

Agenda Item	Page No	Para	Update	Source/Reason
7	16	4.11	<p>The following additional comments were provided by ESCC Highways via email on the 28th September:</p> <p><i>“Despite the applicant not agreeing to providing additional information there is clearly going to be an intensification of use due to increase in floor area, staff numbers increasing from 7 to 11 and a “grab and Go” café facility being introduced amongst the other uses. I still maintain that insufficient information has been submitted with this application and that a Transport Statement should have been provided setting out the accessibility of the site and existing/predicted traffic generation by all modes of transport. The proposal will not only increase the number of staff but also make it more attractive and thus increase visitor numbers to the site. Thus I maintain my stance that the applicant has not fully addressed the highway issues.</i></p> <p><i>However, if your Committee is minded to allow the application as submitted the following should be taken into account.</i></p> <ul style="list-style-type: none"> <i>• The number of residential units at foxhole cottages [albeit private or holiday let] will only increase by one and that parking currently takes place in the public car park. This will not alter and given this is only 1 space I will accept this</i> <i>• With regards to the redundant access in order to make this less attractive and inaccessible for pedestrians/members of the public to use I recommend that additional signage directing pedestrians to use the main pedestrian access is required to be provided at this stage. This could be conditioned with details to be provided and agreed prior to commencement of development and in place prior to the development being implemented.</i> <i>• I also recommend that any future phasing includes a robust Travel Plan to be submitted along with a Transport Statement as necessary. The applicant can find advice on ESCC’s website regarding the provision of such documents.</i> <p><i>I hope this further response helps. However, please do not hesitate to contact me if you require anything further.”</i></p> <p>Officer’s Comments: The comments of ESCC Highways are noted but do not change the view of the Local Planning Authority (LPA) in this case. The proposed request for signage has been noted. However, the site falls within an SSSI and as such any signs would require consent from Natural</p>	Update – Additional Informative

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Cont.			<p>England. Therefore, any condition requiring the installation of signage would fall outside the control of the LPA and as such would not be reasonable.</p> <p>Therefore, an informative is proposed instead encouraging the applicant to liaise with Natural England to identify appropriate signage to address the concerns of the highway authority and encourage appropriate pedestrian movements across the A259.</p>	
7	23	8.36	Reference is made to the HEDNA which is an abbreviation for 'Housing and Economic Development Needs Assessment'.	Clarification
7	27	8.77	<p>Comments were received from the Council's Design Officer in regards to policy SD48 and two additional conditions have been proposed. These conditions are as follows:</p> <ul style="list-style-type: none"> • Prior to the commencement of the development hereby permitted detailed information in a design stage sustainable construction report in the form of: <ul style="list-style-type: none"> a) Simplified Building Energy Model (SBEM) calculations b) product specifications c) Grown in Britain or Forest Stewardship Council (FSC) certificates; d) sustainable material strategy e) building design details f) layout or landscape plans <p>demonstrating that the dwelling has:</p> <ul style="list-style-type: none"> a) reduced predicted CO2 emissions by at least 19% due to energy efficiency and; b) reduced predicted CO2 emissions by a further 20% due to on site renewable energy compared with the maximum allowed by building regulations <p>and further optional measures relating to:</p> <ul style="list-style-type: none"> c) water consumption d) adapting to climate change e) sustainable materials f) sustainable waste <p>shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these agreed details.</p> <p>Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.</p>	Update – amendment to conditions

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Cont.			<ul style="list-style-type: none"> • Prior to the occupation of the development hereby permitted detailed information in a post construction stage sustainable construction report in the form of: <ul style="list-style-type: none"> a) SBEM calculations passive house certificates b) product specifications c) Grown in Britain or FSC certificates; d) sustainable material strategy e) building design details f) layout or landscape plans <p>demonstrating that the dwelling has:</p> <ul style="list-style-type: none"> a) reduced predicted CO2 emissions by at least 19% due to energy efficiency and; b) reduced predicted CO2 emissions by a further 20% due to on site renewable energy compared with the maximum allowed by building regulations c) EV charge point in associated car park (unless this is not feasible) <p>and further optional measures relating to:</p> <ul style="list-style-type: none"> d) water consumption e) adapting to climate change f) sustainable materials g) sustainable waste <p>shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these agreed details and these details will thereafter be retained.</p> <p>Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.</p> <p>However, in terms of conditions to alterations to Exceat, having taken the Sustainable Construction Supplementary Planning Document (SPD) into account it is considered that the alterations would not be covered by the SPD given that these structures are listed the applicant will be severely limited as to the improvements they could make.</p> <p>Similarly, paragraph 1.18 of the SPD identifies that SD48 should be applied proportionately which means that some development (including residential extensions) will be exempt from the requirements of this SPD completely. Therefore, in order to ensure that these conditions meet the necessary and reasonableness tests and accord with the SPD it is considered that they should be restricted so as to relate solely to 3 Foxhole Cottages.</p>	

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Cont.			<p>In order to secure details of the sustainability measures for the wider development prior to the commencement of development in accordance with SD48 the following condition is proposed:</p> <p><i>Prior to the commencement of the development hereby permitted detailed information in a design stage sustainable construction report covering:</i></p> <ul style="list-style-type: none"> a) energy efficiency and/or low carbon energy measures to reduce operational CO2 emissions b) water efficiency measures to reduce operational mains water use c) measures to reduce construction and operational waste d) the use of sustainable materials e) measures for adapting to climate change (e.g. enhancing green infrastructure, SuDS, reducing overheating etc.) <p><i>shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these agreed details.</i></p> <p><i>Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.</i></p> <p>Therefore, subject to the inclusion of the proposed Conditions the development is deemed to accord with policy SD48 of the South Downs Local Plan.</p>	
7	28	10.1	<p>The proposed conditions in regards to planning application SDNP/20/02124/FUL have been amended to secure a phasing plan (Condition 3) which has resulted in the Condition numbers changing. Conditions 4, 11, 12 and 13 have also been amended to follow the phased approach of the development. Condition 10 has been amended to make it specific to Exceat. Condition 15 relating to the occupancy of 3 Foxhole Cottages has been amended and Conditions 16, 17 and 18 relating to SD48 have been added. An informative concerning signage has also been imposed.</p> <p>Therefore, the proposed conditions are as follows:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. <p>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.</p> <ol style="list-style-type: none"> 2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application". <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Update – Amendment to Conditions

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Cont.			<p>3. Prior to the commencement of development a phasing plan shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of amenity and to allow for adequate control on the implementation of the approval. It is considered necessary for this to be a pre-commencement condition as the phasing of the development goes to the heart of the approval.</p> <p><u>Materials</u></p> <p>4. No development above slab level shall be commenced for any phase or sub-phase unless and until a schedule of materials and samples of such materials, finishes and colours to be used for external walls, windows, doors, roofs and rainwater goods of the proposed extension and alterations and details of all hard surfacing for each phase or sub-phase have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to those approved.</p> <p>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 in accordance with policy SD5 of the South Downs Local Plan.</p> <p><u>Landscaping</u></p> <p>5. Landscaping (hard and soft) shall be carried out in accordance with the approved details. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.</p> <p>Reason: In the interests of amenity and of the environment of the development in accordance with Policy SD5 of the South Downs Local Plan.</p> <p><u>Drainage</u></p> <p>6. Development shall not commence at Foxhole Cottages and camping barn, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has</p>	

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Cont.			<p>been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order for the lifetime of the development.</p> <p>Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy SD50 of the South Downs Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.</p> <p>7. The development at Foxhole Cottages and camping barn shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.</p> <p>Reason: To ensure that the proposed development is satisfactorily drained in accordance with policy SD50 of the South Downs Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.</p> <p>8. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.</p> <p>Reason: To ensure that the proposed development is satisfactorily drained in accordance with policy SD50 of the South Downs Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.</p> <p>9. The development shall be carried out in accordance with the submitted flood risk assessment (ref 5690/01/HOP/FRA and 15690/02/HOP/FRA). The measures detailed within the FRAs shall be retained and maintained thereafter throughout the lifetime of the development.</p>	

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Cont.			<p>Reasons: The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and policy SD49 of the South Downs Local Plan.</p> <p><u>Bin Provision</u></p> <p>10. Prior to the new facilities at Exceat being brought into first use, details of bin provision and details of their maintenance, management and a timeframe for their installation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.</p> <p>Reason: In the interests of amenity in accordance with policies SD4 and SD5 of the South Downs Local Plan. It is necessary for this to be a pre-commencement condition to ensure that appropriate bin provision is made prior to the development being brought into use.</p> <p><u>Ecology</u></p> <p>11. Prior to the occupation of any phase or sub-phase, a “lighting design strategy for biodiversity” shall be submitted to and approved in writing by the local planning authority. The strategy shall:</p> <ol style="list-style-type: none"> identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the planning authority.</p> <p>Reason: Many species active at night (e.g. bats and badgers) are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and /or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.</p> <p>12. No development shall take place for each phase or sub-phase (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) for each phase or sub-phase has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:</p> <ol style="list-style-type: none"> risk assessment of potentially damaging construction activities; identification of “biodiversity protection zones”; 	

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Cont.			<p>c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);</p> <p>d) the location and timing of sensitive works to avoid harm to biodiversity features;</p> <p>e) the times during construction when specialist ecologists need to be present on site to oversee works;</p> <p>f) responsible persons and lines of communication;</p> <p>g) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;</p> <p>h) use of protective fences, exclusion barriers and warning signs.</p> <p>The approved CEMP shall be adhered to and implement throughout the construction period in accordance with the approved details.</p> <p>Reason: To ensure that any adverse environmental impacts of development activities are mitigated, and to avoid an offence under wildlife legislation.</p> <p>13. No development for each phase or sub-phase shall take place until an ecological design strategy (EDS) addressing the protection and enhancement of retained habitats and the creation of new semi-natural habitats, the provision of bird, bat and insect boxes and the creation of hibernacula and log piles for each phase or sub-phase has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:</p> <p>a) purpose and conservation objectives for the proposed works;</p> <p>b) review of site potential and constraints;</p> <p>c) detailed design(s) and/or working method(s) to achieve stated objectives;</p> <p>d) extent and location /area of proposed works on appropriate scale maps and plans;</p> <p>e) type and source of materials to be used where appropriate, e.g. native species of local provenance;</p> <p>f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;</p> <p>g) persons responsible for implementing the works;</p> <p>h) details of initial aftercare and long-term maintenance;</p> <p>i) details for monitoring and remedial measures;</p> <p>j) details for disposal of any wastes arising from works.</p> <p>The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.</p>	

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Cont.			<p>Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 170 and 175 of the National Planning Policy Framework, and Strategic Policy SD9 of the National Park Local Plan.</p> <p><u>Environmental Health</u></p> <p>14. No power driven machinery shall be used for the construction of the development hereby approved except between the hours of Mon-Fri 0800-1800; Sat 0800-1300 hours; and at no time on Sundays, bank holidays or public holidays.</p> <p>Reason: In the interests of residential amenity in accordance with policy SD5 of the South Downs Local Plan.</p> <p><u>Residential Occupation</u></p> <p>15. Foxhole Cottage 3 shall only be occupied as holiday accommodation associated with the tourism use and shall not be used as an individual's sole or main residence, or as warden's accommodation in association with the management of the holiday accommodation and Seven Sister's Country Park.</p> <p>Reason: In the interests of sustainability in accordance with policies SD1, SD23 and SD25 of the South Downs Local Plan and the National Planning Policy Framework.</p> <p><u>Sustainable Construction</u></p> <p>16. Prior to the commencement of the development hereby permitted at 3 Foxhole Cottages detailed information in a design stage sustainable construction report in the form of:</p> <ul style="list-style-type: none"> a) SBEM calculations b) product specifications c) Grown in Britain or FSC certificates; d) sustainable material strategy e) building design details f) layout or landscape plans <p>demonstrating that the dwelling has:</p> <ul style="list-style-type: none"> a) reduced predicted CO2 emissions by at least 19% due to energy efficiency and; b) reduced predicted CO2 emissions by a further 20% due to on site renewable energy compared with the maximum allowed by building regulations 	

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Cont.			<p>c) EV charge point in associated car park (unless this is not feasible) and further optional measures relating to:</p> <p>d) water consumption e) adapting to climate change f) sustainable materials g) sustainable waste</p> <p>shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these agreed details.</p> <p>Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.</p> <p>17. Prior to the occupation of 3 Foxhole Cottages detailed information in a post construction stage sustainable construction report in the form of:</p> <p>a) SBEM calculations b) product specifications c) Grown in Britain or FSC certificates; d) sustainable material strategy e) building design details f) layout or landscape plans</p> <p>demonstrating that the dwelling has:</p> <p>a) reduced predicted CO2 emissions by at least 19% due to energy efficiency and; b) reduced predicted CO2 emissions by a further 20% due to on site renewable energy compared with the maximum allowed by building regulations c) EV charge point in associated car park (unless this is not feasible) and further optional measures relating to:</p> <p>d) water consumption e) adapting to climate change f) sustainable materials g) sustainable waste</p> <p>shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in accordance with these agreed details and these details will hereafter be retained.</p>	

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Cont.			<p>Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.</p> <p>18. Prior to the commencement of the development hereby permitted detailed information in a design stage sustainable construction report covering:</p> <ul style="list-style-type: none"> a) energy efficiency and/or low carbon energy measures to reduce operational CO2 emissions b) water efficiency measures to reduce operational mains water use c) measures to reduce construction and operational waste d) the use of sustainable materials e) measures for adapting to climate change (e.g. enhancing green infrastructure, SuDS, reducing overheating etc.) <p>shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with these agreed details.</p> <p>Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.</p> <p><u>Informative</u></p> <p>1. The applicant should enter into negotiations with Natural England to identify an appropriate signage strategy to encourage the safe movement of pedestrians through the site and across the A259.</p>	
8	36	1.1	The site description refers to the access to the site being gained via Portal Close, which is privately owned. Although private, the road was constructed to adoptable highway standards and the applicant has access rights over Portal Close leading from Southbrook Road to the site. This is confirmed in the Transport & Travel Plan Statement submitted with the application.	Clarification
9	70	Q4	<ul style="list-style-type: none"> • Conserve and enhance the National Park with emphasis on good landscape led design • Infrastructure including broadband • Affordable homes • <u>Good quality landscape led design that will conserve and enhance the National Park in both our towns and countryside</u> • <u>Affordable homes that meet local needs</u> • <u>Addressing climate change through allocation, adaptation and mitigation</u> 	Re-considered response
9	73	4th	'We consider that this would lead to an increase in LPAs determining applications as they stand and not taking any revisions to in order to meet the deadlines.'	Typo

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9	73	5 th	'Planning committees in England do, in the vast majority of cases, consider applications perfectly properly and do a difficult job well.' <u>'The Glover Landscapes Review states in regard to national park authorities that 'their planning powers are important, the protections they give are essential and we don't think they hold progress back.' We consider that our own planning committee does a difficult job well when determining planning applications in England's newest and most populous national park.'</u>	Re-considered response
9	76	Q18	'For each authority to have a chief officer for design and place making would also be welcomed as helping to raise the profile and importance of planning. The title Head of Planning would, however, be preferable.'	Re-considered response
9	76	Q22(a)	The Authority introduced the Community Infrastructure Levy (CIL) across the National Park in 2017 and recognises the multiple benefits that flow from it. We recognises understand that there are some issues with the tariff, but consider it to widely understood and implementable. We are however, concerned by the loss of Section 106, which will still be needed to secure on-site measures and other mitigation measures that cannot be secured via planning conditions. Examples of locally successful projects funded in this way are the Solent Mitigation Fund and the Nitrate Mitigation Fund.	Re-considered response
9	77	1st	'It is unclear how de we would secure the details of affordable housing such as tenure and local priority with the new system.'	Typo
9	77	Q22(b)	'Rates should be set locally or regionally to take into account of local land values and in order to try and help address the imbalance in growth and economic development between regions.'	Typo
9	77	Q24(b)	'Yes, provided this affordable housing is genuinely additional to that which would have to be provided in any case.' <u>'We would prefer to see the retention of Section 106 legal agreements to deliver affordable housing through the planning system. However, if this is to be abolished, we would prefer the in kind delivery of affordable housing on site.'</u>	Re-considered response
10	84	4.4	Amendment to Appendix Reference as below: The recommendation is that money from Pot 1 is allocated to the following County Councils, to be spent on any of those 12 projects listed as essential in the IBP (see Appendix B within the IBP document, attached at Appendix 2 Appendix 3 of this report):	Correction
10	85	Table 4	Amendment to Appendix Reference within the first column of Table 4 as below:	Correction

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			Project Number on Map (see Appendix 3 Appendix I)	
10	85	Table 4, Project 4	<p>Ditchling Parish Council have provided additional information in relation to Project 4 – Keymer Road Car Park. The Parish Council have confirmed that they have considered the need for electric vehicle charging points and associated cabling. However, the site does not currently have a mains electricity supply, and at the present time, the cost of installing a mains supply is prohibitive.</p> <p>The Parish Council have ensured that space is available along the grass verges to install cabling for the charging points and have confirmed the installation of such points would not affect the car park surfacing should this work be carried out at a future date (subject to additional funding become available).</p>	Update – no change to Recommendation