SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 09 JULY 2020

Held: online via Zoom videoconferencing, at 10am.

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

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

Also attended by: Richard Ferguson (Development Management Lead), Stella New (Senior Development Management Officer), Amy Tyler-Jones (Senior Planning Policy Officer), Jack Trevelyan (Enforcement Officer), Jeremy Burgess (Landscape and Biodiversity Lead (Water)) and Ruth Childs (Landscape Officer).

OPENING REMARKS

1. The Director of Planning welcomed new Members to the meeting and informed those present that:

   - Due to the current Coronavirus pandemic full meetings were not able to be held at the Memorial Hall until further notice, hence the meeting of the South Downs National Park Authority was held using the Zoom Cloud Meetings software.
   - 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 purpose

2. The Senior Governance Officer confirmed the Members of the Planning Committee who were present, that the meeting was quorate and reminded Members of the protocol that would be followed during the online meeting.

ITEM 1: ELECTION OF CHAIR

3. The election process was presided over by the Director of Planning and Senior Governance Officer. Members were invited to nominate themselves for Chair of Planning Committee until the first meeting following the Authority AGM in 2021. One nomination was received from Alun Alesbury.

4. As Alun Alesbury was the only nomination Alun Alesbury was duly elected as Chair of the Planning Committee until the first Planning Committee meeting after the Authority AGM in 2021.

5. Alun Alesbury took the Chair and presided over the rest of the meeting.

6. The Chair welcomed Andrew Shaxson and Janet Duncton to the Committee, and thanked departing Committee Member Pat Beresford for his service to the Committee.

ITEM 2: ELECTION OF DEPUTY CHAIR

7. The election process was presided over by the Chair, and Members were invited to nominate themselves for Deputy Chair of Planning Committee until the first meeting following the Authority AGM in 2021. One nomination was received from Heather Baker.

8. As Heather Baker was the only nomination, Heather Baker was duly elected as Deputy Chair of the Planning Committee until the first Planning Committee meeting after the Authority AGM in 2021.

9. The Chair reminded those present that:

- 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 would act in the best interests of the National Park as a whole, rather than as representatives of their appointing body or any interest groups.

ITEM 3: APOLOGIES FOR ABSENCE

10. Apologies were received from Janet Duncton.

ITEM 4: DECLARATION OF INTERESTS

11. Vanessa Rowlands declared a non-prejudicial interest in item 9, SDNP/20/01693/FUL Cowdray Park, as both the applicant and the speaker for this item, Adam Coxen, were known to her.

12. Heather Baker declared a non-prejudicial interest in item 11, Affordable Housing SPD, as she had been the Chair of the SDNPA Affordable Housing Task and Finish Group but had not been involved since that work was completed.

13. Thérèse Evans declared a public service interest in agenda item 10, SDNP/20/01263/FUL Whitewool Farm, which was in the Winchester City Council (WCC) area where she was a Councillor. She had not had any involvement in that application.

14. Thérèse Evans declared a public service interest in agenda item 11, Affordable Housing SPD, as comments had been received by Winchester City Council (WCC) where she is a Member.

15. Thérèse Evans also declared a public service interest in agenda item 13, Appeals Update, as she had been the Chair of Planning Committee at Winchester City Council when the decision was made for SDNP/18/00679/FUL Land at Abbots Worth House. She also noted that the appeal for SDNP/19/02763/CND Joinery & Boxwood, Owslebury, was also in the WCC area but she had not had any involvement in that application as it was a delegated decision.

16. Robert Mocatta declared a non-prejudicial interest in item 10, SDNP/20/01263/FUL Whitewool Farm, as the speaker for this item, Jamie Butler was known to him. He was also an East Hampshire District Councillor and his ward included East Meon.

ITEM 5: MINUTES OF PREVIOUS MEETING HELD ON 11 JUNE 2020

17. The minutes of the previous meeting held on 11 June 2020 were agreed as a correct record and signed by the Chair, subject to the following amendment:

- Due to technical issues, Gary Marsh left the meeting after the debate for item 8 and was unable to re-join. Therefore, minute 440 should be moved to follow minute 448, and should read: 'Due to technical difficulties Gary Marsh was no longer present in the meeting at 15:30'.

ITEM 6: MATTERS ARISING FROM PREVIOUS MINUTES

18. There were none.

ITEM 7: UPDATES ON PREVIOUS COMMITTEE DECISIONS

19. The decision has been issued for SDNP/18/05385/FUL - The Henry Warren Club and Land North East of Prestwood, Nyewood (Nyewood Village Hall).

20. The decision has been issued for SDNP/19/04275/CND - Broad View Farm, Binsted.

ITEM 8: URGENT ITEMS

21. There were none.

ITEM 9: SDNP/20/01693/FUL – Cowdray Park Treehouses.

22. The Case Officer presented the application, referred to the update sheet and gave the following verbal update:

- One further point of clarification had been received from a Member asking whether any units could be sold leasehold or for time share. The Officer responded that the applicant's company is a holiday let business and selling their units to third parties as leaseholds or time shares does not form part of their business model.

23. The following public speakers addressed the Committee:

- Adam Coxen spoke in support of the application as the applicant.

24. The Committee considered the report by the Director of Planning (Report PC20/21-01), the update sheet and the public speaker comments, and requested clarification as follows:

- Would interpretation signage be used to inform visitors about the landscape-led design and sustainable construction of the treehouses, and of the cultural heritage of the site?
- Condition 5 stipulated that a Site Management Plan should be submitted prior to first use of the development, and should include details of fire and BBQ rules. Would fires be permitted on this wooded site?
- What was in place to prevent the proposed footpaths, going through site from parking areas to treehouses, creating a semi-urbanised feel once established, and visitors wandering off the formal paths?
- Were there cycle storage facilities to encourage sustainable travel to the site?
- What processes were in place for monitoring the state of the units over time, to ensure that they continued to preserve and enhance the landscape? Had consideration been taken regarding what happened to the units and the site once the units came to their end of life?

25. In response to questions, Officers clarified:

- The applicant intended to continue working closely with the Cowdray Estate and SDNPA access teams to provide a heritage trail on the wider estate. They planned to provide their own interpretation to tell the story of the site and also promote Dark Night Skies to visitors.
- Condition 5 ensured that rules should be in place stating that no fires or BBQs would be allowed on the site, including disposable BBQs.
- Footpaths would only be provided solely to the units themselves and visitors would not be encouraged to wander through woodland. This could be strengthened through the Site Management Plan required in Condition 5, and maintenance of the understorey could be secured by extending the landscape management scheme required by Condition 10.
- Lockable storage for cycles would be provided elsewhere on the site, but not by the units themselves.
- The units were designed to last at least as long as the 30-year lease for the site. A detailed Landscape and Ecological Management Plan had been submitted with the proposal, and whilst development of this nature in woodland would not ordinarily constitute enhancement, this development would bring the woodlands back into formal management which would achieve the National Park's first Purpose. A number of cultural heritage enhancements would also be delivered to the Historic Parkland on the Estate, including the restoration of historic rides and a Haha.

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

- Members acknowledged the extensive collaborative working which had taken place between the Applicants and Officers, in order to develop and amend the previous plans, and that they had addressed comments previously raised by Committee.

- Members noted that all concerns raised from the previous application had been answered satisfactorily. The proposed units were sustainable, the finishes fitted in with the surroundings, and the designs had been adapted to fit each site individually.
- Concern was raised that this may set a precedent for applications for treehouses elsewhere in the Park, and Members emphasised that each application should be considered on its own merits, taking into account the landscape in which they were sited.
- Further concerns were raised that monitoring the state of the site was not covered over a sufficiently long time period, and related more to the landscape than the units themselves. It was proposed that there should be an additional condition to require monitoring of the state of the units over their lifespan and to cover what should occur when the buildings came to end of life.
- Conditions 20 and 21 stated that details should 'be provided', and it was proposed that these should be amended to read that details should 'be submitted to and approved in writing by the Local Planning Authority'.

27. It was proposed and seconded that the application be approved subject to the following amendments:

- An additional Condition to be added relating to monitoring the physical structures of the treehouses, and measures to address the end of life of the treehouses.
- Conditions 5 & 10 to be strengthened in relation to keeping to the formal footpaths and preventing any urbanisation of the woodland sites;
- Conditions 20 and 21 be amended to read that details should 'be submitted to and approved in writing by the Local Planning Authority'.`

28. **RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of the officer's report, and subject to the following, the final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee:

- An additional Condition to be added relating to monitoring the physical structures of the treehouses, and measures to address the end of life of the treehouses.
- Conditions 5 & 10 to be strengthened in relation to keeping to the formal footpaths and preventing any urbanisation of the woodland sites;
- Conditions 20 and 21 be amended to read that details should 'be submitted to and approved in writing by the Local Planning Authority'.

29. The meeting adjourned for a 5-minute comfort break. On resumption of the meeting the Senior Governance Officer confirmed the Members of the Planning Committee who were present and that the meeting was quorate.

30. Jeremy Burgess (Landscape and Biodiversity Lead (Water)) and Ruth Childs (Landscape Officer) joined the meeting.

ITEM 10: SDNP/20/01263/FUL – Whitewool Farm.

31. The Case Officer presented the application. referred to the update sheet and gave the following verbal update:

- The Landscape Officer had withdrawn their objection following information provided by Natural England. Their response was now a neutral response, however their concerns regarding the wetland habitat in the wider area still stood.

32. The following public speakers addressed the Committee:

- Jamie Butler spoke in support of the application as the applicant.

33. The Committee considered the report by the Director of Planning (Report PC20/21-02), the update sheet and the public speaker comments, and requested clarification as follows:

- Members sought further information on the benefits of this scheme to the winder catchment area and downstream of the site, and confirmation that the land would not become saturated with nitrates.
- How would developers further downstream purchase 'credits' to offset nitrates produced as a result of their development, and was there a national standard for nitrate offsetting credits? How was this monitored?
- How were nitrate levels measured and how often would this need to be done?
- Could the Landscape Officer explain what led to a change of view from objecting to the proposal to a neutral position?
- Where would the extracted soil go and what impact would it have on the landscape?
- Were there any other schemes like this in the National Park that had set a precedent?

34. In response to questions, Officers clarified:

- The Biodiversity Lead clarified that nitrates from the surrounding farmland would be absorbed by the plants specifically selected for the proposed wider river catchment area, and that this would reduce levels of nitrates flowing downstream. A key point for consideration in the management of the site was that it needed to stay a wetland to ensure plant take-up of nitrates.
- Natural England had created a national standard for nitrate offsetting credits. Developers would approach the farm and submit details to Natural England, who would decide whether the site would be able to offset the nitrates produced as a result of the Development scheme. There was a legal obligation on the landowner to notify the SDNPA of any schemes which came forward to use nitrate offsetting credits. This would be regulated through the S106 legal agreement.
- The Biodiversity Lead explained that to monitor nitrate levels, water samples would be taken above and below the site to compare how much nitrate entered and left. From these figures the amount of nitrate absorbed on the site could be calculated. The frequency of sampling was dictated by Natural England's processes. The case officer added that the SDNPA would monitor the capacity of site through the S106 legal agreement, which would oblige the applicant to provide this information alongside any developments that propose to use the site to offset nitrates of a scheme.
- The Landscape Officer responded that, whilst they could see the ecological benefits of the proposed wetland, they had not been convinced there was sufficient evidence the land would stay wet in the long term. The application did not provide details covering a full year cycle, and figures supplied were taken during winter months only. However, following discussions with Natural England, they were reassured that there had been sufficient improvements in the design to improve water flow rates, and on this basis had changed their view to a neutral position.
- The majority of soil from the site would be used in regrading and re-profiling the landscape on the site. Condition 6 set out details on the disposal of any waste from the site and this would be covered by the discharge of conditions.
- There were similar, smaller schemes taking place in the National Park which did not require planning permission, however these have set a good precedent for processes and monitoring of such sites.

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

- Members supported the 'stage zero' approach as an important way forward in conserving and enhancing the landscape, and an improvement to the habitat of this site would be of benefit to the Park.
- The benefits of the proposal were recognised, including: more water would be kept upstream, reducing the risk of flooding downstream; water quality would be improved and the river would be encouraged to follow its natural path to counteract man-made canalisation of the rivers course in the past.
- Members considered that wet woodland and water meadows were rare landscapes which had been lost in this area, and that restoring them would be beneficial and increase biodiversity that would otherwise no longer exist on this site.
- Some concerns were raised about the process of offsetting, and that whilst it was good that nitrates be absorbed from the local farmland, it would not prevent nitrates from developments affecting waterways further downstream.
- There was some concern amongst some Members that this application had been brought before Committee prematurely, and as 'stage zero' was a very new approach, the application should be deferred in order that Members could be thoroughly briefed on the process. However other Members were satisfied with the Officer presentation and answers to points of clarification.
- It was agreed that the ecological survey was not done at the best time of year, or for a long enough period, and Members asked that a stipulation be required in the S106 legal agreement for several surveys to be done over the whole year.
- On-balance, Members agreed that there were many positive benefits to this scheme and they noted that no objections were raised by the experts that had been consulted.

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

37. **RESOLVED**:

1) That planning permission be granted subject to:

   - The completion of a S106 legal agreement, the final form of which is delegated to the Director of Planning, to secure the following:

     a) The scheme is secured and managed for the lifetime of the development which relies on it as mitigation.

     b) Appropriate arrangements for the management and monitoring of the wetland and its performance of capturing nitrates; an agreed nitrogen saving budget for offsetting development; provision of remedial measures as necessary; appropriate funding, responsibilities and mechanisms to ensure compliance of the above by appropriate organisations.

   - The completion of further ecological surveys regarding protected species on site, principally within the stream corridor, and provision of a suitable policy compliant mitigation and enhancement ecological strategy to the satisfaction of the SDNPA, the consideration of which is delegated to the Director of Planning; and

   - The conditions as set out in paragraph 10.1 of this report and any additional conditions, the form of which is delegated to the Director of Planning, to address any mitigation and strategy matters that arise from the completion of further ecological surveys.

2) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if:

a) The S106 Agreement is not completed or sufficient progress has not been made within 6 months of the 9 July 2020 Planning Committee meeting.

b) The additional ecological surveys and provision of a suitable policy compliant mitigation and enhancement strategy is not completed or sufficiently progressed within 6 months of the 9 July 2020 Planning Committee meeting.

38. Jeremy Burgess (Landscape and Biodiversity Lead (Water)) and Ruth Childs (Landscape Officer) left the meeting.

39. The meeting adjourned for a 5-minute comfort break. On resumption of the meeting the Senior Governance Officer confirmed the Members of the Planning Committee who were present and that the meeting was quorate.

40. Ian Phillips joined the meeting.

ITEM 11: Adoption of Affordable Housing SPD

41. The Senior Planning Policy Officer reminded Members of the report content, referred to the update sheet and gave the following verbal update:

- The new paragraph outlined in the update sheet should be amended so that the second to last line should read: 'Policy SD29 requires all affordable housing on rural exception sites to be affordable and provided so in perpetuity'.

42. The Committee considered the report by the Director of Planning (Report PC20/21-03), the update sheet and the public speaker comments, and requested clarification as follows:

- How would the affordable housing mix be worked out for rural exception sites, considering that Parish Councils have differing requirements for housing needs in their area?
- Confirmation that all affordable provided through Whole Estate Plans should be provided in perpetuity.

43. In response to questions, Officers clarified:

- All policies should be read together. If a good reason was given why the policy for smaller units should be diverted from, it would be considered.
- The SDP clarified that affordable housing provided through Whole Estate Plans would be expected to be in perpetuity.

44. The Committee discussed and debated the SPD, making the following comments:

- Members welcomed this document as it would help deliver more affordable housing for young people and families on low income. It would also provide more clarity for developers regarding financial contributions.

45. **RESOLVED**: The Committee:

1) Noted the content of the Consultation Statement (Appendix 1 of the Officer's report); and

2) Adopted the revised Affordable Housing SPD (Appendix 2 of the Officer's report).

ITEM 12: Enforcement Update

46. The Committee considered the report by the Director of Planning (Report PC20/21-04) and requested clarification as follows:

- Could the report contain more detail on enforcement issues, to provide evidence of outcomes of enforcement actions or outstanding cases? Members comments that there was a high number of cases closed due to 'no breach', and more detail on this would be welcomed.

47. In response to questions, Officers clarified:

- It was agreed that more detailed information should be supplied in the enforcement report to enable Members to better understand enforcement issues and resolutions.

48. **RESOLVED**: Members noted the update on enforcement action.

ITEM 13: Summary of Appeal Decisions Update

49. The Committee considered the report by the Director of Planning (Report PC20/21-05) and requested clarification as follows:

- Were parish councils informed of information in this report?

50. In response to questions, Officers clarified:

- The officer clarified that the report was publicly available on the SDNPA website as part of the papers for this meeting, and all Parish Councils were informed when the meeting agenda was available. Parish Councils who had submitted comments to an appeal would have been sent a copy of the inspector's report on that appeal.

51. **RESOLVED**: Members noted the outcome of appeal decisions.

52. The Chair closed the meeting at 1.45pm.

CHAIR

Signed: _____