

**SOUTH DOWNS NATIONAL PARK AUTHORITY**

**PLANNING COMMITTEE**

Held at: 10.00am on 8 December 2022 at The Memorial Hall, South Downs Centre.

Present: Alun Alesbury, Heather Baker (Chair), Debbie Curnow-Ford, Janet Duncton, Therese Evans, Gary Marsh, Robert Mocatta, Ian Phillips, Andrew Shaxson, Isabel Thurston, and Richard Waring.

Officers: Tim Slaney (Director of Planning), Rebecca Moutrey (Senior Solicitor), Robert Ainslie (Development Manager), Richard Ferguson (Development Management Lead), Mike Hughes (Major Planning Projects & Performance Manager), Vicki Colwell (Principle Planning Officer), Stella New (Development Management Lead), Nicola Martin (Senior Development Management Officer), Kelly Porter (Major Projects Lead), Richard Sandiford (Head of Governance), and Jane Roberts (Governance Officer).

**OPENING REMARKS**

62. The Chair welcomed Members to the meeting and informed those present that South Downs National Park Authority (SDNPA) Members had a primary responsibility for ensuring that the Authority furthered the National Park Purposes and Duty. That 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**

63. There were none.

**ITEM 2: DECLARATION OF INTERESTS**

64. The following declarations were made;

- Richard Waring declared a personal interest in Agenda Item 7 as a member of Cycle Lewes and as a member of the Seven Sisters Country Park advisory board.
- Isabel Thurston declared a pecuniary interest in Agenda Item 7 as a Director of South Downs Commercial Operations Limited and would withdraw from the meeting for the item. Also a public service interest in Agenda Item 10 as an Arun District Councillor.
- Robert Mocatta declared a public service interest in Agenda Items 10 and 11 as an East Hampshire District Councillor.
- Therese Evens declared a public service interest in Agenda Item 13 as a Winchester City Councillor and Chair of Winchester City Council's Planning Committee.

**ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 13 OCTOBER 2022**

65. The minutes of the previous meeting held on 10 November 2022 were agreed as a correct record and signed by the Chair.

**ITEM 4: UPDATES ON PREVIOUS COMMITTEE DECISIONS**

66. SDNP/20/04118/FUL Queens Hotel, Selbourne. This Committee refused permission, however, the decision had been overturned on appeal.

**ITEM 5: URGENT ITEMS**

67. There were none.

**ITEM 6: SDNP/21/00290/FUL – MATTERLEY FARM, OVINGTON**

68. The Chair advised that the application had been withdrawn.

69. Isabel Thurston withdrew from the meeting.

**ITEM 7: SDNP/21/02342/FUL – EXCEAT BRIDGE, EXCEAT**

70. The Officer presented the application and reminded Members of the report (Report PC22/23-15) and the update sheet.
71. The following speakers addressed the committee against the application:
- Vic lent, South Downs Network.
  - Richard Churchman, representing himself as a local resident.
72. The following speakers addressed the committee in support of the application:
- Karl Taylor, East Sussex County Council.
  - Dale Poore, East Sussex County Council.
73. The Committee considered the report by the Director of Planning (Report PC22/23-15), the updates and the public speaker comments and commented as follows:
- What would be happening to the existing bridge? Was it safe for use?
  - What was riprap construction?
  - The design showed provision for pedestrians and cyclists and was sympathetic to their requirements.
  - There was about how the design of the bridge would fit into the landscape. How was this bridge different to what the design would have been if not in a protected landscape and not in the South Downs National Park? The bridge was very angular, probably delivering the lowest cost on construction.
  - If the existing bridge was repaired, how long would a road closure last?
  - Had studies been carried out on the potential increase of traffic in the local area?
  - Why did the new bridge need to be so high?
  - It was good to see that the National Coast Path had been taken into consideration so there would be a continuous path on the south side.
  - The existing bridge needed replacing. The style was similar to the existing bridge and was acceptable.
    - There were environmental benefits to less stop start traffic. For traffic calming, could double white lines be added to prevent overtaking within the 30 mile per hour stretch?
  - A functional bridge was needed over a small river to get the traffic through as fast as possible. There seemed to have been no consultation with cycling and pedestrian organisations. The last analysis of the local traffic was carried out in 2019 and the number of vehicles had significantly increased since then.
  - Given there was currently no street lighting, would the low level lighting affect the dark night skies?
74. Members were advised:
- The existing bridge would be removed. The soffit and abutments were in need of serious repair.
  - Riprap was the lining on the bank, stopping the banks washing away.
  - Four design options had been considered and flooding did have a bearing on the design. Discussions had been lengthy in obtaining the best design.
  - If repairs to the existing bridge were to take place, this would need to go back to East Sussex County Council to be considered further.

- Studies had been undertaken to review the potential increase in traffic.
- The new bridge needed to be high in construction as the area was prone to flooding. If it was lower there was a risk of flood damage to the bridge structure.
- Potential double white lines within the 30mph stretch were not for discussion as part of this application. However, a traffic management strategy was required as part of the application.
- The traffic count that was done in 2019, and had been taken into account. The new bridge would have a minimal impact on traffic but would result in a limited increase in the overall movement of traffic in the local area.
- New lighting was a safety feature for pedestrian. The two current lighting pillars would be replaced by three, and further lighting would be below the top of the bridge facing down.

75. It was proposed and seconded to vote on the officer's recommendation.

76. **RESOLVED:**

1. That planning permission be granted subject to the conditions set out in Section 9 of this report and in the update sheet, the completion of a Legal Agreement, the final form of which is delegated to the Director of Planning and the updated sheet, to secure:
  - i. Land to be secured as compensatory replacement for the SSSI (in perpetuity) and details of habitat type to be created;
  - ii. Land secured to provide biodiversity net gain (for a minimum of 30 years) and details of habitat type to be created;
  - iii. Commuted sum to be paid to SDNPA to cover monitoring of land for biodiversity net gain;
  - iv. Landscape strategy, method statement, timeframe, maintenance, management and monitoring for the SSSI compensatory land and land secured for biodiversity net gain;
  - v. Details of traffic management strategy, including gateway features and how the need for any potential future traffic management measures will be considered
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 not been made within six months of the 8 December 2022 Planning Committee meeting.

77. Comfort break was taken at 11.06am.

78. Isabel Thurston returned to the meeting.

**ITEM 8 & 9: SDNP/22/02247/FUL & SDNPA/02248/LIS- BLIND VETERANS UK, BRIGHTON**

79. The Officer presented the applications and reminded Members of the reports (Report PC22/23-16 & Report PC22/23-17) and the update sheet.

80. The following speaker addressed the committee against the applications:

- Bridget Fishleigh, Brighton & Hove City Councillor.

81. The following speaker addressed the committee in support the applications:

- Guy Dixon, as agent on behalf of the applicant.

82. The Committee considered the report by the Director of Planning (Report PC22/23-16), the updates and the public speaker comments and commented as follows:

- Given the developer would make a contribution of up to £1 million for affordable housing, were there any developments that will benefit in the local area?

- It was disappointing there was no onsite affordable housing. Why was the affordable housing claw back mechanism capped at £500k? Also, given this would be a commuted sum, how effective was the Authority at distributing these funds?
- The profit level and proposed £1 million marketing cost seemed high.
- Was this development considered policy compliant?
- This was a good use of the site, particularly given it was a listed building.
- Good use of an iconic building.
- Although buildings of this nature could be challenging to redevelop, the building seemed to be in good order. It was felt there was scope to find additional funds for affordable housing.
- It was good to see one bedroom flats and accessible housing. The energy efficiency improvements were welcomed. Although there were some traffic concerns, this was outweighed by the benefits of this development.
- What materials would be used for the doors and windows?
- Could there be a second homes policy?
- The building needed a new use as it no longer worked for the current occupants.
- There was some concern about the extent of the contribution towards affordable housing and felt that the cap on the claw back mechanism should be removed.

83. Members were advised:

- The £1 million contribution would go into a central funding pot. Its spend on developments in the local area would be dependant on suitable developments coming forward.
- Viability assessment had been done by Bruton Knowles on the developers contribution to affordable housing, there was some disagreement on the saleable square footage of the sales and Bruton Knowles also felt the sale price had been underestimated. The £500k, with an additional up to £500k through the claw back mechanism was a negotiated position following advice from Bruton Knowles and was a significant improvement on the applicant's initial position of zero affordable housing.
- The profit level and marketing costs, although at the higher end of what is considered acceptable, did fall within the accepted limits.
- The Authority carried, as did all Planning Authorities, a significant amount of funds received in commuted sums. However, this Authority was very efficient at distributing these funds, for example, through Community Land Trusts. In the development of heritage assets, it was considered normal to accept commuted sums rather than onsite provision of affordable housing.
- On balance, having considered all policies together, officers believed this was a policy compliant scheme.
- Aluminium and glass are often used for doors and windows due to the location next to the sea. There would be no policy to stop people buying second homes.

84. It was proposed and seconded to vote on an amended recommendation to delegate the grant of planning permission to the Director of Planning, in consultation with the Chair of Planning Committee, to enable further discussions and negotiations to take place with the applicant on the matter of affordable housing with the aim of removing the cap on the affordable housing sum.

85. **RESOLVED: SDNPA/22/02247/FUL**

- I. Delegate the grant of planning permission to the Director of Planning, in consultation with the Chair of Planning Committee, the grant being subject to the following;

- (i) The conditions set out in paragraph 10.1 of report PC22/23-16 as amended in the Update Sheet.
- (ii) The completion of a legal agreement to secure:
  - An affordable housing contribution of £500K.
  - A review mechanism to secure an additional affordable housing contribution to reflect the concerns of the Planning Committee.
  - A £5,534 travel plan monitoring fee.
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 not been made within 6 months of the Planning Committee meeting of 8 December 2022.

**86. RESOLVED: SDNPA/22/02248/LIS**

That listed building consent be granted subject to the conditions set out at paragraph 10.1.

**ITEM 10: SDNP/22/03525/FUL – GRAVEL PIT, CLAPHAM**

87. The Officer presented the application and reminded Members of the report (Report PC22/23-18), the update sheet and gave an additional verbal update that West Sussex County Council Highways and National Highways had removed their objections, subject to conditions, therefore reason for refusal number 6 was removed.
88. The following speakers addressed the committee against the application:
  - Sarah Linfield, Clapham Parish Council.
89. The following speakers addressed the committee in support the application:
  - Susan Leeson, as agent on behalf of the applicant.
90. The Committee considered the report by the Director of Planning (Report PC22/23-18), the updates and the public speaker comments and commented as follows:
  - Could the application be considered for non-determination?
  - How long ago was the site a gravel pit?
  - It was felt that the site was inappropriate for the development.
  - The site was necessary as a landscape buffer to the village of Clapham and needed to be protected.
  - Moving the business and house from a proposed housing development site outside of the SDNP to this site within the SDNP, which was a protected landscape, was not acceptable.
  - The proposed house design was not characteristic of the local area.
  - A deferral of the application was not considered appropriate given the fundamental principle of this development was inappropriate to the setting.
91. Members were advised:
  - The application could be considered for non-determination.
  - A number of decades ago the site was part of the old route of the A27, but the officer was unable to confirm exactly when the site was a gravel pit.
92. It was proposed and seconded to vote on the officer's recommendation.
93. **RESOLVED:**

That the application be refused for the reasons set out in paragraph 9 of report PC22/23-18 subject to the amendments shown on the Update Sheet and the verbal update at the meeting to remove of reason for refusal 6.

**ITEM 11: SDNP/22/03416/FUL – LONGMORE ENTERPRISE PARK, LISS**

94. The Officer presented the application and reminded Members of the report (Report PC22/23-19) and the update sheet.
95. The following speakers addressed the committee in support the application:
- Tim Rainbird, as agent on behalf of the applicant.
96. The Committee considered the report by the Director of Planning (Report PC22/23-19), the updates and the public speaker comments and commented as follows:
- Were the roofs of the buildings highlighted in green on the plan those proposed to have green roofs?
  - The site was already a brownfield site with large buildings, the proposed application was better than what was there already.
  - Was there scope within this application for the applicant to add further solar panels on the roofs?
  - There was no specific mention of bird or bat boxes. Was this covered in the conditions?
  - Rainwater harvesting would need to be used.
  - The application ticked many sustainability boxes following negotiations with officers. It was acceptable but could have been better, perhaps with with more attention to solar power to feed the wider area. Timber cladding on the larger building may have been good also. The standard set by this application should be minimum standard for future similar.
  - Had there been an update on trip generation on roads, taking into account the operation of the business?
  - There would be 470 new jobs created, where there were currently are none, which was excellent for the local area and employment.
  - There was good cycling and road infrastructure nearby.
97. Members were advised:
- All the roofs of the building highlighted in green were green roofs.
  - The solar panels proposed would generated 10% more energy than the buildings required and no restrictions had been applied for adding more solar panels in the future.
  - The bird and bat boxes were part of condition 17.
  - Rainwater harvesting was conditioned through drainage and landscaping.
  - National Highways and County Highways had reviewed their modelling on road use and trip generation and they were satisfied.
98. It was proposed and seconded to vote on the officer's recommendation.
99. **RESOLVED:**
- That authority be delegated to the Director of Planning to grant planning permission subject to:
- 1) The completion of a S106 Legal Agreement to secure the following:
- Travel Plan for the operational management of the site and approval monitoring fees.
  - Provision of new pedestrian links and bus stop on Longmoor Road.

### Agenda Item 3

- Provision of a financial bond to the Highways Authority in respect of ensuring the measures within the Travel Plan are met.
- 2) No objections being received from Natural England and National Highways which cannot be overcome without significant changes to the proposals.
  - 3) 3) The conditions as set out in paragraph 9.2 of this report.
  - 4) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the S106 Agreement is not completed or satisfactory progress is not being made within 6 months of the 8th December 2022 Planning Committee meeting.
100. A Comfort break was taken at 12.10 hrs,
101. Vanessa Rowlands joined the meeting at 1.16pm.

#### **ITEM 12: LOCAL PLAN REVIEW AND LOCAL DEVELOPMENT SCHEME**

102. The Officer reminded Members of the report.
103. The Committee considered the report by the Director of Planning (Report PC22/23-20).
104. **RESOLVED:**
- The Committee:
1. Noted the current uncertainty in planning and the Authority's resourcing for the Area Action Plan and Local Plan Review
  2. Recommended to the Full Authority the integration of the Area Action Plan into the Local Plan Review
  3. Recommended to the Full Authority the approval of the Local Development Scheme (eighth revision) for the South Downs National Park set out in Appendix I of this report.

#### **ITEM 13: APPEALS UPDATE**

105. The Officer reminded Members of the report
106. The Committee considered the report by the Director of Planning (Report PC22/23-21) and commented as follows:
- Could further information be given on the The Queens Pub, Selbourne decision?
  - What were the costs awarded for the Queens Pub, Selbourne?
  - Could planning reserves be used more wisely in across the Authority?
107. Members were advised:
- The Queens Pub, Selbourne decision showed the importance of not looking at individual elements of policy or developments, but rather as a whole.
  - The Queens Pub, Selbourne costs awarded were of £6,000.
  - The upcoming Member Budget workshops would cover reserves as part of Member's consideration; reserves for planning had already be reduced in previous years.
108. **RESOLVED:**
- The Committee noted the outcome of appeal decisions.
109. The Chair closed the meeting at 1:29pm.

**CHAIR**

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