

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE

Held at: 10.00am on 9 February 2023 at The Memorial Hall, South Downs Centre.

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

Officers: Tim Slaney (Director of Planning), Rebecca Moutrey (Senior Solicitor), Mike Hughes (Major Planning Projects & Performance Manager), Naomi Langford (Major Projects Officer), Chris Patterson (Communities Lead), Katharine Stuart (Planning Policy Lead), Amy Tyler Jones (Senior Planning Policy Officer), Richard Fryer (Senior Governance Officer), and Jane Roberts (Governance Officer).

OPENING REMARKS

110. The Chair welcomed John Hyland as a new Member of the Planning Committee. The Chair then 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

111. There were apologies for absence from Therese Evans and Gary Marsh.

ITEM 2: DECLARATION OF INTERESTS

112. The following declaration was made:

- Richard Waring declared a public service interest in Agenda Item 8, Brooks Road Planning Brief, as he was a Lewes Town Councillor.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 8 DECEMBER 2022

113. The minutes of the previous meeting held on 8 December 2022 were agreed as a correct record and signed by the Chair.

ITEM 4: UPDATES ON PREVIOUS COMMITTEE DECISIONS

114. There were none.

ITEM 5: URGENT ITEMS

115. There were none.

ITEM 6: SDNP/21/05619/FUL – HILLSIDE NURSERY, BURY

116. The Officer presented the application and reminded Members of the report (Report PC22/23-22) and the update sheet.

117. The following speakers addressed the committee against the application:

- Robert Murtagh representing himself as a local resident.
- Charlie Hughes, representing himself as a local resident.

118. The following speakers addressed the committee in support of the application:

- Cllr Graham Morrison speaking on behalf of Bury Parish Council.
- Paul Fender speaking on behalf of MJH Executive Homes.

119. The Committee considered the report by the Director of Planning (Report PC22/23-22), the updates and the public speaker comments and commented as follows:

- Commercial units and housing were situated in close proximity. Would there be restrictions on the time usage of the commercial units to protect amenities?

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- Garage roofing with green roofing, would it be a good site for PV solar panels? What would be best for ongoing sustainability?
- Unrestricted commercial use could have a negative impact on the SDNP. Daytime hours only working for the commercial units would seem sensible to help control impacts including vehicle movements.
- There were many positives including sustainability, water neutrality and sustainable construction.
- The long barn roof was continuous. Was there a reason for metal over wood cladding? The barn was closer to the road than the existing glasshouses.
- Drainage, (3.4) mentions discharge at lower volume. In terms of flooding, it would not be controlled. Was Condition 7 tough enough in uncontrolled conditions e.g. heavy rain and to avoid mixing foul and rainwater?
- Was electricity a planning issue? Would there be enough power onsite with the increased demand?
- Was the application considered without parking on the road in front of the development?
- Does the hedge between the farm next door and the site go all the way around the perimeter?
- This was an acceptable design, if not in a traditional design.
- The site plan incorporated a lot of hard surfaces. Sustainable Drainage Systems (SuDS) should be incorporated including filtration. Should be dealt with under Condition 7.
- There was a high dependency on off-site landscape. Would like to have seen more onsite soft landscaping, such as tree planting and hedges, rather than relying on third party provision., This included trees to the front of the site on highways land that appeared to be in poor condition, but the screening benefitted the development.
- Possibly two separate commercial units would have been better than one on the frontage, given the substantial change in levels. Detailing will be important.
- Concern over the design of the residential properties, could they have been designed to look more like local existing area properties.
- The site was dilapidated, dangerous and in need of re-development.

120. Members were advised:

- No specific timings of usage of the commercial units had been proposed. Class E(g) allowed the usage of commercial units within a residential area and therefore no reason for concern.
- Definition of the type of use Class E(g) was that the commercial units could be used in a residential area, without detriment to its amenity. A condition could be added, but would need to be necessary and enforceable. Mixed use sites are common. Environmental health can take action if usage created a public nuisance regardless of a condition. No evidence to support the need for a condition.
- Prioritising the commercial usage was important and prominence to the road advertised itself. Commercial units were the focus of the mixed-use site. Combination of materials was acceptable, samples and details of materials would be agreed. Continuous roof was considered the best solution. The selection of materials were locally inspired and could be locally sourced. Fewer buildings with meaningful gaps between were important to reflect the local pattern of development. Green roofs would provide many benefits over pitched roofs, including amenity, drainage and ecology, and the lower height would make the site appear less developed.

- While taking a contemporary approach, the proposed designs and forms responded positively to the site's particular characteristics and many local more traditional examples. The final choice of materials is subject to a condition.
- Foul and surface water sewers were separate. The proposal would represent a material reduction in discharge off site due to more sustainable ways of managing surface water on site. The highways authority and lead local flood authority would be consulted when discharging Condition 7.
- Electrical supply was not a Planning matter and subject to other regulations.
- The majority of the car parking would be provided on site in the courtyard, with integrated cycle storage, and nearby bus stops to encourage sustainable travel. No justification to restrict off-site parking. The previous business use had no on-site parking.
- The hedge between Southview Dairy Farm and the site is along the majority of the western boundary. The Management Company would maintain the boundaries and public landscaping of the development, and there would be an internal boundary for each curtilage, which would give a double boundary separation to help protect amenity.
- An informative could be placed with Condition 7 to ensure concerns were met over drainage.
- The application was policy compliant on affordable homes on a small site, which was a key part of the Local Plan.

121. RESOLVED:

- 1) That planning permission be granted subject to:
 - (i) the conditions set out in Section 9 of this report;
 - (ii) the completion of a Legal Agreement, the final form of which is delegated to the Director of Planning, to secure:
 - a. Two affordable homes on site;
 - b. Phasing plan for the delivery of the site as a whole to ensure integrated provision of the commercial floor space and affordable homes; and
 - c. Marketing programmer for the commercial element; and
 - d. Estate management plan to cover management and maintenance of communal elements.
- 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 9 February 2023.

122. Vanessa Rowlands joined the meeting at 11.07.

ITEM 7: EASEBOURNE VDS

123. The Officer reminded Members of the report.

124. The Committee considered the report by the Director of Planning (Report PC22/23-23) and commented as follows:

- Members congratulated the volunteers and the Parish Councillors of Easebourne for a sensible and considered document.
- A Village Design Statement (VDS) was a valuable Supplementary Planning Document (SPD) forming a local sense of place and characteristics, and how development will shape their future.
- It was important these documents were taken note of when considering planning applications.

- It was excellent that communities were heard in the compilation of the report.

125. Members were advised:

- VDS's had value when considering planning applications, and were also useful documents in supporting community cohesion.

126. **RESOLVED:**

The Committee approved the adoption of Easebourne Parish Design Statement as a Supplementary Planning Document.

ITEM 8: BROOKS ROAD PLANNING BRIEF

127. The Officer reminded Members of the report.

128. The following speaker addressed the committee in support of the application:

- Adrian Ross, Lewes Bridge Ward Councillor.

129. The Committee considered the report by the Director of Planning (Report PC22/23-24) and commented as follows:

- Very exciting development. Would applications come directly to the SDNPA for approval or stay with the local authority?
- Specifically who would be carrying out feasibility studies? Developer contributions would be coming forward, how would the Community Infrastructure Levy (CIL) and Section 106 be spent?
- Would there be an agreed list of CIL and S106 infrastructure projects?
- It looked innovative, set an example of collaboration, and could be applied in other places.
- Would opening up the waterways and river access involve a developer's contribution?
- What would be the next steps should it be approved?
- With the form and scale in the architectural design, there seemed no guidance to the height of buildings. How could we be confident this would be addressed sufficiently?
- Mixed ownership of the area, how can we act in land assembly, how will it be delivered?
- Flooding within zone 1 & 2, would there be a scheme to address this?
- All future changes in Lewes should be for the better with this brief.

130. Members were advised

- All medium small-scale applications would stay with Lewes and Eastbourne, who currently dealt with these applications on SDNPA's behalf, unless called in.
- Discussions had taken place with Lewes and Eastbourne Council on local projects where CIL and S106 funds could be spent, but spending involves third parties.
- The Brief would allow the SDNPA to have better and more significant conversations regarding how CIL and Section S106 funds were spent.
- Where there were opportunities within the red line of the site, then developers would need to explore how they might better relate to the water network or reveal prior network access rather than provide an offsite contribution.
- If approved it would be published and would then be a consideration in development control.
- There was a range in topography of the area, Paragraph 6.27 principle, would set the framework for a landscape led approach. Defining heights difficult, dependent upon the scale and style of the building and surrounding area.

- The document helps ensure coordination on land assembly and sites owned by multiple owners have a degree of coordination. The Brief is already having an effect.
- There had been a lot of river and protection work in Lewes since the 2000 floods as the area is an historic flood plain. Applications would need to satisfy National policy.

131. Isabel Thurston left the meeting at 11.38.

132. Isabel Thurston returned to the meeting at 11.40.

133. **RESOLVED:**

The Committee approved the post consultation Planning Brief for publication, and its use for development management purposes, subject to any comments of the Planning Committee being addressed (the wording of which is delegated to the Director of Planning in consultation with the Chair of the Planning Committee).

134. The Committee adjourned for a comfort break at 11:45.

ITEM 9: PLANNING SYSTEM CONSULTATION

135. The Officer reminded Members of the report and the update sheet.

136. The Committee considered the report by the Director of Planning (Report PC22/23-25) and commented as follows:

- Should there be positive starting response to a question, if there are significant caveats to the answer?
- Congratulations were given to the Officer for the content of the report. Should the SDNPA only be responding to the National Planning Policy Framework (NPPF) tracked changes, or include parts of the NPPF?
- Would there be coordination with other national parks on the consultation?
- Was renewable energy referring to existing or a new proposal to be agreed in question 41?
- Could the wording to answer 8 be changed, putting National Parks ahead of Green Belt, and replacing 'Green Belt' with 'Areas of Outstanding Natural Beauty'?
- With regard to Item 2.20 on page 129, could the SDNPA recommend a formula be drawn up so that Local Authorities could produce local reports from national data?
- Where feasible would we allow upgrades of sustainable energy where appropriate?
- Would on-shore wind generation be looked at, including a wind map?
- Could the recommendation be changed to 'in consultation with the Director of Planning and the Chair of the Planning Committee'?
- Health and safety ownership and responsibility should be agreed.
- Could the implications of the Housing Delivery Test, Item 2.7 on page 127 be clarified?

137. Members were advised:

- There was a need to be direct in response to government consultations, stating your primary ambition rather than caveating everything.
- Future changes to the NPPF could be dealt with once they had been finalised.
- The Document was sent out 22 December 2022 and a response was due by 2 March 2023, resulting in a significant time pressure.
- Talks with other national parks had taken place. The Chief Executive Officer (CEO) of the SDNPA would be signing off the National Parks England Document in his role as the lead Chief Executive for Planning; the SDNPA would have its own response.
- Question 41 referred to a proposed change to existing on renewable energy.

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- Appropriate scale of future onshore energy generation, including wind, was likely to be a key part of a future local plan review.
- The changes proposed to the Housing Delivery Test would mean that neighbouring local authorities would no longer need to identify and permit such high levels of development along the borders of the park.

138. As this was a response to a strategic consultation it was agreed to change the wording of the recommendation to add “in consultation with the Chair of the Authority” after ‘The Chief Executive of the Authority’ to comply with Standing Order 18 ‘Urgent Actions’.

139. **RESOLVED:**

The Committee:

- 1) Noted the Government consultation on the revised NPPF and prospectus of proposed national planning policy reforms; and
- 2) Considered and provided comments on the contents of the draft response, set out at Appendix 1, to be approved and submitted by the Chief Executive of the Authority, in consultation with the Chair of the Authority, as part of the Government’s Consultation on changes to national planning policy.

140. The Chair closed the meeting at 12.30pm

CHAIR

Signed: _____