

SDNPA Planning Committee - 14 September 2023

Planning Committee Update Sheet

Agenda Item	Page No	Para	Update	Source/Reason
6	16	5.1	<p>A further representation has been received from residents of a neighbouring property, who have submitted earlier objections, which are included in the summary at paragraph 5.1 of the report. The further correspondence raises the following additional comments:</p> <ul style="list-style-type: none"> • Insufficient evidence that the proposals are financially viable, to ensure the buildings are sustainable long term, and a genuine need for farm diversification. • Size of buildings would allow for a large number of people to visit the site for a variety of reasons (eg. yoga retreat, weddings, parties/large gatherings); consequent impact of lack of parking and overspill onto adjacent roads. • Sustainability not core in the design - energy consumption, carbon emissions, materials; more environmentally friendly to not build in the countryside. • No cost engineering of the proposals, to produce an efficient floor plan. • Impact on the tranquillity of the village. • Potential ground contamination given former use; survey required. • Padel court poorly located. • Wrongly described as a farmstead given proposed uses. • Internal spaces out of scale with intended purpose. • Unlikely to comply with Building Regulations – internal sliding wall contrary to fire and acoustic standards; window sizes. • Noise and disturbance for guests from farm machinery storage. • Tourist accommodation likely to involve staff being on hand; but no accommodation provided. <p>Their representation is also accompanied by a Technical Advice Note commissioned to assess noise impacts. A further response from the Environmental Health Officer is summarised below. An Opinion from Counsel has also been submitted and a summary of overarching points is below.</p>	Update

6			<p><u>In response to the additional representation, the Environmental Health officer has advised:</u></p> <ul style="list-style-type: none"> • No objection in principle. • They were aware of the padel court when providing an original 'no comment' response and aware there would be some noise impact. • Consider the noise levels to be moderate and would have a similar impact to any type of recreational facility. • Level of disturbance will vary considerably depending on use of the court. • May wish to consider limiting the hours of use for the court or, alternatively environmental health legislation can address any statutory nuisance. 	Update
6			<p><u>Submitted Counsel Opinion from a third party:</u></p> <p>In summary, the Opinion raises 4 overarching points as follows:</p> <ul style="list-style-type: none"> • Lack of a diversification plan required under policy SD40. • Scrutiny of policy and lack of support from individual policies (eg. SD40, SD23, SD1). • Considerations as to whether the existing buildings contribute to the character and appearance of the conservation area. • Level of information/evidence provided for Members to make an informed decision, including a noise assessment in regard to the impacts of the padel court. <p><u>Officer comment:</u> Ultimately, it is a matter of judgement as to whether the merits of the proposals justify a grant of Planning Permission, based on considering the Local Plan as a whole. It is considered that there is sufficient information to make an informed judgement on the application and that there is substantial compliance both with individual policies, such as SD40, and the Local Plan as a whole. The concerns raised will be addressed within the officer presentation.</p>	Update
6	17	6.2	<p><u>Additional document:</u></p> <ul style="list-style-type: none"> • Upham Village Design Statement (1999) 	Update

6	19	7.14	<p><u>Update following receipt of revised plans that amend roof materials, in response to advice from SDNPA consultees:</u></p> <p>7.14 Consultees have queried the consistent use of slate on the roofs of the buildings and, instead, have suggested red clay tiles are introduced and the zinc roof is replaced with corrugated metal to better reflect a traditional character. These views are supported and whilst the scheme is acceptable as proposed, revised plans for these changes have been sought from the Applicants to further enhance the scheme and Members will be updated. amended plans which make these changes have been received which are considered to be acceptable in regard to enhancing the character and appearance of the proposed building and consequently the conservation area.</p>	Amendment
6	23	9.2	<p><u>Amendment to condition 6, as follows:</u></p> <p>The swimming pool hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the dwelling known as Newlyn's Farm House and shall not be used or occupied separately or severed thereafter.</p> <p>Reason: To ensure the swimming pool is used in connection with the existing dwelling.</p>	Correction
6	24	9.2	<p><u>Amendment to condition 8 (extract below, full wording of the condition in the report):</u></p> <p>Remove criterion (e) because it is not relevant to the application proposals: e. Manner and treatment of existing frontage ditches and ha-ha feature;</p>	Correction
7	33	Recommendation	<p><u>Amended Recommendation</u></p> <p>1) That planning permission be granted <i>That authority be delegated to the Director of Planning to grant planning permission subject to</i></p> <ul style="list-style-type: none"> i) <i>Appropriate notice being given to the landowner(s) of the private access road and consideration of any issues that are raised as a result of the notification process;</i> ii) <i>The conditions set out in paragraph 10.1 of the report and the update sheet;</i> <p>and</p>	Update

			<p>iii) A legal agreement, the final form of which is delegated to the Director of Planning, to agree that the application land will not be used for any development which is contrary to the existing section 52 agreement, other than that development proposed through this application. It is also proposed that the Authority will agree not to enforce the requirement in the section 52 agreement associated with a single equestrian use in respect of the development permitted.</p> <p>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 14 September 2023.</p>	
7	36	2.1	<p>Relevant Planning History</p> <p>Application SDNP/23/03025/LDE was approved on 31.08.2023</p>	Update
7	44	10.1	<p>Planning Conditions</p> <p>10. Prior to the first use of the development hereby permitted, details of automated black-out blinds to be affixed to window and dormer openings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and retained in full accordance with the approved details for the lifetime of the development.</p> <p>Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve in accordance with SD8.</p>	Additional condition