

SDNPA Planning Committee - 8 December 2022

Planning Committee Update Sheet



Agenda Item	Page No	Para	Update	Source/Reason
7	46	5.2	<p>9 further representations have been received, including from South Downs Network and representatives of Cycling UK's Cycle Advocacy Network in South East England. These reiterate and expand on objections previously summarised and addressed in the report, including:</p> <ul style="list-style-type: none"> • Proposal will significantly increase traffic in a National Park (doubles capacity of the road) and will provide for latent demand; • Potential increase in HGV traffic; • Increased road danger; • Severance of the Cuckmere Valley; • Lack of provision for cycling, equestrians and walking, and safe provision for bus passengers; • Creates an industrial style architecture out of keeping with a rural setting; • Represents poor value for money; • Inadequate traffic modelling – has not assessed the wider impact on other parts of the A259; • Suggestion that Memorandum of Understanding to deal with negative impacts on pedestrians is a distraction; • Pedestrian crossing must be light-controlled; • Impact on Dark Night Skies; • Closure of public rights of way (note these would not be permanent and diversions would be in place); • At odds with the NPPF, Local Plan, SDNP's statutory purposes and the Government's Transport Decarbonisation Plan. <p>Officer Comment</p> <p>Whilst the proposal would enable the free flow of two-way traffic, this does not amount to a doubling of capacity of the road. Traffic modelling, including the further work undertaken to consider the impacts on the wider traffic network, have been summarised in the report to Members. As the report makes clear (paragraph 7.15),</p>	Further Representations Received

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			the MoU has limited weight at best; it is to address an existing issue, which is not wholly attributable to the proposed development. The scheme does provide some benefits for pedestrians, within its scope, as discussed in the report.	
7	59	9.3	Condition 12: additional wording proposed to enable some works to begin prior to commencement (<u>underlined</u>). Condition otherwise remains unchanged. No development shall take place <u>other than provision of the site compound</u> until a River Impoundment Method Statement has been submitted to and approved in writing by the Local Planning Authority.	Amendment
7	60	9.3	Conditions 18 - 20 inclusive: updated wording to each to enable some works to begin prior to commencement. Therefore, each would state " <u>Prior to construction work on the bridge abutments commencing above ground level</u> ", instead of "Prior to commencement". Condition otherwise remains unchanged.	Amendment
7	60	9.3	Condition 18: 'farm' replaced with ' <u>field</u> '. Condition otherwise remains unchanged.	Amendment
7	60	9.3	Condition 22: updated wording to enable new bridge to be brought into use, before existing bridge is demolished and therefore road would remain open. Condition would state " <u>Within three months of the existing bridge being demolished</u> , a verification report <u>demonstrating</u> the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority". Condition otherwise remains unchanged.	Amendment
8	80	5.1	<u>Further Representation</u> One further neutral representation has been received, raising the following queries: <ul style="list-style-type: none"> • Where will the £500K being generated by Ovingdean be spent? • How many EV charging points will there be? • Will the developers erect two no bus shelters on Greenways (north- and south-bound), adjacent to the site? • The following should be secured via condition: <ul style="list-style-type: none"> - No off-road parking for contractors on grassland, pavements or kerbs. - Construction traffic should be routed via A259 only 	Further representation received

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8	87	10.1	<p><u>Amended Condition</u></p> <p>3. Prior to the first occupation of the development hereby permitted, a Management Plan, which will include the creation of a Management Company, for the maintenance and management of the chapel building, which shall be retained as a community chapel for use by the occupants of the new development, and the wider community on request <i>with appropriate prior notice</i>, shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include long term objectives, management responsibilities and maintenance schedules, and shall thereafter be implemented in full as approved.</p> <p>etc.</p>	Amendment
8	89	10.1	<p><u>Amended Condition</u></p> <p>7. Notwithstanding any submitted landscaping details, prior to the commencement of the development hereby permitted, a detailed scheme of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in accordance with the approved development. The scheme shall include details of:</p> <ul style="list-style-type: none"> i) Proposed planting plans and strategy, including written specifications, cultivation and other operations associated with plant, grass, shrub and replacement tree establishment; ii) Schedules of plants and trees, which shall be locally characteristic, native species, achieving climate regulation and where possible maximised tree canopies, noting species, sizes; and proposed numbers/densities where appropriate; iii) Plants and compost used throughout the planting schemes to be sourced from a peat-free nursery; iv) Native seed mix for wildflower areas, which shall be informed by a soil test; v) Planting specifications for green roofs (not sedum); vi) Tree guards, tree pits and staking vii) Detailed drawings showing construction of parking spaces and tree-pit construction; viii) Climbers for northern building elevations (to improve thermal efficiency and provide habitat); 	Amendment

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			<ul style="list-style-type: none"> ix) Location of services and utilities in relation to planted areas; x) Location, height and materials/construction technique for all boundary treatments and other built means of enclosure (including gates and setbacks); xi) <i>Removal of existing metal railings along pathways;</i> xii) Retained areas of grassland cover, scrub, hedgerow, and trees; xiii) Details of the new play area; xiv) Treatment of surfaces, paths, access ways (demonstrating hierarchy of routes), courtyards, seating areas, patio areas and parking spaces, including their appearance, depth and permeability, kerbs, edges, steps and ramps, spot levels, finished floor levels, upstands and demarcation (including improvements to the appearance of the hatched area opposite the north rear entrance;) xv) Surface water interventions such as swales and rain gardens; xvi) Ancillary structures (including cycle and refuse storage); xvii) Electric vehicle charging points, which shall be well integrated with the street furniture; xviii) A timetable for implementation of the soft and hard landscaping works. xix) A schedule of landscape maintenance for a minimum period of 5 years to include details of the arrangements for its implementation <p>etc.</p>	
8	91	10.1	<p><u>Amended Condition</u></p> <p>12. Prior to the commencement of the development hereby permitted, a design stage Sustainable Construction Report shall be submitted to and agreed in writing by the local Planning Authority. The report shall include details of: i) Design stage SAP/SBEM data showing DER/BER demonstrating a reduction in predicted CO2 emissions by at least 48.62% due to energy efficiency and green energy measures across the whole development <i>over the current building performance</i> via;</p> <p>etc.</p>	Amendment

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8	95	10.1	<p><u>Further Condition</u></p> <p>24. Prior to first occupation of the development hereby permitted, details of automated black-out blinds to be affixed to the rooflights and windows shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and retained thereafter in full accordance with the approved details.</p> <p>Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve in accordance with SD8.</p>	Omission
10	114	Executive Summary	<p><u>Amended text</u></p> <p>Amend 1st bullet point of Executive Summary to clarify that Clapham village is not a defined settlement.</p> <p>The application site is a Greenfield 2.4ha site located outside <u>of any</u> settlement boundaries and situated between the A280 Long Furlong Road and the eastbound on-slip of the Clapham /A27 interchange.</p>	Amendment
10	115	1.1	<p><u>Amended text</u></p> <p>Replace “Clapham settlement boundary” with “Clapham Village envelope”</p>	Amendment
10	115	1.2	<p><u>Amended text</u></p> <p>Add the following sentence at the end of the paragraph</p> <p>“A further (unclassified) footpath runs along the southern site boundary (outside the red line area), which connects Long Furlong with the public right of way network to the east and the bus stop situated on the A27 on-slip.”</p>	Amendment
10	116	3.7	<p><u>Amended text</u></p> <p>“The glasshouses would be relocated from the existing Lansdown Nursery site and would be 35m x35m, with a height of 3.4m giving a combined area of 2444 sqm. In addition, it is proposed that existing ground levels will be raised by up to 1 metre, to provide platforms for the glasshouses <u>and other structures</u> to mitigate risks associated with high groundwater and surface water flooding</p>	Amendment
10	118	4.5	<p><u>Additional information</u></p> <p>The applicant has submitted (28/11) missing information in relation to badgers.</p>	Additional information received

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10	118	4.17	<u>Additional Consultation Response</u> The following text to be added “4.17 West Sussex Fire and Rescue Service – No objection subject to conditions”	Consultation response received
10	118	5.1	One additional representation has been received, raising concerns regarding highway and pedestrian safety, cycle parking, public transport and surface & foul water drainage	Further representation received
10	127	9.1	<u>Amended Reason for Refusal</u> Reason for Refusal 1, paragraph 1. Replace the word ‘settlements’ with ‘villages’	Amendment
10	128	9.2	<u>Amended Reason for Refusal</u> 3. The proposed agricultural worker’s dwelling does not meet the criteria of Policy SD32. In particular the scale of the horticultural enterprise is not sufficiently extensive nor does it contribute to the special qualities of the National Park. In addition, the residential dwelling on the existing site of the horticultural enterprise is within 2km of the application site and is currently available for occupation by an employee and it has not been demonstrated that the nature and demand of the horticultural enterprise proposed makes it essential for a worker to live at the site of their work. <u>No consideration of other potentially suitable and available residential accommodation in the local area. Furthermore, the proposed dwelling does not reflect a locally characteristic approach to design, and has a total habitable floor space significantly exceeding 120 sqm. The proposals would not conserve or enhance the natural beauty of the South Downs National Park. As such, the proposals are contrary to the criteria set out in Policy SD32 "New Agricultural and Forestry Workers' Dwellings", and the NPPF (2021)</u>	Amendment
10	121	7.6	<u>Amended text</u> In the first instance the Landscape Officer notes the absence of information in particular contour plans, sections, and details of landform changes. A scheme that is landscape-led would be designed to work with existing landform, would be informed by the existing drainage regime; incorporate key characteristic landscape elements such as the route of the old A27. The landscaping and landform has been designed around the proposal, as opposed to the scheme being landscape-led. This is highlighted by the proposed creation of platforms of up to 1m in height underneath the glasshouses <u>and</u>	Amendment

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			the other structures in order to mitigate against surface water flooding and groundwater levels.	
10	123	7.25	<p>Amended text</p> <p>The application is accompanied by a Flood Risk Assessment and Surface Water Drainage Report. Arun District Council Drainage Officers have considered this information and advised that insufficient site investigations have been undertaken to support the assertion that shallow infiltration is not viable at this site. In addition, Drainage Officers have identified a number of deficiencies or concerns within the submitted information including errors in the drainage calculations; proposed ground raising of up to 1m in the vicinity of underneath the glasshouses, and the other structures which may disrupt surface water flow paths through the site; discharge to Arun DC owned surface water drain and pond which would require remediation works should connection of surface water from the site be necessary; and queries regarding differences between the drainage layout and ADC mapping of drainage infrastructure in the area; lack of designed overflow from proposed irrigation pond in the south of the site to ensure no flooding offsite including A27</p>	Amendment
10	127	8.6	<p>Amended text</p> <p>With regard to site drainage, whilst the physical elements of surface water drainage may be achievable these would require substantial land raising of up to 1 metre underneath the glasshouses, and the other structures on the site. In addition the proposed drainage strategy fails to provide positive amenity or biodiversity benefits and has not been designed to benefit wildlife or provide ecosystem services</p>	Amendment
11	133 & 146	Recommendation	<p>On the basis of receiving a response from national Highways, point (2) of the recommendation to be amended as follows:</p> <p>2) No objections being received from Natural England and National highways which cannot be overcome without significant changes to the proposals, and include highways related conditions, as necessary, within the Decision Notice to be received from National Highways.</p>	Amendment
11	139	4.15	National highways have responded and raise no objection subject to conditions, however, they require more time to set out their recommended conditions. As such the recommendation to members is amended as above.	Update

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11	149	9.2	<p><u>Amend condition 11 as follows:</u></p> <p>Prior to the commencement of the development, No development above slab level shall commence until a renewable energy strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall detail the provision, implementation and maintenance of renewable energy technologies (solar PV and air source heat pumps) to be employed within the buildings. Once approved, the Energy Strategy shall be implemented and adhered to in full.</p> <p>Reason: To ensure the development has minimised its overall demand for resources and addresses climate change mitigation.</p> <p>Officer note – Certain details won't be known at the earliest outset of the build programme and this flexibility in the wording of the condition will enable details to be agreed as the scheme is implemented (eg. the specification of solar panels).</p>	Amendment
11	150	9.2	<p><u>Amend condition 18 as follows:</u></p> <p>No development above slab level shall commence until surfacing, boundary and gate details of the pedestrian/cycle links onto Longmoor Road, as shown on Plans 20173-UMC-0002-SI-DR-A-0603B, WLM-LE-HAD-XX-DR-CE-003 Rev C and WLM-LE-HAD-XX-DR-CE-002 Rev D have been submitted to and approved in writing by the Local Planning Authority. These links shall, thereafter, be constructed in full accordance with the agreed details prior to the occupation of the development and thereafter retained and maintained.</p> <p>Reason: In the interest of highway safety and character and appearance of the area.</p> <p>Officer comment – These details can be submitted whilst the construction is underway as the provision of footpaths are only key once the buildings are complete and prior to occupation.</p>	Amendment
11	151	9.2	<p><u>Replace condition 19 with the following re-worded condition (further to feedback from the Highways Authority).</u></p> <p>19. No development above ground floor slab shall commence until details of the south western pedestrian link, the south eastern footway link (including bus shelter and associated infrastructure) and removal of the hatched area adjacent to the Woolmer Road site access, as indicated in drawing numbers WLM-LE-HAD-XX-DR-CE-003 Rev C and WLM-LE-HAD-XX-DR-CE-002 Rev D, have been submitted to and approved in</p>	Amendment

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			<p>writing by the Local Planning Authority. The approved details shall be implemented strictly in full accordance with the approved details prior to first occupation of the development and retained thereafter.</p> <p>Reason: To provide satisfactory access to and from the site and improve access for pedestrians and cyclists.</p>					
11	147	9.2	<p><u>Additional condition proposed by the Highways Authority (and agreed with):</u> Prior to commencement of development, to provide details of the internal footway within the curtilage of the site to ensure that the external footway facilities provide a continuous route for pedestrians to the new units.</p> <p>Reason: In the interest of highway safety.</p>	Update				
12	161	9.1 (Table)	<p><u>Amended risk and mitigation</u></p> <table border="1"> <thead> <tr> <th>Risk</th> <th>Mitigation</th> </tr> </thead> <tbody> <tr> <td>As a result of an out of date Local Plan the National Park and the Authority is adversely impacted by speculative planning applications, which are then lost at appeal.</td> <td>The National Park Authority is not subject to the Housing Delivery test unlike other LPA's. There is therefore limited risk of Planning by appeal in relation to housing. Furthermore whilst a plan may be considered out of date by the NPPF when the local planning authority cannot demonstrate a five-year housing land supply, the 2022 Authority Monitoring Report, due to be published this month, will state that we have a deliverable housing land supply of 5.9 years. There is also a key footnote in the NPPF that states that applications within National Parks can be refused if there is a clear reason to do so (NPPF, paragraph 11).</td> </tr> </tbody> </table>	Risk	Mitigation	As a result of an out of date Local Plan the National Park and the Authority is adversely impacted by speculative planning applications, which are then lost at appeal.	The National Park Authority is not subject to the Housing Delivery test unlike other LPA's. There is therefore limited risk of Planning by appeal in relation to housing. Furthermore whilst a plan may be considered out of date by the NPPF when the local planning authority cannot demonstrate a five-year housing land supply, the 2022 Authority Monitoring Report, due to be published this month, will state that we have a deliverable housing land supply of 5.9 years. There is also a key footnote in the NPPF that states that applications within National Parks can be refused if there is a clear reason to do so (NPPF, paragraph 11).	Amendment
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