

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE

Held at 10.00am on 15 April 2021 using Zoom videoconferencing.

Present:

Alun Alesbury (Chair), Heather Baker, Thérèse Evans, Barbara Holyome, Robert Mocatta, Vanessa Rowlands, Andrew Shaxson and Richard Waring.

Officers:

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

Also attended by:

Rafael Grosso Macpherson (Senior Development Management Officer), Heather Lealan (Development Management Lead (Minerals and Waste)), Kevin Wright (Planning Policy Officer) Amy Tyler-Jones (Senior Planning Policy Officer), and Mark Alden (Enterprise Development Lead).

OPENING REMARKS

340. The Chair welcomed Members to the meeting and informed those present that:
- Due to the 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 purposes.
341. The Senior Governance Officer confirmed the Members of the Planning Committee who were present and that the meeting was quorate.
342. 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

343. Apologies were received from Janet Duncton, Gary Marsh and Diana van der Klugt.

ITEM 2: DECLARATION OF INTERESTS

344. Robert Mocatta declared a non-prejudicial, public service interest in item 7 as a Hampshire County Councillor and as a District Councillor for East Hampshire District Council. The public speaker, Steven Ridgeon, was known to him.
345. Richard Waring declared a public service interest in items 8, 9 & 10 as a Lewes Town Councillor, and as a member of Cycle Lewes. Public speaker Vic lent was known to him, and although the speaker Ben Taylor was not known to him, other members of the Taylor family were known to him.
346. Andrew Shaxson declared a public service interest in item 12 as a member of Elsted and Treyford Parish Council, which had commented on the Parking SPD, as noted in Appendix 1.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 11 MARCH 2021

347. The minutes of the previous meeting held on 11 March 2021 were agreed as a correct record and signed by the Chair.

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

348. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

349. The Development Manager updated the committee on the following items:
- Decisions had been issued for SDNP/20/01535/FUL – Butser Hill Lime Works, which came before the committee in February 2021, and SDNP/19/03366/OUT - Plumpton College, which came to committee in August 2020.
 - The appeal for SDNP/18/05444/FUL - Garden Street Auction Rooms had been allowed.

ITEM 6: URGENT ITEMS

350. There were none.

ITEM 7: SDNP/19/06024/FUL - Land adjacent to Coppice Cottages

351. The Case Officer presented the application and reminded Members of the report content.
352. The following public speaker addressed the Committee:
- Steven Ridgeon spoke against the application representing East Meon Parish Council
353. The Committee considered the report by the Director of Planning (Report PC20/21-40) and the public speaker comments, and requested clarification as follows:
- Why were 12 houses accepted when 11 dwellings were proposed in the local Neighbourhood Development Plan (NDP)?
 - Was the drainage issue a planning matter, and therefore the responsibility of the developers?
 - Was the proposed development landscape led? Had the need to follow the layout put forward in the local NDP restricted the ability to put forward a landscape led plan, which might have been able to address the drainage issues on this site?
 - The site included land that extended over the settlement boundary and beyond the allocation site set out in the local NDP. How far did it extend over the settlement site and was the additional land in same ownership as the land inside the site boundary?
354. In response to questions, Officers clarified:
- The initial proposal was for 11 units but this was increased to 12, which was considered broadly in line with what the policy required for this location. The extra unit would help to deliver 50% affordable housing, and this was considered acceptable as long as other policies of the development plan were met.
 - Surface water drainage is a planning matter. The site already suffered from flooding issues caused by surface water run-off from the hill, through the site and onto Coombe Road. Policy SD49 and the neighbourhood plan policies both stipulated that surface water should not be increased from any development on the site. This proposal did not demonstrate that it met the policies, and in the officers opinion the increase in impervious surfaces on the site was likely to increase the risk of flooding elsewhere.
 - The NDP clearly defined that site as appropriate for development and had proposed a similar layout to that of the application scheme. Officers had to take a balanced view and weigh up any benefits and disbenefits of a proposal against the aspirations set out in the NDP. Officers believed that whilst some elements of this application were not landscape

led, a scheme could be put forward that would meet both the aspirations of the NDP and a landscape led approach.

- The application site encroached beyond the settlement site by 6.5m. Both the land inside the main settlement site and the encroachment beyond this were in the same ownership. The extension of land allowed for a green buffer, which would reduce visual impact from nearby views, and this was requested in the allocation policy.
355. The Committee discussed and debated the application, making the following comments:
- It was clear from the officer's report that drainage issues had not been addressed, and that there was insufficient evidence to show that this scheme would not increase the risk of flooding elsewhere.
 - Members expressed some concern that an application had come forward where Highways had objected on grounds of an inadequate means of access.
 - Members acknowledged the community consultation that had taken place. However, it was felt that this should have brought the reasons given for refusal to the applicant's attention, and yet these reasons were still not addressed.
 - The scheme was not considered to be landscape led.
 - Members agreed with the officer's reasons for refusal as set out in the report.
356. It was proposed to vote on the officer's recommendation.
357. **RESOLVED:** That planning permission be refused for the reasons as set out in Paragraph 10.1 of the officer's report.

ITEMS 8 & 9: SDNP/20/05439/FUL; SDNP/20/05442/FUL - Iford Farm

358. The Chair informed the meeting that agenda items 8 and 9 were being considered together due to the close proximity of the locations on the Iford Estate. Public speakers would have up to 6 minutes to make their representations to the meeting.
359. The Case Officer presented the applications, reminded Members of the report content and referred to the update sheet.
360. The following public speakers addressed the Committee:
- Victor lent spoke against the application representing himself;
 - Anthony Paul Allen spoke against the application representing himself
 - Ben Taylor spoke in support of the application representing The Iford Estate
 - John Robinson spoke in support of the application representing The Iford Estate
 - May Robinson spoke in support of the application representing The Iford Estate
361. The Committee considered the reports by the Director of Planning (Report PC20/21-41 & Report PC20/21-42), the update sheet and the public speaker comments, and requested clarification as follows:
- Paragraph 8.41 in report PC20/21-4 (SDNP/20/05439/FUL) stated that a S106 agreement would facilitate the construction of a significant length of the Egrets Way shared path across land owned by the Iford Estate, but that it would be accompanied by a License Agreement of 25 years. Was 25 years sufficient to secure the future of the Egrets Way, and could this not be in perpetuity?
 - How would HGVs be routed to the application sites from the C7?
 - Were there highway safety concerns regarding the new farm access onto the C7 for SDNP/20/05439/FUL?

- Would the use classes listed in the conditions for the control of commercial units have to remain as stated in the conditions or could use class be changed at any point? Was permission being given to specific existing businesses or for class use?
- Could conditions be included in this application to improve safety for road users, specifically cyclists, along the C7?

362. In response to questions, Officers clarified:

- The applicants have agreed to provide a dedicated access link for the Egrets Way in perpetuity, which would bind the land into the future. This would be secured through a S106 agreement. The 25 year licence agreement relates to management of the land by the SDNPA.
- A Traffic Management Plan would be required and which should provide an agreed routing plan. This could then be monitored by officers.
- The highways consultee had submitted detailed considerations regarding visibility splays along the C7 and safety of the proposed new farm access, and they were satisfied with visibility at the proposed junction. There was a requirement for cutting back hedging to improve visibility.
- Conditions 9 & 10 dealt with the issues of use class of the commercial units. Condition 9 approved a B8 use for the currently redundant A2 unit, as this unit was closest to existing residential properties and is a more appropriate use adjacent to residential properties than a more active B1 use. Condition 10 required that commercial units were used only as their current use class and for no other purpose. The conditions were not specific to named businesses as this would be considered overly restrictive and difficult to meet planning condition tests of reasonableness.
- It was beyond the remit of this planning application to condition improvements to the highway. However, the SDNPA was working separately with ESCC on traffic management for the area with a model emerging from the County to look at traffic generation and flow.

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

- The Committee thanked the applicants for their community consultation.. It was also noted that the applicants had submitted these applications together, and had undertaken an audit of their buildings, which the Committee had asked for when the previous application was before them.
- It was noted that there was a lot of public concern about safety for users of the C7, but recognised that it was not a planning matter for consideration as part of this application.
- The new access would have a positive impact on traffic through Iford village.
- The proposals for item 9, SDNP/20/05442/FUL, were considered reasonable and sensible proposals.
- Members acknowledged that as Iford was a large estate, any changes could have more of an impact than smaller farms. However, it was recognised that farms needed to change to keep up with modern farming practices and should be supported.

364. It was proposed to vote on the officer's recommendation for item 8, SDNP/20/05439/FUL.

365. **SDNP/20/05439/FUL - RESOLVED:**

- I. That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report and the completion of a legal agreement to permit the development of the Egrets Way on Iford Estate land

2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed or sufficient progress made within 6 months of the Planning Committee meeting of 15 April 2021.
366. It was proposed to vote on the officer's recommendation for item 9 SDNP/20/05442/FUL.
367. **SDNP/20/05442/FUL - RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report.

ITEM 10: SDNP/20/05441/FUL - Swanborough Farm

368. The Case Officer presented the application, reminded Members of the report content and referred to the update sheet.
369. The following public speakers addressed the Committee:
- Victor lent spoke against the application representing himself
 - Ben Taylor spoke in support of the application representing The Iford Estate
 - Wendy Robinson spoke in support of the application representing The Iford Estate
370. The Committee considered the report by the Director of Planning (Report PC20/21-43), the update sheet and the public speaker comments, and requested clarification as follows:
- Could the curtilage of Swanborough Manor, which was a Grade I listed building, be protected by conditions of this application?
 - Was there a traffic management condition regarding use of Swanborough Drove and access new road?
 - Were there any bridleways around the site, and how would horse riders access them from the site?
371. In response to questions, Officers clarified:
- Swanborough Manor was outside of the remit of this application.
 - There had been some concerns from residents that the application might create a circular route from Swanborough Drove, through the site to the access road to the north of the site. However, the applicant had proposed to install bollards to prevent access to the site from Swanborough Drove. The site plan was well laid out and parking provision was adequate on the site, so it was anticipated that users would enter and leave from the access road to the north.
 - There were bridleways around the site and there was direct access from the yard across land owned by the Estate onto the bridleway network.
372. There were no comments from the Committee.
373. It was proposed to vote on the officer's recommendation
374. **RESOLVED:** That planning permission be granted subject to the conditions set out in paragraph 10.1 of the report.

ITEM 11: Viticulture Technical Advice Note (TAN)

375. The Planning Policy Manager and the Enterprise Development Lead presented the report and referred to the update sheet.
376. The Committee considered the report by the Director of Planning (Report PC20/21-44) and the update sheet, and requested clarification as follows:
- If someone wanted to set up a vineyard and put up a barn, would that come under prior notification, and therefore would they be required to have regard to the TAN ?
 - What weight would be given to a TAN when considering planning applications?

- The TAN made no reference to deer fencing, which would be necessary to ensure deer are kept away from vines. Should this be taken into consideration as the impact could be quite considerable?
377. In response to questions, Officers clarified:
- The TAN would be a material consideration for planning applications, but would not be taken formally into account in Prior Notification. It could be added to the TAN that it would be best practice to consider the TAN when preparing a prior notification application.
 - A TAN was a material consideration for planning applications, however Local Plan policies held the greatest weight, followed by Supplementary Planning Documents (SPD). TANs did not go through the same statutory processes as SPDs so had less weight.
 - The eco system services diagram in the TAN took into account that animals can be used in a positive way to manage pests and keep grass down, however deer were not specifically mentioned. Officers would be preparing environmental measures guidance and deer fencing could be included in that document.
378. The Committee discussed and debated the report, making the following comments
- The report read well and the impact assessment was very interesting.
 - It was agreed to change the wording on page 11 of the Viticulture TAN from “We offer a paid pre-app service” to “we offer a pre-app service for which there is a charge”, in order to clarify that it was a chargeable service.
379. **RESOLVED:** The Committee
1. Approved the draft Viticulture Technical Advice Note set out in Appendix I for publication
 2. Delegated authority to the Director of Planning , in consultation with the Chair of the Planning Committee , to make any amendments to the Viticulture Technical Advice Note required to address any issues raised by the Committee

ITEM 12: Adoption of the Parking Supplementary Planning Document (SPD)

380. The Planning Policy Officer presented the report.
381. The Committee considered the report by the Director of Planning (Report PC20/21-45) and requested clarification as follows::
- A point was raised regarding para. 3-2 of the Parking SPD (at appendix I of the officers report), which stated that the provision of all necessary vehicular parking should as far as practicable be on-site to avoid additional on street parking, whereas many of the allocation sites in the adopted Local Plan stated that all necessary parking should be onsite to avoid additional on street parking on adjacent roads.
382. In response to questions, Officers clarified:
- When allocating sites in the Local Plan, officers were able to undertake a more in-depth analysis of the sites and ensure that car parking could fit on the allocated site. However this SPD applied to all planning applications, not just allocated sites. Whilst the aim was to avoid car parking off sites, the SPD also allowed for flexibility and for officers to take an on-balance view for each site.
383. The Committee discussed and debated the report, making the following comments
- Members agreed it was important to have flexibility for officers to take an on-balance view for each site.
 - Members queried having a policy for all of the Park, and how there would be flexibility to deal with differing issues in towns and villages, as what might work for one site may

not necessarily work in other locations. Officers explained that the parking calculator was designed to provide flexibility and account for differences in locations and was a starting point for assessment.

384. **RESOLVED:** The Committee

1. Noted the content of the Consultation Statement (Appendix 1 of the officer's report)
2. Adopted the Guidance on Parking for Residential and Non-Residential Development SPD (Appendix 2 of the officer's report) including Parking Calculator (Appendix 3 of the officer's report).

ITEM 13: Rogate & Rake Neighbourhood Development Plan (NDP) Decision Statement

385. The Senior Planning Policy Officer presented the report.

386. The Committee considered the report by the Director of Planning (Report PC20/21-46) and made the following comments:

- The Committee congratulated the members of the Rake and Rogate Neighbourhood planning group and acknowledged the work that had gone into developing the NDP.
- Members noted the inspector's decision that not all of the extensive tracts of land allocated in the NDP could be designated as local greenspace. Whilst this was disappointing, it was recognised that the inspector based his judgement on criteria set out in the NPPF.

387. **RESOLVED:** The Committee

1. Noted the Examiner's Report and recommended modifications to make the Rogate and Rake Neighbourhood Development Plan meet the basic conditions as set out at Appendix 2 of the report.
2. Agreed the 'Decision Statement' as set out at Appendix 3 of the report, which sets out the modifications that will be made to the Rogate and Rake Neighbourhood Development Plan in response to the Examiner's recommendations.

388. The Chair closed the meeting at 14:55

CHAIR

Signed: _____

