

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 16 JANUARY 2020

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

Present: Alun Alesbury (Chair), Heather Baker, Barbara Holyome, Gary Marsh, William Meyer, Vanessa Rowlands and Diana van der Klugt,

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

Officers: Tim Slaney (Director of Planning), Rob Ainslie (Development Manager), Lucy Howard (Planning Policy Manager), Mike Hughes (Planning Projects and Performance Manager), Becky Moutrey (Solicitor), Richard Sandiford (Senior Governance Officer) and Sara Osman (Governance Officer).

Also attended by: Stella New (Senior Development Management Officer), Richard Ferguson (Development Management Lead, (West)), Vicki Colwell (Major Planning Projects Officer), Chris Paterson (Communities Lead), Mark Waller-Gutierrez (Specialist Lead), Michael Scammell (Conservation Officer), Benjamin Terry (Design Officer), Ruth Childs (Landscape Officer).

OPENING REMARKS

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

1. South Downs National Park Authority (SDNPA) Members had a primary responsibility for ensuring that the Authority furthers the National Park Purposes and Duty. Members regarded themselves first and foremost as Members of the Authority, and acted in the best interests of the Authority and of the Park, rather than as delegates representing the interests of their appointing authority or any other interest groups.
2. The meeting was being webcast by the Authority and would be available for subsequent on-line viewing. Anyone entering the meeting was considered to have given consent to be filmed or recorded, and for the possible use of images and sound recordings for webcasting and/or training purposes.

ITEM 1: APOLOGIES FOR ABSENCE

225. Apologies were received from Pat Beresford, Thérèse Evans, Robert Mocatta and Margaret Paren (Ex Officio).

ITEM 2: DECLARATION OF INTERESTS

226. Diana van der Klugt declared a personal interest for Item 9 as a Horsham District Councillor for the Pulborough, Coldwaltham and Amberley ward. She had attended meetings of Amberley Parish Council but had not attended any planning meetings. It was noted that one of speakers was a member of Amberley Parish Council.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 14 NOVEMBER 2019

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

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

228. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

229. The Development Manager updated Members on the following:

- SDNP/17/03623/FUL – Laundry Cottage, Dangstein, Rogate: The appeal was allowed and the Inspectors decision would be circulated to Members.
- SDNP/18/06249/FUL - Matterley Farm Alresford: The decision was issued on 17 December 2019 with a S106 legal agreement secured.

ITEM 6: URGENT ITEMS

230. There were none.



ITEM 7: SDNP/19/03903/FUL - LAND AT SUPERINTENDENTS DRIVE, KING EDWARD VII ESTATE, EASEBOURNE, WEST SUSSEX.

231. The Case Officer presented the application and referred to the update sheet.
232. The following public speakers addressed the Committee:
- Anthony Triska spoke against the application representing residents of Sir Geoffrey Todd Walk.
 - James Brown spoke against the application representing the South Downs Society (as District Officer 14).
 - Ian Milne spoke against the application representing residents of Sir Geoffrey Todd Walk.
 - Asher Ross spoke in support of the application representing the applicants.
233. The Committee considered the report by the Director of Planning (Report PC19/20-29), the update sheet and the public speaker comments, and requested clarification as follows:
- Confirmation on the difference in size of the site in this application, compared to previous applications.
 - Were the permissions granted in 2011 and 2016 still extant and could still be applied to the site, or had they expired?
 - Clarification on whether this application was enabling development to secure funding for conservation of the chapel, as a heritage asset.
 - Was the parking provision sufficient and would this scheme result in on-street parking?
 - Did this application preserve the character of the landscaping of the wider King Edward VII estate, specifically the landscaping of Kings Drive?
234. In response to questions, Officers clarified:
- This current application proposed the same size site as for the 6no detached houses on the 2016 application, however the density of housing in this application was much greater than was approved in 2016.
 - Both the 2011 and 2016 permissions are extant and a Lawful Development Certificate had been received to indicate work had commenced on the 2016 consent. Technically either permission could be built out, but if the 2011 permission were to be built out it would need to be solely for 'assisted living'.
 - The future maintenance of the Chapel was secured in perpetuity through a S106 agreement as part of the approval of the 2011 application. The Officers view was that this application was not appropriate enabling development as it did not provide any greater certainty to the end use of the chapel over and above what had already been secured.
 - Highways had not raised any objection to the application and were satisfied that the applicant has demonstrated that parking was sufficient within the site.
 - The original approval emphasised the importance of conserving the landscaping on the application site. Kings Drive should not be affected by this application as it was outside the ownership of this applicant and was the responsibility of landowner of Kings Drive.
235. The Committee discussed and debated the application, making the following comments:
- The increased housing provision to 18 in this application, from 6 in the 2016 application, was considered overdevelopment and urbanisation of a rural location. The layout was considered cramped and a retrograde step from the previous application, which in itself was granted under exceptional circumstances relating to the restoration of the King Edward VII hospital and chapel.
 - Members did not agree that the greater number of housing for this application was needed to support conservation of chapel as this was already secured through the S106 legal agreements of the previous applications.
 - There was no provision for affordable housing.
 - It was agreed that the landscaping on the 2016 application was more suited to the rural location than the landscaping proposed in the current application.
236. It was proposed and seconded to vote on the officer's recommendation.

237. **RESOLVED:** That permission be refused, for the reasons set out at paragraph 10.1 of the report.

ITEM 8: SDNP/19/03904/FUL - LAND AT KINGS GREEN EAST, KING EDWARD VII ESTATE, EASEBOURNE, WEST SUSSEX

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

239. The following public speakers addressed the Committee:

- Rosie Foreman from Dowsett Mayhew Partnership spoke against the application representing the Residents' Action Group, Kings Green East.
- Alison Howe spoke against the application representing the Residents' Action Group, Kings Green East.
- Professor Richard Hunt spoke against the application representing the Residents' Action Group, Kings Green East.
- Asher Ross spoke in support of the application representing the applicants

240. The Committee considered the report by the Director of Planning (Report PC19/20-30), the update sheet and the public speaker comments, and requested clarification as follows:

- What percentage of listed buildings in the UK are grade 2*?
- Was it within the remit of this Committee to approve an application with inadequate water provision?

241. In response to questions, Officers clarified:

- Approximately 4% of listed buildings in the UK are grade 2*.
- Water provision was regulated outside of the planning process however conditions would need to be included to ensure adequate water was provided.

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

- The increased height and mass of the buildings was considered over-dominant and did not conserve and enhance the special qualities of the National Park.
- The scheme put forward in this application did not reflect the landscaping work that had gone into the previously approved applications in 2011 and 2016.
- There was no provision for affordable housing.
- Members did not agree with the argument that enabling development would support conservation of chapel as this was already secured through conditions of the previous applications.

243. It was proposed and seconded to vote on the officer's recommendations.

244. **RESOLVED:** That permission be refused, for the reasons set out at paragraph 10.1 of the report.

ITEM 9: SDNP/19/04886/FUL - LAND ADJACENT TO STRAWBERRY VILLAS, AMBERLEY, WEST SUSSEX

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

246. The following public speakers addressed the Committee:

- Malcolm Pheasey spoke against the application representing himself.
- Sam Sykes spoke in support of the application representing ECE Planning.
- Peter Cozens spoke in support of the application representing Amberley Parish Council.

247. The Committee considered the report by the Director of Planning (Report PC19/20-31), the update sheet and the public speaker comments, and requested clarification as follows:

- Clarification on the concerns from objectors about drainage and risk of flooding to the property to the south of the site, and confirmation that it was the responsibility of the developer to ensure existing drainage conditions were not made worse by this development.
- Could semi-mature trees, rather than saplings, replace the tall, mature conifers which were to be removed from the site?

- Clarification on how the affordable housing discounted scheme worked in practice and what measure could be put in place to prevent houses being sold at full market rate if the discounted units did not sell? Members asked for assurance that the right people were being aided to buy the affordable housing units.
- How up-to-date were the housing need figures provided by the Housing Enabling Officers, and had the Parish Council been consulted to ascertain local housing need?
- Clarification on how sustainable the development would be.

248. In response to questions, Officers clarified:

- The objection regarding drainage and flood risk was forwarded to the drainage engineer for consideration and he advised that the proposed soak-aways were adequate to capture surface water and run off from roofs of properties. Condition 19 would also ensure satisfactory provision of surface water drainage. In addition, condition 20 had been agreed with the developers to ensure extra assurances for rainwater capture at source for each property. The site plan for this application contained less roof area to reduce run off, and the parking allocation on the southern border of the site was removed in order to reduce hardstanding.
- The conditions could be amended to require planting of semi-mature trees to replace the conifers.
- The S106 agreement, which was being negotiated, would secure the affordable housing eligibility criteria, and any sale would need to adhere to the S106. The S106 agreement would also address how people who met the eligibility criteria would not be able to downsize from a large dwelling and how young people could be helped to get a property in the area. The Officer's recommendation stipulated a 6 month timescale to ensure the S106 captured these issues.
- The objection from the Housing Officer was in response to meeting their need to find suitable accommodation for people on their housing list. The housing mix proposed in the Officer's report balanced the concerns raised by the Parish Council about the specific need in their Parish, as put forward in their local Neighbourhood Plan, with statutory housing need requirements.
- The sustainability of the proposal had been assessed by the Design Officer and condition 13 ensured that it would be constructed sustainably. This application was greener than the previous development proposal and was compliant with the new Local Plan, which had more stringent sustainability policies than national development guidelines.

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

- Some Members raised concern that the affordable housing figures for this application departed from the Local Plan policy, however it was counter argued that discounted market value was acceptable under the NPPF definition, and that as 7 of the 14 houses would be sold at discounted market value it would meet Local Plan policies.
- It was recognised that in this specific case, Amberley Parish had a higher percentage of affordable homes than other Parishes in Horsham District. In accordance with the Parish Council's stated housing needs, it was considered that the discounted housing scheme put forward in this application could be the most appropriate choice for this site.
- The application was commended on its landscape led design, which was noted to be an improvement on the previous application.

250. It was proposed and agreed to amend condition 12 in order that the landscaping plan should include provision of semi-mature trees along the northern boundary where non-native trees are proposed to be replaced. The final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

251. It was proposed and seconded to vote on the officer's recommendations, subject to the amendment to condition 12.

252. **RESOLVED:**

- I. That planning permission be granted subject to:
 - i. the conditions set out in paragraph 10.1 of the report,

- ii. an amendment to the conditions to require that semi-mature trees be provided where non-native trees are proposed to be replaced, and
 - iii. a legal agreement to secure seven affordable dwellings as discounted market sales units, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee.
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.
253. The meeting adjourned for a comfort break at 12.18pm and resumed at 12.24pm.

ITEM 10: SDNP/19/01876/FUL - SOLDIERS FIELD HOUSE, FINDON WEST SUSSEX.

254. The Case Officer presented the application and referred to the update sheet. The Officer also gave a verbal update to correct the amendment to the reason for refusal as stated in the update sheet. Where it stated "policies HD4 and EN1 of the Findon NDP", this should read "policies HD7 of the Findon NDP".
255. The Officer also responded to additional comments on the update sheet relating to viability appraisals. These were only required when the policy requirements for affordable housing were not being met, however in this instance the applicant was able to meet the policy requirements. If, following permission being granted, the applicant wanted to reduce the amount of affordable housing, this would require a new application and new viability appraisal to be submitted.
256. The following public speakers addressed the Committee:
- Cathrine Gear spoke against the application representing Findon Parish Council.
 - Raine Gardner spoke against the application representing Findon Chase Management Co. Ltd.
 - Michael Drakeford spoke against the application representing himself.
 - Anna Gillings spoke in support of the application representing the applicant.
257. The Committee considered the report by the Director of Planning (Report PC19/20-32), the update sheet and the public speaker comments, and requested clarification as follows:
- Clarity on access to the site and whether part of the access lane was a Right of Way permissible as a public footpath only, or whether the access lane was privately owned.
 - As the site was allocated in the South Downs Local Plan (SD70), would the committee be able to refuse any development on this site?
 - Was the existing beech hedge to be removed or be retained?
 - Was there a case for keeping the cedar tree, which had a Tree Preservation Order on it, despite it not being a native tree?
 - Clarification on what could be built on this site and why this design had not met the landscape led criteria.
258. In response to questions, Officers clarified:
- The lane was already used for vehicular access to existing properties on the lane, therefore there was no reason to believe that this site would not have similar permissive rights.
 - The principle of development on this site was agreed during the making of the Local Plan, which allocated the site for housing, and there would need to be strong, new evidence for development of the site to be unacceptable in principle. The Authority could however refuse specific schemes should they not meet the National Park purposes or the policies set out in the Local Plan or NPPF.
 - It was proposed that the beech hedge be removed over time in line with policy SD70.
 - The Tree officer had commented that the loss of the cedar tree would not have a significant impact on the National Parks first principle.
 - The officer's recommendation was an on balance recommendation for refusal based on design and the effect on the landscape. Policy SD70 in the Local Plan set out clear criteria for development on this site and it was the responsibility of the Officer and Committee to

ensure that any scheme that came forward for this site met these criteria. The landscape officer clarified that the plans did not reflect what you would expect to see in the open downland farm-scape that surrounded the area. The proposed buildings were considered to be large, set at irregular angles to each other and all of the same size and mass, whereas farm-scape buildings in this area would traditionally be set low in the landscape and their layout would be more regular in form than the proposed plans.

259. The Committee discussed and debated the application, making the following comments:
- It was agreed that this was a sensitive site on the edge of the settlement boundary, and it was of great importance to get the right scheme.
 - It was recognised that the applicants had worked hard to come up with an acceptable design, however it was felt that this scheme did not reflect the unique character of the location.
 - The committee agreed that the proposed scheme was not aesthetically pleasing and that the buildings were too large and haphazard in layout. Member expressed that the scheme did not relate well to the rest of the Findon footprint and underestimated the importance of buildings on the edge of a settlement which were visible from key viewpoints, such as Cissbury Ring. It was agreed that a more suitable scheme would include traditional South Downs stable typology using traditional materials that blended the buildings into the edge of the village, bridging the village to the downland.
260. It was proposed and seconded to vote on the officer's amended recommendation, as set out in the update sheet, and subject to an amendment to the update sheet that policies HD4 and EN1 should read policy HD7.
261. **RESOLVED:** That planning permission be refused for the reason (number 1) set out in the update sheet, subject to the verbal update which amended policies 'HD4 and EN1' to policy 'HD7' and reason (number 2) set out in paragraph 10.1 of the report.

ITEM 11: APPLICATION NO: SDNP/19/05226/PIP - LAND AT ELM RISE, FINDON WEST SUSSEX.

262. The Case Officer presented the report and gave a verbal update.
263. Further correspondence had been received from the planning agent. Whilst the agent accepted the recommendation they were keen to ensure that the principle of development was not a key issue and that a refusal be based on the proposed quantum of development. The agent's correspondence advised that the quantum of development would be addressed in any future proposals.
264. The following public speaker addressed the Committee:
- Cathrine Gear spoke against the application representing Findon Parish Council and supported the recommendation.
265. The Committee considered the report by the Director of Planning (Report PC19/20-33), and the public speaker comments, and requested clarification as follows:
- Clarification was sought on the number of houses proposed and the number outlined in the Local Plan.
 - Was the principle for development at this site already approved because the site was allocated site within the South Downs Local Plan?
266. In response to questions, Officers clarified:
- The legislation under which this application for Permission in Principle was submitted limits an application to minor development (i.e a scheme of 9 dwellings or less) and the allocation policy outlines 14-18 dwellings. Also, the proposals did not preclude a larger full application being submitted at a later stage for a higher number of dwellings.
 - The principle for development at this site was already established because it was allocated in the Local Plan. However, perceived uncertainty of the Applicant to the allocation of alternative sites in the Updated Neighbourhood Development Plan (UFNDP), in part, promoted the application to ensure the site would be available for development. Officers advised that the Examiners Report into the UFNDP concluded that the alternative sites were not appropriate.
267. It was proposed to vote on the Officer recommendation.

268. **RESOLVED:** That Permission in Principle be refused for the reasons set out in paragraph 10.1 of the report.

269. The Committee adjourned for lunch at 1.30pm and resumed at 2pm.

ITEM 12: SDNP/19/04275/CND - BROAD VIEW FARM, BINSTED, ALTON, HAMPSHIRE.

270. The Case Officer presented the report and referred to the update sheet which included an amendment to the reason for refusal which related to the proposed barn obstructing the definitive footpath.

271. The Case Officer also gave a verbal update to update members regarding a late comment which had been received from an objector. The comment outlined points which had already been covered in the summary of objections in the officer's report and reinforced the objectors view as to the legal width of the footpath and the potential deviation from the definitive path.

272. The Chair disclosed a general, non-prejudicial interest, on behalf of some of the Members present, as one of the speakers, Mr. Kemp-Gee, was a founder Member of the Authority and was known to some of the Members present.

273. The following public speakers addressed the Committee:

- Mark Kemp-Gee spoke against the application representing himself.
- Ian Salisbury spoke against the application representing the community.
- Claire Fargeot spoke against the application representing herself.
- Jim Cullen spoke in support of the application as the applicant.
- Karen Cullen spoke in support of the application as the applicant.
- Stephen Andrews spoke in support of the application as the agent representing the applicant.

274. Committee considered the report by the Director of Planning (Report PC19/20-34), the update sheet and the public speaker comments, and requested clarification as follows:

- Confirmation was sought on whether the planning permission granted in 2017 allowed a café building entirely across the line of the footpath?
- Clarification that the Inspectors role at the Public Inquiry was solely to address the merits of whether the footpath could be diverted to the proposed route, an element of which involved route to the north which had been in use.
- Would this proposal for development place part of the barn on the footpath and would that be unlawful?
- Would a new building be acceptable if it were moved away from the definitive path, and would it be permissible for this committee to propose a deferment in order for such an amendment to be submitted for committee to consider?
- Was there space to move the building in order for it to be clearly moved away from the definitive footpath?
- In relation to objections that the new barn would impact on views, what was the distance along the footpath that would be edged by the new building, and for what distance would the footpath be enclosed between the existing barn and the new building?

275. In response to questions, Officers clarified:

- The Officer confirmed that the planning permission granted in 2017 allowed a café building across the footpath.
- It was correct that what was before the Inspector dealing with the diversion of the public footpath was a proposal to divert the definitive route of the footpath and the merits of considering this, which ~~excluded an~~ assessment of the impact of the development upon the definitive route. *contained a limited*.
- It was considered by officers, considering all the evidence before them, that the width of the definitive footpath was 1.8m*. The proposed barn would encroach on the footpath by approximately 1 ~~meter~~ *metre* which would be unlawful insofar as it would obstruct its definitive route.

** at this point*

- It was possible for Members to conclude that the determination of the application be deferred for a different proposal, off the definitive line, to be considered. If Members were minded to agree a deferment to allow for amendments to be made, it would be important for officers to understand what member's concerns were to inform discussion with the applicant about such amendments.
 - There was approximately 3-5m between the south eastern flank wall of the proposed barn and the boundary with the industrial estate, which was considered sufficient space to move the building off the definitive route of footpath, using a 1.8m width for the footpath.
 - As proposed, the footpath would be enclosed between the proposed barn and the existing adjacent building for a distance of 4m.
276. The Committee discussed and debated the application, making the following comments:
- The harm to views was not considered strong enough to warrant refusal of the application as it was consistent with other footpaths which run through agricultural sites/farmsteads across the country, where wider views might be restricted for a short distance.
 - The Committee also considered that the footpath passing between two buildings for 4 metres and then alongside the side of the barn alone for a further 10 metres was not sufficient to warrant refusal of the barn in regard to impacts on the amenity of the footpath.
 - Provision of a café enabled increased opportunity for people to enjoy the special qualities of the National Park, which accorded with the second statutory purpose of the National Park, and had already been approved in principle.
 - There was no objection to the construction of the barn, with a building already having been granted planning permission. The concern of Members was that the proposed positioning of the barn could not be implemented as it was encroaching on the footpath.
277. A motion was proposed for deferment of the application for a period of not more than four months to allow the applicants the opportunity to work with officers to re-site the barn and formally re-submit plans to move it away from the footpath and for the SDNPA to undertake a re-advertisement of the application if necessary.
278. It was proposed to vote on the motion.
279. **RESOLVED:** That the application be deferred for a period of not more than four months to allow the applicants the opportunity to work with officers to re-site the barn and formally re-submit plans to move it away from the footpath and for the SDNPA to undertake a re-advertisement of the application if necessary.
280. Ian Phillips joined the meeting at 3.10pm.

ITEM 13: DRAFT DESIGN BRIEF FOR LAND AT OLD MALLING FARM, LEWES, EAST SUSSEX

281. The Major Planning Projects Officer presented the report.
282. There were no public speakers for the item.
283. The Committee considered the report by the Director of Planning (Report PC19/20-35) and requested clarification as follows:
- Clarification on the consultation process and how the SDNPA would work with Lewes District Council.
 - Would the disused railway be considered as part of the design brief?
 - What quality mechanisms were in place to ensure that quality controls would be carefully enforced if the site was built out by a number of different developers, and not one single developer?
284. In response to questions, Officers clarified:
- The consultation would be managed and run by the SDNPA. There would be some direct consultation where an invite to respond would be sent to key stakeholders, and it would also be widely promoted through the SDNPA website. Various Officers at Lewes District Council would be consulted as part of this process.
 - The use and connection to the disused railway is reflected in the Movement and Infrastructure section of the Brief.

- The principle enforcement mechanism to ensure consistency of delivery on the ground would be the conditions and S106 legal agreement, which would be agreed if and when an outlying application was submitted. The Officer agreed to talk to the applicant in order to include some general, outline text in the design brief to look at the management of the open spaces
285. The Committee discussed and debated the application, making the following comments:
- It was noted that the trees listed in the design brief were all in their Latin form and it would be useful to have common names also listed.
 - Members praised Officers on a good design brief and worthwhile document.
286. It was proposed to vote on the Officer recommendation.
287. **RESOLVED:** The Committee:
- 1) Approved the draft Design Brief for consultation, subject to any comments of the Planning Committee being addressed (the wording of which is delegated to the Director of Planning in consultation with the Chair of Planning Committee).
 - 2) Delegated authority to the Director of Planning, in consultation with the Chair of Planning Committee, to consider the results of the consultation, make any minor changes and then approve the Design Brief for development management purposes as a material consideration in the determination of planning applications at Old Malling Farm. If major changes are required as a result of consultation a further report will be presented to Planning Committee

ITEM 14: STEDHAM WITH IPING NEIGHBOURHOOD DEVELOPMENT PLAN DECISION STATEMENT

288. The Communities Lead presented the report and referred to the update sheet.
289. There were no public speakers for the item.
290. The Committee considered the report by the Director of Planning (Report PC19/20-36) and the update sheet.
291. There were no questions or comments from the Committee.
292. It was proposed to vote on the Officer recommendation.
293. **RESOLVED:** The Committee:
- 1) Noted the Examiner's Report and recommended modifications to make the Stedham with Iping Neighbourhood Development Plan met the basic conditions as set out at Appendix 2 of the officer's report.
 - 2) Agreed the 'Decision Statement' as set out at Appendix 3 of the officer's report, which set out the modifications that would be made to the Stedham with Iping Neighbourhood Development Plan in response to the Examiner's recommendations.

ITEM 15: FINDON NEIGHBOURHOOD DEVELOPMENT PLAN UPDATE DECISION STATEMENT

294. The Communities Lead presented the report.
295. There were no public speakers for the item.
296. The Committee considered the report by the Director of Planning (Report PC19/20-37) and requested clarification as follows:
- Could Findon residents choose to have a referendum on this?
297. In response to questions, Officers clarified:
- The decision on whether a referendum was needed was at the Examiners discretion and it was clear from the Examiner's report that a referendum was not needed for the proposed minor amendments.
298. It was proposed to vote on the Officer recommendation.
299. **RESOLVED:** The Committee:
- 1) Noted the Examiner's Report and recommended modifications to the Findon Neighbourhood Development Plan Update to meet the Basic Conditions.
 - 2) Agreed to publish the 'Decision Statement' as set out at Appendix 3 of the officer's report.

ITEM 16: SUSTAINABLE CONSTRUCTION SUPPLEMENTARY PLANNING DOCUMENT (SPD) – DRAFT FOR CONSULTATION

300. The Specialist Lead presented the report.
301. There were no public speakers for the item.
302. The Committee considered the report by the Director of Planning (Report PC19/20-38) and made the following comments:
- Was the information on waste, provided in the tables under items 2.73 and 2.75 of the proposed SPD document, up to date?
 - How could a Site Waste Management Plan be enforced and could an application be refused should it not provide one?
 - Should the 'Development types', shown in table I of the draft SPD, all be set the same target figure of 19% for 'Energy Efficiency CO2 reductions'?
 - Could all the 'Development types', shown in table I, be 'required' not 'encouraged' to meet the standards?
 - Could a post-completion self-certification system be built into the SPD?
303. In response to questions, Officers clarified:
- Data on waste would be updated at regular intervals for the SPD to keep information up to date.
 - An application without a Site Waste Management Plan could not generally be refused at present, however this is something that could be considered when the SDP is adopted.
 - The figures provided in table I of the draft SPD were proposed to be proportionate, and derived from the Code for Sustainable Homes which, in some cases, provided the maximum figures allowed by the Government.
 - Officers noted Members concerns that 'Development types', shown in table I of the draft SPD, be 'required' not 'encouraged' to meet standards, and would consider revising the wording in table I.
 - A self-certification system had been considered but officers considered it more appropriate to set conditions for applications that were proportionate to the scale of development in order to ensure targets were being met. For major developments a further condition would need to be satisfied once a building was occupied to demonstrate that the required measures had been implemented.
304. It was proposed and agreed to amend table I in the Draft SPD in order that all development types shown in table I of the draft SPD, were set the same target figure of 19% for 'Energy Efficiency CO2 reductions and to review how measures for minor non-residential development, in particular, could be strengthened'.
305. It was proposed to vote on the Officer recommendation, subject to the above amendment.
306. **RESOLVED:** The Committee:
- 1) Approved the draft Sustainable Construction Supplementary Planning Document (SPD) for public consultation (Appendix I), subject to an amendment to table I in the Draft SPD in order that all development types shown in table I of the draft SPD, were set the same target figure of 19% for 'Energy Efficiency CO2 reductions'.
 - 2) Delegate to the Director of Planning, in consultation with the Planning Committee Chair, authority to make minor changes to the draft SPD prior to public consultation
307. The Chair closed the meeting at 4.14pm.

CHAIR

Signed: 