

SOUTH DOWNS NATIONAL PARK AUTHORITY

PLANNING COMMITTEE

Held at: 10.00am on 11 July 2024 at The Memorial Hall, South Downs Centre.

Present: Heather Baker (Chair), Tim Burr, Antonia Cox, Alun Alesbury, John Cross, Debbie Curnow-Ford, John Hyland, Gary Marsh, Robert Mocatta and Andrew Shaxson.

Officers: Mike Hughes (Director of Planning (Interim)), Rebecca Moutrey (Senior Solicitor), Robert Ainslie (Development Manager), David Boyson (Conservation Officer), Richard Ferguson (Development Management Lead), Philippa Smyth (Principal Development Management Officer), Claire Tester (Planning Policy Manager), Richard Fryer (Senior Governance Officer) and Jane Roberts (Governance Officer).

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.

ITEM 1: APOLOGIES FOR ABSENCE

1. There were apologies for absence from Janet Duncton, Stephen McAuliffe and Daniel Stewart-Roberts.

ITEM 2: DECLARATION OF INTERESTS

2. The following declarations was made:
 - Debbie Curnow-Ford declared a public service interest in item 7 as a Hampshire County Councillor (HCC).
 - Robert Mocatta declared a public service interest in item 7 as an East Hampshire District Councillor, and as a Hampshire County Councillor. He declared a personal non-prejudicial interest in item 7 as he was acquainted with the public speakers representing Buriton Parish Council.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 13 JUNE 2024

3. The minutes of the previous meeting held on 13 June 2024 were agreed as a correct record and signed by the Chair.

ITEM 4: UPDATES ON PREVIOUS COMMITTEE DECISIONS

4. The decision for SDNP/21/0409/OUT, Petersfield Gold Club, had been issued on 21 June. The reason for refusal was read out to Members.

ITEM 5: URGENT ITEMS

5. There were none.

ITEM 6: SDNP/23/05134/FUL – DITCHLING RUGBY CLUB, DITCHLING

6. The Officer presented the application and reminded Members of the report (Report PC23/24-40) and verbally updated that there had been no further comment from the Highways Authority, and that the recommendation for refusal remained unchanged.
7. The following speakers addressed the committee against the application:
 - Mary Flynn speaking on behalf of the Ditchling Society.
 - Cllr Richard Stapleton speaking on behalf of Ditchling Parish Council.
8. The Committee considered the report by the Director of Planning (Report PC23/24-05), the updates and the public speaker comments and commented as follows:

- Could a plan showing the existing and proposed topographical changes be provided?
 - There was reference from one of the public speakers to the potential submission of incorrect details on the application. Could the application still be considered or would there need to be a resubmission?
 - The application was an urbanisation of a rural site.
 - The removal of hedges on Clayton Road would change the overall environment and landscape profile of the area both on and off site. The change of profile of the landscape would be permanent.
9. Members were advised:
- The topographical plan of the existing site was displayed with the lighter orange area indicating the area to be cut out and the darker orange area indicating where it would be placed, to change the levels on the site.
 - The suggestion of incorrect application details would not affect the Committee's determination of the application but may delay the issue of the decision notice.
10. **RESOLVED:** The Committee refused permission for the reasons set out in paragraph 9 of report PC23/24-40.

ITEM 7: SDNP/24/00588/CND - LAND NORTH OF A3 JUNCTION, PETERSFIELD

11. The Officer presented the application and reminded Members of the report (Report PC23/24-41).
12. The following speaker addressed the committee against the application:
- Cllr Helen Hill speaking on behalf of Buriton Parish Council.
13. The following speakers addressed the committee in support of the application:
- James Kon, Legal Director from Asserson Law Offices Legal Director, speaking on behalf of the applicant.
14. The Senior Solicitor clarified the law on Section 73 noting that the prior government guidance stated that it applied only to minor material amendments. Recent case law had changed that position and that it could be used for more significant alterations.
15. The Committee considered the report by the Director of Planning (Report PC23/24-06) and the public speaker comments and commented as follows:
- Would it be possible to support the plan but to change the detail of the gas and electricity substation by having it removed?
 - Would there be any screening from the biogas generator and electric vehicle (EV) charging points, and if so of what dimensions?
 - What would be the impact be on the Dark Night Skies (DNS)?
 - There was a concern around an intensification of vehicular traffic in the area as it became more of a destination and the resulting impact on tranquillity and DNS.
 - The application increased the commercial space, would this be fed into the BNG calculation?
 - With reference to the conditions, in particular condition 13, the development should be operated and maintained in perpetuity by the off-grid system. Only in exceptional circumstances should power from the national grid be relied upon. How would exceptional be defined? Would the site be too power hungry to be self-sufficient?
 - Condition 13 was clear on the operation of the site, anything to the contrary would be a breach of the condition. How could adherence of condition 13 be measured?

Agenda Item 3

- Sustainability was the deciding factor for the inspector with the development entirely off grid. Why was the substation included in this application not included in the original application?
- Would the applicant wish to demonstrate their green credentials with evidence to their sustainability?
- Pleased to hear that the view from Buter Hill would be similar to that under the previous scheme.
- Would there be a visual impact on the landscape, with the increase in solar panels. Could they be conditioned to be non-reflective and matt?
- The site had shrunk in its green aspect, with changes throughout the site. It was an intensification with it becoming an out-of-town destination, which could become a problem, especially so close to Butser Hill.
- The Inspector in the planning appeal had given important weight to the off-grid nature of the scheme. Debateable whether this was now the case given the two substations now proposed and which were not in the appeal scheme. Clarity was required around this.

16. Members were advised:

- There would be no additional screening for the EV charging points. There would be an area roped off during delivery times whilst articulated lorries were coming and going.
- The substation could not be removed from the plan and the substation was a minor point of the wider changes under consideration. Conditions 10-14 outlined the off-grid nature and sustainability of the scheme.
- The semi-circular window openings on the commercial buildings were suitably recessed to not impact DNS with one skylight on the buildings, that would be insignificant. Condition 23 covered the lighting strategy and details, at the appeal, and the inspector said the lighting was suitable and did not affect DNS.
- DNS was contested at the appeals stage, the number of lights, specification and luminosity, and there had been no material change from the previous application.
- BNG credits (within the National Park) would be negotiated by officers as part of the section 106 agreement.
- The increased footprint of the commercial floor space was internal and would not affect the BNG credit calculation as no additional external space was being utilised.
- The purpose of the second 106 agreement would be to secure what had previously been agreed.
- With regard to condition 13, the inspector did not define exceptional in the appeal decision. Condition 13 was geared around the development being an off-grid scheme. The Authority would have enforcement powers available if it was not adhered to.
- Condition 13 was as used by the inspector and 'the inspector had taken the view that there was minor landscape harm which was offset by the environmental benefits of the proposal.
- It was noted that a change to condition 13 was not the subject of this application.
- The changes to the built development were the key changes under consideration.
- The solar panels were covered by conditions 3 & 4 on materials, and they required that they be made of a non-reflective material.

17. It was proposed and seconded that the application be deferred to allow the applicant to address the Committee's concerns over the proposed substations and the off-grid nature of the site.

18. A proposal to amend the proposal to defer to include reference to intensification of the site was withdrawn.
19. **RESOLVED:**
That the determination of the planning application be deferred in order for the applicant to have the opportunity to address the Committee's concerns in relation to the introduction of substations.
20. The Committee adjured for a comfort break at 11.41am.
21. Tim Burr joined the meeting.

ITEM 8: SOMPTING CONSERVATION AREA APPRAISAL & MANAGEMENT PLAN (CAAMP)

22. The Officer reminded Members of the report (PC23/24-42) and the update sheet and provided a verbal update noting Para 1.3 and 1.7 which currently read 'Arun District Council' should be 'Adur District Council.'
23. The Committee considered the report by the Director of Planning (Report PC23/24-07) and the updates and commented as follows:
- Had the boundary changed in this review from the previous proposal?
 - Comments were made about the definition of significance on page 96.
 - A good and useful piece of work that should be endorsed and adopted.
24. Members were advised:
- There had been no boundary change from the previous proposal to this proposal.
25. **RESOLVED:** The Committee:
1. Adopted, subject to the corrections set out in the update sheet and any other changes proposed by the Committee, the Sompting Conservation Area Appraisal and Management Plan, attached at Appendix 2 to this report, for the purposes of Development Management and to inform the other activities of the National Park Authority and its partner organisations, insofar as it relates to that part of the Conservation Area north of the A27 which lies within the South Downs National Park.
 2. Delegated authority to the Director of Planning to make any minor changes necessary to the Sompting Conservation Area Appraisal and Management Plan.
26. The Chair closed the meeting at 11.58pm

CHAIR

Signed: _____