Renewable and Low Carbon Energy
- EN6 Dark Night Skies
- EN7 Local Green Space
- FI4 Surface Water Management
- HD2 Quality of Design

- HD3 Housing Types, Sizes and Tenures
- HD4 Housing Density
- HD5 Housing Site Allocation
- HD7 Outdoor Space
- HD8 Attention to Detail
- GA1 Footpath and Cycle Path Network
- GA3 Car Parking

The South Downs National Park Local Plan (2014-33)

7.2 The following policies of the South Downs Local Plan are relevant:

- SD1: Sustainable Development
- SD2: Ecosystems Services
- SD4: Landscape Character
- SD5: Design
- SD6: Safeguarding Views
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD10: International Sites
- SD11: Trees, Woodland and Hedgerows
- SD16: Archaeology
- SD17: Protection of the Water Environment
- SD19: Transport and Accessibility
- SD21: Public Realm, Highway Design and Public Art
- SD22: Parking Provision
- SD25: Development Strategy
- SD26: Supply of Homes
- SD27: Mix of Homes
- SD28: Affordable Homes
- SD44: Telecommunications and Utilities Infrastructure
- SD50: Sustainable Drainage Systems
- SD51: Renewable Energy

8. Planning Assessment

Principle of development

8.1 Policy SD26 'Development Strategy' requires a total of 6 dwellings to be provided in Amberley village. Higher levels of housing are supported providing schemes meet local housing need and are in general conformity with other strategic policies. The proposal site is allocated under HD5 of the Amberley NDP for a 'minimum of six dwellings' as the NDP Examiner considered that given the size of the plot there was scope for increasing the numbers of dwellings if there was a locally identified need for further housing.

8.2 The provision of residential development of 14 units on the site is therefore acceptable in principle, subject to considerations of design and landscape impact; affordable housing provision; ecology and trees; drainage; and access, which are considered in more detail below.

Design, Layout and Landscape Impact

8.3 The first statutory purpose of the National Park is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area, and development within it must accord with this purpose. Development proposals must comply with policies SD4, SD5 and SD2, which require the design of development to adopt a landscape-led approach in order to conserve and enhance existing landscape character features which contribute to the distinctive

character, pattern and evolution of the landscape; integrate with, respect and sympathetically complement the landscape character and appearance of the area; and have a positive impact on the ability of the natural environment to contribute goods and services. Policies EN1 and HD2 of the Amberley NDP (2017) require development to contribute to the special qualities of the SDNP and comply with the standards of the Amberley Village Design Statement (VDS) (2005).

- 8.4 The supporting text of policy HD5 states that development will be expected to comply with a design brief agreed between the Parish Council and SDNPA to ensure that the impact on the setting of the National Park and the village is minimised. In the absence of an agreed design brief, the developer has worked with officers to address the previous reasons for refusal via a number of collaborative workshops. The notable amendments to the design and layout in response to comments made by Members, are as follows:
- The loss of a dwelling, allowing more space to be given to biodiversity net gain, including the provision of:
 - A green corridor running north/south through the development;
 - An enhanced ecological buffer around the northern and eastern boundaries adjacent to the watercourse;
 - The division of the site into two character areas, with the western part reflecting the existing design, layout and typology of the development at the adjacent Newland Gardens, and the eastern part a looser-knit farmstead typology that is typical of other, similar edge-of-settlement developments in the locality;
 - Removal of the ransom strip that previously separated the site from the adjacent Newland Gardens site, allowing:
 - Front access to dwellings to the west without the need for a parallel access road;
 - A closer relationship with the existing Newland Gardens site such that the two sites can be read as a whole.
 - Reduction in the number of parking structures, and an agricultural typology applied to those retained (i.e. open-sided);
 - Provision of useable and multifunctional public space that provides habitat and other ecosystem services, including footpaths/links with Amberley village and Millennium Green.
- 8.5 Both the Landscape and Design officers support the proposal, which has been further amended during the course of the application to provide access gates from rear gardens on to the green corridor running through the site; timber doors and windows; and removal of rooflights. A number of further minor amendments to the scheme can be secured via the detailed landscape and materials conditions as set out in paragraph 10.1.
- 8.6 In summary, the proposal is considered to be landscape-led and of a significantly improved design and layout which conserves and enhances landscape character in accordance with policies SD4 and SD5. The proposal therefore addresses the previous reasons for refusal, and meets the First Purpose of the National Park, and the requirements of policies SD2, SD4 and SD5, policies EN1 and HD2 of the Amberley NDP (2017), and the NPPF.
- Housing Provision and Affordable Housing
- 8.7 The SDNPA's Housing and Economic Development Needs Assessment (HEDNA) (2017) identified a predominant need for 1-3 bedroom dwellings, as reflected by policy SD27. Policy SD28 requires sites with gross capacity to provide 11 or more homes to provide a minimum of 50% of affordable homes on-site, of which a minimum 75% should be of a rented affordable tenure. This is based on evidence provided by the HEDNA and Strategic Housing Market Assessment (SHMA) which demonstrates that social rent tenures are the most affordable in the SDNP to those in greatest need, and should be prioritised over other forms of rented tenure.
- 8.8 Policy HD3 seeks a mix of house types, sizes and tenures on new housing developments that meet the housing needs of the Parish of Amberley and the local area¹. Planning guideline 12

¹ Parish of Amberley, and the villages and hamlets of Rackham, Greatham, Parham, Wiggonholt and Houghton

of the Amberley VDS (2005) supports development where the size of new buildings is restricted and encourages 'small pockets' of low-cost housing for local people.

- 8.9 The scheme would provide a good number of 1-2 bedroom affordable dwellings which responds to the identified local need, albeit with a high percentage of 3 and 4 bedroom market dwellings. The applicant states that the predominance of 4 bedroom market units responds to the range of development sought by the Parish Council who wish to attract families into the area to help sustain facilities and services. The scheme would also provide 50% predominantly 1-2 bedroom affordable units, of a discounted market sales type.

	1 Bed	2 Bed	3 Bed	4 Bed	Total
Market	0	0	4 (57%)	3 (43%)	7
Affordable	2 (29%)	4 (57%)	1 (14%)	0	7
TOTAL	2	4	5	3	14

- 8.10 The refused scheme also sought to provide discounted market sales affordable units, which was considered acceptable given the strong views of the Parish Council, the proximity of the rural exception site, and the fact that at the time of determination only limited weight could be given to policy SD28 given the stage of the Local Plan examination and level of unresolved objections.
- 8.11 Discounted market sales housing is one of the four definitions of affordable housing set out in the NPPF as a form of affordable housing, as it provides a subsidised route to home ownership. Discounted market sales units must be "sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households" (NPPF Annex 2: Glossary, appended at **Appendix 4**). Discounted market sales could, in theory, ordinarily form 25% of an affordable housing offer (which in this case would be 1-2 units out of the 7.)
- 8.12 The SHMA recognises that different communities within the National Park have different needs and aspirations, allowing flexibility to reflect local need. If a tenure mix is proposed which departs from the strategic tenure mix set out in Policy SD28, robust evidence (i.e. local housing needs survey, relevant housing market assessment published by a local authority, and housing registers (waiting lists)) should be provided.
- 8.13 In terms of evidence, the Action in Rural Sussex (AiRS) (2015) housing need survey identified four households (one single adult and three couples) in need of affordable housing, two of which indicated a preference to rent from a Housing Association, one to buy on the open market and one for a shared-ownership property. The refused application was supported by a Statement of Community Involvement (October 2018) stating that 87% of consultation respondents wanted affordable housing to be delivered onsite, although no information is provided as to the type of affordable housing preferred. More recent evidence was provided by the Horsham Housing Officer in response to the previous application from the local Housing List for affordable rented units as follows:

Horsham Social Rented Housing List (as of 4 February 2019)

Local Connection	Unit Preference within Amberley Local Area
Amberley	2x applicants for 1 bed units
Parham/Cootham	2x applicants for 1 bed units 1x applicant for 2 bed unit
National Park	4x applicants for 1 bed units

- 8.14 The evidence appears to indicate that there is a local need for more social rented affordable accommodation. However, as with the previous application, Amberley Parish Council do not support the provision of social rented affordable housing on the site as they feel this

sector is more than adequately provided for on the adjacent site (Newland Gardens), which has 10 social rented and 2 shared ownership units, and a further 35 social rent units elsewhere in the village². This is reflected in the 2015 AiRS survey, which sets out 2011 census data indicating that the Parish had higher levels of social rented housing compared with average levels in Horsham District (16.6% compared to 11.5%).

- 8.15 The Parish Council are concerned that the provision of an additional 4-5 affordable rented units (as would be required by SD28) would result in an over-provision of this type of accommodation in Amberley, and that public consultations held in support of the Amberley NDP and the development proposal demonstrated little demand for this form of affordable housing. The provision of discounted market sales housing is therefore strongly supported by the Parish Council. The applicant has also provided a statement stating the Parish's view that if the existing stock were better managed there would be no need for any further affordable rented accommodation in Amberley.
- 8.16 The applicant also sets out a view that the proposal and the existing Newland Gardens development should be viewed together as a single, 'wider site' as the land was in the same original ownership, and had the two sites been developed together, a far lower amount of affordable housing would have been required/achieved than currently existing/offered. However, the sites have not been developed or considered together, and the Newland Gardens site was approved in 2008 as a rural exception site i.e. only acceptable with the provision of 100% affordable housing. Notwithstanding, the ransom strip between the two sites has been removed, and the western line of dwellings, where the smaller and affordable units are proposed, has been re-designed to better reflect the character and appearance of the existing Newland Gardens site. It is considered that these amendments add some weight to the argument that the new and existing developments could be read, over time, as a single site, although greater weight is given to the overall balance of affordable houses and the Parish Council's view
- 8.17 Overall, officers are of the view that the affordable housing offer, which is a negotiated position, is an improvement on the original proposal supported by the Parish Council for a commuted sum/off-site affordable housing. Through the s106 agreement, which effectively binds the land as a land charge, the 20% discount on the market value of the units, as certified by a qualified chartered surveyor, would be secured in perpetuity without the risk of 'staircasing' (where occupants of shared ownership units may purchase remaining shares to achieve 100% ownership). A s106 agreement could also secure local connection, in accordance with the cascade set out under SD28 (residents of Amberley settlement, then the wider parish and then settlements and parishes within the National Park); a maximum income level; and limit purchasers to those on the local Help to Buy Register. This would allow for the units to be managed effectively in terms of eligibility and in perpetuity, in accordance with the NPPF definition.
- 8.18 In summary, given the Parish Council's strongly upheld view that discounted market sales dwellings should be provided on this NDP allocated site, and the ability to secure the units in terms of eligibility and in perpetuity, the affordable housing provision is considered to be, on balance, acceptable, subject to the securing of a suitably worded s106 agreement.

Drainage

- 8.19 Emerging policy SD50 supports proposals that ensure against increase of surface water run-off, taking account of climate change. Sustainable drainage solutions include porous surfaces, rain gardens/balancing ditches and tree planting where feasible, and provide public amenity as well as biodiversity benefits.
- 8.20 Concerns have been raised in regard to the surface water drainage and the potential for properties to the south of the development to be at risk from flooding.
- 8.21 The Flood Risk Authority has no objection to the proposal, which is considered to be at low risk from surface and groundwater flooding. The Horsham Drainage officer has advised that the underlying geology will not impede infiltration, and that the final soakaway design is subject to compliance with Building Regulations. The drainage details are similar to the previous scheme, where the proposed permeable paving and soakaways to control surface

² Figures provided by Amberley Parish Council on 6 January 2020.

water runoff was considered acceptable, subject to a condition securing final details of sustainable surface water drainage (SuDS) designs and calculations, maintenance and management. The provision of further on-site solutions such as rainwater harvesting and rain gardens may be secured through a landscaping condition.

- 8.22 Southern Water have advised that the applicant will need to make a formal application to Southern Water for sewer diversion. Network reinforcement of foul sewerage may be required to reduce the risk of flooding and the developer will need to work in conjunction with Southern Water to provide this.
- 8.23 Connection to the existing pump station would be subject to detailed investigation of existing system and available capacity, and permission to lay a foul outfall across Newland Gardens road and connect to the pump station would need to be sought from the relevant third parties. A 10.65m³ underground tank may need to be provided if there is insufficient capacity at the existing pump station. Final details of foul drainage may be secured via condition.

Ecology and Trees

- 8.24 No impacts are anticipated as a result of the proposals to the designated SSSI, SPA, SAC and Ramsar wetland sites, which lies to the north of Amberley village, and Natural England have no objection to the proposal. Adherence to mitigation measures set out in the submitted Ecological Assessment, suitable lighting strategy, scheme of biodiversity enhancements, and Watercourse Buffer and Reptile Mitigation and Management Strategy could be secured via condition.

Impact on surrounding amenities

- 8.25 The development would be accessed directly from Newland Gardens, and there would be a small increase in traffic, however this is not considered to significantly impact neighbour amenity in terms of noise or disturbance.
- 8.26 The siting and orientation of the dwellings are unlikely to cause significant harm from overlooking towards neighbouring properties. No concerns have been raised in regard to noise or disturbance as a result of development.

Access and parking

- 8.27 The Highway Authority (LHA) has no objection to the existing access, on-site turning and parking arrangements. The access has acceptable visibility in both directions and would allow for two way traffic into and out of the site. The level of additional traffic is unlikely to generate a significant increase in traffic on the local highway network.
- 8.28 A total of 30 car parking spaces would be provided, including 24 allocated spaces for residents and a further 6 for visitors. Six parking spaces will be active electric vehicle charging spaces and all other spaces will be passive electric vehicle parking spaces with ducting provided so as to allow future conversion to active charging spaces. The provision of cycle parking spaces may be secured via condition.
- 8.29 As Newland Gardens is a private road in third party ownership, and not land controlled by the applicant, a condition requiring how responsibility for management and repairs to the lane would be shared by all users would not meet National Guidance in terms of the required tests of reasonableness and enforceability. The applicant is therefore encouraged to negotiate a satisfactory, separate arrangement for maintenance of the lane with the relevant land owners.

Dark night skies

- 8.30 The site is located within the Dark Skies Intrinsic Zone of Darkness (EIa), which is classified as 'dark sky' and includes isolated areas that may not be connected to the main core. In these areas, glazing and particularly roof lights should be kept to a minimum, and external lighting should be limited to timed and/or sensor-controlled lighting designed and shielded to minimise light spillage. External lighting should only be used when needed.
- 8.31 No roof lights are provided, and a condition removing permitted development rights could be added to any grant of permission to ensure these may not added by future occupants without planning permission. A condition requiring an external lighting scheme may be secured via condition.

Telecommunications

- 8.32 Emerging policy SD44 states that all new residential dwellings should be served by a superfast broadband connection, or an equivalent alternative technology, installed on an open access basis. This infrastructure could be secured via condition.

Community Infrastructure Levy

- 8.33 The market housing element of the development would be liable for a CIL contribution of £200 per sqm. Affordable housing is exempted from CIL.

9. Conclusion

- 9.1 Given the above it is considered that the proposal is broadly in accordance with the Development Plan and there are no overriding material considerations to otherwise indicate that permission should not be granted. It is therefore recommended that planning permission is granted.

10. Reason for Recommendation

- 10.1 The application is recommended for approval subject to the following conditions and a legal agreement to secure seven affordable dwellings as discounted market sales units. If the legal agreement is not completed or sufficient progress been made within 6 months of the Planning Committee meeting of 16 January 2020, it is recommended that authority be delegated to the Director of Planning to refuse the application.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended) and Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no buildings, structures or works as defined within Part 1 of Schedule 2, classes A-G or any order revoking or re-enacting that Order shall be erected or undertaken on the site.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interests of the character and appearance of the development and area.

Construction

4. Prior to the commencement of the development hereby permitted, plans and cross sections of the existing and proposed ground levels of the development, site boundaries and finished floor levels in relation to a nearby datum point (above Ordnance datum) shall be submitted to and approved by the Local Planning Authority in writing. The development shall be completed in full accordance with the approved details.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

5. Prior to the commencement of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- i) An indicative programme for carrying out the works;
- ii) The anticipated number, frequency and types of vehicles used during construction;
- iii) The method of access and routing of vehicles during construction;
- iv) The parking of vehicles by site operatives and visitors;
- v) The loading and unloading of plant, materials and waste;

- vi) The storage of plant and materials used in construction of the development;
- vii) The erection and maintenance of security hoarding;
- viii) No burning of construction materials on site;
- ix) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders where necessary);
- x) Measures to minimise the noise (including vibration) generated by the demolition/construction process to include hours of work, proposed method should foundation piling occur, the careful selection of plant and machinery and use of noise mitigation barriers;
- xi) No work to be undertaken on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work to be undertaken on Sundays, Bank and Public Holidays;
- xii) Details of any flood lighting, including location, height, type and direction;
- xiii) Measures to control the emission of dust and dirt during demolition/construction;
- xiv) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- xv) A method to record the quantity of recovered material (re-used on site or off site);
- xvi) Details of public engagement both prior to and during the construction works.

Reason: In the interests of highway safety and the amenities of the area.

6. Prior to the commencement of the development hereby permitted details of earthworks shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- i) The proposed grading and mounding of land area including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform in relation to a nearby datum point;
 - ii) The volume of cut/fill material;
 - iii) Where surplus material may be placed on site, or alternatively proposals for removing and distributing the soil resource from site.

Development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.

7. All new electricity and telephone lines shall be laid underground unless otherwise agreed, in writing, by the Local Planning Authority.
- Reason: To safeguard the landscape character of the site.

Design and Materials

8. Prior to the commencement of the development hereby permitted, a schedule of architectural details, materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes, (to include, but not be limited to, external walls, roofs, windows, doors, rainwater goods and fascias) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development.

9. Prior to the commencement of development hereby permitted, details of all:
- i) Eaves;
 - ii) Doors;
 - iii) Windows and openings (which shall be of timber construction), including glazing, head, sill, lintel and depth of reveal; and

iv) Rainwater goods

shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in full accordance with the details approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate form of development in the interests of the character and appearance of the area, and the quality of the development.

10. Prior to the commencement of the development hereby permitted, a detailed scheme of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in accordance with the approved development. The scheme shall include details of:

- i) Proposed planting plans and strategy, including written specifications, cultivation and other operations associated with plant, grass, shrub and replacement tree establishment; schedules of plants and trees (achieving where possible closed canopies along the green corridor through the site) noting species, sizes; and proposed numbers/densities where appropriate;
- ii) Tree guards, staking and tree-pit construction;
- iii) Climbers for carport pergolas and northern building elevations (to improve thermal efficiency and provide habitat);
- iv) Location, height and materials/construction technique for all boundary treatments and other built means of enclosure (including gates and setbacks) to property frontages, the green corridor, and watercourse buffer (to include a hedge immediately west of the fencing to the rear of units 13 and 14);
- v) Retained areas of grassland cover, scrub, hedgerow, and trees;
- vi) Treatment of surfaces, paths, access ways, courtyards, seating areas, patio areas and parking spaces, including their appearance, depth and permeability, kerbs, edges, steps and ramps, spot levels, finished floor levels, upstands and demarcation;
- vii) Above ground rainwater harvesting solutions and rain gardens (in accordance with details required under Condition 22);
- viii) Ancillary structures (including cycle and refuse storage to the rear of dwellings);
- ix) Electric vehicle charging points (in accordance with details required under Condition 29);
- x) A timetable for implementation of the soft and hard landscaping works.
- xi) A schedule of landscape maintenance for a minimum period of 5 years to include details of the arrangements for its implementation.

Thereafter the development shall be undertaken in full accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

All soft landscaping shall be carried out in the first planting and seeding season following the first occupation of the building, or the completion of the development, whichever is the sooner. All shrub and tree planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties.

11. Prior to the first occupation of the development hereby permitted, details of the footbridge to be provided to access the Millennium Green (which shall be clear span and not culverted), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the access to Millennium Green shall be provided in full accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate form of development and protect the watercourse in line with flood risk and ecological best practices.

12. Prior to the first occupation of the development hereby permitted, a Landscape Management Plan covering areas outside of private ownership including shared public space, access roads, pathways and landscaping, shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens. The landscape management plan shall thereafter be implemented in full as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure the long term maintenance of the landscaping scheme, which will contribute to the setting of the development and the surrounding character and appearance of the area.

13. No development above slab level shall commence until a design stage construction report (in the form of design stage SAP data; a BRE water calculator; product specifications; and building design details, layout or landscape plans), has been submitted to, and approved in writing, by the Local Planning Authority. The report shall demonstrate that:

- i) Each dwelling has reduced predicted CO₂ emissions by at least 19% due to energy efficiency and a further 20% due to on site renewable energy compared with the maximum allowed by building regulations;
- ii) Predicted water consumption no more than 110 litres/person/day;
- iii) Evidence demonstrating sustainable drainage and adaptation to climate change;
- iv) Sustainable, locally sourced materials (including plastic-free windows and doors;
- v) Site Waste Management Plan during construction and occupation (to include at least 50% of construction waste diverted from landfill and household recycling and composting);
- vi) The provision of at least one Passive House certified unit.

Thereafter the development shall be undertaken in full accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development demonstrates a high level of sustainable performance and contributes and addresses mitigation of and adaptation to predicted.

Archaeology

14. Prior to the commencement of the development hereby permitted, a Written Scheme of Investigation to secure the implementation of a programme of archaeological assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment should take the form of trial trenches located across the proposed area of housing, access roads and service trenches to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded.

Thereafter the provisions of the scheme shall be carried out in full accordance with the approved programme.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets.

15. Prior to the commencement of the development hereby permitted, a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with the approved Written Scheme of Investigation required under Condition 6, shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the mitigation provisions shall be carried out in full accordance with the approved programme.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations.

16. On completion of all archaeological fieldwork as set out in the approved Written Scheme of Investigation and mitigation programme under Conditions 6 and 7 a report setting out and securing any post-excavation assessment, specialist analysis and reports, publication and public engagement as appropriate shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the post-excavation assessment shall be carried out in full accordance with the approved report.

Reason: To contribute to our knowledge and understanding of the past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available.

Drainage

17. Prior to the commencement of development hereby permitted, details of the proposed foul drainage and means of disposal, including on and/or off site works, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved designs.

Reason: To ensure satisfactory provision of foul water drainage.

18. Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development

Reason: To ensure satisfactory provision of foul water drainage.

19. Prior to the commencement of development hereby permitted, details of the proposed surface water drainage and means of disposal, including on and/or off site works, shall be submitted to and approved in writing by the Local Planning Authority.

All works shall be undertaken in full accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage (SuDS) principles. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

The maintenance and management of the SuDS system should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority.

Reason: To ensure satisfactory provision of surface water drainage.

20. Prior to development above slab level, details of vegetative and capture-at-source solutions for the management of surface water shall be submitted to and approved by the Local Planning Authority.

These shall include, but not be limited to provision of:

- i) Rainwater gardens (to include any planted areas in front of buildings);
- ii) Water butts;
- iii) Green mono-pitch roof to sheds;
- iv) Opportunities within the green corridor to receive surface water.

The details shall be implemented and maintained as approved in full accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To manage and mitigate surface water run-off and the risk of flooding.

Ecology and Trees

21. Works shall be carried out in full accordance with the ecological mitigation and enhancement measures as set out in Section 8 "Mitigation Recommendations" of the Ecological Assessment by Bakerwell (October 2019).

Reason: to protect reptiles and other notable species in accordance with the Wildlife and Countryside Act 1981 (as amended).

22. Prior to development above slab level, a scheme of biodiversity enhancements including bird and bat box features, in line with measures in section 8.12 of the Ecological Assessment (Bakerwell, October 2019) shall be submitted to, and approved in writing by the Local Planning Authority, and thereafter implemented in full as approved. The details shall include the locations and specifications of such features, a timescale for their provision, and details of any future management responsibilities. The details shall be implemented and maintained as approved in full accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of biodiversity and to provide sufficient ecological mitigation and enhancements.

23. Prior to development above slab level, a Landscape and Ecological Management Plan (LEMP) covering the ecological buffer zone and green corridor, shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
- a) A description, plan and evaluation of landscape and ecological features to be managed including the watercourse, banks, grassland and hedgerows;
 - b) Measures setting out how the development will:
 - i) Conserve water resources and improve water quality;
 - ii) Protect and provide more, better and joined up natural habitats;
 - iii) Improve the National Park's resilience to, and mitigation of, climate change;
 - iv) Increase the ability to store carbon;
 - v) Conserve and enhance soils.
 - c) Detailed working methodologies for installation and maintenance of pathways and boundary treatments within/adjacent to the watercourse buffer area;
 - d) Ecological trends and constraints on site that might influence management;
 - e) Details of future management of both areas for habitats and species, including details of management responsibility;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) A scheme of ongoing monitoring, and remedial measures where appropriate;
 - h) Details of any legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer in partnership with any management body(ies) responsible for its delivery.

The approved LEMP will be implemented in full accordance with the approved details, unless otherwise agreed by the Local Planning Authority. Where deemed necessary by the Local Planning Authority shall include contingencies and/or remedial action to be further agreed and implemented where the results from monitoring show that conservation aims and objectives of the LEMP are not being met.

Reason: To achieve an appropriate landscaping scheme which will contribute to the setting of the development and the surrounding character and appearance of the area, and secure ecological mitigation measures and biodiversity net gain.

24. Works shall be carried out in full accordance with the tree protection measures as set out in Sections 5-10 of the Arboricultural Impact Assessment (September 2019).

Reason: In the interests of the amenity of the local area and to accord with British Standard BS5837 Trees in Relation to Construction (2012).

Lighting and Dark Night Skies

25. Prior to development above slab level, a scheme of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority. The lighting shall:

- i) Comply with the guidance set out in the SDNPA's Dark Night Skies Technical Advice Note;
- ii) Be designed to minimise impacts on wildlife, particularly along the ecological buffers on the eastern and northern boundaries.

The lighting shall be installed, maintained and operated in full accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve.

26. Prior to first occupation of the development hereby permitted, details of timed black-out blinds to be affixed to the roof light(s) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and retained in full accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve.

Highways and parking

27. Prior to the first occupation of the development hereby permitted, the car parking and electric vehicle charging points shall be constructed in full accordance with the approved Electricity Charging Point Plan (ref 6572-PL-05.) These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use.

28. Prior to the first occupation of the development hereby permitted, details of covered and secure cycle parking spaces shall be provided. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Telecommunications

29. Prior to the first occupation of the development hereby permitted, details of how superfast broadband connection will be provided (or an equivalent alternative technology) and installed on an open access basis, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: To provide satisfactory broadband connection for new dwellings.

Informatives

1. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
2. The SDNPA encourages the use of locally sourced materials to support local character and distinctiveness, and to reduce the costs both financially and environmentally of transporting materials long distances. The applicant is recommended to undertake a resource mapping exercise for materials, starting within a 5km radius of their site, and then 10km, 25km.
3. If the development site includes a watercourse or water-dependent habitat, such as wet woodland or floodplain marsh, you must always seek to conserve and enhance these habitats and where possible provide new similar habitats.

Watercourses should be left with an appropriately sized, development-free buffer zone on both sides of the channel. Usually, a minimum of 5 metres on both sides of the watercourse will be required.

Riparian owners should seek to protect and enhance the watercourses on their land and carry out any Water Framework Directive actions in line with the South East River Basin District Management Plan.

II. Crime and Disorder Implication

- II.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer: Stella New

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Appendices

1. Site Location Map
2. SDNP/18/05657/FUL Committee Report
3. Minutes from April 2019 Planning Committee Meeting
4. NPPF Annex 2: Glossary [Extract]

SDNPA Consultees Legal Services, Development Manager

Background Documents [All planning application plans, supporting documents, consultation and third party responses](#)

[Amberley Neighbourhood Plan \(2017\)](#)

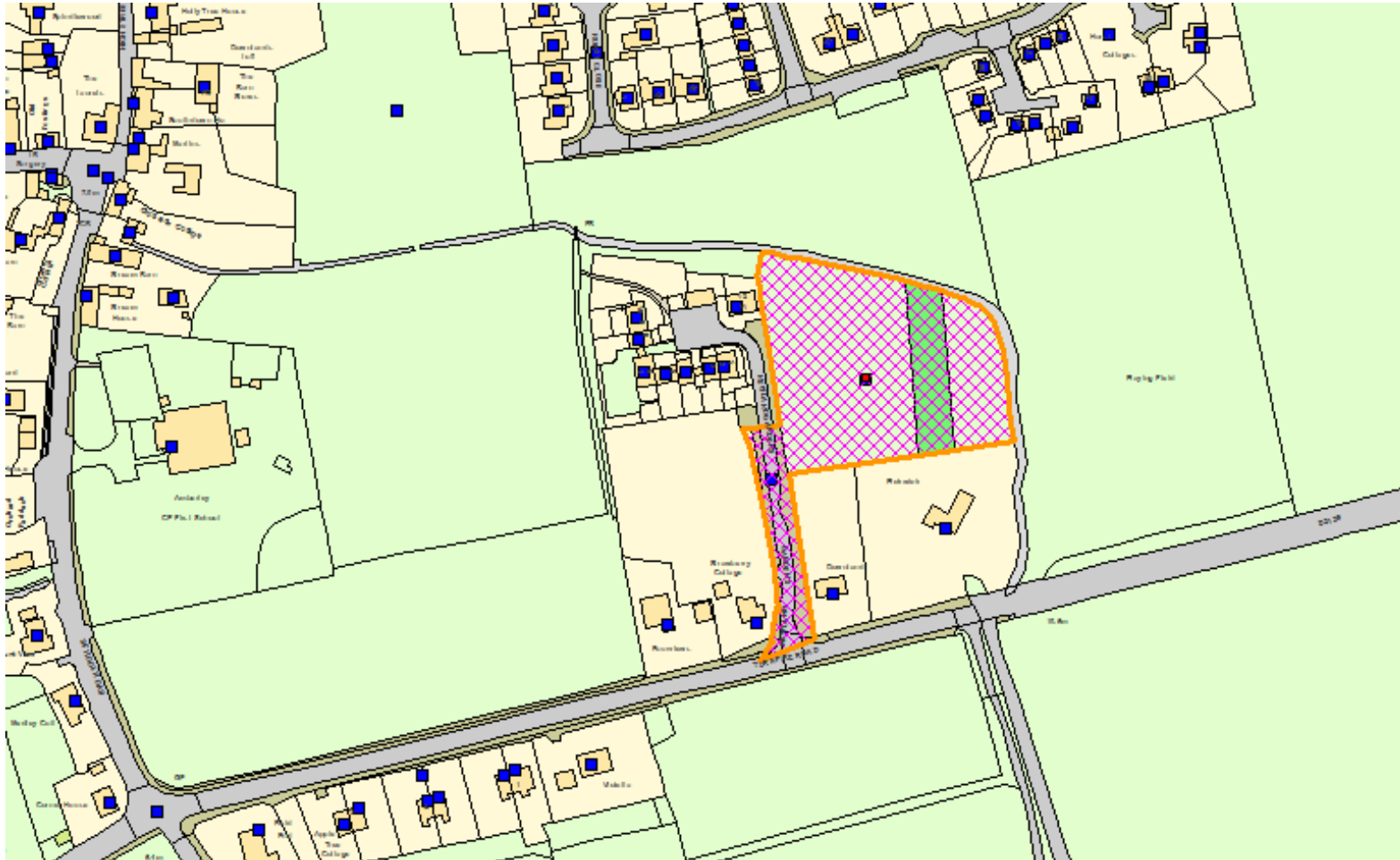
[Amberley Village Design Statement \(2005\)](#)

[National Planning Policy Framework \(2019\)](#)

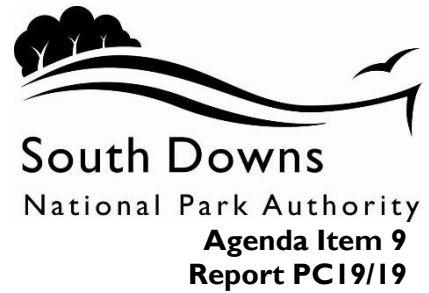
[South Downs Local Plan \(2014-33\)](#)

[South Downs National Park Partnership Management Plan 2014](#)

[South Downs Integrated Landscape Character Assessment 2005 and 2011](#)



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Report to	Planning Committee
Date	11 April 2019
By	Director of Planning
Local Authority	Horsham District Council
Application Number	SDNP/18/05657/FUL
Applicant	Amberley Developments Ltd
Application	Development of 15 new residential dwellings consisting 2 no. one bedroom and 2 no. two bedroom apartments, 2 no. two bedroom, 6 no. three bedroom, 2 no. four bedroom and 1 no. five bedroom dwellings, an ecological corridor and landscape buffer
Address	Land adjacent to Strawberry Villas, Newland Gardens, Amberley, West Sussex

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

Executive Summary

The application site is located within the settlement policy boundary of Amberley and is allocated for a minimum of 6 dwellings through the Amberley Neighbourhood Development Plan (NDP) (2017). The principle of residential development on the site is therefore acceptable.

The application proposes the erection of 15 dwellings of a mix which would deliver an acceptable proportion of smaller dwellings. The affordable housing tenure (all units are proposed as discounted market sales dwellings) does not comply with emerging policy SD28, which requires 75% of affordable units to be rented affordable tenure. However, given the adjacent site comprises largely of social rented units (10 out of 12 dwellings) and the fact that the South Downs Local Plan has not yet been adopted, the affordable housing provision is considered to be, on balance, acceptable.

However, as the amount of housing is proposed is considerably more than 6 units, the quantum of development that would be acceptable must be determined by both housing need and the capacity of the site in landscape terms. In this instance, the quantum of development proposed has not been informed by landscape evidence, which has resulted in an overdevelopment of the site when expressed in its current form which also exhibits an unacceptable layout and design. It is therefore considered that the resultant proposal does not conserve or enhance the landscape character of this part of the National Park.

The application fails to meet with the requirements of existing and emerging Development Plan policies in regard to landscape and design, and in the absence of any overriding material considerations, the application is recommended for refusal.

The application is placed before Members as it is significant development that raises key policy considerations.

1. Site Description

- 1.1 The site relates to a 0.54ha parcel of land in the southern part of Amberley village. It falls some 130m outside the Amberley Conservation Area and is separated from the main village which lies mainly to the north, being bounded to the north by the Millennium Green and to the east by the Amberley Playing Field. There is a small, 12 unit rural exception scheme at Newland Gardens some 30m to the west, otherwise the nearest dwellings are sited some 70m distance to the north and north east.
- 1.2 The site is an undeveloped greenfield plot that slopes gently from the north and east to the south and west, with scrub field boundaries and a line of cypress trees along the northern boundary. A drainage ditch flows along the northern and eastern boundaries of the site. The site is within 215m (at its closest point) to Amberley Wildbrooks site of Special Scientific Interest (SSSI) and the Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar wetland site.
- 1.3 The site is accessed off Turnpike Road (B2139) via an existing private access road Newland Gardens, which serves the adjacent rural exception site. Turnpike Road has a 60mph speed restriction, which decreases to 40mph approximately 80m east of the existing access. A public footpath (No 3708) links Newland Gardens with the village to the north and west.
- 1.4 The adjacent site, Newland Gardens, is a rural exception site managed by Saxon Weald which comprises 10No social rented affordable units and 2No shared ownership affordable units that are subject to a local connection criteria and cascade.

2. Relevant Planning History

- 2.1 The following planning history is relevant to the application site:
 - SDNP/18/02756/PRE Development of 15 new dwellings consisting of two no. one bedroom dwellings, 4No two bedroom dwellings, 6No three bedroom dwellings, 2No four bedroom dwellings and 1No five bedroom dwellings, associated access, landscaping and amenity open space.). Pre-application advice provided 06.07.2018.

The advice was provided prior to the examination of the emerging South Downs Local Plan, when a number of policies, including SD28 'Affordable Homes' carried very limited weight due to the level of unresolved objection. The provision of an off-site contribution may have been acceptable at that point, given the allocation had been made by the Amberley NDP, and the Parish Council's stated view that affordable housing should not be provided on site.

The advice also stated the Landscape Officer's concerns in regard to the lack of demonstration of landscape or visual evidence being used to inform the capacity of the site and proposed layout, and lack of consideration and space given in the layout to Ecological mitigation. The 15 unit proposal might be acceptable, however convincing landscape evidence would need to be provided to demonstrate that the size, layout and design was not harmful to the landscape character and over-development of the site.
- 2.2 The following planning history relates to the adjacent site Strawberry Villas, which is also relevant:
 - DC/08/0847 Erection of 4 x 1 bed, 4 x 2 bed and 4 x 3 bed (total 12) affordable homes and apartments. Approved 11.06.2008.

3. Proposal

- 3.1 The application seeks to provide a total of 15 dwellings comprising of 1No 5 bed, 2No 4 bed, 6No 3 bed, 3No 2 bed and 2No 1 bed units. A two storey apartment block would accommodate four of the smaller units (2No 1 bed and 2No 2 bed flats) in the north western corner, with lower, chalet style dwellings provided along the southern and eastern

boundaries. Two storey detached and semi-detached units are proposed along the northern boundary and within the centre of the development.

Affordable Housing

- 3.2 The application initially proposed an offsite affordable home contribution, and during negotiations the offer was amended to include two options: Option A being for 4 affordable units on site (26.6%) and Option B being for 7 affordable units on site (46.6%), all of which would be a discounted market sales housing tenure. The offer was subsequently amended at a later stage to provide 8 a discounted market sales housing units following concerns raised by officers that 7 units would be contrary to SD28, which advocates that where the calculation of the on-site affordable housing requirement results in a fraction of a unit, the requirement should be rounded up to the nearest whole number.

Layout & Access

- 3.3 The development is laid out in a u-shaped, double cul-de-sac arrangement. Access will be provided off Newland Gardens in the south eastern corner of the site. The location of this is understood to be restricted due to a covenant on the strip of land between Newland Gardens and the development site. Public footpath 3708 to the west of Newland Gardens provides pedestrian access towards the village, and access to Millennium Gardens is indicated on the northern boundary.

Design and Landscaping

- 3.4 A mix of natural materials is proposed including tile and clay roof and hanging tiles; red and brown brick facing materials, knapped flint, and black timber. The submitted landscaping plan proposes the removal of the non-native cypress tree stand to the north, which is welcomed, and provision of a 5m buffer along the northern and eastern boundaries adjacent to the watercourse as required for ecological and flood risk reasons. Replacement and additional native tree, shrub and wildflower planting is also proposed.
- 3.5 The hard surfacing, including access and driveways would be block paved, except for the transition point around plots 13 and 14 which would be a resin bound surface. A 1.2m post and rail fence is proposed along the site boundary with a small feature wall to the south of plots 9 and 10. A small area of public space is proposed on the southern boundary of the site to the south of unit 15.

4. Consultations

4.1 Amberley Parish Council: Support. Comments:

- The foul water drainage plan must be agreed by HDC Drainage.
- Full details of the maintenance and management of the SuDS system should be secured.
- Clarification required on the intended access arrangements for Newland Gardens Road, the maintenance of which is currently paid for by Newland Gardens' residents via their annual service charge.
- Confirmation should be provided on how the dwellings will be heated.
- Assurances should be provided in regard to the provision of adequate mobile phone reception and broadband download speed.
- The provision of social rented affordable housing is not supported on the site as this sector is adequately provided at Newland Gardens, and public consultations held in connection with the Amberley NDP and this development proposal demonstrated little demand in the parish for this form of affordable accommodation.
- The provision of housing at a discounted market value is supported, with a preference for the applicant's suggested Option A (*officer note: Option A was for provision of the flatted block for affordable 80% market housing i.e. 4 units or 26% affordable housing provision*).

4.2 Design: Objection. Comments:

- There is no clear link between the wider contextual analysis and quantum calculations or proposed built form.

- The landscape assessment does not contribute towards a better understanding of the site or define parameters for development which is critical given the amount of built form exceeds the allocation policy.
- The lack of contextual analysis of the site and wider landscape adversely impacts the amount and scale of built form, layout and the relationship between built form, open spaces and landscape planting. The current proposal fails to meet the high standards of design required in the National Park.
- General concerns include:
 - The appropriate parameters for scale, height and density in relation to neighbouring built development are not clearly defined;
 - The built-form is out of scale with neighbouring properties, this will impact residential and visual amenity in this edge of settlement location;
 - The amount of development and the standard road layout limits opportunities for amenity landscape planting, public realm or SuDS;
 - The excessive roof zone gives an unwelcome proportion of building;
 - Provision of garages give the scheme a suburban feel, and the way in which some of these adjoin main buildings introduces an awkward collection of elements and roof profile junctions;
 - A modern interpretation of tradition details is required, including depth and variety to building elevations.

4.3 **Drainage:** No objection, subject to conditions.

4.4 **Ecology:** No objection, subject to conditions.

4.5 **Flood Risk:** No objection, subject to conditions.

4.6 **Highways:** No objection, subject to conditions.

4.7 **Housing:** Objection. Comments (provided on the initial proposal for affordable housing to be dealt with by way of an offsite contribution):

- Weight is being placed upon a neighbouring exception site adjacent to the application site with comment being made that occupancy of the site tends to be from outside of the local area.
- A small number of households are currently active on Horsham District Council's housing register with a connection to the Amberley parish.
- Prior to completion of a local connection scheme applications are invited from locally connected households, and based on previous experience this will increase demand for affordable tenure units.
- Given there is demand for affordable housing within the parish affordable housing should be provided on site rather than a financial contribution in lieu.

4.8 **Landscape:** Objection. Comments

- The development does not meet the National Park's First Purpose or emerging Local Plan policies within the new Local Plan due to negative effects derived from the layout and design.
- There is no clear landscape rationale for the design chosen and no evidence of the landscape-led approach being undertaken.
- The scheme appears to be number-led rather than one which has sought to understand the landscape capacity of this site.
- There is confusion about views and visual impact.
- The design is inward-looking and poorly integrated with both existing development and the wider countryside.
- The number of units and overall layout generates an overly suburban character for a rural-edge site, due to:
 - Excessive hard standing (roads and driveways);
 - Number of cars, many of which are experienced from public spaces, and garages;
 - The orientation of buildings;

- Lack of positively designed public realm and ecological space;
- The ‘informal public open space’ provided is located next to a private property and unlikely to be used.
- The ecological ‘enhancements’ are restricted to the edge of development rather than integrated into it, and private gardens backing onto this area could encroach.
- The masterplan is silent upon water management (quantity and quality).
- The resultant scheme is an ‘anywhere place’ which follows the lowest common denominator, and fails to acknowledge local character or create a sense of place.

4.9 **Natural England:** No objection.

4.10 **Southern Water:** No objection. The applicant will need to make a formal application to Southern Water for a connection to the foul sewer.

4.11 **Tree Officer:** No objection.

5. Representations

5.1 4 letters of objection have been received, including from the Trustees of Amberley Millennium Green, raising the following concerns:

- Unclear whether service charges and grounds maintenance for the private drive, which are paid by residents of Newland Gardens would be extended to future occupants of the application site.
- The driveway has flooded previously, and will be exacerbated by the proposed development.
- Risk of flooding to adjacent properties to the south due to sloping topography of the site.
- The garden soakaway areas will lead to concentrated volumes of water running towards the southern boundary.
- Water currently pools within an area designated for parking, where ground will be compacted.
- Lack of provision of storm drains for the access roads and over-reliance on porous surfacing.
- A storm drain should be provided along the southern boundary to capture and remove surface water to a suitable outlet.
- The secure perimeter of the green must be maintained, and the proposed bridge at the eastern end of the development removed. Residents of Newland Gardens access the green via the footbridge over the stream from Ruffs Path. The green is securely fenced and another access point is unnecessary and undesirable.

6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan is the saved policies of the Horsham District Local Development Framework (Core Strategy and General Development Control Policies) (2007), and the Amberley Neighbourhood Development Plan (NDP) (2017). The relevant policies are set out in section 7 below.

National Park Purposes

6.2 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and the revised National Planning Policy Framework (NPPF) issued in July 2018 and further amended in February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Relationship of the Development Plan to the NPPF and Circular 2010

- 6.4 The development plan policies listed below have been assessed against the NPPF and are considered to be compliant with it.

The South Downs National Park Partnership Management Plan

- 6.5 The South Downs National Park Partnership Management Plan 2013 is a material consideration in the determination of the application. The following policies are relevant:

- 1: Conserve and enhance natural beauty and special qualities of the landscape;
- 3: Protect and enhance tranquillity and dark night skies;
- 5: Conserve and enhance populations of priority species
- 50: Housing and other development.

7. Planning Policy

Horsham District Local Plan

- 7.1 The following saved policies of the Horsham District Local Development Framework (2007) are relevant:

- CPI – Landscape and Townscape Character
- CP3 – Improving the Quality of New Development
- CPI2 – Meeting Housing Needs
- DC2 – Landscape Character
- DC4 – Areas of Outstanding Natural Beauty (AONBs)
- DC5 – Biodiversity and Geology
- DC6 – Woodland and Trees
- DC7 – Flooding
- DC8 – Renewable Energy and Climate Change
- DC9 – Development Principles
- DC18 – Smaller Homes/Housing Mix
- DC40 – Transport and Access

The Amberley Neighbourhood Development Plan

- 7.2 The Amberley Neighbourhood Development Plan (NDP) (2017) was adopted by the SDNPA on 15 June 2017 and also forms part of the Development Plan. Relevant policies include:

- EN1 Natural Environment
- EN2 Landscape Character and Open Views
- EN3 Protection of Trees and Hedgerows
- EN4 Renewable and Low Carbon Energy
- EN6 Dark Night Skies
- EN7 Local Green Space
- FI4 Surface Water Management
- HD2 Quality of Design
- HD3 Housing Types, Sizes and Tenures
- HD4 Housing Density

- HD5 Housing Site Allocation
- HD7 Outdoor Space
- HD8 Attention to Detail
- GA1 Footpath and Cycle Path Network
- GA3 Car Parking

The South Downs National Park Local Plan

- 7.3 The Pre-Submission version of the South Downs Local Plan was submitted to the Secretary of State for independent examination in April 2018. The Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. The Local Plan process is now in its final stage before adoption with consultation on relatively minor Main Modifications having been undertaken from 1 February 2019 to 28 March 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded significant weight.
- 7.4 The relevant planning policies of the Submission South Downs Local Plan are:
- SD1: Sustainable Development
 - SD2: Ecosystems Services
 - SD4: Landscape Character
 - SD5: Design
 - SD6: Safeguarding Views
 - SD8: Dark Night Skies
 - SD9: Biodiversity and Geodiversity
 - SD10: International Sites
 - SD11: Trees, Woodland and Hedgerows
 - SD16: Archaeology
 - SD17: Protection of the Water Environment
 - SD19: Transport and Accessibility
 - SD21: Public Realm, Highway Design and Public Art
 - SD22: Parking Provision
 - SD25: Development Strategy
 - SD26: Supply of Homes
 - SD27: Mix of Homes
 - SD28: Affordable Homes
 - SD44: Telecommunications and Utilities Infrastructure
 - SD50: Sustainable Drainage Systems
 - SD51: Renewable Energy

8. Planning Assessment

Principle of development

- 8.1 The first statutory purpose of the National Park is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area, and development within it must accord with this purpose.
- 8.2 Emerging policy SD26 ‘Development Strategy’ requires a total of 6 dwellings to be provided in Amberley village. The supporting text of the policy states that Neighbourhood Development Plans that accommodate higher levels of housing will be supported by the National Park Authority providing that they meet local housing need and are in general conformity with the strategic policies of the development plan.
- 8.3 The Examiner of the Amberley NDP had regard to SD26 when considering allocation policy HD5, and considered that given the size of the plot there was scope for increasing the numbers of dwellings if there was a locally identified need for additional housing, hence the amendment of the policy wording to a ‘*minimum* of six dwellings.’

- 8.4 The principle of residential development on the site is therefore accepted, however because the proposal seeks to provide more than the minimum of 6 dwellings, the acceptable quantum of development must be informed by the consideration of the landscape capacity of the site, and local housing need. These matters, and others including design and layout; affordable housing provision; ecology and trees; drainage; and access are considered in more detail below.

Quantum of Development

Housing Need

- 8.5 Saved Policy CPI2 states that development should provide a mix of housing sizes, types and tenures to meet the needs of the District's communities. Saved policy DC18 states that for developments of 5 homes or more, the housing mix and type should meet the identified need for smaller homes. Proposals will be expected to make efficient use of land, however must also respect local character.
- 8.6 As part of the evidence base for the South Downs Local Plan, the SDNPA carried out a Housing and Economic Development Needs Assessment (HEDNA) in 2017 for the wider National Park Area. This outlines that the greatest need in terms of market housing is for 2 and 3 bedroom properties, which is reflected in emerging policy SD27.
- 8.7 Planning guideline 12 of the Amberley Village Design Statement (VDS) (2005) supports development where the size of new buildings is restricted and encourages 'small pockets' of low-cost housing for local people. The supporting text in section 5.5 of the Amberley NDP 'Housing and Design' states that that new housing development will be appropriate in scale, design and tenure to the needs of those with a local connection, or for those key workers essential for supporting the community. Accordingly, Policy HD3 seeks a mix of house types, sizes and tenures on new housing developments that meet the housing needs of the Parish of Amberley and the local area¹.
- 8.8 This is evidenced in the most recent local housing needs assessment carried out in 2015 by Action in Rural Sussex (AiRS), which identified a need for smaller housing of 1 or 2 bedrooms, 'Lifetime Home' type homes and affordable housing to meet the community's needs. The Survey also identified a future requirement for mainly 3 bedroom market dwellings, and a modest demand for 'downsizer' market housing. Community engagement during the NDP process also revealed a requirement for small open market housing for downsizing. This is also evidenced in the submitted Statement of Community Involvement (October 2018), which states that responses indicated a need for more 2 bedroom dwellings.
- 8.9 In summary, there is a clear and evidenced local need for smaller and affordable dwellings to be provided on the site. It is less clear whether there is a current requirement for 15 dwellings or the mix proposed, particularly the larger dwellings, however the Parish Council have advised that the mix is in line with local requirements.

Landscape Capacity

- 8.10 Saved policy DC2 supports development that protects and/or conserves and/or enhances the key characteristics of the landscape character including the development pattern of the area and sensitivity to change. Emerging policy SD4 is much stronger in requiring new development to both conserve and enhance landscape character, and be demonstrably informed by landscape character, reflecting the context and type of landscape in which the development is located.
- 8.11 Policy HD4 of the Amberley NDP (2017) states that the density of new developments should be appropriate to its location by virtue of size, siting and relationship to existing properties, to ensure that new development does not harm the established character and appearance of the local area. Policy EN1 states that development in the Parish will only be permitted where it contributes to the special qualities of the SDNP, safeguards the natural

¹ Parish of Amberley, and the villages and hamlets of Rackham, Greatham, Parham, Wiggonholt and Houghton

beauty of the area and does not detract from the National Park's visual qualities and essential characteristics.

- 8.12 One of the modifications identified by the Examiner, and agreed in the SDNPA's Decision Statement was the reduction of the size of the developable area of the site to 0.35ha to exclude the area of mature trees along the boundary. Although the adopted proposals map does not appear to reflect this change, the Examiner's report is a material consideration of significant weight.
- 8.13 In this instance, the submitted information states that the area proposed for development is approximately 0.45ha. Notwithstanding the 5m buffer provided along the watercourse, and submitted technical arboricultural protection details, which are satisfactory to both the County Ecologist and Tree Officer, it is clear that the area proposed for development is larger than that supported by the Examiner.
- 8.14 The submitted information states that the proposal represents a density of 33.3 dwellings per hectare (dph), which is 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 cites nearby denser development at Hurst Cottages (41dph) and Newland Gardens (35dph), which are both more visible than the development site, and highlights that density has been reduced on the southern and eastern edges of the site.
- 8.15 However, the consideration of density is not the starting point for determining the acceptable quantum of development in a National Park. The Landscape officer has raised concerns in regard to the amount of development proposed by the scheme, which appears to be number-led rather than one which has sought to understand the landscape capacity of the site. The submitted information lacks landscape analysis or rationale for the amount of development proposed. In contrast with the main, denser settlement area, this site, together with the adjacent Newland Gardens, forms a separate, edge of settlement pocket of development, where a lower density would allow a more sensitive transition from the open countryside.

Summary

- 8.16 In summary, the proposed development would provide an acceptable number of smaller dwellings that is broadly in line with saved and adopted policy, and the requirements of emerging policy SD27, albeit with a large percentage of 4+ bedroom dwellings. It also responds to the identified local need for smaller dwellings to be provided.
- 8.17 However, the proposed number of units and resultant layout is not based on the consideration of the site's landscape capacity but rather generated from number-led considerations, and based on a developable area some 30% larger than that supported for the site by the Examiner. This approach has generated a proposal with an overly suburban character for a rural-edge site, due to the amount of hard surfacing, car parking and garages and lack of positively designed public realm and ecological space. The proposal therefore fails to meet the National Park's First Purpose, saved policy DC2, emerging policy SD4, and policies HD4 and EN1 of the Amberley NDP (2017).

Design & Layout

- 8.18 Emerging policy SD4 states that the design, layout and scale of proposals must conserve and enhance existing landscape character features which contribute to the distinctive character, pattern and evolution of the landscape, and safeguard the experiential and amenity qualities of the landscape. Policy SD5 supports proposals that adopt a landscape-led approach and integrate with, respect and sympathetically complement the landscape character and appearance of the area through sensitive and high quality design. Policy SD2 supports development that has a positive impact on the ability of the natural environment to contribute goods and services through high quality design. These include the provision of more, better and joined up natural habitats, resilience to climate change, carbon storage, and the opportunities for health and wellbeing.

- 8.19 The supporting text of policy HD5 states that development will be expected to comply with a design brief agreed between the Parish Council and SDNPA to ensure that the impact on the setting of the National Park and the village is minimised. The SDNPA has not been approached by the Parish in this regard, however it is understood that the developer has worked directly with the Parish in bringing the scheme forward.
- 8.20 Policy EN1 of the Amberley NDP (2017) states that Development in the Parish will only be permitted where it contributes to the special qualities of the SDNP, safeguards the natural beauty of the area and does not detract from the National Park's visual qualities and essential characteristics. Policy HD2 states that Proposals for new development will be assessed against the established standards laid down in the Amberley VDS (2005). Planning guideline 11 of the Amberley VDS states that further development on the boundaries of the built up area should be restricted to smaller buildings to soften the transition to open ground and retain the 'soft edge' and uneven character of the existing settlement pattern. Planning guideline 15 states that new buildings should vary in size and shape to reflect local character.
- 8.21 Paragraph 8 of the NPPF attaches great importance to the design of the built environment as a key part of sustainable development. Paragraph 127 supports development that is sympathetic to local character and history, including the surrounding built environment and landscape setting, and establishes and maintains a strong sense of place.
- 8.22 Both the Landscape and Design officers have objected to the proposal due to the lack of any evidence that the design and layout has been informed by a landscape-led approach. The Design officer has also raised concerns in regard to the lack of any clear link between the wider contextual analysis and amount of built form, which is critical given that the amount of development exceeds that of the allocation policy. This lack of analysis has resulted in a form of development where the amount and scale of built form, layout and density limits opportunities for positive elements such as amenity landscape planting, public realm and sustainable drainage systems. The amount of built form, hard standing, expansive roof zones and juxtaposition of buildings and roof profiles does not provide sufficient depth or variety to building elevations. There is a lack of positively designed public realm and ecological space, and the 'informal public open space' provided is located next to a private property and as such unlikely to be used. The resultant scheme does not reflect its context, or conserve and enhance local landscape character.
- 8.23 In summary, it is considered that the scheme does not meet the high standards of design required in the National Park. It has not been informed by adequate analysis of the site's landscape context, and consequently the opportunity to conserve and enhance the landscape character of the site and its setting has been missed. As a result, the proposal would detrimentally impact the intrinsic landscape character of the area, and fail to conserve and enhance the site and its setting. The proposal is therefore contrary to the First Purpose of the National Park, saved policy B1, emerging policies SD2, SD4, SD5 and SD25, policies EN1 and HD2 of the Amberley NDP (2017), and the NPPF.
- 8.24 Concerns have been raised by the Trustees of the Millennium Green in regard to the indicated pedestrian access from the site to this area of public open space which is currently bounded by a secure fence. However, the access is considered to be a positive element in planning terms, promoting pedestrian movement and permeability in relation to the wider village and amenities and promoting well-being, in accordance with Policy GA1 of the Amberley NDP which seeks to improve the existing footpath network, allowing better access to local amenities and services, green spaces, and any new housing. Provision of the access would in any case be subject to separate negotiations with the landowner and Trustees.
- Affordable Housing
- 8.25 Saved Policy CPI2 states that residential developments of 15 dwellings or more will be expected to meet a target of 40% affordable homes.

- 8.26 Lack of affordable housing is a major barrier to sustainable communities in the SDNP, and development which seeks to protect and provide for the social and economic well-being of the parish would be in keeping with one of the key objectives of the emerging South Downs Local Plan. Emerging policy SD28 requires sites with gross capacity to provide 11 or more homes to provide a minimum of 50% of affordable homes on-site. Paragraph 7.58 of the supporting text specifies that where the calculation of the on-site affordable housing requirement ‘results in a fraction of a unit,’ the requirement will be rounded up to the nearest whole number. Applications proposing a lower proportion of affordable home provision must present robust evidence to demonstrate constrained viability or other exceptional circumstances.
- 8.27 The supporting text of Policy SD28 states that the SDNPA considers that social rent tenures are the most affordable to those in greatest need, and should be prioritised over other forms of rented tenure. This is based on evidence provided by the SDNPA’s Housing and Economic Development Needs Assessment (HEDNA) (2017) and Strategic Housing Market Assessment (SHMA). However the SHMA also recognises that different communities within the National Park have different needs and aspirations, allowing flexibility to reflect local need. If a tenure mix is proposed which departs from the strategic tenure mix set out in Policy SD28, robust evidence (i.e. local housing needs survey, relevant housing market assessment published by a local authority, and housing registers (waiting lists)) should be provided.
- 8.28 In terms of available evidence, the AiRS (2015) survey is relatively dated, however identified a clear current and future need for affordable housing within Amberley Parish and strong support for this to be provided locally over open market housing. The submitted Statement of Community Involvement (October 2018) also states that 87% of consultation respondents wished for affordable housing to be delivered on site. Evidence has also been provided from the local Housing List (as of 4 February 2019) by the Horsham Housing Officer as follows:

Horsham Social Rented Housing List

Local Connection	Unit Preference within Amberley Local Area
Amberley	2x applicants for 1 bed units
Parham/Cootham	2x applicants for 1 bed units 1x applicant for 2 bed unit
National Park	4x applicants for 1 bed units
Outside National Park	44 applicants

- 8.29 The Housing Officer has advised that these figures would likely increase with any new build local connection scheme as households with a local connection would be invited to apply when the scheme came forward.
- 8.30 In this instance, the scheme would provide a total of 8No units of a discounted market sales housing tenure, which is a form of affordable housing included in the NPPF glossary, and would be managed via a local connection cascade as set out in policy SD28.
- 8.31 The Parish Council has stated their own view that the provision of social rented affordable housing is not supported on the site as this sector is adequately provided on the adjacent site (Newland Gardens), and public consultations held in connection with the Amberley NDP and this development proposal demonstrated little demand in the Parish for this form of affordable accommodation. The provision of discounted market sales housing units is therefore strongly supported by the Parish Council. Officers have engaged with the Parish Council, having met twice with them during the course of the application to gain an understanding of their position.

- 8.32 Notwithstanding the above, the evidence appears to suggest a clear local need for more social rented affordable accommodation.
- 8.33 The proposal does not meet the requirements of emerging policy SD28, which advocates that 75% of affordable housing provided should be of a rented affordable tenure, by reason of only providing discounted market sales housing. However, the status of Policy SD28 has been emerging over the course of the application and only limited weight could be applied to it at the outset. The immediately adjacent site (Newland Gardens) is a rural exception site of 100% affordable housing of which 10 of its 12 dwellings are of a social rented tenure, which is considered to be a material consideration.
- 8.34 Therefore, given these specific circumstances, and the timing of the application at this stage of the emerging Local Plan, the failure to meet development plan policy is considered to be outweighed by the material considerations outlined above. The provision of eight discounted market sales dwellings (with no rented affordable dwellings) is therefore, on balance, considered to be acceptable.

Drainage

- 8.35 Emerging policy SD50 supports proposals that ensure against increase of surface water runoff, taking account of climate change. Sustainable drainage solutions include porous surfaces, rain gardens/balancing ditches and tree planting where feasible, and provide public amenity as well as biodiversity benefits.
- 8.36 Concerns have been raised in regard to the surface water drainage and the potential for properties to the south of the development to be at risk from flooding. Concerns are also raised in regard to the capacity and management of the existing sewage plant, which currently serves Newland Gardens.
- 8.37 The Flood Risk Authority has no objection to the proposal, which is considered to be at low risk from surface and groundwater flooding. The proposed permeable paving and soakaways to control surface water runoff are considered acceptable, subject to a condition securing final details of sustainable surface water drainage (SuDS) designs and calculations, maintenance and management. The provision of further on-site solutions such as rainwater harvesting could also be sought through a landscaping condition.
- 8.38 Southern Water have advised that the applicant will need to make a formal application to Southern Water for sewer diversion. Network reinforcement of foul sewerage may be required to reduce the risk of flooding and the developer will need to work in conjunction with Southern Water to provide this.
- 8.39 Connection to the existing pump station would be subject to detailed investigation of existing system and available capacity, and permission to lay a foul outfall across Newland Gardens road and connect to the pump station would need to be sought from the relevant third parties. A 10.65m³ underground tank may need to be provided if there is insufficient capacity at the existing pump station. Final details of foul drainage could be secured via condition.

Ecology and Trees

- 8.40 No impacts are anticipated as a result of the proposals to the designated SSSI, SPA, SAC and Ramsar wetland sites, which lies to the north of Amberley village, and Natural England have no objection to the proposal.
- 8.41 The County ecologist has considered the submitted ecological information, which identifies the site as being of low ecological value. The site has been found to support a low population of slow worm and the proposals include provision of a wildlife habitat buffer area around the northern and eastern boundaries between the watercourse and the proposed development, into which the reptiles will be translocated. Adherence to mitigation measures set out in the submitted Ecological Assessment, suitable lighting strategy, scheme of biodiversity enhancements, and Watercourse Buffer and Reptile Mitigation and Management Strategy could be secured via condition.

Impact on surrounding amenities

- 8.42 The development would be accessed directly from Newland Gardens, and there would be a small increase in traffic, however this is not considered to significantly impact neighbour amenity in terms of noise or disturbance.
- 8.43 The siting and orientation of the dwellings are unlikely to cause significant harm from overlooking towards neighbouring properties. No concerns have been raised in regard to noise or disturbance as a result of development.

Access and parking

- 8.44 The Highway Authority (LHA) has no objection to the existing access, on site turning and parking arrangements. The access has acceptable visibility in both directions and would allow for two way traffic into and out of the site. A total of 37 car parking spaces would be provided, including 29 allocated spaces for residents and a further 8 for residents and visitors. The level of additional traffic is unlikely to generate a significant increase in traffic on the local highway network. The provision of cycle parking spaces could be secured via condition.

Dark night skies

- 8.45 Policy SD8: Dark Night Skies of the Submission South Downs Local Plan (2018) carries considerable weight. The site is located within the Dark Skies Intrinsic Zone of Darkness (EIa), which is classified as 'dark sky' and includes isolated areas that may not be connected to the main core. In these areas, glazing and particularly rooflights should be kept to a minimum, and external lighting should be limited to timed and/or sensor-controlled lighting designed and shielded to minimise light spillage. External lighting should only be used when needed.
- 8.46 No roof lights are provided, and a condition removing permitted development rights could be added to any grant of permission to ensure these may not added by future occupants without planning permission. A condition requiring an external lighting scheme could also be secured via condition.

Telecommunications

- 8.47 Emerging policy SD44 states that all new residential dwellings should be served by a superfast broadband connection, or an equivalent alternative technology, installed on an open access basis. This infrastructure could be secured via condition.

Community Infrastructure Levy

- 8.48 The market housing element of the development would be liable for a CIL contribution.

9. Conclusion

- 9.1 The principle of development is established by policies HD5 of the Amberley Neighbourhood Development Plan (2017) and emerging policy SD25 of the South Downs Submission Local Plan (2018). Although the proposal does not comply with the requirements of emerging policy SD26, this is considered to be currently outweighed by material considerations relating to the emerging status of Local Plan and the tenure of the adjacent exception site.
- 9.2 However the proposal would not conserve or enhance the landscape character of the area, by reason of the quantum of development, which is not supported by any analysis of the landscape capacity of the site. The resultant scheme is suburban in layout and character, with an excess of built form and hard surfacing and lack of positively designed public realm and ecological space. The proposal would fail to conserve and enhance the site and its setting, and is therefore contrary to the First Purpose of the National Park, saved and emerging development plan policies and the NPPF.
- 9.3 It is therefore considered that the proposal is not in accordance with the Development Plan in relation to landscape and design considerations, and in the absence of any overriding material considerations in this regard, the application is recommended for refusal.

10. Reason for Recommendation

10.1 The application is recommended for refusal for the following reasons:

1. The quantum of development proposed, which has not been demonstrably informed by any assessment of landscape capacity, would result in a form of development that is harmful to the intrinsic landscape character of the area. The proposal therefore fails to meet the National Park's First Purpose, saved policy DC2 of the Horsham District Plan (2006), emerging policy SD4 of the submitted South Downs Local Plan (2014-2033), policies HD4 and EN1 of the Amberley NDP (2017) and the NPPF.
2. The proposal, by reason of its layout and design, would fail to conserve and enhance the landscape character of the site and its setting. The proposal is therefore contrary to saved policy B1 of the Horsham District Plan (2006), emerging policies SD2, SD4 and SD5 of the submitted South Downs Local Plan (2014-2033), policies EN1 and HD2 of the Amberley NDP (2017), the NPPF, and the First Purpose of the National Park.

11. Crime and Disorder Implication

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

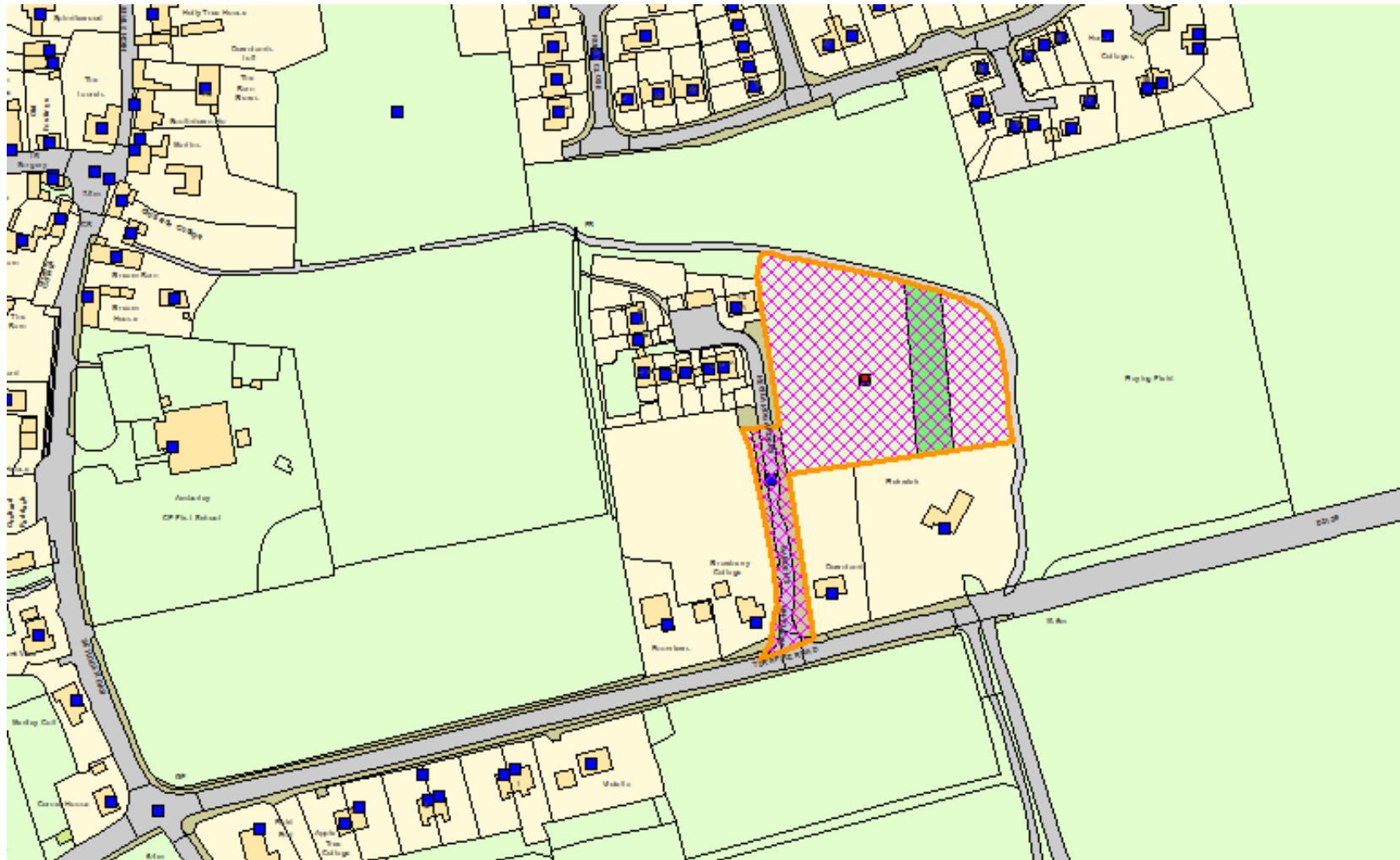
TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer:	Stella New
Tel:	01730 819216
email:	stella.new@southdowns.gov.uk
Appendices	1. Site Location Map 2. SDNP/18/02756/PRE Officer's Report
SDNPA Consultees	Legal Services, Development Manager.
Background Documents	All planning application plans, supporting documents, consultation and third party responses Amberley Neighbourhood Plan (2017) Examiner's comments on the Amberley Neighbourhood Plan SDNPA Amberley Decision Statement (Report PC17/17) Amberley Village Design Statement (2005) National Planning Policy Framework (2019) Horsham District Local Development Framework (Core Policy and General Development Control Policies) (2006) South Downs National Park Submission Local Plan South Downs National Park Partnership Management Plan 2014 South Downs Integrated Landscape Character Assessment 2005 and 2011

Agenda Item 9 Report PC19/19 Appendix I
Site Location Map



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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 (31 dph). The submitted information also cited nearby denser developments at Hurst Cottages (41 dph) 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: _____

Annex 2: Glossary

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
- b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.
- c) **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

Air quality management areas: Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

Ancient or veteran tree: A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

Ancient woodland: An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).

