

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 13 FEBRUARY 2020

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

Present: Alun Alesbury (Chair), Heather Baker, Thérèse Evans, Barbara Holyome, Vanessa Rowlands and Diana van der Klugt,

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

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

Also attended by:

Richard Ferguson (Development Management Lead, (West)), Kevin Wright (Planning Policy Officer), Heather Lealan (Development Management Lead, (Minerals and Waste)) and Sarah Nelson (Planning Project Lead).

External Attendees: Fraser Castle (Bruton Knowles Property Consultants).

OPENING REMARKS

308. 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

309. Apologies were received from Pat Beresford, Gary Marsh, Robert Mocatta and William Meyer.

ITEM 2: DECLARATION OF INTERESTS

310. Diana van der Klugt declared a public service interest in item 7 as she was acquainted with one of the speakers, Cllr James Pickford.
311. Therese Evans and Barbara Holyome declared a public service interest in item 11 as they had previously met one of the speakers, Chris Corcoran. They had not had any involvement with the Twyford Neighbourhood Development Plan

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

312. There were three agreed amendments to the minutes of the previous meeting held on 8 November 2018 as follows:
- Minute 275, bullet point 2 - Amend "which excluded an assessment of the impact" to "which contained a limited assessment of the impact".
 - Minute 275, bullet point 3 - The addition of "at that point" after "the width of the definitive footpath was 1.8m at that point" for clarification that it was not referring to the width along the whole length of the footpath.
 - Minute 275, bullet point 3 – correction of spelling from meter to 'metre'.
 - Minute 276, bullet point 3 – addition of "and had already been approved in principle" to the end of this bullet.
313. The minutes, with the amendments noted, were then signed as a correct record by the Chair.

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

314. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

315. There were none.

ITEM 6: URGENT ITEMS

316. There were none.

ITEM 7: APPLICATION NUMBER: SDNP/18/03162/FUL - EASTMEAD INDUSTRIAL ESTATE, LAVANT. WEST SUSSEX.

317.. The Case Officer presented the application, referred to the update sheet and gave a verbal update that Members had received further correspondence from the agents outlining their views on the viability of the scheme and requesting that the Committee defer the application in order for further discussions to take place.

318. The following public speakers addressed the Committee:

- Councillor James Pickford spoke against the application representing Lavant Parish Council.
- Maureen O'Grady spoke against the application representing herself.
- David Green spoke against the application representing himself.
- Patrick Barry spoke in support of the application representing the applicants.

319. Fraser Castle, from Bruton Knowles Property Consultants, attended the meeting to assist officers with any technical queries from members regarding viability considerations and the first reason for refusal.

320. The Committee considered the report by the Director of Planning (Report PC19/20-39), the update sheet and the public speaker comments, and requested clarification as follows:

- Confirmation that both SDNPA Officers and the Applicants had met with Lavant Parish Council to try and address their concerns.
- Clarification on whether this application could be policy compliant and provide 50% affordable housing, and why there was no provision for affordable housing after 18 months of discussions between the Officers and Agents.
- Confirmation that the Parish Council were happy with the reduction in the number of commercial units which would result from this scheme, when this appeared contrary to the Lavant Neighbourhood Development Plan.
- Clarification on the number of commercial businesses remaining on the site and whether there were suitable, alternative sites available locally for them to relocate to.
- Reassurance that issues with waste water had been dealt with, and clarification on what sustainable drainage systems had been discussed.
- Confirmation of the distance between proposed buildings on plots 13 & 14 and existing flats on the north eastern boundary.
- How many visitor parking spaces were provided, where were they located and what measures were in place to prevent parking on the central green area.
- Clarification of what the small proposed building next to the existing flats in the north-west corner was.

321. In response to questions, Officers clarified:

- SDNPA Officers had met with the developers and Lavant Parish Council and the current scheme is borne out of those discussions. It was understood that the developer had also engaged with the Parish Council prior to and following the making the Neighbourhood Development Plan (NDP) which had led to the more traditional design of the current application.
- The Case Officer had asked the Parish Council for their priorities and had addressed the two critical elements of parking and affordable housing in his presentation. The Director of Planning confirmed that there had been dialogue between Officers and the Parish Council. He also addressed a concern from a public speaker that there had been mismanagement on behalf of the Authority, responded that whilst there had been debate on the weight given to policies and material considerations, and discussions about the relationship

between the South Downs Local Plan (SDLP) and the Lavant NDP, there had not been any mismanagement in his view. He asked that anyone who felt that there had been should submit it formally in writing.

- Fraser Castle, from Bruton Knowles, confirmed that a policy compliant scheme could be delivered on this site. The Director of Planning emphasised that, following the adoption of the SDLP, the starting point for all applications should be adherence to SDLP Policies specifically using a landscape led approach and provision for affordable housing.
- There was a difference in views on the number of commercial units that the site should accommodate. Chichester District Council Economic Development Team advised, in their consultée responses, that there was still a need for employment on this site. The Lavant NDP allocated the site for an employment led mixed use development whereby the precise mix should be determined by viability considerations, but the application presented an appropriate amount of employment floorspace having considered the views of the Parish Council and the CDC Economic Development Team.
- It was estimated that approximately half of the commercial premises were vacant. Where businesses had specifically relocated to was unknown.
- Southern Water had raised no objection as they believed a solution to the waste water issues could be delivered by the developers and addressed by conditions, if the application were to be approved. The scheme had also addressed some of these issues by ensuring that water would be captured at source via the landscape scheme including the village green in combined with a system of soakaways.
- The distance between the proposed buildings on plots 13 & 14 and the existing flats on the north eastern boundary was 7m from the end of the houses, and 12m from the recessed area, to the rear boundary. The windows on the rear elevations of the buildings on these plots would serve bathrooms and use obscured glazing so there would not be an issue of overlooking of the existing flats. It was outlined that the relationship between these plots and the existing flats was considered to be acceptable.
- Officers were satisfied that parking was sufficient within the site, based on West Sussex County Highways standards and that a balance between the requirements of the LNDP and ensuring a high quality public realm was needed. Visitor parking bays were proposed around the village green and an appropriate landscaping scheme around the green was in place to restrict parking on the green itself. The Highways Authority had not raised an objection on lack of parking, in spite of 2 spaces short of their requirements.
- Officers clarified that the small proposed building next to the existing flats in the north-west corner was a car port.

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

- Members did not support deferment of the application, not least because of the fact that no provision for affordable housing had been agreed despite 18 months of discussion.
- Members supported the reasons for refusal as set out in the Officers report and the update sheet.
- Members were concerned about a substantial loss of employment land.
- The mix of housing, affordable housing and employment sites did not concur with the SDNPA Local Plan or the Lavant Neighbourhood Development Plan.
- Members recognised the positive recent additions of solar panels and electric vehicle charging points, however, more could be done on this site and that sustainable urban drainage (SuDS) was not addressed sufficiently.
- Parking was considered insufficient and concerns were raised that this application could add to existing parking issues in the village.
- Members noted that their concerns about car parking and employment space should be taken into account in any future negotiations between the Officers and Developers.

323. Member noted the amendments to the reasons for refusal, as set out on the update sheet, and agreed that the second reason should be omitted and an additional reason be included to secure a financial contribution towards improvements to the public transport network (bus services) within the locality of the site.

324. Members agreed that an informative note be included in the Decision Notice regarding increased provision of employment premises and parking spaces in any future proposals, whilst achieving a landscape-led scheme.
325. It was proposed and seconded to vote on the officer's recommendation for refusal for reasons 1 and 3 at paragraph 10.1 of the report and for reason 4 as detailed in the update sheet.
326. **RESOLVED:** That permission be refused, for the reasons 1 and 3 as set out at paragraph 10.1 of the report, and for reason 4 as detailed in the update sheet.
327. Fraser Castle, from Bruton Knowles, left the meeting.

ITEM 8: EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS LOCAL PLAN REVIEW

328. Margaret Paren and Ian Phillips joined the meeting at 11:40.
329. The Planning Policy Manager presented the application.
330. The Committee considered the report by the Director of Planning (Report PC19/20-40) and requested clarification as follows:
- That Policy WMP13 (provision of clay) could be removed from the 'Summary of Policy Review' table on page 44 of Appendix 1A of the report, as this was due to be replaced by 'RPD – Provision of Clay (RM2)' and was noted on the 'Summary of Proposed Amendments' table on page 89 of Appendix 1A.
 - Whether the SDNPA had submitted any comment on the Aldershaw Tiles Quarry site extension (listed on page 151 of Appendix 2) which, although outside of the National Park, would result in the destruction of ancient woodland. This would be contrary to objective 14 of the Sustainability Appraisal Framework (listed on page 194 or Appendix 2 of the report).
 - Clarification on the next steps for the decision making process for the Plan.
331. In response to questions, Officers clarified:
- It was noted that Policy WMP13 (provision of clay) should be removed from the 'Summary of Policy Review' table in Appendix 1A.
 - The Planning Policy Manager agreed to discuss the ancient woodland on the Aldershaw Tiles Quarry site extension with East Sussex County Council (ESCC) and report back to Members.
 - The Planning Policy Manager clarified that all three Authorities (East Sussex, South Downs and Brighton & Hove) needed to approve the plan and that comments from this Committee would be reported back to the other Authorities before coming to the SDNPA NPA meeting.
332. Members agreed to the reports recommendation, subject to the following:
1. To amend the 'Summary of Policy Review' table in Appendix 1A and remove Policy WMP13 (provision of clay);
 2. The SDNPA to query with ESCC what led to the decision to approve a site which would have impact upon ancient woodland, and ensure that the objectives of the Sustainability Appraisal are aligned with report content.
333. **RESOLVED:** The Committee:
1. Agreed to recommend the Full Authority approve the Draft East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Review, as detailed in Appendix 1A of this report, for Regulation 18 Consultation in spring 2020 subject to any comments made by the Planning Committee being addressed and subject to any minor changes that arise prior to the start of the consultation being agreed by the Director of Planning and the Chair of the Planning Committee, in consultation with the Directors of Planning at East Sussex County Council and Brighton & Hove City Council.
 2. Noted the main issues arising from Sustainability Appraisal (SA) as detailed in Appendix 2 and the high level review of the Habitat Regulation Assessment (HRA) (Appendix 3).
 3. Noted the subsequent preparation of a Regulation 19 Review document for consultation later in 2020.

ITEM 9: UPDATE ON THE PROGRESS OF THE REVIEW OF THE WEST SUSSEX WASTE PLAN

334. The Planning Policy Manager presented the application and referred to the update sheet.
335. The Committee considered the report by the Director of Planning (Report PC19/20-41) and the update sheet and requested clarification as follows:
- Members asked for an update on the appeal for Brookhurst wood near Horsham.
336. In response to questions, Officers clarified:
- The hearing for Brookhurst Farm took place in December 2019 and Officers were awaiting the Examiners report.
337. Members agreed to the amendment to first recommendation as set out in the update sheet.
338. **RESOLVED:** The Committee:
1. Agreed that an update to the West Sussex Waste Plan is not required at this time, noting that the Plan may be updated in response to yearly monitoring or future reviews.
 2. The Committee noted that a summary of the review process and the decisions will be published on the website hosted by West Sussex County Council.

ITEM 10: AUTHORITY MONITORING REPORT

339. The Planning Policy Officer presented the application and referred to the update sheet.
340. The Committee considered the report by the Director of Planning (Report PC19/20-42) and the update sheet and requested clarification as follows:
- Was the SDNPA working with other bodies to establish national standards for ecosystem service that can be used elsewhere?
341. In response to questions, Officers clarified:
- The work on Ecosystem services was created in partnership with many partners and the SDNPA were sharing it and working to improve it.
342. Members made the following comments:
- They would like the Executive Summary to include the number of new visitor accommodation had been created.
343. It was agreed to add the number of new visitor accommodation had been created to the Executive Summary as this would not affect the data.
344. **RESOLVED:** The Committee noted the report subject to a minor amendment to include the number of new visitor accommodation created in the National Park in the Executive Summary.

ITEM 11: SOUTH DOWNS NATIONAL PARK AUTHORITY'S (SDNPA) RESPONSE TO THE PRE-SUBMISSION (REGULATION 14) CONSULTATION ON THE TWYFORD NEIGHBOURHOOD DEVELOPMENT PLAN (TNP)

345. The Communities Lead presented the report.
346. The following public speaker addressed the Committee:
- Chris Corcoran spoke to make comments, and represented Twyford Parish Council.
347. The Committee considered the report by the Director of Planning (Report PC19/20-43) and the public speaker comments, and made the following comment:
- Members sought clarification on why the Neighbourhood Development Plan (NDP) had taken so long to get to this stage.
348. In response to the question, Officers clarified:
- This NDP had involved extensive community engagement which took some time. Unfortunately during this time there was a change to the legal rules stipulating that NDPs needed to do a Habitats Regulations assessment, which triggered a need to also undertake a strategic environmental assessment. These both needed to be undertaken prior to the publication of the pre-submission of the Plan.
349. **RESOLVED:** The Committee:
1. Agreed the Table of Comments as set out in Appendix 2 of the report which would form the SDNPA representation to the Twyford Neighbourhood Development Plan (TNP) pre-submission consultation.

ITEM 12: ENFORCEMENT UPDATE

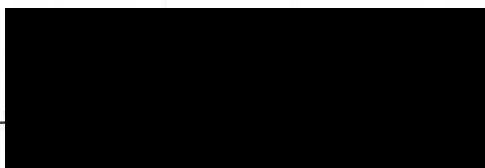
350. The Development Management Lead (Minerals and Waste) presented the report.
351. The Committee considered the report by the Director of Planning (Report PC19/20-44) and made the following comments:
- Members clarified that the TPOs listed in the report were those made by SDNPA officers working in recovered areas and did not include TPOs made by Host Authorities working on behalf of the SDNPA.
352. **RESOLVED:** The Committee noted the update on enforcement action.

ITEM 13: SUMMARY OF APPEAL DECISIONS RECEIVED FROM 19 SEPTEMBER 2019 - 27 JANUARY 2020

353. The Planning Project Lead presented the report.
354. The Committee considered the report by the Director of Planning (Report PC19/20-45) and made the following comments:
- It was noted that one of the appeals allowed by the Inspector was for an extension to a large property which was greater than 30% recommended in the South Downs Local Plan. The Inspectors comments had been noted and guidance had been issued to Officers in host authorities on how to assess applications for extensions to properties.
355. **RESOLVED:** The Committee noted the outcome of the appeal decisions.
356. The Chair closed the meeting at 12:40.

CHAIR

Signed: _____



12th March 2020