

## **SOUTH DOWNS NATIONAL PARK AUTHORITY**

### **PLANNING COMMITTEE**

Held at: 10.00am on 14 October 2021 at The Memorial Hall, South Downs Centre.

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

Officers: Tim Slaney (Director of Planning), Robert Ainslie (Development Manager), Mike Hughes (Major Planning Projects and Performance Manager), Lucy Howard (Planning Policy Manager), Rebecca Moutrey (Senior Solicitor), Richard Sandiford (Senior Governance Officer), and Sharon Libby (Governance Officer).

Also attended by: Richard Ferguson (Development Management Lead), Sabrina Robinson, (Senior Development Management Officer), Kelly Porter (Major Projects Lead), Chris Paterson (Planning Policy Lead), David Boyson (Conservation Officer).

### **OPENING REMARKS**

118. The Chair welcomed Members to the meeting and informed those present that SDNPA Members had a primary responsibility for ensuring that the Authority furthered 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**

119. Apologies were received from Robert Mocatta and Richard Waring.

### **ITEM 2: DECLARATION OF INTERESTS**

120. Janet Duncton declared a public service interest in Agenda Item 7 as a West Sussex County Councillor.

121. Alun Alesbury declared an interest in Agenda Item 9, as a member of Stoughton Parish Council and its Planning Consultation Committee which had submitted an objection to this application, and that he would withdraw from the meeting for the discussion and vote on this item. Alun Alesbury also declared a public service interest Agenda Item 10, as member of Stoughton Parish Council which had received a CIL grant.

122. Heather Baker declared a public service interest in Agenda Item 10, as she had been involved with one of the projects that received a CIL grant.

123. Andrew Shaxson declared a public service interest in Agenda Item 10, as a member of Elsted & Harting Parish Council which had received CIL grants.

124. Barbara Holyome declared a personal non-prejudicial interest in Agenda Item 10 as she was acquainted with Public Speaker Chris Corcoran.

125. Therese Evans declared a declared public service interest in Agenda Item 11 as a member of Winchester City Council.

### **ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 9 SEPTEMBER 2021**

126. The minutes of the previous meeting held on 9 September 2021 were agreed as a correct record and signed by the Chair subject to the following amendment:

- The words “meeting a local need” were added to Item 73 paragraph 73, 2<sup>nd</sup> bullet which formed the revised proposal and were also added to the resolution to Agenda Item 7.

### **ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES**

127. There were none.

### **ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS**

128. SDNP/18/03162/FUL, Eastmead Industrial Estate was refused by the committee due to lack of affordable housing, however, the Appeal (Reference APP/Y9507/W/20/3257831) was lost.

Following work around the appeal nine dwellings (16%) had been secured as affordable housing.

**ITEM 6: URGENT ITEMS**

129. There were no urgent items.
130. The Committee was informed that Agenda Item 8 has been removed from this Agenda due to Water Neutrality, but was still a live application.

**ITEM 7: SDNP/21/00924/CND – LAND AT ROTHERLEA**

131. The Case Officer presented the application, reminded Members of the report content and referred to the update sheet.
132. The following public speakers addressed the Committee:
- Councillor Chris Kemp spoke against the application on behalf of Petworth Town Council.
133. The Committee considered the report by the Director of Planning (Report PC 21/22-16), the updates, and the public speaker comments, and requested clarification as follows:
- In the parking layout, did the application take account of Electrical Vehicle (EV) charging points for vehicles?
  - Page 26, paragraph 8.13 of the report referred to the nature and scope of the application and that a separate planning permission would follow if the recommendation was agreed. Clarification was requested on why the need for the separate planning permission.
  - How was the allocation for the mix of shared ownership and affordable/rented housing agreed?
  - Was Rotherlea (the road) owned by the developers and included in the development?
  - Local residents had expressed concern with regards to parking. Clarification was requested on the parking situation.
134. In response to questions, Officers clarified:
- As this was an S73 application it did not include any changes in relation to EV points.
  - This was an S73 application and if permission was granted this would result in a new planning permission being issued. Therefore, the conditions along with S106 matters needed to be repeated.
  - This was a wholly affordable scheme and the affordable housing tenures was proposed by the applicant, which was an improvement on the previous approved scheme.
  - There was no difference regarding access and the Rotherlea road itself was part of the application site.
  - The amount of parking on the previous scheme remained in the current scheme and therefore there was no loss of parking. This also applied to the on-street visitor parking, with no objection received from the county highways.
135. The Committee discussed and debated the application, making the following comments:
- There was sufficient parking and the changes to the application were minimal.
  - It was acknowledged that the numbers allocated to affordable housing had been corrected and that the overall mix had been well received by Petworth residents.
  - If the lack of EV charging points became problematic, could this be discussed with the agent with a view to the infrastructure being implemented?

136. Members were further advised:
- If this had been a full application and not an S73 application, the lack of EV points would be considered.
  - This issue of EV charging points was to be taken away by officers and discussed further with the agent.
137. It was proposed and seconded to vote on the officer's recommendation subject to the amendments in the update sheet.
138. **RESOLVED:** That planning permission be granted subject to:
- 1) The completion of a legal agreement to secure the following, to be delegated to the Director of Planning.
    - 12 affordable social rented and 22 shared ownership dwellings.
    - A management plan securing the long term retention and management of the approved landscape details for the site.
  - 2) The conditions as set out in paragraph 10.2 of this report.
  - 3) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the Legal Agreement is not completed or satisfactory progress is not being made within 6 months of the 14<sup>th</sup> October 2021 Planning Committee meeting.

**ITEM 8: SDNP/21/02751/FUL & SDNP/21/02752/LIS – THE GRANARY**

139. This Agenda Item was not considered as it had been removed from the Agenda.

**ITEM 9: SDNP/21/01966/FUL – DREWS FARM**

140. Alun Alesbury left the committee table and moved to the public gallery.
141. The Case Officer presented the application, reminded Members of the report content and referred to the update sheet.
142. The following public speakers addressed the Committee:
- Alun Alesbury representing himself spoke against the application.
  - Luke Smith on behalf of Whaleback Planning & Design representing the Applicant spoke in support of the application.
  - James Fawcett as the Applicant spoke in support of the application.
  - Anna Fawcett representing the National Farmers Union spoke in support of the application.
143. Alun Alesbury left the meeting room at 11:05.
144. The Committee considered the report by the Director of Planning (Report PC 21/22-18), the updates and the public speaker comments, and requested clarification as follows:
- How was the curfew of 22:30 for amplified music in condition 14 reached?
  - Conditions 15, 16 and 17 are specific in the use of the shepherds hut & two barns. Was this the equivalent of removing permitted development rights on these buildings or simply that any changes would require a separate application?
  - Was Barn 2 used as an office or for tourist accommodation and did permitted developments rights remain?
  - Was planning permission required for the Shepherds Huts?
  - What were the sewage arrangements for the Shepherd Huts?

145. In response to questions, Officers clarified:
- The site sat within a tranquillity zone and this was assessed against other tourism uses of a similar nature, which included a curfew that amplified music ceased at 22:30 and no later.
  - There were no permitted development rights on tourism accommodation, hence, further permissions would be required to make any changes to the buildings referred to in Conditions 15, 16 and 17.
  - Barn 2 was split, half was used for storage and the other was used as a cold meat store. Upstairs housed office accommodation and meeting room space. Permitted development rights would arguably remain.
  - Planning permission was required for the Shepherds Huts as they were for permanent all year round use and were not temporary dwellings.
  - The Shepherds Huts had their own internal sewage system, and a full drainage scheme was included as a condition. This was discussed with the drainage engineer who agreed that this would satisfactorily meet the environmental requirements.
146. The Committee discussed and debated the application, making the following comments:
- It was acknowledged that farmers needed to diversify, and evidence had shown this had been achieved successfully in other areas of the park.
  - Whilst there were objections to this application, at the risk of attracting too much tourism, it was acknowledged the importance of getting the balance right between the public enjoying the park and not destroying what was there, which this application met. It was possible though that too many similar applications could upset the balance.
  - In the past tourism applications which were considered inappropriate for the park had been turned down.
  - Whilst there was an impact of tourism, agriculture faced an uncertain future and this needed to be considered for further applications of a similar nature. When the South Downs Local Plan was reviewed this should be taken into account.
  - It was unfortunate that intensification of farming would have a more negative impact on ecosystems than tourism and that farmers were not able to farm in ways that could have less of an impact.
  - Whilst concern was expressed over farmers diversifying into tourism, this was a better option than farmers diversifying into industrial factories and other business use. Diversification into tourism led to money being spent in local rural areas and subsequently boosted the local economy.
147. It was proposed and seconded to vote on the officer's recommendation.
148. **RESOLVED:** That planning permission be granted subject to the conditions as set out in paragraph 10.2 of the report.
149. Alun Alesbury returned to the meeting at 11:20

#### **ITEM 10: INFRASTRUCTURE BUSINESS PLAN 2021**

150. The Officer reminded Members of the report content and referred to the update sheet.
151. The following public speaker addressed Committee:
- Councillor Chris Corcoran on behalf of Twyford Parish Council, spoke against the recommendation.
152. Officers stated that the CIL Application for Twyford Parish Council did not obtain the score required to be allocated.

153. The Committee considered the report by the Director of Planning (Report PC 21/22-19), the update sheet and the public speaker comments, and requested clarification as follows:
- Did the public speaker advise that the Twyford CIL application did not comply with the regulations or was it that it complied but did not score sufficiently?
  - Were parishes informed which development within their parish the CIL receipts were allocated from?
  - How would a geographical spread be achieved if all projects that scored highly were only in one area of the park?
154. In response to questions, Officers clarified:
- The Twyford project was assessed and scored, but did not score as well as others that were assessed. The project was in the Infrastructure Business Plan and could be considered for CIL in the future.
  - Parishes were not notified where funds came from as per CIL regulations. However parishes could visit the SDNP website to find out. The SDNPA had invested in the public version of the Exacom software, and issued guidance to parish clerks on how to access the system in order to ascertain where the CIL funds were allocated from.
  - The allocation would be a judgement. If there had not been any projects in a certain area for a number of years then greater weight may be given to ensuring a geographical spread.
155. The Committee discussed and debated the application, making the following comments:
- The public speaker felt that it was the Officers that made the decisions at the Planning Committee. However, it was clarified that the Officers provide the recommendation and that Members considered the matters and could, and had in the past, disagree.
  - It was acknowledged that Twyford Parish Council had attended the meeting and expressed their concerns. They had already received a formal letter with feedback and would be advised via a letter on the outcome of today's decisions. Further feedback could be provided to the Parish Council.
  - It needed to be understood that CIL was not necessarily made available to increase the capital value of sites.
156. It was proposed and seconded to vote on the officer's recommendation
157. **RESOLVED: The Committee is recommended to:**
- 1) To approve the Infrastructure Business Plan 2021 (attached at Appendix 2 and 3 of the report);
  - 2) To approve the in-principle allocation of the Community Infrastructure Levy 2020 /21 receipts of:
    - £1,374,746.85 to the projects identified in paragraph 4.5 of this report, and to delegate authority to the Director of Planning to undertake any further assessment of the projects prior to the final allocation of funds as detailed within paragraphs 4.7 and 4.8 of this report, to determine the final allocations of funds up to £1,374,746.85 in respect of those projects and to authorise payments accordingly, and
  - 3) To delegate authority to the Director of Planning to make minor amendments to the wording and formatting within the Infrastructure Business Plan 2021 prior to publication. Any such amendments shall not alter the meaning of the document.

**ITEM 11: TWYFORD NEIGHBOURHOOD DEVELOPMENT PLAN DECISION STATEMENT**

158. The Officer presented the report and referred to the update sheet.

159. The following public speakers addressed the Committee:
- Councillor Chris Corcoran on behalf of Twyford Parish Council, spoke in support of the recommendation.
160. The Committee considered the report by the Director of Planning (Report PC 21/22-20) and requested clarification as follows:
- Why had the Neighbourhood Planning group included a policy which would seek to limit the maximum floor space of new dwellings? Did having an approved NDP increase the opportunity for being allocated CIL.
  - Could further details on the referendum be provided?
161. In response to questions officers clarified:
- The Neighbourhood Planning group had prepared a policy, which would restrict the maximum floor space of new dwellings in an effort to increase the stock of smaller more affordable homes. There was a decreasing number of smaller dwellings available in Twyford and this policy was seeking to address that situation.
  - A neighbourhood plan can be afforded full weight in decision making once it has passed its community referendum.
  - Officers had been in discussions with Winchester City Council with regards to a referendum. The City Council were working on the register of electors which would be finished by the beginning of November. Officers were in discussion with Twyford Parish Council and Winchester City Council and were considering the dates of 6<sup>th</sup> and 13<sup>th</sup> January 2022.
162. The Committee discussed and debated the NDP, making the following comments:
- It was acknowledged as disappointing that there was no list of electors as the register closed in September.
  - It was advantageous to the parish that if the NDP was approved they would receive a higher percentage of CIL.
  - It was good to see that the policy seeking to limit maximum floor space would address the balance of larger and smaller dwellings and provide lower cost homes.
163. It was proposed and seconded to vote on the officer's recommendation.
164. **RESOLVED:** The Committee:
- 1) Agreed the Decision Statement as set out at Appendix 2 of the report, which sets out the modifications that will be made to the Twyford Neighbourhood Development Plan in response to the Examiner's recommendations.
  - 2) Noted the Examiner's Report at Appendix 3 and recommended modifications to make the Twyford Neighbourhood Development Plan meet the basic conditions.

## **ITEM 12 - KINGSTON CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN**

165. The Officer presented the report.
166. The Committee considered the report by the Director of Planning (Report PC 21/22-21) and requested clarification as follows:
- Were there any statutory duties on a planning authority to produce or renew and replace a CAAMP?
  - If someone wanted to develop in a conservation area, would the CAAMP be the key document in the process?
  - Was the CAAMP a Supplementary Planning Document?

- The Annex in the document referred to listed buildings but did not specify the grade of each building, could this be included?
  - Would it be possible that when a conservation area was reviewed, it was decided that the area no longer met the criteria?
167. In response to questions, Officers clarified:
- There was no statutory duty to produce a CAAMP. However, there was a duty to periodically review a Conservation Area.
  - All standard planning policies would apply, including SDNP policies if someone wanted to develop in a conservation area. As this was a conservation area there was extra legislation that applied. Whilst the CAAMP did not provide that extra layer it provided guidance. Equally, if an individual was to appeal against the refusal of a relevant application, the CAAMP document would provide additional guidance.
  - The document was not a Supplementary Planning Document but was a document that lent weight in the Development Management process and is a material consideration in determining relevant applications. .
  - It was acknowledged that the grade of buildings was not included within the document, however this could be amended in the recommendation.
  - Although theoretically possible, it was unlikely that an entire area would have its conservation area status removed.
168. It was proposed and seconded to vote on the recommendation subject to pages 300 and 301 of appendix I of the report being amended to include the listed building grades.
169. **RESOLVED:** The Committee resolved to:
- 1) Adopt the Kingston Conservation Area Appraisal and Management Plan, attached as Appendix I to the report, subject to the inclusion of listed building grades on pages 300 and 301, for the purposes of Development Management and to inform the other activities of the National Park Authority and its partners.

### **ITEM 13: POYNINGS CONSERVATION AREA APPRAISAL AND MANAGEMENT**

170. The Officer presented the report.
171. The Committee considered the report by the Director of Planning (Report PC 21/22-21) and requested clarification as follows:
- How did the proposed extension impact current development that was happening?
  - With regards to listed buildings, could there be a prescribed way for listed buildings to be included within a CAAMP document?
  - There were some potentially locally listable buildings that fell within the area of Poynings. If this document was approved, would these buildings be included in the list?
172. In response to questions, Officers clarified:
- If the permission were extant, then nothing would change. However, if the extant permission had conditions to be discharged (i.e. boundary treatments), this would become a material issue as it was now in a conservation area, where it had not been previously.
  - Historically the process for listed buildings to be included in the CAAMP was as shown in the Poynings CAAMP and this process would be followed in future. Whilst this could be done in many conservation areas, it was not applicable to all conservation areas (especially the larger conservation areas with multiple listed buildings).
  - Whilst a local list of listable buildings was not currently in place in SDNPA, the criteria for a local building to be included on a local list would be a building that did not meet the criteria to be formally listed by Historic England but that was recognised locally as a

building of significant interest and that it should be taken account of. CAAMPs recognise such buildings.

173. The Committee discussed and debated the matter, making the following comments:
- The inclusion of areas of special character linked to a village was welcomed and the extension was fully supported
174. It was proposed and seconded to vote on the recommendation subject to the reversal of the order of the recommendations in the report; so that recommendation two would appear first, and recommendation one would appear second.
175. **RESOLVED:** The committee resolved to:
- 1) Approve the extension to the Conservation Area boundaries shown on the Character Appraisal Map on page 34 of the Conservation Area Appraisal and Management Plan.
  - 2) Approve the Poynings Conservation Area Appraisal and Management Plan attached at Appendix 2 for the purposes of development management and to inform the wider activities of the South Downs National Park Authority and its partner organisations.
176. The Chair closed the meeting at 12.45pm.

**CHAIR**

Signed: \_\_\_\_\_