

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE

Held at: 10.00am on 8 May 2025 at The Memorial Hall, South Downs Centre.

Present: Heather Baker (Chair), Alun Alesbury, Paul Bevan, Antonia Cox, John Cross, Debbie Curnow-Ford Janet Duncton, John Hyland, Robert Mocatta, Andrew Shaxson and Daniel Stewart-Roberts.

Other SDNPA Members: Tim Burr

Officers: Tim Slaney (Director of Planning), Robert Ainslie (Development Manager), Rebecca Moutrey (Senior Solicitor), Claire Tester (Planning Policy Manager), Robert Green (Major Planning Projects and Performance Manager) Sarah Round (Principal Planning Officer), Philippa Smyth (Principal Planning Officer), Samuel Bethwaite (Development Officer) Stella New (Development Management Lead), Kelly Porter (Major Projects Lead), Alex Pringle (Transport Planning Officer), Lynsey Robinson (Ecology Planning Lead), Richard Fryer (Senior Governance Officer) and Jane Roberts (Governance Officer).

Others: David Ingram (Service Lead, Public Protection, Winchester City Council) Abby Toms (Environment Protection Manager, Winchester City Council).

OPENING REMARKS

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. The Committee would observe a two-minute silence at 1200 noon.

ITEM 1: APOLOGIES FOR ABSENCE

219. There were apologies for absence from Gary Marsh and Stephen McAuliffe.

ITEM 2: DECLARATION OF INTERESTS

- Daniel Stewart-Roberts declared a public service interest in agenda item 11, as a Lewis District Councillor, and would leave the meeting for that item.
- John Cross declared a public service interest in agenda Item 12 as a member of the Bury Parish Council A29 Road Improvement Committee and Chichester District Councillor.
- Janet Duncton declared a public service interest in agenda Item 12 as a West Sussex County Councillor.
- Heather Baker declared a public service interest in agenda item 11 as the legal proceedings to quash the erroneous planning decision were taken in her name and would leave the room for that item.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 10 APRIL 2025

220. The minutes of the previous meeting held on 10 April 2025 were agreed as a correct record and signed by the Chair with the following amendment:

ITEM 4: UPDATES ON PREVIOUS COMMITTEE DECISIONS

221. The following updates were given by the Development Manager:

- SDNP/23/02243/FUL - Land East of South Bank, Elsted Road, South Harting was considered at Committee on 14 March 2024, a decision had now been issued.
- SDNP/23/03766/FUL - Land South of Church Road, Steep was considered at Committee on 11 April 2024, a decision had now been issued.

- Unauthorised works had taken place at Blind Lane in Lurgashall. Legal proceedings had begun and this was a live enforcement case.

ITEM 5: URGENT ITEMS

222. There were none.

ITEM 6: SDNP/24/05303/FUL - MATTERLEY FARM, OVINGTON

223. The Officer presented the application and reminded Members of the report (Report PC24/25-35) and the update sheet. A verbal update on the highways authority position was provided.
224. The following speakers addressed the committee against the application:
- Cllr David Pain representing Cheriton Parish Council.
 - Terance Jones representing himself.
 - Christopher Langford representing himself.
225. The following speakers addressed the committee in support of the application:
- Nina Lloyd the agent.
 - Shula Rael the applicant.
 - Jimmy Hobbs speaking as a local resident.
226. The following extra Speaker addressed the committee:
- Cllr Neil Bolton Upper Meon Valley Ward of Winchester City Council.
227. The following SDNPA Member addressed the committee:
- Jerry Pett.
228. The Committee considered the report by the Director of Planning (Report PC24/25-35), the updates and the public speaker comments and commented as follows:
- In relation to the Biodiversity Net Gain (BNG), and the Biodiversity Landscape and Ecology Mitigation and Management Plan (BLEMMP), would it be more appropriate to consider a one-year permission as there was no BLEMMP, rather than approving a five-year permission?
 - The lack of an agreed BLEMMP was an issue. A festival on a Site of Special Scientific Interest could be justified only by substantial BNG benefit. Should the decision be deferred until the committee had sight of the BLEMMP, and an update provided on the licencing review?
 - If the existing consent expired in December 2024, was it correct that this year's event could not take place without permission?
 - This was a major application with a significant amount of information taken on trust. There was concern the application was premature, however building works would need to start shortly. Members were being asked to make a decision with information lacking.
 - Would the BLEMMP be completed before the start of the festival?
 - Full information should have been supplied by the applicant. Further information was needed to make a balanced view on the application.
 - Could further details be provided on the grant schemes offered to local residents.
 - The purpose of the SDNP was to build cultural heritage, could that manifest in enhancing the built cultural heritage?
 - The 163 letters of support for the application suggested that the applicant supported communities well.

Agenda Item 3

- The applicant needed to ensure they had complete information in their submission for the committee to make a decision. Would support a one-year permission on the current evidence submitted, but not a five-year permission.
- The festival gave a lot of pleasure to a lot of people, with the site had been demonstrated to be returned to its original state post event. Confident that officers could deliver the necessary agreements and permissions and happy to delegate on that basis.
- Could the current licence be extended for a further year to enable the applicant to provide the missing information?
- If the recommendation was approved, could Officers confirm that Members would have declared that they had taken into account the environmental information as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- The debate was in public as it was in the public interest. Would not want the decision to be made away from the public gaze.
- Could a condition be added to require all the information was provided prior to any work starting on site?
- Could there be an examination of the grant scheme to determine the value of the financial benefit provided?
- Could clarity be provided on whether the Section 106 agreement would need to be signed before any development could take place.
- Would the issues raised by the public speaker on ground nesting birds be addressed by the outstanding agreements?
- Was it correct that the ornithology report from Mr Jones was not used in the assessment?
- Was it appropriate to increase the numbers attending the festival with only one-year's approval?
- Did the ticket sale numbers include the crew?
- Would a deferment to agree a five-year permission deliver a more satisfactory BLEEMP than one delivered as part of a one-year permission?
- Could the one-year BLEEMP be included as part of a five-year BLEEMP next year, or would it require a new submission?

229. Members were advised:

- A one-year permission could be considered. Officers were of the opinion that a five-year BLEEMP would provide greater opportunity for benefits and mitigations to be delivered. There would be a balance to be struck in regard to the length of permission and the environmental gains.
- The police requested that the licence be called in for review, however that call in request was later withdrawn.
- The previous approval in 2019 had secured a Landscape and Ecology Management Plan (LEMP) which had provided enhancements and benefits. Officers were keen to include BNG this time, which was a complex negotiation with the applicant to deliver combined mitigations and enhancements.
- It was at the applicant's risk to hold the event without planning permission.
- The officer expectation was that the BLEEMP would be signed and agreed before the start of the festival.

- The information on grant schemes was available on the applicant's website and local parish councils had previously benefitted. This was not secured by the application but demonstrated a desire by the applicant to engage with the local community and local charities.
- There was a balance of conserving and enhancing in regard to Purpose one of the National Park, and a number of different elements could be considered as to what enhancements could be achieved.
- There was a cultural heritage aspect to the application.
- It was not unusual for an application of this size not to have everything secured at this stage. Nor was it unusual for this committee to delegate authority to the Director of Planning to secure such details in conjunction with the chairman of the committee.
- BNG may be applicable.
- There was a distinction between a BLEMMP and an Environmental Impact Assessment (EIA). The EIA had been produced and officers were satisfied with it.
- The BLEMMP would be approved and in place before the festival took place, and that would be within the s106 agreement.
- There was a community statement within the application on the grant scheme and its monetary value and officers would revisit that.
- The Authority's ecologist had examined the details submitted on ground nesting birds and this would be included within the BLEMMP.
- The County ecologist was aware of the ornithology report by Mr Jones and had regard to it as part of their assessment. It would need to be checked by a third party to make sure it was relevant.
- A one-year BLEMMP would be for one year only, and it would need to be revisited to consider proportionality.
- The ticket sale numbers of 75,000 included the crew.
- Any BNG element would be a 30-year plan.
- The five-year BLEMMP would provide a solid picture, however a one-year agreement would provide the opportunity to see the impact of the extra numbers.
- The one-year BLEMMP could not be included as part of a succeeding five-year application as it would mean a new separate application.

230. It was proposed, seconded and approved that authority be delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to grant planning permission for 1 year subject to an appropriate Section 106 agreement, which was delegated to the Director of Planning in consultation with the Chairman to secure, and conditions and that permission be refused in the event that the permission was not granted prior to construction.

231. **RESOLVED:**

- I. That authority be delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to grant temporary planning approval (for 1 years) subject to:
 - i) A Section 106 Agreement, the final form of which is delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee to secure:
 - A Biodiversity Net Gain, Landscape and Ecology Mitigation and Management Plan incorporating appropriate benefits in relation to Biodiversity Net Gain, the landscape and ecology of the application site;
 - Retention of all the improvements secured as part of Planning Application

SDNP/18/06249/FUL and through the Section 106 Agreement dated 16 December 2019;

- A Wastewater Strategy together with monitoring regime and evidence ensuring scheme achieves nutrient neutrality;
 - ii) The conditions set out at paragraph 9.1 which may be amended by the Director of Planning in consultation with the Chairman of the Planning Committee to accommodate any necessary minor changes;
2. That the Committee confirm in reaching their decision that they have taken into account:
- The environmental information as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017;
 - All matters referred to in the Director of Planning's report including comments received from statutory consultees and other interested parties, and
 - All other material considerations.
3. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the Section 106 agreement is not completed prior to the start of the construction works associated with the 2025 festival event.
232. The committee adjourned for a comfort break at 11.47am
233. Two minutes silence was observed for VE Day 12:00 noon.

ITEM 7: SDNP/23/04993/FUL - LAND AT ELM RISE, FINDON

234. The Officer presented the application and reminded Members of the report (Report PC24/25-36) and provided a verbal update. A correction to the report was provided as paragraph 5.8 referred to 'condition 24', it should have read 'condition 25'.
235. The following speakers addressed the committee against the application:
- Samantha King representing herself as a local resident.
 - George Smith representing himself as a local resident.
236. The following speakers addressed the committee in support of the application:
- Mark Symonds from Flo Consulting.
 - Matt Hoad from Cayuga Developments Ltd.
 - Simon Bareham from Lewis and Co Planning.
237. The Committee considered the report by the Director of Planning (Report PC24/25-36), the updates and the public speaker comments and commented as follows:
- Could officers comment on the public speakers comments that further alterations had been discussed involving the relocation of the flats to the north east.
 - Was there still an outstanding objection from the Local Flood Authority?
 - Could further detail be provided on the road grills?
 - What was the profile of the swale?
 - Who would deal with flooding on site should it occur?
 - If there was flooding off site, who would be responsible?
 - Why was it decided to build on the lower end of the site? Was it because of the views? Was the best flood defence being offered?
238. Members were advised:

- The officer could not comment upon the potential relocation of the flats to the north east as the Authority had not been involved in any such discussions. The applicant could submit a revised application in the future if they wished.
- There was only one outstanding objection which was around groundwater testing, this would need to be done as part of a pre-commencement condition.
- There were road grills and dropped curbs. Should there be excess water it would drop off the curb, into the road grill and to the swale, which was a 1/3 profile in line with the Construction Industry Research and Information Association SuDS guidance. The drainage strategy was conditioned
- A management company would be responsible for maintaining the entire surface water scheme and deal with any flooding onsite as detailed in condition 24. There would be a service charge for residents that would fund the management company.
- The Lead Local Flood Authority would be responsible for any flooding off site, and they would have to sign off the condition within the application.
- The allocation policy stated development should be focused to the south and west of the site. Flood defences had been considered with the applicant and the Local Flood Authority and had been conditioned.

RESOLVED:

- 1) It was recommended that Planning Permission be granted subject to:
 - i) A Section 106 Agreement, the final form of which was delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to secure:
 - a. 50% Affordable Housing Units as set out in the previous committee report, Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet
 - b. The creation and dedication of a Public Right of Way across the site connecting Elm Rise with Stable Lane.
 - c. Off-site highway works.
 - ii) The original conditions as set out at paragraph 9.1 of the previous committee report, Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet
 - iii) The additional conditions as set out in paragraph 9.1 of this report.
- 2) That authority be delegated to the Director of Planning to make minor amendments to conditions pursuant to ii a iii above as required, subject to the resolution of the s106 agreement.
- 3) That authority be delegated to the Director of Planning to refuse Planning Permission, with appropriate reasons, if the legal agreement is not completed, or insufficient progress made, within six months of the 08 May 2025 Planning Committee meeting.

ITEM 8: SDNP/24/05059/LDP - THE SPRINGS, EDBURTON

239. The Officer presented the application and reminded Members of the report (Report PC24/25-37) and the update sheet.
240. The following speakers addressed the committee against the application:
 - Jeremy Holt representing residents of Edburton.
 - Jonathan Dawe representing himself.
241. The Committee considered the report by the Director of Planning (Report PC24/25-37), the updates and the public speaker comments and commented as follows:
 - Could landscape impact be considered as permitted unlawful use?

- Who was dealing with the removal of the hedge.
- Should Article 4 direction be considered?
- Paragraph 3.2 stated the proposed dates were 24 days, which would normally be covered by permitted development. Was it that other facilities were to be left on site that meant a certificate was required? Paragraph 3.1 stated 60 days. Would permission be granted for 24 or 60 days?
- Should the current enforcement investigation be taken into consideration?
- There was uncertainty around the background information on access and its practical usability, could the site be accessed lawfully?
- Should the lawful development certificate be granted could an article 4 direction be subsequently added to prevent camping taking place?

242. Members were advised:

- The committee could not consider landscape impact on merits of a lawful use.
- Enforcement officers were dealing with the removal of the hedge and works being carried out on site., This is not part of this certificate of lawfulness application and not for consideration.
- There was no requirement for the applicant to apply for a lawful development certificate. Permitted development rights only required the applicant to notify the local planning authority as to what dates the lawful use would be carried out and to comply with the requirements of the Habitats Regulations. If a certificate of lawful development had not been applied for, the applicant would still need to comply with these other requirements.
- Access was not one of the matters required to be considered under this application, however there was already a lawful existing access to the site.
- It is correct that other authorities have introduced an Article 4 Direction to control camping. Article 4 directions were not usually applied retrospectively due to issues around compensation.
- A wider debate around all Article 4s in the SDNP, including whether or not the existing Article 4 should be extended to include camping, could be brought to Members at a later date.

RESOLVED:

- 1) That authority be delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to grant and issue a Certificate of Lawful Use for the application reference SDNP/24/05059/LDP, subject to:
 - i) The prior positive determination of associated application (SDNP/25/01262/HRA) under the Regulations 75 to 77 of The Conservation of Habitats and Species Regulations 2017.
 - ii) Consideration of any substantive issues that are raised as a result of a 21 day notification process associated with submission of a revised plan. The final form of the certificate is delegated to the Director of Planning to issue.
- 2) That authority be delegated to the Director or Planning to refuse to grant a Certificate of Lawful Use for the application reference SDNP/24/05059/LDP in the event that:
 - i) the associated application (SDNP/25/01262/HRA) under the Regulations 75 to 77 of The Conservation of Habitats and Species Regulations 2017 is refused.
 - ii) in the event that substantive issues are raised following the notification process such that the legal tests are not met.

182. John Cross left the meeting at 13.12pm

ITEM 9: SDNP/24/03835/FUL - LAND AT THE STREET, WASHINGTON

183. The Officer presented the application and reminded Members of the report (Report PC24/25-38) and the update sheet.

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

- Emma Beard, Ward Member from Horsham District Council – representing her local community.
- Cllr Jason Thomas representing Washington Parish Council and local residents.
- David Horwood representing himself and local residents.

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

- Megan Smith from ECE Planning, Planning Agent.
- Huw James from ECE Planning, Planning Agent.
- Mike Jones representing himself as a local resident.

186. The Committee considered the report by the Director of Planning (Report PC24/25-38), the updates and the public speaker comments and commented as follows:

- Were the four non-affordable houses to be rented or sold?
- Parking was of primary importance, there were 16 spaces for 8 houses. Visitor's cars on street parking could prove difficult due to the number of cars already using the road to park.

187. Members were advised:

- The four non affordable houses would be open market dwellings.
- On street visitor parking was deemed acceptable on balance due to the ad hoc nature of visitor parking. There was no objection from the Highways Authority.

RESOLVED:

- 1) That planning permission be granted subject to the conditions set out in paragraph 9.1 of the report and the 8 May Committee Update Sheet, which may be amended by the Director of Planning in consultation with the Chairman of the Planning Committee to accommodate any necessary minor changes, and the completion of a legal agreement, the final form of which is delegated to the Director of Planning, to secure:
 - i) One affordable home of the following size and tenure:
 - 2-bedroom house (affordable rent for rural workers based in the National Park)
 - ii) Securing water neutrality measures including the offsite installation of flow restrictors; Management of the common areas of the site; and
- 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 May 2025.

188. The meeting adjourned for lunch at 13.55pm.

189. The meeting restarted at 14.24pm.

ITEM 10: SDNP/24/02350/FUL – LANCING COLLEGE, LANCING

190. The Officer presented the application and reminded Members of the report (Report PC24/25-39) and the update sheet.

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

- Mark Milling, Bursar, representing Lancing College.

192. The Committee considered the report by the Director of Planning (Report PC24/25-39), the updates and the public speaker comments and commented as follows:
- They were uncomfortable with the recommendation for approval with an objection from Historic England on heritage grounds.
 - The applicant had taken on the advice to change the colour and planting. The site did not affect the view from the A27. There was a difference of opinion on whether it would impact the view of the Chapel.
 - Would it be better to plant full size trees, particularly around the views which are were seen as more contentious?
 - The application did not appear compatible with SDNPA purpose one, to enhance a heritage asset.
 - It seemed acceptable to build the dome in the lower levels of the site.
 - The application would help the school create improved facilities, attracting more students and would so help fund the upkeep of the heritage asset.
 - It was a school chapel and there are facilities that come with a school. The mitigations appeared to be appropriate.

193. Members were advised:

- Condition 5 could be amended to seek that larger trees were sourced for initial planting. A proportional approach would need to be discussed including the cost and the impact of planting full size trees.

RESOLVED:

- 1) That planning permission be granted subject to the conditions set out in paragraph 10.1 which may be amended by the Director of Planning in consultation with the Chairman of the Planning Committee to accommodate any necessary minor changes.

194. Daniel Stewart-Roberts, Janet Duncton, Heather Baker and Antonia Cox left the meeting at 14.53.

195. John Hyland assumed the role of chairman of the meeting.

ITEM 11: SDNP/23/00526/OUT – NORTH STREET INDUSTRIAL ESTATE NORTH STREET LEWES

196. The Officer introduced the report and update sheet and provided the latest update on court proceedings (Report PC24/25-40).

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

- Peter Earl representing Friends of Lewes.
- David Attwood speaking as Chair of the Lewes Conservation Area Advisory Group.

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

- Gareth Giles of Whaleback Planning Consultants representing the applicant.

199. The Committee considered the report by the Director of Planning (Report PC24/25-40), the updates and the public speaker comments and commented as follows:

- Who was the applicant in the judicial proceedings?
- Should the high court quash the application and the recommendation be approved, would the decision come back before the committee again?
- This was an important strategic development site, the area had been awaiting development for a long time and homes were needed in the area. It was important to encourage and facilitate development and expedite a resolution.

- Uncomfortable with a major decision being taken as a delegated decision.
- Unseen adaptations could be made to the plan if done behind closed doors as it would not be subject to public scrutiny, which was important to the residents of Lewes.

200. Members were advised:

- Heather Baker, Chair of Planning Committee was the applicant in the judicial proceedings, and it was the SDNPA that applied for the Judicial Review.
- There was currently no application to be considered. If the high court were not to confirm the consent order the permission granted would stand. If the high court confirmed the consent order, the previous permission would be quashed and the recommendation was for you the Committee to delegate authority to the Director of Planning, in consultation with the Chairman of the Committee to redetermine the application.
- The application had been before the committee twice before, with two thorough debates and the SDNPA was in a robust position to make a delegated decision.
- It was confirmed the plans and drawings had not changed.

RESOLVED:

- 1) That the updates contained in this report were noted by the Planning Committee.
- 2) That, subject to the quashing of the Planning Permission reference SDNP/23/00526/OUT, authority be delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to consider and redetermine the planning application and take any other necessary associated decisions.

201. Tim Burr joined the meeting and Heather Baker rejoined the meeting at 3.20pm.

202. Heather Baker assumed the role of chairman of the meeting.

ITEM 12: COMMUNITY-LED APPROACH TO TRAFFIC SOLUTIONS GUIDANCE

203. The Officer presented the application and reminded Members of the report (Report PC24/25-41) and the update sheet.

204. Daniel Stewart-Roberts rejoined the meeting at 3.39pm

205. The Committee considered the report by the Director of Planning (Report PC24/25-41), and the updates and commented as follows:

- Welcomed its presentation to the committee, as the SDNPA was not a highways authority, and was pleased to see the importance of travel recognised.
- Was the table on page 372, on grading interventions, finished?
- Would local highways authorities have to adopt the document?
- Only three pilots were listed, there was much more information that could have been consolidated. Parish councils may have been able to provide more input.
- The document gave the impression that highways authorities were keen to work with parishes, but experience was that co-operative working between parishes and county councils was sometimes difficult.
- Members of the Sustainable Communities' Fund were looking at reducing the use of faux-wood plastic for signage as whilst it was good for maintenance it was not sustainable.
- Veneers on road surfacing can quickly deteriorate and would suggest that they be avoided.
- Lighting at pinch points must be considered as the intervention may be dangerous without it.

- Communication between parish and county councils was key, especially when there were areas either side of the Park boundary.

206. Members were advised:

- The table on page 372 was a placeholder of the table structure, rather than a finished table.
- The document was intended as a continuation of the protocol for management of highways within the Park and would feed into the decision making of local highways authorities. There was a high-level memorandum of understanding that had been agreed with the highway authorities. They would not be formally asked to adopt this document, and there was no mechanism to force that adoption, but the Section 245 duty of the Levelling-up and Regeneration Act 2023 applies to highway authorities and this document would enable them to demonstrate they have complied with the s245 duty.

207. **RESOLVED:**

- 1) To approve the Community-led Approach to Traffic Solutions guidance and Catalogue of Interventions documents (attached at Appendix 1 and 2);
- 2) To delegate authority to the Director of Planning to make amendments to the wording and costs within the Catalogue of Interventions (attached at Appendix 2) to reflect future changes in estimated costs of intervention schemes and changes in Local Highway Authority policy.
- 3) To delegate authority to the Director of Planning to make minor amendments to the wording and formatting within the Guidance Document and Catalogue of Interventions prior to publication. Any such amendments shall not alter the meaning of the document.

208. The Chair closed the meeting at 15.43pm

CHAIR

Signed: _____

