

## **SOUTH DOWNS NATIONAL PARK AUTHORITY**

### **PLANNING COMMITTEE**

Held at: 10.00am on 10 February 2022 at The Memorial Hall, South Downs Centre.

Present: Alun Alesbury, Heather Baker (Chair), Therese Evans, Barbara Holyome, Gary Marsh, Robert Mocatta, Vanessa Rowlands, Andrew Shaxson, Diana van der Klugt, and Richard Waring.

Officers: Robert Ainslie (Development Manager), Rebecca Moutrey (Senior Solicitor), Richard Sandiford (Senior Governance Officer), and Sharon Libby (Governance Officer).

Also attended by: Stella New (Senior Development Management Officer), Mike Hughes (Major Planning Projects and Performance Manager), Naomi Langford (Major Projects Officer), Katie Sharp (Senior Development Management Officer), Sabrina Robinson (Senior Development Management Officer), Lucy Howard (Planning Policy Manager), Amy Tyler-Jones (Senior Planning Policy Officer), and Chris Paterson (Communities Lead)

### **OPENING REMARKS**

324. 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**

325. Apologies were received from Janet Duncton.

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

326. Richard Waring declared a public service interest in Agenda Items 7, 8 and 9 as a Lewes Town Councillor, and a personal interest in Agenda Item 7 as he was acquainted with one of the public speakers, Imogen Makepeace.

327. Gary Marsh declared a public service interest in Agenda Item 10 as a Mid-Sussex District Councillor.

328. Robert Mocatta declared a public service interest in Agenda Item 11 as an East Hampshire District Councillor for Buriton and East Meon and a Hampshire County Councillor, and a personal interest as he was acquainted with the public speakers Maggie Johnston and Jonathan Jones.

### **ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 20 JANUARY 2022**

329. The minutes of the previous meeting held on 20 January 2022 were agreed as a correct record and signed by the Chair.

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

330. There were none.

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

331. It was confirmed that decision notices had been issued for

- SDNP/21/00924/CND – Land at Rotherlea
- SDNP/20/05058/FUL – Paris House
- SDNP/20/05439/FUL – Iford Farm
- SDNP/21/00398/FUL – Ridgeview Winery Estate

332. Officers would update Members following the meeting on the campsite at Clarefield Copse and any agreed start date for Paris House.

**ITEM 6: URGENT ITEMS**

333. There were no urgent items.

**ITEM 7: SDNP/20/05799/FUL - Pells Church of England Primary School**

334. The Case Officer presented the application, reminded Members of the report content and referred to the update sheet.

335. The following public speakers addressed the Committee:

- Jennifer Chibnall spoke against the application representing herself.
- Councillor Imogen Makepeace spoke against the application representing herself.
- Councillor Imogen Makepeace read a statement on behalf of Peter Earl representing Friends of Lewes & Cycle Lewes.
- Marc Marsh spoke in support of the application on behalf of Raven Housing Trust as the applicant.
- Edward Ledwidge spoke in support of the application on behalf of Montagu Evans, the agent, representing the applicant.

336. The Committee considered the report by the Director of Planning (Report PC 21/22-38), the updates and the public speaker comments and requested clarification as follows:

- Could it be confirmed that it was the decision of East Sussex County Council (ESCC) to close the school due to there being no need
- Was there a traffic management scheme in place for the construction works?
- The 3-bedroom houses were for families, what was the remainder of the allocation of the dwellings?
- Could some further information be given on the Green Infrastructure (GI) strip?
- What open space was provided for flats?
- Was the parking compliant with the Parking Supplementary Planning Document (SPD)?
- There was insufficient cycle storage on the site, particularly when compared to the number of parking spaces allocated. Could the amount of cycle storage be increased?
- Where would the land drain running from behind the houses exit and how would this area be maintained?
- Was the housing mix compliant with Policy SD27?
- There was criticism of the layout of the scheme, to what extent was there public consultation?
- Was there any diversity to mix the bricks used in the houses to avoid a uniform look?
- Were the flat blocks positioned on the lower area of the site?
- How was the site considered to be Landscape Led?
- What had been secured to make the site child friendly?
- This was the one opportunity to secure upgrading of the footpath to a cycle route why could this not be done as part of this application?
- Were the 49 car parking spaces allocated or available on a first come first served basis?

337. In response to questions, Officers clarified:

- It was confirmed that ESCC made the decision to close the school and that the site was now owned by Raven Housing Trust.

- A traffic management scheme would be secured under Condition 5, Construction and Environmental Management Plan.
- The breakdown of dwellings was confirmed in the report as:
  - 2No 2-bedroom and 12No 3-bedroom semi-detached dwellings (shared ownership)
  - 4No 1-bedroom and 10No 2-bedroom flats (affordable rental)
  - 4No 1-bedroom flats (Lewes Low Cost Housing)
- Whilst the space for the GI strip had been allocated, the detail was yet to be finalised. The strip would provide multi-functional benefits including biodiversity net gain and sustainable drainage. These details would be secured by a landscape condition.
- The area of public open space had been maximised, with multifunctional SuDS features that would contribute to amenity. A lower density site would have enabled more open space, however, this had been balanced with the viability of the scheme.
- The Parking SPD allowed for a flexible approach. It was felt an appropriate balance had been achieved due to the nature of the surrounding road network and significant concerns of local residents about parking pressure, and the need to secure enough onsite parking whilst ensuring it was not too dominant in the development.
- It was acknowledged that there was insufficient cycle storage on the site. Condition 38 would allow this to be increased and there was sufficient space within the site for its provision.
- All excess surface water would drain into the public surface water sewer. The Maintenance and Management Plan for the entire drainage system, including SuDS features and the land drain, would be secured under Condition 23.
- Officers confirmed that the housing mix met local need, as set out in paragraph 8.12 of the report, which detailed the need for Lewes.
- The application had been re-publicised a number of times during the course of the application. The applicant had carried out a public consultation prior to submitting the application.
- The Design Officer raised a concern regarding the uniform appearance of the single red brick which reflect the local built form but not the wider Lewes area which had a more varied palette. A mixed palette of facing materials was secured via condition 8
- The blocks of flats were 9m high and the houses were 8m high, with the flats being positioned on the lowest part of the site.
- The landscape evidence considered included the settlement pattern, the site's edge of flood plain location and high water table, and land form.. The layout of the development was led by the contours of the site the density was lower than surrounding development to reflect its edge of settlement location. Water was a significant feature of the site and the attenuation pond and other SuDS elements would reflect this character. Additional Green Infrastructure would be preferred, however, the layout had been developed iteratively to achieve the best layout,, led by landscape evidence, and the Landscape Officer had no objection.
- Landscaping was secured by condition for public open space and amenity, which would include safe areas for children. Additionally there was access to the public recreation area opposite the site, with no road to cross. The community forest schools area would also provide additional space for school children and the local community. The footpath through the site had been moved behind the row of parking spaces to make a safe route.
- The application was for affordable housing and was not considered reasonable or proportionate to request a contribution to upgrade the footpath..
- It was confirmed that the parking spaces were not allocated to individual dwellings.

338. The Committee discussed and debated the application, making the following comments:
- The loss of the school was regrettable, however the change from a community use to residential complied with Policy SD43.
  - Even though the local community had raised concerns regarding the design and layout, the best scheme had been achieved within the realms of what could be done.
  - This was a good exception site, and getting the best for the residents had been achieved. The town centre was a 15 minute walk away and the site was of high quality and eco-friendly with lower running costs. Raven Housing Trust were a respected organisation which provided high quality properties.
  - Potential flooding was an issue but the relevant drainage infrastructure was in place.
  - The scheme would be less dense than neighbouring development.
  - The construction methods to enable a net zero carbon development were impressive.
  - There was a missed opportunity to encourage sustainable travel and require the scheme to upgrade the footpath to a cycle route;
  - It was recognised that the scheme was for affordable housing rather than market housing and was already delivering multiple benefits;
  - Further consideration could be given to strengthening Condition 38 to improve the provision for cycle storage.
339. The members were further advised:
- Officers confirmed that the requirement for additional cycle storage could be addressed under Condition 38 as it was currently worded.
340. It was proposed and seconded to vote on the officer's recommendation.
341. **RESOLVED:** It was proposed and seconded that planning permission be granted subject to:
- I) The conditions set out in paragraph 10.1 of the report and the update sheet and a legal agreement, the final form of which is delegated to the Director of Planning, to secure:
    - i) 32 affordable homes of the following mix and tenure:
      - 2No 2-bedroom and 12No 3-bedroom semi-detached dwellings (shared ownership)
      - 4No 1-bedroom and 10No 2-bedroom flats (affordable rental)
      - 4No 1-bedroom flats (Lewes Low Cost Housing)
    - ii) Highway works associated with:
      - Access from Arundel Green including, visibility splays and closure of existing access;
      - Provision of 2No on-street parking bays on the Arundel Green Spur;
      - The new footway along Arundel Green/Arundel Green spur;
      - Removal of relevant signage/barriers and associated lines on the public highway associated with the existing school keep clear markings;
      - Crossing points across Arundel Green Spur road at its junction with Lee Road/Arundel Green Road and across the access point;
    - iii) A £5K administrative contribution towards a Traffic Regulation Order for implementation of any parking restrictions required on and/or extension to the 20mph within the site;
    - iv) A permissive foot/cycle path through the site for public use;

- v) Community use of the forest schools area.
- 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 has been made within 6 months of the Planning Committee meeting of 10 February 2022.

**ITEM 8: SDNP/21/01191/FUL – Tithe Barn**

- 342. The Case Officer presented the application, reminded Members of the report content and referred to the update sheet.
- 343. The following public speakers addressed the Committee:
  - Susan Paine spoke against the application on behalf of the Parochial Church Council of St Laurence Church, Falmer.
  - Angela Stannard spoke against the application on behalf of the Residents of Park Street.
  - Melanie Cuttress spoke against the application on behalf of Falmer Parish Council.
  - Chris Wojtulewski spoke in support of the application on behalf of Parker Dann, the agent, representing the applicant.
  - Sophie Luhr (Events Manager @ Tithe Barn) spoke in support of the application representing the applicant.
  - Mark Woolley spoke in support of the application representing himself as the applicant.
- 344. The Committee considered the report by the Director of Planning (Report PC 21/22-39), the updates and the public speaker comments and requested clarification as follows:
  - Was it acceptable to have the temporary catering marquee in its currently proposed location, due to its close proximity to the neighbouring property?
  - The exit from the village was traffic light controlled, but there was no reference in the report on what could happen at the junction. The lights are programmed with limited time to access the main road from the village, as the flow of the main road is the priority
  - Condition 26 references the hours of use for the barn. However, there was no further information on the hours of use of the other buildings. What hours of use are proposed for these?
  - Were the creative events and photoshoots covered under the existing permission or would permissions need to change? What events were currently able to take place if permission was not granted today under the 28/56 day permitted development provisions?
  - Regarding the Environmental Health no objection, was a baseline noise assessment carried out that took the A27 into account?
  - Was there any possibility of additional planting on the western edge of the site to reduce the impact of activity from car parking on the neighbours such as a hedge?
  - For the purpose of a wedding, would the barn be used for the whole event, including the service, or just the reception?
  - Was the football stadium consulted, to ensure that any events held there were not impacted by a wedding held on the same day?
  - Building B had a laboratory on the ground floor for hair products to be tested, how did this fit in with the ethos of the site?
  - Building B included holiday accommodation on the top floor and Building C was also proposed for accommodation, again how did this fit with the ethos of the site?
  - The Design Officer expressed concern that there was insufficient information on sustainability and energy strategy, was this addressed?

- Was it acceptable for Buildings C & D to be sited so far apart creating sprawl?
- Was it necessary to have such a large amount of glazing and where would it be?
- What were the combined dimensions of the buildings and what alternative uses could they have under this permission in the future?
- Could Condition 35 be amended to exclude weddings on Sunday to protect the tranquillity of the Church from events and associated preparation? Or that weddings were not held on consecutive days?
- How practical was Condition 27? Would people be happy for the doors to be closed when the weather was hot?
- Condition 27 stated that the doors would be closed at 2100 hours, could a more reasonable time be considered to perhaps 1900 or 2000 hours, with an automatic door closure device being installed?
- Would conferences be held in the barn as well as weddings and parties?
- Condition 31 referred to the modest accommodation, how long could people stay or how many days in the year could people stay?
- How were Community Infrastructure Levy (CIL) funds worked out on this application and how much would Falmer Parish Council receive?

345. In response to questions, Officers clarified:

- In addition to reducing the fire risk to the barn, it was important to also minimise the sub division of the open space in the barn. The catering marquee was not a permanent feature and the Event Management Plan would ensure minimal impact on the neighbouring properties. With the limited use of the cooking area, officers were satisfied this issue was addressed.
- ESCC Highways were consulted on the issue of traffic and were satisfied there was no severe impact on the transport network, with the flow of traffic being managed by the Events Management Plan.
- The primary focus was on the events held and use of the barn. The uses of the other buildings were of low impact (office/lab space/accommodation) and it was felt there was therefore no need to restrict the hours of use of these buildings.
- There were no existing permissions on the barn; it was still an agricultural barn. The 28/56 day rule did not apply to events hosted within buildings.
- An on-site study of existing background noise was conducted, the recommendations by the applicant's Noise consultant and Environmental Health had been interrogated, and the proposed mitigations, which would be conditioned, would go beyond the mitigation proposed by the applicant to better protect the amenities of the community.
- The management plan would ensure that parking was efficiently implemented with visitors encouraged to park on the eastern edge of the site first. The focus for day to day parking including accessible and electric charging would be in the yard.
- There was a landscaping condition in place which would allow further scrutiny of proposals for planting for the western boundary of the field.
- For a wedding service to be held within the barn a licence would be required, so was a separate issue. There was no planning restriction proposed.
- During the application process, officers worked closely with East Sussex County Council highways officers, who liaised with other stadium access management stakeholders. There was no concern expressed of any cumulative impact on the stadium of events being held on the same day as a wedding or conference.

- The collective set of buildings worked functionally together, for example, the hair products would be showcased within the studio, and there was a hair salon on site within the mezzanine in the barn to support the studio and photography events.
- Similar to the laboratory, the accommodation would support the use of the barn, whereby the bridal party or other guest could stay on site. Also, if there were consecutive days of filming, the guest accommodation could host the team. It would be restricted to guest accommodation but not tied to the use of the site, which would contribute to wider sustainable tourism aims.
- The Officer confirmed that the application met the standard of sustainability including energy performance, thermal efficiency, the use of local sustainable materials which would be secured by condition.
- With regards to the location of Buildings C & D, the proposals for the site needed to consider the relationship with other buildings. A key consideration was to keep the eastern boundary clear to protect the setting of the barn and it was also important to ensure the new and old were kept at a respectful distance. Historic mapping was used to influence the layout. Building D was a functional storage building, and the sensitivity of the courtyard justifies its location in the field.
- The majority of the glazing was on the ground floor and the gable ends which were key for natural light and lower energy use. The design alterations including adding sliding doors, and overhanging eaves minimised light spill into the Dark Night Skies.
- The dimensions of the buildings were confirmed as:
  - Building A – 7m to ridge on the higher ground Footprint 23m wide x 8.7m deep & Floor Space,
  - Building B – 7.3m to ridge footprint 17m wide x 6m deep).
  - 3m eaves heights which are comparable to lower eaves on the barn, With reference to historic building forms and historic building setting, the floor space of Building B would be smaller than the original granary. The Granary as extended is larger than proposed Building A, both in terms of height and floorspace.
- The conditions would restrict building uses. Condition 34 limited Buildings A and B to Class E (g) Office and Light Industrial use.
- Whether the limit of 30 weddings or parties per year was sufficient and the necessity of additional restrictions to prevent events being held on a Sunday would be appropriately discussed in the debate section of the meeting.
- The purpose of Condition 27 requiring the closure of the doors was to keep the noise indoors, but it would not prevent people going outside for air. As the barn was a large building it could regulate its own temperature fairly well.
- The Officer confirmed 21:00 hours was considered by officers to be an appropriate time for the doors to be closed given the sensitivities of the site, however, this could be debated by members. An automated door mechanism would likely be contrary to the special qualities of the listed building and were also not deemed necessary with a robust Events Management Plan in place.
- Conferences and other events would be held within the barn. It was also confirmed that the condition for closure of the doors applied only to weddings and parties due to the higher potential noise impact.
- Timescales were not proposed to be restricted for the use of the accommodation, provided it was used for holiday provision, and the applicant would need maintain records to ensure the correct use of short stay accommodation. Conditions on previous applications had however limited stays to 28 days and a condition could be added if members wished.

- The new guest accommodation would be CIL liable. Without a Neighbourhood Development Plan (NDP) the local Parish Council would receive 15%.
346. The Committee discussed and debated the application, making the following comments:
- An improved landscape plan with more planting was requested to prevent noise transmission from the car park.
  - Consideration was given to restriction of events on Sundays. This was not carried forward to be proposed as an amendment
  - This was a good site and venue to preserve the tithe barn.
  - The applicant lives next door so was unlikely to propose anything detrimental.
  - There were varying interpretations on the impact and value of the guest accommodation. It was agreed that records needed kept, however this was a good opportunity for the accommodation to produce CIL and was a viable income generator. However, the priority for this application was the use of the barn for weddings and conferences and studio use and the guest accommodation was proposed to support that.
  - This application regularises use of the barn which was positive, and alleviates concern expressed by local residents about previous unregulated events. The accommodation, particularly Building C is anticipated to be a good income earner for visitors to the local area and the South Downs. The 28 day limit for the accommodation needed to be included and enforced by the provision of accommodation records.
  - The A27 noise was noticeable when members visited the site, but if the open grassed area was divided with hedges this would not sit well within the surrounding countryside context. The orchard was positive.
  - Pleased to see the collaborative work with Historic England, revisions to the scheme and review of the noise impacts.
  - Looking at the overall area, including the stadium, station and cycle path, there were fantastic transport networks and linkages to capitalise on.
  - This was a good development of a special building that avoid subdivision. It is supported by a positive business plan and was an opportunity to work with and support the local community and the Church.
  - Recognise the concerns of the community, including in response to unauthorised events and on the basis of worst case predictions. The regulation of activity through management plans has proven to be an effective method. Enforcement measures are available.
  - This is an extremely important building and asset to the SDNP, there is a need to find a viable economic and sympathetic use for such a structure. Supporting buildings are recreating a historic pattern and have been designed sympathetically and subordinately. Any detrimental effects should be reduced. Concerns about the use of a marquee for catering and the related opening of the western door as this is a potential source of noise, from the catering activity and from the barn via the western doors. Yet acknowledge that there is no known satisfactory alternative.
  - Economics are an important consideration when looking after significant heritage assets.
  - The concern of the local residents was understood due to the lack of clarification of use of the other buildings..
    - a. Buildings A and B - clarification was required for the Class use of Office & Light Industrial use and the hours of use; these could be in use when something else was happening in the barn or in separate ownership. These buildings could in the future be used for a more noisy use. These buildings need to be considered fully, noting their location in the setting of the listed barn.



- b. Building B – the top floor could be used for something else, it is a not inconsiderable area and has an external stair so could be used separately.
- c. Building C - required conditions to confirm the use.

However, if problems did arise by either the applicant or residents, these needed to be addressed with the SDNPA if the conditions were not adhered to or the District Council for environmental health concerns

- Frequently villages who have experienced weddings, had expressed concerns with noise. A 200 person wedding could generate noise. A condition for the doors to be closed permanently (not just from 21:00) would benefit residents and not impinge on the use of the barn. Amplified music or speech late afternoon or early evening when the doors are open could be harmful. The closure of the doors would not likely be necessary when no amplified sound was taking place.
- The conditions needed to be tightened to minimise the impact upon the local communities. A condition, to prevent weddings on Sundays, or consecutive days, could be included to protect the Grade II\* Listed Church in the area. 200 people attending is still a large amount. Welcome a debate about reducing the guest totals to 150. Note football matches are played on a Sunday.
- Reservations were expressed on the guest accommodation but enforcement would support this.
- Ensuring and enhancing the tranquillity of the local area would be benefitted by the closure of doors during any periods of amplified sound. With regard to policy SD7 the proposal should take opportunities to enhance relative tranquillity where these exist, not reducing standards due to existing noise. Closing the doors would assist this.
- Members noted the application was proposed by an established business.
- Perhaps consideration should be given to reducing the number of guests permitted to attend an event.

347. The Members were further advised by Officers:

- That the conditions included within the report meet the required tests, including that they would be enforceable.
- It was acceptable for the restriction that the guest accommodation was limited to 28 days per guest and this can be included in the condition (32).
- The uses of Buildings A and B would be acceptable uses within a residential area and the use was restricted by Condition 33. Officers were satisfied no additional conditions on hours of use of these buildings were necessary, there is a high degree of separation between these buildings and neighbouring properties.
- 21:00 hours was the recommended time for closure of doors, members have the option to reduce the hours further if considered necessary.
- Concern was acknowledged of the close proximity of the catering tent to the neighbouring residential properties, although the benefits of the use of a temporary catering tent in this location were also recognised. Condition 30 restricted the siting of the marquee to 90 days per year.
- With regard to the 200 people condition, it was rare that a restriction was put on the amount of people accommodated within a building, but it was considered appropriate on this occasion due to the size of the venue and sensitivity of the surroundings. This cap would be secured under Condition 24. Officers were satisfied with this restriction. Members could lower this if thought appropriate.
- Weddings were restricted to 30 per year. Officers considered it was appropriate to give the applicant some discretion as to when these would take place. Where weddings were held on consecutive days this would take up some of the allowance which would result

in other days being free of events. This approach was considered acceptable by Officers. If members, in their planning judgment, considered there would be significant and deferential harm from hosting events on consecutive days a further restriction could be applied.

- Members have heard the concerns of the Church regarding Sunday closing. Officers don't regard closure on a Sunday as necessary given the planning conditions already proposed but again members have discretion on this matter.
348. After a further debate on whether amplified music or speech or both ought to be restricted, it was proposed and seconded and resolved that Condition 28 be amended so that all external doors were closed when there was amplified sound within the barn or by 21:00 in any event, with wording to be delegated to the Director of Planning to confirm.
349. It was proposed and seconded and resolved that Condition 32 be amended so that holiday accommodation was limited to 28 days per visitor in any calendar year (Buildings B and C) with wording to be delegated to the Director of Planning to confirm.
350. After a further debate, members did not propose to vote on restricting the number of guests to below 200, or to require additional screening on the western field boundary
351. It was proposed and seconded to move to a vote on the officer's recommendation amended as set out in the paragraph below.
352. **RESOLVED:** That planning permission be granted subject to the conditions set out at paragraph 10.1. and the update sheet plus the changes to the following:
1. Amendment to Condition 32 (Holiday occupation only) to reflect the fact that the holiday occupation shall be limited to 28 days per visitor in any calendar year (the final form of wording to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee)
  2. Amendment to Condition 28 (Doors Closed) so that all external doors are closed when there is amplified sound within the barn or after 21:00 in any event (the final form of wording to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee).

### ITEM 9: SDNP/21/01192/LIS – Tith Barn Listed Building Consent

353. The Case Officer presented the application, and reminded Members of the report content. There was no amendment in the update sheet to this application.
354. The following public speakers addressed the Committee:
- Chris Wojtulewski spoke in support of the application on behalf of Parker Dann, the agent, representing the applicant
355. The Committee considered the report by the Director of Planning (Report PC 21/22-40), the updates, and the public speaker comments, and requested clarification as follows:
- Had Building Control consent been given, as this building was for public use?
  - Was heating considered?
  - How temporary was the curved wall and what materials were used?
356. In response to questions, Officers clarified:
- The remit for the SDNPA was for the planning aspects of this application. Officers would work with Building Control to find a suitable resolution if any issues arose.
  - Heating options were addressed early on in the proposal, but insufficient information was available at that point to rule out detrimental impacts on the heritage assets. Therefore no heating was proposed at this time but officers would work with the applicant to look at a holistic approach for sustainable heating across the whole site in due course, including generating energy from renewable sources and reducing energy use.

- The critical criteria for this application was how the structure would be secured to the building. It would be a lightweight structure, typically timber or metal and used as a backdrop. While it was requested as a temporary structure (to enable easy removal if required in the future), retention on a permanent basis would be acceptable to officers.
357. No members volunteered matters to debate, therefore it was proposed and seconded to vote on the officer's recommendation.
358. **RESOLVED:** That listed building consent be granted, subject to the conditions set out at paragraph 9.1.

**ITEM 10: SDNP/20/04255/FUL – Field Opposite Clayton Wood Burial Ground**

359. The Case Officer presented the application, reminded Members of the report content and referred to the update sheet.
360. The following public speakers addressed Committee:
- Michelle Golds spoke in support of the application representing herself as the applicant
361. The Committee considered the report by the Director of Planning (Report PC 21/22-41), the update sheet and the public speaker comments, and requested clarification as follows:
- Had the site been in use for 18 months?
  - If the committee agreed with the recommendation, would enforcement action follow?
  - The site was not accessible for all users. How far away was the nearest residential area and how would pedestrian users access the site?
362. In response to questions, Officers clarified:
- The site had been in use for approximately 18 months.
  - The application came to the committee as a result of an enforcement enquiry. If Members agree with the recommendation for refusal then the Authority's enforcement team would take matters forward.
  - Pedestrians accessed the site via a footpath that ran down the Brighton Road, with Hassocks as the nearest developed town approximately 1KM away. Access to the site was shared with the Public Right of Way.
363. The Committee discussed and debated the application, making the following comments:
- There was mention of dog waste, and if approved there would need to be provision for dog waste.
  - An agility area would come with other props and various equipment, which if permission was granted, would change the nature of the currently agricultural field.
  - This application had inadequate information on highways matters, there was no information regarding knowledge of species within the grassland, if this information was available approval could be considered.
  - Access and visibility splays were of concern. Whilst there was a need for dog exercising fields within the countryside, this particular field was in a protected landscape and needed to be addressed accordingly.
  - Dog exercising areas were required to protect the national park and wildlife, however, this application was inappropriate due to the urbanisation and visual impact and the highways concern was an issue.
  - Approval of this application would change the nature of the field, parking would change the surface, the application was not Landscape Led and did not add peace and tranquillity to the SDNP.
364. It was proposed and seconded to vote on the officer's recommendation.

365. **RESOLVED: Recommendation:** That planning permission be refused subject to the conditions set out in paragraph 10.1 of the report.

366. Gary Marsh left the meeting at 2.20pm

**ITEM 11: SDNP/21/02014/FUL – Land at Greenway Lane**

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

368. The following public speakers addressed the Committee

- Maggie Johnston read a statement on behalf of Jonathan Jones representing the Buriton Village Design Statement Group
- Maggie Johnston spoke on behalf of Buriton Parish Council
- Alistair Harris spoke on behalf of Metis Homes as the applicant

369. The Committee considered the report by the Director of Planning (Report PC 21/22-42) and requested clarification as follows:

- Who would take responsibility for the roads?
- Was the land to the north of the application site under the same ownership as the application site?
- Page 192/193 paragraph 9.35 of the South Downs Local Plan stated that “All suitable opportunities should be taken to create a new public footpath.....” What more suitable opportunity was there, other than now, for this to be addressed?
- The public speaker Maggie Johnston suggested a deferment, would this enable a conversation between the applicant and the landowner to discuss the viability of footpath?
- What was the objective of getting to the railway bridge on the causeway?

370. In response to questions officers clarified:

- All public areas of the site would be the responsibility of the freeholders of the site via a maintenance company.
- The landowner north of the site entered into a contract with the applicant for the planning application so that the applicant would only have control of the application site and no control over the land to the north of the site. Significant efforts had already been made for a footpath to be included in the application but without success, so it was felt that a deferment was unlikely to change the situation.
- Connection to the railway bridge would allow connection to the wider rights of way network and a connection to Queen Elizabeth Country Park.

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

- A deferment should be proposed for a month, to enable further discussion between the landowner and the applicant to ensure that all opportunities to create the new footpath had been fully explored. This application was an opportunity to further open up access to the park.
- This was an excellent application with affordable housing which had the benefit of air source heat pumps, it would be disappointing to lose this opportunity due to a footpath.

372. The members were further advised:

- Officers were keen to maximise the potential from any site, but were of the view that the maximum had been achieved for this application. Developers had worked with the Authority to get to this point ensuring no door was shut to potential access in the future. However, discussions had broken down on the matter of the footpath and Officers were not confident that a deferment would make any difference.

- This site had an allocation for 8-10 houses. The developer has provided the majority of the link. Given the distance, members needed to consider whether it was proportionate that this development included the link to the railway bridge?
- The requirements of the specific wording of Allocation Policy SD62 had been met and the provision of the footpath was an aspiration detailed within the explanatory text for the policy.

373. It was proposed and seconded to defer this application

374. **RESOLVED:** That this application be deferred to allow consideration to be given by officers and the applicant as to whether the footpath link could be provided.

#### **ITEM 12: Community-Led Renewable Energy Technical Advice Note (TAN)**

375. The Officer presented the report and advised of an omission on the update sheet and the following should have been included in the update sheet: paragraph 6.3 of the TAN 'Uses locally sourced materials in construction and operation'.

376. The Committee considered the report by the Director of Planning (Report PC 21/22-43) and commented as follows:

- Could a wind map be considered to determine where wind turbines would be most suitable?
- As every Local Authority would in the near future have to collect food waste and may need to move food waste by road outside of their district to their nearest anaerobic digester, there was concern that the SDNPA did not rule out potential sites on planning terms before having considered them. Also, a digester restricted to the scale of only one farm was unlikely to be viable; there needed to be enough source material, which could come from the Local Authorities.
- Was this Technical Advice Note (TAN) a draft?
- The document is headed "Community Led..." but paragraph 1.3 referred to "householders". Was the TAN for the community or for householders?
- Could the document be reviewed so fuel poverty was included under paragraph 3.1 of the TAN?
- Paragraph 5.6 referred to bio mass boilers. These boilers had a poor reputation due to pollutants, was this taken into consideration?
- Would the title of the document be changed to "Renewable Energy" TAN
- Was it Committees role to review wind turbines?
- Was energy waste and insulation going to be included within the TAN?
- Was attention paid to the historical sites of windmills which were of various shapes and sizes. Additionally, there had been new studies where painting one of the blades black helped birds to see them.
- A cautionary approach should be applied on the proximity of ground source heat pumps around trees as they had potentially damaging impacts on tree roots and growth; this should be highlighted in Table I of the TAN.

377. Members were advised:

- When the Local Plan is reviewed an evidence based study will be required on the suitability of different areas of the Naitnal Park for wind turbines although it would be expensive to complete. Whilst it would not be implemented in the current TAN, it could be included in a future update of the TAN.
- The future increase in transport of food waste was an interesting development and would be monitored. If the digesters were major development they should go outside of the SDNP, however, each scheme would need to be considered on its own merits.

- It was confirmed the TAN was a draft for approval. Any further minor changes would be included as agreed by the Director of Planning and the Chair of the Planning Committee.
- It was confirmed that the TAN applied to both communities and householders, most fell under permitted development rights.
- A short paragraph could be included in the TAN on fuel poverty.
- Although the issue surrounding bio mass boilers needed to be considered, a discussion was worthwhile as these boilers could be a suitable form of renewable energy. Further investigation was needed around the balance between less polluting fuel sources that could not locally sourced and more polluting fuel sources but that were available more locally.
- If the title of the document would be changed, however, it was important to ensure it was not a TAN for large schemes. It was agreed that the document title would be changed to 'Small scale Renewable Energy.'
- The local plan review and the NPPF, provided governance and advice on where there was potential sites for wind turbines and would be looked at in future.
- It was confirmed that energy waste and insulation was addressed by SD48 of the Local Plan.
- An assessment of wind turbines on historical sites would form part of a Wind Energy Study. Additionally the Officer was unaware that one windmill blade could be painted to help birds but was a sensible idea and would be looked at in the future.

378. **RESOLVED:** The Committee:

1. Approved the draft Community-led Renewable Energy Technical Advice Note set out in Appendix I for publication subject to any changes proposed by the Committee and the update provided by officers.
2. Delegated authority to the Director of Planning in consultation with the Chair of Planning Committee to make any minor changes to the draft Community-led Renewable Energy Technical Advice Note.

379. Rob Mocatta left the meeting at 3.25pm

### **ITEM 13- Making of the Twyford Neighbourhood Development Plan**

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

381. The Committee considered the report by the Director of Planning (Report PC 21/22-44) and acknowledged that the completion of 40 NDP's in the SDNP was a significant achievement.

382. **RESOLVED:** The Committee:

1. Noted the outcome of the Twyford Neighbourhood Development Plan Referendum;
2. Agreed to make the Twyford Neighbourhood Development Plan part of the SDNPA's Development Plan for the Parish of Twyford

383. The Chair closed the meeting at 15:31

### **CHAIR**

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