

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE 8 October 2020

Held: online via Zoom videoconferencing, at 10am.

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

Officers: Tim Slaney (Director of Planning), Rob Ainslie (Development Manager), Lucy Howard (Planning Policy 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: David Easton (Development Management Lead), Rafa Grosso Macpherson (Senior Development Management Officer), Kelly Porter (Major Projects Lead), Heather Lealan (Development Management Lead (Enforcement and Minerals & Waste)) and Jessica Riches (Planning Officer).

OPENING REMARKS

114. The Chair welcomed 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

115. 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.

116. 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 1: APOLOGIES FOR ABSENCE

117. Apologies were received from William Meyer.

ITEM 2: DECLARATION OF INTERESTS

118. The Chair made a declaration on behalf of all Members, that whilst agenda item 7 – Seven Sisters – was an application by the SDNPA, there was no need for Members of the committee (other than Vanessa Rowlands) to declare a specific interest as a Member of the Authority, and that the application would be determined in the same way, and subject to the same considerations and scrutiny, as any other planning application. He also noted that the speaker, Luke Smith, was a former Officer at the SDNPA and was known to some Members present.

119. Vanessa Rowlands declared a personal interest in agenda item 7, and agreed to withdraw from the meeting for this item, as she had served on an Authority working group overseeing the Seven Sisters Country Park project, and on a number of occasions had spoken publicly about the site and the Authority's plans for it.

120. Andrew Shaxson declared a personal, non-prejudicial interest for item 8 as one of the applicants was known to him.

121. Janet Duncton declared a non-prejudicial, public service interest for item 8 as she was a District Councillor for Chichester, where the application was situated.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 10 SEPTEMBER 2020

122. The minutes of the previous meeting held on 10 September 2020 were agreed as a correct record and signed by the Chair.

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

123. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

124. The Director of Planning gave an update on the Authorities Planning Position Statement, which outlined how the SDNPA, as the Planning Authority, would respond to the covid-19 pandemic. The Statement had been discussed at a Member workshop, and presented to a forum for Planning Agents, and would be published on the Authority website following the 8 October Planning Committee meeting.

ITEM 6: URGENT ITEMS

125. There were none.
126. Vanessa Rowlands left the meeting.

ITEM 7: SDNP/20/02124/FUL & SDNP/20/02244/LIS - Seven Sisters Country Park Phase 1 Proposals

127. The Case Officer presented the application and referred to the update sheet.
128. The following public speakers addressed the Committee:
- Paul Hand spoke against the application representing himself
 - Luke Smith spoke in support of the application as the agent.
129. The Committee considered the report by the Director of Planning (Report PC20/21-15), the update sheet and the public speaker comments, and requested clarification as follows:
- Considering local concerns about vehicular parking on roadside verges, and the Highways objection to the proposals, what further information did the Highways Authority request that had not been supplied?
 - Confirmation that the 'grab and go' food facility did not need change of use permission?
 - Both a public speaker and item 5.3 of the Officers report raise a query regarding an existing legal arrangement between the owners of the Saltmarsh Café on the Exceat site and the current freeholder for the site. Could the Officer confirm whether this agreement would infringe on the applicant being able to follow through on work should permission be granted?
 - Would any trees be removed alongside the new opening in the flint wall to the north of the site?
 - Could the facilities block at the camping barn be clad in same way as buildings at the main site to be more in keeping with buildings in the area?
 - Would the air source heat pump for Foxhole Cottages be contained within an enclosure?
 - Had a public consultation on this application been fully carried out?
130. In response to questions, Officers clarified:
- Officers had been in discussions with ESCC Highways who had requested a more detailed Transport Statement as they believed that there would be an increase in visitors to the site. It was the view of SDNPA Officers that the only change from existing facilities at the Exceat site was the provision of a 'grab and go' food facility. At the Foxhole Cottages site, whilst the number of holiday cottages would increase by 1 due to subdivision of one of the existing units, the number of bedrooms would not increase. Therefore, Officers did not consider that the minor alterations proposed in this application would lead to an increase in vehicular movements to those locations, beyond what already existed, and therefore did not feel a travel plan was required at this stage. The Authority acknowledged that there

was inappropriate parking taking place near the site, however that could not be controlled as part of this specific application process.

- The 'grab and go' food facility did not require permission as it fell within existing use of the site.
- The Legal Advisor reminded Members that, when determining planning applications, they must only consider planning matters that are material to the planning application before them. The legal agreement between the café and the current freeholder for the site was a private matter, not a material planning consideration, and therefore should not be taken into account when determining this application.
- The work to provide an opening in the flint wall would not result in any loss of trees which had any significant amenity value, and the Tree Officer raised no objection with the proposals. All work was required to be carried out in accordance with landscaping conditions.
- The conditions listed in the Officers report covered materials, and any materials to be used for the facilities block at the camping barn would need to be in accordance with those conditions and would need to be confirmed prior to development taking place.
- There would be a timber storage structure to the western elevation of the dwelling incorporating a log store, bin store and air source heat pump.
- An extensive public consultation had been undertaken in line with the legal requirement for consultation. Comments from the public had been taken into account where possible, however many comments related to matters that were not material considerations for planning.

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

- Members would like to see external finishing of the facilities block to tie in with the main camping barn
- The Committee welcomed that 1 Foxhole Cottages would provide an accessible bedroom suite, however Members would like to ensure that other aspects of accessibility had been taken into account, for example provision of a wet room bathroom, doors wide enough for wheelchair access, and disabled vehicle access to the cottage.
- It was agreed to include a condition to review the cladding and size of the structure housing the air source heat pump, to ensure it was in keeping with surrounding buildings and of sufficient size that air could circulate to ensure it worked efficiently.
- There was some concern that a Transport Statement had not been submitted to the Highways Authority, and some Members were not convinced there would be no increase in footfall. It was agreed that, whilst this application was a relatively minor variation on what is on site at present, to allay Member concerns, a condition could be included that details of car parking and transport would be submitted.

132. SDNP/20/02124/FUL: It was proposed and seconded to vote on the Officer's recommendation, subject to the amended conditions in the update sheet and subject to the addition of two conditions which relate to the air source heat pump housing and the details of the car park.

133. **RESOLVED:** SDNP/20/02124/FUL: That planning permission be granted subject to conditions as set out in the Update Sheet, and subject to the following additional conditions the final form of which is delegated to the Director of Planning in consultation with the Chair of the Planning Committee:

- to review the cladding and size of the structure housing the air source heat pump, to ensure it was in keeping with surrounding buildings and of sufficient size that air could circulate to ensure it worked efficiently.
- that details of car parking and transport would be submitted.

134. SDNP/20/02244/LIS: It was proposed and seconded to vote on the Officer's recommendation.

135. **RESOLVED:** SDNP/20/02244/LIS: That listed building consent be granted subject to the conditions as set out in Paragraph 10.2 of the report.
136. 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.
137. Vanessa Rowlands re-joined the meeting.

ITEM 8: SDNP/20/01855/FUL - Land South of Heather Close

138. The Case Officer presented the application and referred to the update sheet.
139. The following public speakers addressed the Committee:
- Councillor Jane Mottershead made a comment on the application representing Funtington Parish Council
 - Michael Saunders spoke in support of the application as the agent
140. The Committee considered the report by the Director of Planning (Report PC20/21-16), the update sheet and the public speaker comments, and requested clarification as follows:
- What was the current housing need for this area according to Chichester District Councils housing register?
 - Clarification as to which buildings would have green roofs.
 - As Portsmouth Water were one of the few water companies not to be legally obliged to provide water meters, could the conditions require developers to install water meters to ensure that condition 10d on water consumption levels was met?
141. In response to questions, Officers clarified:
- Officers had discussed housing need with the Housing Officer at Chichester District Council. A 2019 audit of people on the housing register for Funtington Parish indicated that there was a need for 8 x 1 bed units and 1 x 3 bed units, and it was the Officers view that the proposed housing mix provided a good balance between smaller and medium homes.
 - The three larger outbuildings on plots 7,10 and 16 would have green roofs.
 - A limit on water consumption was covered in the conditions and would ensure the housing met with SDNPA Sustainability criteria.
142. The Committee discussed and debated the application, making the following comments:
- The Committee praised the developers for working with Officers to create a scheme which met both the 50% affordable housing policy and SDNPA sustainability criteria. It was also considered to offer an improved, landscape-led layout which made good use of the site.
 - The inclusion of 1 and 2 bed dwellings was welcomed and the Committee expressed disappointment that the Parish Council, whilst not against the principle of development on the site, were not supportive of the housing mix despite meeting the local housing need and enabling local people to stay in the area.
 - The Committee asked officers whether there had been any community engagement prior the planning application. Officers responded that the Parish Council was consulted early at application stage and that the applicant did not submit any statement of community engagement with the planning application.
 - The Committee debated whether parking provision was sufficient in a village with a limited bus service, however it was noted that a cycle lane connected the village with the centre of Chichester, and that developers had included a considerable number of cycle facilities on the site to encourage sustainable travel.

- It was noted that, whilst some Members expressed disappointment that the design did not reflect the vernacular of housing in main part of the village, the housing immediately surrounding this site was modern development that also did not reflect the centre of the village. As this application was an edge of settlement site, it was considered a landscape-led approach which blended the settlement with the countryside.
 - Some Members put emphasis on the use of materials for buildings, which should be carefully assessed by officers at the discharge of conditions stage.
- I43. It was proposed and seconded to vote on the officer's recommendations.
- I44. **RESOLVED:** That planning permission be granted subject to:
1. The completion of a Section 106 legal agreement, the final form of which is delegated to the Director of Planning, to secure the delivery of the following:
 - a) 9 affordable dwellings, 7 of which of rented tenure and 2 of shared ownership;
 - b) A financial contribution of £9,205 towards recreational disturbance mitigation on the Solent Maritime SAC and Chichester and Langstone Harbour SPA;
 - c) A full scheme of nutrient mitigation for the lifetime of the development (including maintenance and management) towards mitigation of additional nutrient load on the Solent European nature conservation designated sites.
 2. The conditions as set out in paragraph 10.2 of the Officer's report.
 3. 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 8 October 2020 Planning Committee meeting.
- I45. 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.
- I46. Janet Duncton left the meeting and Ian Phillips joined the meeting.

ITEM 9: SDNPA response to the White Paper: Planning for the Future

- I47. The Planning Policy Manager presented the report and referred to the update sheet.
- I48. The Committee considered the report by the Director of Planning (Report PC20/21-17), and made the following comments:
- It was agreed to amend the wording to the response to Q17 (page 75) to stress the importance of preserving the opportunity for innovative, landscape-led design in appropriate places, and to highlight the useful part a productive negotiation process often played in developing improved schemes. The Chair of the Planning Committee and Chair of the Authority agreed to circulate a re-drafted version for Members approval prior to the report going to the NPA meeting on 15 October 2020.
 - It was agreed to amend the wording for the section headed 'Design and Beauty' in the covering letter (page 67), as follows:
 - The first paragraph was identical to the response for Q17 and would be amended in line with the changes made to the Q17 response, as detailed above.
 - All three bullet points would be removed as two of these case studies were not yet built out.
 - Members would like to see mention of Village Design Statements (VDS) and Supplementary Planning Documents (SPDs) in the 'Design and Beauty' section of the covering letter (page 67), as they were material to making planning decisions.

- It was agreed to remove the word ‘presumably’ from the 4th paragraph under the heading Development Management (DM) in the covering letter (page 68).
- It was suggested that the response to Q7a (page 71) proposed an updated, stronger definition of Sustainability to the Brundtland definition, to reflect the changes in understanding of Sustainable Development since that definition was first used.
- It was noted that dark night skies should be included in the policies listed in the response to Q10 (page 73, penultimate paragraph), to read: ‘policies on tranquillity, dark night skies and ecosystem services.’
- A typographical error was noted in the response to Q22a, as amended in the update sheet, and should be read as follows: ‘We understand that there are some issues with the tariff, but consider it to be widely understood and implementable.’
- The Committee agreed that it was important to emphasise that payment of any development tax should be on commencement rather than occupation to ensure the timely delivery of infrastructure. Reference should also be made to measures to tax vacant land, in order to prevent land banking. It was noted that the Government was planning to increase digitisation. Concern was raised that internet coverage was very poor in some rural areas and increased digitisation could leave people in rural areas at a disadvantage.
- It was agreed to publicise the response in order that local communities and District Councils could understand the SDNPAs position on the Government’s White Paper.

149. **RESOLVED:** The Committee considered the proposed SDNPA response to the White Paper: Planning for the Future and, subject to the comments made at the 8 October 2020 Planning Committee being taken into account, agreed to submit a revised version for consideration by the NPA, the final form of wording to be agreed by the Chair of Planning Committee in consultation with the Chair of the Authority and the Director of Planning.

150. Ian Phillips and Robert Mocatta left the meeting.

ITEM 10: Infrastructure Business Plan 2020

151. The Major Projects Lead presented the report and referred to the update sheet.

152. The Committee considered the report by the Director of Planning (Report PC20/21-18) and requested clarification as follows:

- During the process of allocating funds, how did Officers decide what proportion of the amount requested was given?
- Were projects providing new housing allocations more successful in securing funds than projects with no housing allocation?
- How did Officers keep track of what allocated funding was spent on?
- Would any of the £70,000 recommended from the Pot 2 funds for Keymer Road Car Park in Ditchling be held back for provision of Electric Vehicle (EV) charging points at a future date? Could the SDNPA condition that EV points were to be installed at a later date?
- Why did the Seven Sisters Country Park (SSCP) infrastructure projects score so highly, given that this project did not have planning permission when prioritisation was decided?

153. In response to questions, Officers clarified:

- The decision on what proportion of requested funding was allocated took into account whether a project had match funding. Officers also had to ensure projects were deliverable and not spread the funding too thinly, which could end up with projects being underfunded and not deliverable.
- CIL was designed to support growth and projects were more likely to receive funding if housing was being delivered within the area.

- Officers had detailed information on what should be delivered for each project allocation, and whilst funding may be approved for a project, the money was often not dispensed until the delivery phase of the project.
- The £70,000 recommended from the Pot 2 funds for Keymer Road Car Park in Ditchling was allocated to provide additional car parking spaces but not EV charging points. The Parish Council did explore provision of EV charging points, however as there was no mains electricity to the site, the cost of installing the necessary infrastructure was prohibitive at this point in time. However, it did not mean that it could not be provided in future.
- The SSCP infrastructure projects scored highly as it met many of the SDNPAs Partnership Management Plan (PMP) priorities, which was a key element of the criteria for prioritising infrastructure projects.

154. The Committee discussed the report, making the following comments:

- Members were disappointed that there would be no EV charging points installed as part of funding for the car park at Keymer Road.
- Members noted that in the last funding year, 20 projects had been funded, however in this round only 8 projects are receiving larger pots of funding
- A typographical error was noted in item 4.4 where the amount allocated to West Sussex County Council from Pot 1 funds should be £283,726.44 (not £238,726.44).
- A typographical error was noted on appendix 3 of the Officers report (page 129) where the last entry, on Harting Traffic Scheme, should read ‘...to reduce the speed of vehicles villages entering village”.

155. **RESOLVED:** The Committee:

- (1) Approved the Infrastructure Business Plan 2020 (attached at Appendix 2 and 3);
- (2) Delegated authority to the Director of Planning to make minor amendments to the wording and formatting within the Infrastructure Business Plan prior to publication. Any such amendments shall not alter the meaning of the document;
- (3) Approved the allocation of the Community Infrastructure Levy 2019 / 20 receipts of:
 - £283,726.44 to West Sussex County Council;
 - £196,000.00 to Hampshire County Council; and
 - £121,597.04 to East Sussex County Council.
- (4) Approved the in-principle allocation of the Community Infrastructure Levy 2019/20 receipts of:
 - £902,027.27 to the projects identified in paragraph 4.7 of this report, and to delegate authority to the Director of Planning to undertake further assessment of those projects, as detailed within paragraphs 4.9 and 4.10 of this report, to determine the final allocation of funds up to the amount of £902,027.27 in respect of those projects and to authorise payments accordingly.

156. Heather Baker left the meeting.

ITEM 11: Enforcement Update

157. Due to a technical difficulty the Development Manager presented the report on behalf of the (Development Management Lead (Enforcement and Minerals & Waste)).

158. The Committee considered the report by the Director of Planning (Report PC20/21-19) and made the following comments:

- The Committee agreed with the point in the Officers report that that much of the information that had been requested at a previous Committee was already provided within the Appeals Report to Planning Committee and the Technical Report that went to Policy

& Resources Committee. However, it was agreed that the Enforcement Update did not clearly demonstrate how many more cases were closed each year than opened and that, thanks to concerted efforts of Officers at both the SDNPA and the host Authorities, a large backlog of enforcement cases had been considerably reduced.

- It was requested that the report include data on how many cases had been opened since beginning of year and how many cases had been closed, so it was clearer how many cases remained open at the time of publishing each update.
- The number of no-breach cases was considered to be high and Members asked if there were any lessons to be learnt from these cases? Officers responded that many of the no breach cases were genuine concerns from members of the public, and it was often the case that the matter was permitted development or that planning permission had been granted but the person reporting their concern was unaware of the relevant planning legislation or the specific planning history of the site. It was agreed to look at the wording on the Enforcement pages of the SDNPA website to ascertain if an improvement could be made to assist the public's understanding as to when a breach of planning permission may have occurred.

159. **RESOLVED:** Members noted the update on enforcement action, subject to the comments made at the 8 October 2020 Planning Committee being taken into account.

ITEM 12: Summary of Appeal Decisions Update

160. The Planning Officer presented the report.

161. The Committee considered the report by the Director of Planning (Report PC20/21-20) and requested clarification as follows:

- Were there any lessons the Authority could learn from the appeals that were allowed by the Planning Inspector?

162. In response to questions, Officers clarified:

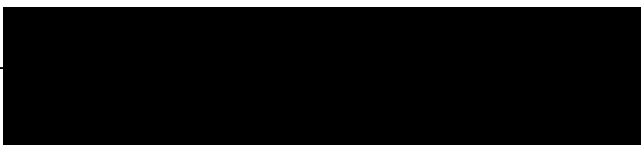
- The officer responded that there were no major concerns raised in the Planning Inspectors reports.

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

164. The Chair closed the meeting at 3.15pm.

CHAIR

Signed: _____

A large black rectangular box redacting the signature of the Chair.