

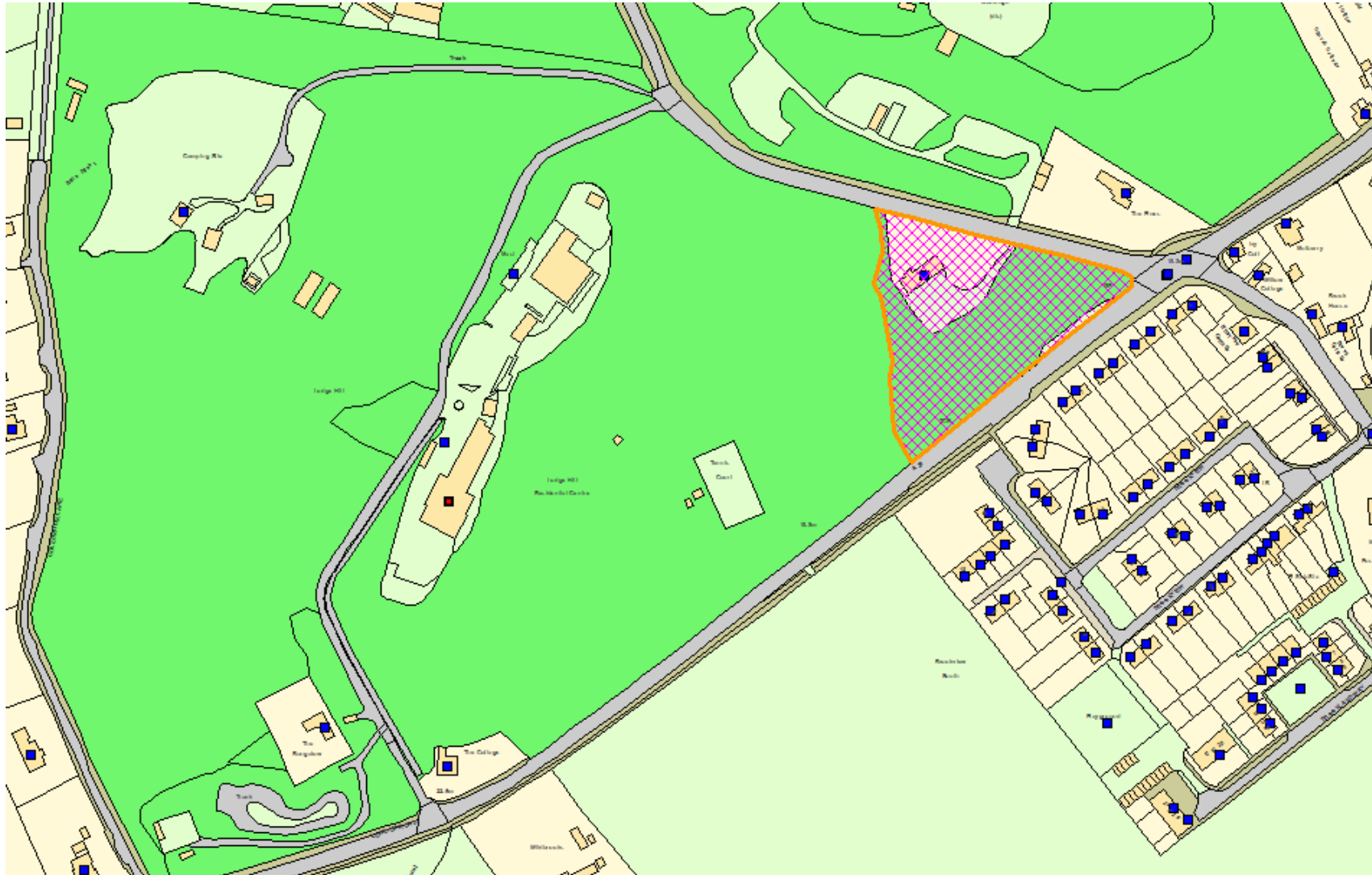
Agenda Item 8
Report PC21/22-49

Report to	Planning Committee
Date	14 April 2022
By	Director of Planning
Local Authority	Horsham District Council
Application No	SDNP/21/00627/OUT
Applicant	Lodge Hill Charitable Trust
Application	Outline application, with all matters reserved, other than means of access, for the construction of up to 5 dwellings to enable improvement and capital works at the Lodge Hill Centre
Address	Lodge Hill Education Centre, London Road, Watersfield, Pulborough, West Sussex RH20 1LZ

Recommendation:

- 1) That permission be granted subject to the conditions set out in paragraph 10.1 of the report and a legal agreement, the final form of which is delegated to the Director of Planning, to secure:**
 - i) Proceeds from the sale of the land for essential maintenance works to the Centre;**
 - ii) A Water Neutrality Offsetting Strategy to be submitted and approved in writing prior to first occupation of the development;**
 - 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 not made within six months of the Planning Committee meeting of 14 April 2022.**
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Site Location Map



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Executive Summary

Key Matters

1. The application was considered by the Committee on 9 September 2021 where it was resolved to approve the application once the s106 legal agreement had been completed;
2. Later in September 2021, Natural England released a position statement setting out that proposals located within the Sussex North Water Supply Zone are required to demonstrate water neutrality to avoid any potential for adverse effects on the Arun Valley protected sites from water abstraction;
3. It is therefore necessary for Members to consider the proposal in terms of water neutrality prior to any decision being issued;
4. Officers are satisfied that the anticipated level of water-use associated with the development would be satisfactorily mitigated/offset by the measures set out in the submitted Water Neutrality Statement, thereby avoiding adverse effects upon the Arun Valley protected sites;
5. Details of the mitigation and offsetting measures would be secured via planning conditions and the s106 agreement, which is being progressed.

1. Site Description

- 1.1 As set out in **Appendix I**

2. Relevant Planning History

- 2.1 As set out in **Appendix I**

3. Proposal

- 3.1 As set out in **Appendix I**.

- 3.2 The proposal now includes a Water Neutrality Statement setting out a scheme of mitigation and offsetting measures to address the issue of water neutrality, which has arisen since the 9 September meeting. The statement sets out a methodology as to how water neutrality could be achieved through water saving measures to be installed within the new development, and within the existing infrastructure and built form on the wider Lodge Hill Estate. A Shadow Habitats Regulations Assessment has also been submitted, which concludes that with the inclusion of the mitigation measures proposed, the development is unlikely to give rise to significant adverse effects on the integrity of the Arun Valley protected sites or the favourable conservation status of their qualifying features.

4. Consultations

- 4.1 As set out in **Appendix I**.

- 4.2 **Natural England:** No objection to original scheme; no further comments received in regard to issues of water neutrality.

- The Position Statement issued in September 2020 setting out the need for new development within the Sussex North Water Supply Zone to demonstrate water neutrality is the general position of Natural England in relation to all planning applications.

5. Representations

- 5.1 As set out in **Appendix I**.

6. Planning Policy Context

- 6.1 As set out in **Appendix I**.

7. Planning Policy

- 7.1 As set out in **Appendix I**.

8. Planning Assessment

- 8.1 The main planning assessment is set out in the previous committee report appended at **Appendix I**.
- 8.2 Members resolved to approve the application, subject to conditions and a s106 agreement to secure proceeds from the sale of the land for essential maintenance works to the Centre (see the Minutes of the meeting appended at **Appendix 2**).
- 8.3 This report will focus on the issue of water neutrality, which has arisen since Members resolved to approve the application on 9 September 2021.

Background

- 8.4 The Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations) places a duty on planning authorities when determining applications that may affect international sites to determine the potential for likely significant effects. Where proposals are likely (without mitigation) to have significant effects on international sites, the planning authority is required to undertake an appropriate assessment in order to ascertain that there would not be adverse impacts on the integrity of the international site, and whether the proposal demonstrates that impacts would be avoided or adequately mitigated against. Accordingly, Policy SD9 requires that development likely to result in a significant effect upon an international habitats site is subject to an Appropriate Assessment pursuant to the requirements of the Habitats Regulations.
- 8.5 The Sussex North Water Supply Zone relies on groundwater extraction close to the Arun Valley Special area of Conservation (SAC), Special Protection Area (SPA) and Ramsar. The Arun Valley international sites comprise low-lying grazing marsh with varied soils and water supply which support a rich flora and fauna including rare and diverse plant, invertebrate and bird assemblages as qualifying features.
- 8.6 Natural England have recently undertaken condition assessments which identified significant negative changes in water quantity and movement, which are essential to maintaining the habitat upon which the designation features and species rely on. The position statement released by Natural England in September 2021 sets out that it cannot be concluded that existing water abstraction is not having an adverse effect on the Arun Valley protected sites, and that new development within the Sussex North Water Supply Zone must not add to this impact. Proposals should therefore demonstrate water neutrality, which is defined as ‘the use of water in the supply area before the development being the same or lower after the development is in place.’ Proposals that would lead to a material increase in water demand will need to demonstrate water neutrality via a combination of water efficiency, water recycling and offsetting measures set out a water budget, showing the baseline and proposed water consumption and mitigation measures proposed.

Proposed Water Neutrality Measures

- 8.7 The Applicant has submitted a Water Neutrality Statement setting out a methodology as to how water neutrality could be achieved through water saving measures within the new development, and within the existing infrastructure and built form on the wider Lodge Hill Estate. The proposal is for ‘up to five’ dwellings, and the measures are based on the ‘worst case scenario’ i.e. the provision of 1 No 3-bedroom and 4 No 4-bedroom dwellings. As the application is outline, the final quantum of dwellings, and matters relating to the detailed design of development would be determined via a future reserved matters application.
- 8.8 The applicant has also submitted a Shadow Habitats Regulations Assessment (The Ecology Co-op, March 2022), which concludes that with the inclusion of the proposed mitigation measures and with the consideration of any residual effects, the proposed development is unlikely to give rise to significant adverse effects on the integrity of the Arun Valley SPA/SAC/Ramsar or the favourable conservation status of their qualifying features.
- 8.9 The submitted Water Neutrality Statement confirms that the new dwellings would result in a water consumption of 100.21 litres per person per day, including an allowance of 5 litres per day for external water usage. This accords with the requirements of SD48 for a total mains consumption of no more than 110 litres per person per day. Based on average

occupancy from census data, the proposed development would probably be occupied by 14 people. The total daily water usage as a result of the development would therefore amount to approximately 1,400 litres.

- 8.10 The Water Neutrality Statement sets out how the water usage arising from the development could be mitigated onsite, and offset within the wider Lodge Hill site. On-site mitigation is proposed in the form of rainwater harvesting to service WCs and washing machines, with tanks to store at least 18 days of water for periods of drought. This is estimated to save a total of approximately 414 litres per day. This would require a remaining 986 litres per day to be offset to achieve water neutrality, or 359,890 litres per annum. *[Officer note: this is higher than the applicant's estimate of 980 litres per day, as the calculation has been based on 14 occupants rather than 13.91.]*
- 8.11 Offsetting within the wider Lodge Hill site, which has a wide range of accommodation and other buildings used for outdoor education, is proposed in the form of a Water Usage Strategy incorporating efficient fixtures and fittings, and a rainwater harvesting system providing water for WC flushing, washing machine use and external taps. Further water saving measures could also be achieved through reducing the number of bathtubs, installing time-controlled push button shower taps, and motion sensor detection on urinal flushes. A Water Demand Assessment concludes that the existing site's water usage could be reduced by up to an estimated 1,107,476 litres per annum. This amounts to over three times the amount required for offsetting (359,890 litres per annum.)

9. Conclusion

- 9.1 As the application would result in increased demand for water resources, it would, without mitigation, result in a likely significant impact on the sensitive features of the Arun Valley protected sites. As the competent authority, the SDNPA has carried out an Appropriate Assessment (HRA) in accordance with the Habitat Regulations and policy SD9.
- 9.2 Based on the evidence provided, the Authority is satisfied that the anticipated level of water-use associated with the development would be satisfactorily mitigated/offset by the water saving measures proposed within the new development and the wider Lodge Hill site. The proposed development is therefore capable of achieving water-neutrality, as defined within Natural England's Position Statement of September 2021, and would avoid adverse effects upon the Arun Valley protected sites as it would not require the use of additional groundwater resources within the Sussex North Water Supply Zone. Officers would therefore agree with the conclusions of the Shadow HRA submitted by the applicant.
- 9.3 The Water Neutrality Statement sets out how onsite mitigation and offsite offsetting measures could be satisfactorily achieved to ensure that the use of water in the supply area prior to development would be the same or lower after the development is in place. It is therefore appropriate to secure full details of the mitigation and offsetting measures by means of suitably worded planning conditions. Although the offsetting measures are proposed to be installed on other land within the applicant's ownership, the application site is proposed to be severed at a future date. It is therefore also appropriate to secure the submission and approval in writing of a Water Neutrality Offsetting Strategy via the emerging s106 legal agreement prior to first occupation of the development, which would bind the third party land into the future.
- 9.4 In summary, as the proposal is able to demonstrate water neutrality via the proposed mitigation and offsetting measures, the possibility of significant effects upon Habitat Sites by reason of water-use can be ruled out, pursuant to Regulation 63(1) of the Conservation of Species and Habitat Regulations 2019 (as amended). It can therefore be concluded that there would be no adverse effects on the integrity of the Arun Valley SAC/ SPA /Ramsar site in terms of water abstraction arising from the development, either alone or in combination with other plan and projects, and that the Planning Authority can proceed to grant planning permission. The application is therefore recommended for approval.

10. Reason for Recommendation and Conditions

10.1 The application is recommended for approval subject to the following conditions, which include new conditions 21-23 relating to Water Neutrality, and a legal agreement to secure proceeds from the sale of the land for essential maintenance works, and a Water Neutrality Offsetting Strategy. If the legal agreement is not completed or sufficient progress not made within six months of the Planning Committee meeting of 14 April 2022, it is recommended that authority be delegated to the Director of Planning to refuse the application.

1. The permission hereby granted is an outline permission under Section 92 of the Town and Country Planning Act 1990 (as amended) and an application to the Local Planning Authority for the approval of the following matters shall be made not later than the expiration of 2 years from the date of this permission:

- i) Layout;
- ii) Scale;
- iii) Appearance; and
- iv) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. The development permitted shall be begun either before the expiration of five years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3. The development hereby permitted shall be carried out strictly in accordance with the approved plans.

Reason: For the avoidance of doubt and in the interests of proper planning.

4. From the date of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order amending or revoking and re-enacting this Order, no further buildings, structures or means of enclosure shall be erected or installed at the site without prior planning permission from the Local Planning Authority.

Reason: In the interests of amenity, and to prevent unsustainable development that would not comply with planning policy.

Construction

5. No works pursuant to this permission shall commence until plans and cross sections of the existing and proposed ground levels of the development, site boundaries and finished floor levels in relation to a nearby datum point (above Ordnance datum) have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in full accordance with the approved details.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

6. No works pursuant to this permission, including any works of demolition, shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- i) An indicative programme for carrying out the works;
- ii) The anticipated number, frequency and types of vehicles used during construction;

- iii) The method of access and routing of vehicles during construction;
- iv) The parking of vehicles by site operatives and visitors;
- v) The loading and unloading of plant, materials and waste;
- vi) The storage of plant and materials used in construction of the development;
- vii) The erection and maintenance of security hoarding;
- viii) No burning of construction materials on site;
- ix) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders where necessary);
- x) Measures to minimise the noise (including vibration) generated by the demolition/construction process to include hours of work, proposed method should foundation piling occur, the careful selection of plant and machinery and use of noise mitigation barriers;
- xi) No work to be undertaken on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work to be undertaken on Sundays, Bank and Public Holidays;
- xii) Details of any flood lighting, including location, height, type and direction;
- xiii) Measures to control the emission of dust and dirt during demolition/construction;
- xiv) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- xv) A method to record the quantity of recovered material (re-used on site or off site);
- xvi) Details of public engagement both prior to and during the construction works.

Reason: In the interests of highway safety and the amenities of the area. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

7. All new electricity and telephone lines shall be laid underground.

Reason: To safeguard the landscape character of the site.

Design and Materials

8. The appearance particulars to be submitted in accordance with Condition I shall include a Design Code demonstrably informed by an assessment of local landscape character, to be submitted to, and approved in writing, by the Local Planning Authority. The design code shall provide further details on matters such as building typology and heights, the approach to car parking, structural planting, lighting and treatment of the public realm. Thereafter the development shall be carried out in full accordance with the approved design code.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development.

9. The appearance particulars to be submitted in accordance with Condition I shall include a schedule of architectural details, materials and finishes and, where so required, samples of such materials and finishes, to be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, but not be limited to:
- i) Treatment of external walls, roofs, eaves;
 - ii) Windows and doors including glazing, head, sill, lintel and depth of reveal; and
 - iii) Rainwater goods and fascias.

Thereafter the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To achieve an appropriate form of development in the interests of the character and appearance of the area, and the quality of the development.

10. The landscaping and layout particulars to be submitted in accordance with Condition 1 shall include a detailed scheme of hard and soft landscaping works, which shall be submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in accordance with the approved development. The scheme shall include details of:
- i) Proposed planting plans and strategy, including written specifications, cultivation and other operations associated with plant, grass, shrub and replacement tree establishment; schedules of plants and trees (achieving where possible closed canopies along the green corridor through the site) noting species, sizes; and proposed numbers/densities where appropriate;
 - ii) Tree guards, staking and tree-pit construction;
 - iii) Location, height and materials/construction technique for all boundary treatments and other built means of enclosure (including gates and setbacks) to property frontages, including the 5m site boundary buffers and inner thorny hedge;
 - iv) Details of the construction of the access, to address the loss of vegetation and existing boundary bank, including appropriate surface treatment to maintain the character of the historic rural road;
 - v) Retained areas of grassland cover, scrub, hedgerow, and trees;
 - vi) Treatment of surfaces, paths, access ways, courtyards, seating areas, patio areas and parking spaces, including their appearance, depth and permeability, kerbs, edges, steps and ramps, spot levels, finished floor levels, upstands and demarcation;
 - vii) Above ground rainwater harvesting solutions and rain gardens;
 - viii) Ancillary structures (including cycle and refuse storage to the rear of dwellings);
 - ix) Electric vehicle charging points;
 - x) A timetable for implementation of the soft and hard landscaping works.
 - xi) A schedule of landscape maintenance for a minimum period of 5 years to include details of the arrangements for its implementation.

Thereafter the development shall be undertaken in full accordance with the agreed details.

All soft landscaping shall be carried out in the first planting and seeding season following the first occupation of the building, or the completion of the development, whichever is the sooner. All shrub and tree planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species,

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties.

11. The landscaping and layout particulars to be submitted in accordance with Condition 1 shall include a Landscape Management Plan covering areas outside of private ownership including shared public space, access roads, pathways and landscaping, which shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens. The landscape management plan shall thereafter be implemented in full prior to the first occupation of the development hereby permitted.

Reason: To secure the long term maintenance of the landscaping scheme, which will contribute to the setting of the development and the surrounding character and appearance of the area.

12. No works pursuant to this permission shall commence until a design stage construction report (in the form of design stage SAP data and SBEM calculations; a BRE water calculator; product specifications; and building design details, layout or landscape plans), has been submitted to, and approved in writing, by the Local Planning Authority. The report shall demonstrate that:

- i) Each dwelling has reduced predicted CO2 emissions by at least 19% due to energy efficiency and a further 20% due to on site renewable energy compared with the maximum allowed by building regulations;
- ii) Predicted water consumption no more than 110 litres/person/day;
- iii) Evidence demonstrating sustainable drainage and adaptation to climate change;
- iv) Sustainable, locally sourced materials (including plastic-free windows and doors).

Thereafter the development shall be undertaken in full accordance with the agreed details.

Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

13. Prior to the first occupation of the development hereby permitted detailed information in a post construction stage sustainable construction report (in the form of design stage SAP data and SBEM calculations; a BRE water calculator; product specifications; and building design details, layout or landscape plans), has been submitted to, and approved in writing, by the Local Planning Authority. The report shall demonstrate that:

- i) Each dwelling has reduced predicted CO2 emissions by at least 19% due to energy efficiency and a further 20% due to on site renewable energy compared with the maximum allowed by building regulations;
- ii) Predicted water consumption no more than 110 litres/person/day;
- iii) Evidence demonstrating sustainable drainage and adaptation to climate change;
- iv) Sustainable, locally sourced materials (including plastic-free windows and doors).

The development shall be occupied in accordance with these agreed details and these details will hereafter be retained.

Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.

14. Prior to the first occupation of the development hereby permitted, a refuse storage and management strategy, incorporating collection for recyclables and private garden compost, shall be submitted to and approved, in writing, by the Local Planning Authority. Thereafter the development shall be undertaken in full accordance with the agreed strategy.

Reason: To safeguard against an unacceptable impact upon amenity.

Lighting and Dark Night Skies

15. Prior to development above slab level, a scheme of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority. The lighting shall:

- i) Comply with the guidance set out in the SDNPA's Dark Night Skies Technical Advice Note;

- ii) Be designed to minimise impacts on wildlife, particularly along the ecological buffers on the southern, eastern and northern boundaries.

The lighting shall be installed, maintained and operated in full accordance with the approved details, and no other external lighting shall be installed anywhere within the site,

Reason: In the interests of amenity and ecology, and to protect the South Downs International Dark Skies Reserve.

- 16. Prior to first occupation of the development hereby permitted, details of low transmittance glazing and timed black-out blinds to be affixed to any rooflight(s) 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.

Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve.

Archaeology

- 17. No works pursuant to this permission shall commence until a programme of archaeological monitoring on any groundworks (including the removal of tree stumps) associated with the development. Thereafter the provisions of the scheme shall be carried out in full accordance with the approved programme.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

Drainage

- 18. No works pursuant to this permission shall commence until details of the proposed foul drainage and means of disposal, including on and/or off site works, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved designs.

Reason: To ensure satisfactory provision of foul water drainage. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

- 19. No works pursuant to this permission shall commence until details of the proposed surface water drainage and means of disposal, including on and/or off site works, and timetable for implementation, have been submitted to and approved in writing by the Local Planning Authority.

All works shall be undertaken in full accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage (SuDS) principles. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100-year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

The maintenance and management of the SuDS system should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure satisfactory provision of surface water drainage. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

20. Prior to development above slab level, details of vegetative and capture-at-source solutions for the management of surface water shall be submitted to and approved by the Local Planning Authority.

These may include, but are not limited to the provision of:

- i) Rainwater gardens (to include any planted areas in front of buildings);
- ii) Green roofs (where feasible);
- iii) Water butts.

The details shall be implemented and maintained as approved in full accordance with the approved details,

Reason: To manage and mitigate surface water run-off and the risk of flooding.

Water Neutrality

21. Prior to the commencement of the development hereby permitted, precise details of the off-setting measures to be installed in the wider Lodge Hill Site in the form of a Water Neutrality Offsetting Strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites the NPPF (2021), the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

22. Prior to development above slab level, precise details of the water efficiency measures and rainwater/greywater harvesting systems to be installed in the new development in the form of a Water Neutrality Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites the NPPF (2021), the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

23. Prior to the first occupation of the development hereby permitted, evidence shall be submitted to and approved in writing by the Local Planning Authority that the approved Water Neutrality Mitigation Strategy for the development has been implemented in full. The evidence shall include the specification of fittings and appliances used, photographic evidence of their installation, and completion of the as built Part G or BREEAM water calculator or equivalent to demonstrate the savings made. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites the NPPF (2021), the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

Ecology and Trees

24. Notwithstanding the submitted Landscape and Ecological Management Plan (LEMP), no works pursuant to this permission shall commence (including any demolition, ground works, site clearance) until a further LEMP has been submitted to and approved in writing by the Local Planning Authority, incorporating the measures detailed at sections 5 'Protected Species and Habitat Mitigation', 6 'Habitat Creation', 7 'Other Enhancements' and 8 'Post Construction Management Plan' and including:

- i) A description, plan and evaluation of landscape and ecological features to be managed within the site and wider Lodge Hill grounds;
- ii) Ecological trends and constraints on site that might influence management;

- iii) Long-term aims and objectives of management;
- iv) Appropriate management options for achieving aims and objectives;
- v) Prescriptions for management actions, together with a plan of management compartments;
- vi) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 10-year period);
- vii) Details of the persons, body or organisation responsible for implementation of the plan;
- viii) A scheme of ongoing monitoring over a 10 year period, to ensure management is generating the desired outcomes and remedial measures (within the 10 year monitoring period) incorporated where appropriate, including a mechanism to discharge the monitoring by the Local Planning Authority;
- ix) Details of any legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer in partnership with any management body(ies) responsible for its delivery.

The approved LEMP shall thereafter be implemented in accordance with the approved details and where deemed necessary by the Local Planning Authority shall include contingencies and/or remedial action to be further agreed and implemented where the results from monitoring show that conservation aims and objectives of the LEMP are not being met.

Reason: To ensure appropriate on-going management of the land beyond the completion of the development, to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme, to meet the purposes of the South Downs National Park.

25. No works pursuant to this permission shall commence (including any demolition, ground works, site clearance) until a detailed Habitat Enhancement and Management Strategy, supported by drawings, and stating management aims, objectives and prescriptions as well as a monitoring and review process, has been submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

Reason: To enhance biodiversity in accordance with the NPPF. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

26. No trees or shrubs on the site other than those the Local Planning Authority has agreed shall be felled as part of this permission shall be wilfully damaged or uprooted, felled/removed, topped or lopped until 5 years after the completion of the development hereby permitted.

Any trees on the site which die or become damaged during the construction process shall be replaced with trees of a type, size and in positions agreed by the Local Planning Authority.

Reason: To ensure the retention of the vegetation important to the amenity and environment of the development.

27. All trees on the site shown for retention as part of the proposal shall be fully protected throughout all construction works by tree protective fencing placed along the edge of the root protection areas (RPA). The fencing shall be affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

Once installed, the fencing shall be maintained during the course of the development works until all machinery and materials have been removed from the site.

Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Reason: To ensure the successful and satisfactory protection of the retained trees on the site.

Highways and parking

28. Prior to the first occupation of the development hereby permitted, the vehicular access, footway and crossing serving the development shall be constructed in accordance with the details shown on the drawing titled Potential Access Arrangements and numbered ITBI6035-GA-001 Rev A. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: In the interests of road safety.

29. Prior to the first occupation of the development hereby permitted, visibility splays of 2.4 metres by 56 metres east and 2.4 metres by 55 metres west shall be provided at the proposed site vehicular access onto Waltham Park Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: In the interests of road safety.

Informatives

1. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
2. The proposed development lies within a Source Protection Zone. The applicant will need to consult with the Environment Agency to ensure the protection of the public water supply source is maintained and inform Southern Water of the outcome of this consultation.
3. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
4. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

11. Crime and Disorder Implication

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

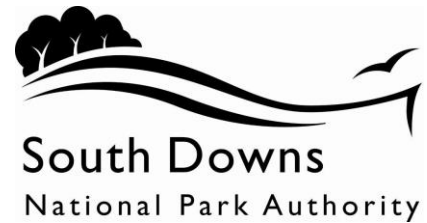
14. Proactive Working

- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

TIM SLANEY
Director of Planning
South Downs National Park Authority

Contact Officer:	Stella New
Tel:	01730 819216
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Appendices	1. 9 September Committee Report 2. 9 September Committee Minutes
SDNPA Consultees	Legal Services, Development Manager
Background Documents	All planning application plans, supporting documents, consultation and third party responses National Planning Policy Framework (2021) Planning Portal (Outline Permission) South Downs Local Plan (2014-33) South Downs National Park Partnership Management Plan 2020-25 South Downs Integrated Landscape Character Assessment 2020 Roads in the South Downs (2015) SDNPA COVID-19 Position Statement

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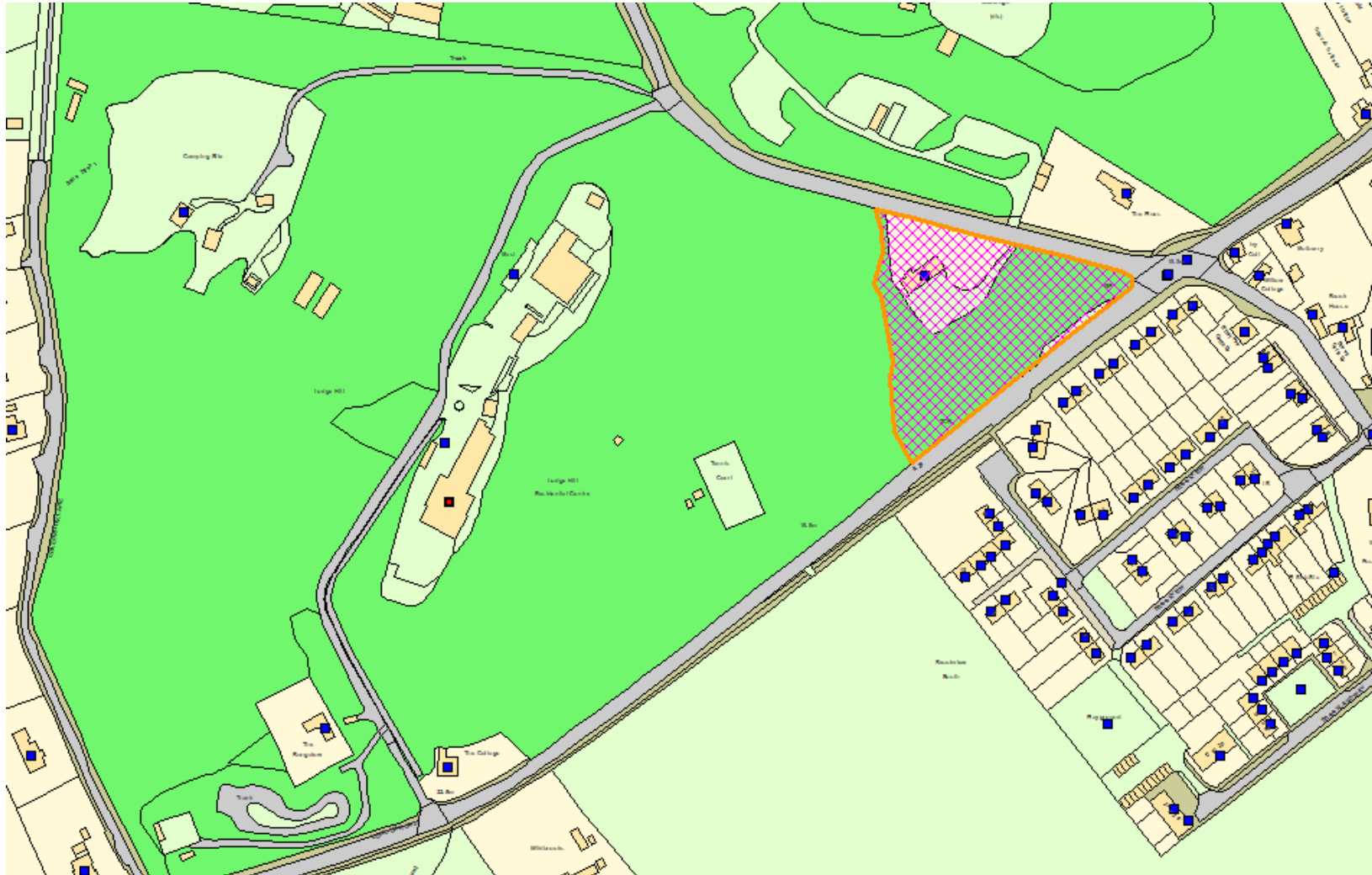
**Agenda Item 9
Report PC 21/22-10**

Report to **Planning Committee**
Date **9 September 2021**
By **Director of Planning**
Local Authority **Horsham District Council**
Application Number **SDNP/21/00627/OUT**
Applicant **Lodge Hill Charitable Trust**
Application **Outline application, with all matters reserved, other than means of access, for the construction of up to 5 dwellings to enable improvement and capital works at the Lodge Hill Centre**
Address **Lodge Hill Education Centre, London Road, Watersfield, Pulborough, West Sussex RH20 1LZ**

Recommendation:

- 1) That permission be granted subject to the conditions set out in paragraph 10.1 of the report and a legal agreement to secure proceeds from the sale of the land for essential maintenance works to the Centre;**
 - 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 not made within six months of the Planning Committee meeting of 9 September 2021.**
-

Site Location Map



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2012) (Not to scale).

Agenda Item 8 Report PC21/22-49 Appendix I**Executive Summary**Key Matters

- The proposal has been scaled back significantly during the course of the application from 16No to 'up to 5No' market dwellings in order to address concerns raised by consultees and third parties with regard to scale, intensity and impacts on ecology/woodland habitat;
- The proposal is in conflict with SD25 as the site is outside the settlement boundary and, although partly previously developed would not meet any of the exceptions outlined in the policy;
- The proposal would however provide 'enabling' capital funds for the Lodge Hill Trust and would strongly align with the National Park's Second Purpose and Duty in assisting the long-term viability of a charitable outdoor-education provider and key stakeholder within the National Park;
- The scheme is capable of conserving the natural beauty and wildlife of the area given the ability to secure biodiversity net gain within the site, and in the wider Lodge Hill grounds;
- The key concerns raised by the Parish Council and third parties relates to the general principle being contrary to Policy SD25, the loss of woodland habitat and impacts on protected species, cumulative impacts given allocation SD64 for 25-30 dwellings in Coldwaltham, lack of affordable housing provision, highway safety and Impact on Dark Skies;
- The proposal is recommended, on balance, for approval.

1. Site Description

- 1.1 This small triangular site is located in the south eastern corner of the wooded grounds of the Lodge Hill education centre, which extend over approximately 13 hectares (32 acres.) Lodge Hill has been in operation as a residential outdoor activity centre since 1946, and since 1999 has been run as a not-for-profit charity providing educational outdoor activities for visitors from both within and outside the National Park who might otherwise not experience its Special Qualities.
- 1.2 Part of the site previously accommodated a youth hut leased by the Parish Council for community use, and an area of hard-standing for associated parking. The youth hut building was demolished in 2019 when the community use ceased, however the footings and hardstanding remain in place. The main part of the site is fenced off from the remaining grounds, and not actively used by the Centre. There is an existing access off Waltham Park Road which currently provides emergency through access to the Lodge Wood grounds. Waltham Park Road is indicated on the second edition of the Ordnance Survey (1891-1914), and falls within the SDNPA's 'Roads in the South Downs' (2015) definition of a 'historic rural road.'
- 1.3 The site is located within the Dark Skies Intrinsic Zone of Darkness (EIa), which is classified as 'dark sky.' The Lodge Hill grounds are recorded on the Historic Landscape Characterisation as 'wooded over common' comprising plantation woodland and self-seeded trees, with a high percentage of invasive non-native species (rhododendron, laurel and bamboo). There are a number of mature trees within the site's hedgerow boundaries and other self-seeded trees within the site. There are no Tree Preservation Orders relating to the site.
- 1.4 The Waltham Chase Site of Special Scientific Interest (SSSI), designated for its unimproved neutral meadow habitat is located within 300m to the south east of the site. The site also falls within the buffer zones of the Arun Valley Special Protection Area (SPA); and the Ebernoe Common and Mens Special Areas of Conservation (SACs).

2. Relevant Planning History

- 2.1 The most recent planning history relating to the site is as follows:
- SDNP/19/00357/PRE erection of 20 dwellings to enable improvement and capital works at the Lodge Hill Centre. Advice provided 10.04.2019

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The advice stated that the proposal was unlikely to be acceptable due to the lack of policy support for enabling development for the needs of a private charitable foundation, given the scale of development and associated impacts on ecology, trees and landscape character. Although the housing would provide valuable funding for a facility which furthers National Park Purpose 2, this of itself is not a material consideration of sufficient strength likely to be able to overcome overriding conflict with development plan policies and National Park Purpose 1 on the scale proposed, which has priority.

[Case officer note: the current proposal for up to 5 No dwellings is much reduced in scale and quantum and allows a more balanced judgement to be made.]

3. Proposal

- 3.1 The application is for up to five market dwellings, including four 4-bedroom and one 3-bedroom units. The 4-bedroom units would be sold to raise capital to fund essential maintenance works to the infrastructure of the main lodge building and associated grounds (detailed at **Appendix I** of this report), whilst the 3-bedroom unit would be retained by The Trust to house staff, or provide an ongoing rental income. The applicants have expressed a willingness for the associated land sale value to be secured via an appropriate legal agreement and tied to delivering these works, or as otherwise agreed with the South Downs National Park Authority. No affordable units are proposed due to the requirement to provide capital funds with the minimum necessary amount of development.
- 3.2 Given this is an outline application with only the means of access to be considered, the layout and elevations set out in the Design and Access Statement are indicative. Detailed matters relating to the appearance, landscaping, layout and scale of development would be the subject of a future reserved matters planning application.
- 3.3 The existing access onto Waltham Park Road would be slightly widened to provide the necessary visibility required by the Highway Authority. Pedestrian access to the footpath along the north-west side of the A29, this maintains an existing link on the southern boundary connecting with the footpath network along the A29. Means of access would also be retained through the site in to the wider Lodge Hill Centre site for emergency purposes
- 3.4 The majority of trees proposed for removal comprise self-seeded immature trees, with the exception of a single Category B lime tree adjacent to the existing access. All other trees would be retained. 5m ecological buffers, comprising native trees and thorny hedgerow would be provided along the entire site boundary.

4. Consultations

- 4.1 **Archaeology:** No objection to original scheme or revised scheme, subject to condition.
- 4.2 **Coldwaltham Parish Council:** Objection to original scheme; objection sustained to revised scheme:

Original Scheme (for 16 Dwellings)

- Support in principle but reservations about assumptions and lack of detail;
- Another planning application is expected close to the site on the other side of the A29 which could impinge on decisions made;
- No affordable housing provision which could set precedent for other applications ;
- Proposed dwelling sizes are modest but risk future developer would apply for larger dwellings;
- Would impact dark skies;
- Lack of proposed ecology mitigation monitoring;
- Hedges insufficiently robust to protect wildlife and privacy of existing dwellings nearby;
- Would exacerbate dangerous junction with A29 given Brook Lane/Waltham Park Road is a short cut between Storrington and Fittleworth / Petworth;

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- The proposed pedestrian pathway crossing the A29 is close to dangerous junction;
- No footpath along Waltham Park Road endangering pedestrians and cyclists.

Amended Scheme (for 5 Dwellings)

- The reduction in quantum, proposed ground/air source heating and use of “grey “water collection is supported; however previous concerns still stand;
- Outside the settlement policy boundary;
- Highway safety concerns due to increase in traffic and danger to pedestrians and cyclists;
- Footpath should be relocated to southern end of the site or at the site entrance across Waltham Park Road;
- Removal and replacement of existing buffer along A29 would take time to mature;
- Should be no street lighting within the development.

4.3 **Design:** Objection to original scheme on a number of grounds including site’s capacity; no objection to amended scheme:

- Any reserved matters scheme should follow a landscape-led approach demonstrating a high quality of design comprising dwellings within a woodland setting;
- The indicative scheme is too urban in its layout, architectural forms and materials;
- The density may need to be reviewed as the scheme appears to not include a required 5m buffer along the western boundary.

4.4 **Ecology:** Objection to original scheme; no objection to amended scheme, subject to conditions:

- Proposed mitigation in relation to dormice, bats and reptiles is appropriate.

4.5 **Education officer:** General comment

- The pandemic has impacted income generation for all outdoor learning providers across the SDNP, including Lodge Hill;
- Supportive of Lodge Hill’s charitable provision for young and disadvantaged people, and the significant and positive contribution it makes the delivery of Priority Programmes 5.1 and 6.1 in the SDNPA’s Partnership Management Plan.

4.6 **Environmental Health:** Holding objection to original scheme:

- Lack of information with regard to noise exposure of dwellings and amenity spaces to A29 London Road, or how the design has sought to reduce noise exposure;
- Design should be amended to allow buildings to function as noise barriers, with noise sensitive rooms and amenity spaces located on quietest facades.

4.7 **Highway Authority:** Holding objection to original scheme (shown below given interest and comments of Parish Council); no objection to amended scheme subject to conditions:

Original Scheme

- Recorded injury accident on Waltham Park Road in vicinity of the site and 2 x incidents at the junction of Waltham Park Road / London Road attributed to driver error and not due to any defect with the junction or road layout;
- Sufficient visibility is available at the point of access, however confirmation of land ownership required for strip of land between public highway and site boundary;
- Road safety audit and tracking plans required to demonstrate in-site turning and sufficient access width for two cars passing;

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- Footway link to new extended footway on London Road and dropped kerb tactile paving crossing of London Road is acceptable.

Amended Scheme

- Above concerns addressed.

4.8 Historic Buildings: No objection to original or amended scheme:

- Due to physical separation from heritage assets, including Watersfield Conservation Area, Grade II listed Ivy Cottage and the non-designated Lodge Hill main building, heritage impacts are considered to be minimal;
- Essential that mature vegetation along boundaries is retained to ensure physical and visual separation from Ivy Cottage.

4.9 Landscape: Objection sustained to amended scheme:

- Fails to support settlement pattern and character;
- May be visible in longer views;
- Negative effects on the character of Waltham Park Road due to loss of vegetation and (possibly historic) boundary bank to widen access;
- Unconvinced site has capacity for five dwellings
- Any scheme should conserve and enhance woodland character
- Smaller units are likely to be more characteristic of development close to/within common land;
- Consideration should be given to future site wide Tree Preservation Order (TPO) to support tree protection as part of any scheme.

4.10 Local Lead Flood Authority: No objection to original scheme.**4.11 Natural England:** No objection to original or amended scheme.**4.12 Planning Policy:** General comment.

- Reduced quantum of development may achieve the necessary balance of SDI 4) that would enable the continued operation of Lodge Hill;

4.13 Southern Water: No objection to original or amended scheme, subject to condition.**4.14 Tree Officer:** No objection, subject to conditions.

- Trees proposed for removal are Category B and C and of limited merit and amenity (from the public domain);
- New planting is favourable and will help maintain wooded nature of the site when viewed from public domain;
- Dwellings located outside root protection areas of retained trees;
- Retained mature trees may be subject to pressure from pruning and should be protected by planning condition;
- A TPO may be appropriate if further protection is required.

4.15 Woodland Officer: No objection to the amended scheme, subject to conditions:

- Aims and objectives of the submitted Management Plan's Strategic Vision for landscape and biodiversity are supported;
- On-site mitigation secured via 5m buffer and new native species hedgerow within the site boundaries;

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- An additional objective should be secured to replace non-native invasive species with native species, and set out in a Woodland Management Plan (WMP) to complement the Landscape and Ecology Management Plan;
- Clarification required to confirm the extent of the removal of non-native invasive species provided by way of off-site enhancement/compensation;
- Measures to protect retained trees should be secured.

5. RepresentationsObjections

- 5.1 Nine letters of objection were received to the original scheme (of 16 dwellings), raising the following concerns:

Principle

- Contrary to National Park purposes;
- Outside settlement boundary and doesn't meet any of exceptions;
- No affordable housing;
- Coldwaltham already has more new houses allocated than any other rural village in the SDNP; Cumulative impacts of development when considered against policy SD64;
- Will not prevent housing development on allocated site;
- Dwellings have small footprints so will be 3 storey to maximise profit;
- The grounds should be protected and kept for future generations.
- Financial difficulties should not be a justification for development;
- Charity will require more future development to provide income;
- Majority of supporters do not live in the Parish;

Design and Landscape Impacts

- Overdevelopment of the site;
- Too urban and incongruous with its surroundings;
- Light pollution;

Ecology and Trees

- The land and ecosystem it supports will be permanently lost;
- Inability to mitigate impacts on protected species including Barbastelle bats;

Highways and Access

- Impacts of increased traffic on Waltham Park Road which narrow and has no footpaths, is already busy with farm machinery and horse box traffic, and used by walkers, cyclists and horse riders;
- Will introduce new traffic onto the dangerous crossroad at the end of Waltham Park Road close to the blind brow of the hill on the A29;
- Dangerous junctions onto the A29 at one end [of Waltham Park Road] and the B2138 at the other;
- The access could be provided more safely further north along Waltham Park Road;
- There have been road traffic accidents in the location, and a pedestrian killed whilst crossing the road;
- Traffic counts during the pandemic are not representative of the usual situation.

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5.2 One further letter of objection to the amended scheme was received, raising the following additional concerns:

- Coldwaltham does not need 5 more houses aimed at those with substantial wealth but more affordable housing for younger generations;
- Would result in 50% increase of dwellings on a quiet country lane;
- Will set a precedent for more in-fill housing along the lane;
- Barren field 200m away was unable to obtain permission [for housing];
- Local issue with speeding along the A29 regularly attended by the Police which has required involvement of local MP;
- The site access should be moved further towards Watersfield along the A29 and a roundabout provided;
- Do not believe in selling off land/assets for the purpose of financial gain;
- The Charity previously argued the sale of land [with permission for 16No dwellings] was necessary to fund maintenance costs, so risk that further applications will be made for remaining funding;
- The current business model should be re-aligned to meet the needs of the property as well as customers;
- Other income generation such as renting rooms or charging public to use go-kart track should be employed to avoid unnecessary development.

Support Comments

5.3 251 letters of support were received for the original scheme (of 16 dwellings), raising the following:

Principle

- Would have been supported by many parishioners if presented as a potential housing site when allocations were made through the Local Plan;
- Will address housing shortage in Coldwaltham;
- No proof that any social housing is needed in in the Parish;
- Would support subject to the Meadows site (SD64) being removed or at least halved; both developments would not be supported as would be unsustainable housing increase of over 15%;
- Will benefit local businesses/services and local employment, which are not provided by the Meadows site (SD64);
- Morally more acceptable for the charity to benefit from development than an estate landowner;
- Will help secure the long term future of Lodge Hill which works with over 25,000 disabled and vulnerable young people, young offenders and disabled veterans every year;
- Provider for outdoor learning for children and those with Special Educational Needs and Disabilities (SEND);
- If the centre closes the cost to the local tax payer will be higher as SEND obligations would have to be met further afield;
- Valuable asset for the SDNP, important for protecting the National Park in the longer term and educating the public;
- Essential to post-Covid community recovery, given rise in youth mental illness;
- Allows young people who have rarely visited the countryside to enjoy nature and realise their full potential;

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- The Trust was already financially frail and is struggling following the pandemic, reduction in school budgets and lack of funding for mental health;
- Closure would result in job losses of 50 staff and 30 support staff;
- The sale of a small plot of land for housing is preferable to the sale of the whole site and potential corporate or hotel ownership/use;
- The capital and revenue accruing from the proposed development should be subject to measures to ensure use for the restricted purposes of the Centre.

Design and Landscape Impacts

- The application is sympathetic to its village setting and the SDNP, and will have no impact on the beauty of the National Park;
- The site is unused previously developed land (unlike the greenfield Meadows site (SD64)) and the youth/scout hut has been demolished;
- The SD64 site compromises views of the South Downs;
- There is nearby residential development so would not be an extension of the settlement;
- Will be screened by trees and hedgerow; this should be retained/strengthened to minimise noise and visual impacts, including the concert and recording facilities at Champs Hill during construction;
- Will result in the removal of a single mature tree, so meets all three sustainable objectives of the NPPF;
- Will secure the removal of invasive non-native species;

Highways and Access

- Will utilise the original access away from the main junction that was heavily used by the previous youth facility;
- There should be no pedestrian access, or parking of construction or residential vehicles along Waltham Park Road;
- The Waltham Park Road access is preferable to the Brook Lane access for the Meadows site (SD64).

5.4 13 further letters of support for the amended scheme were received, raising the following additional points:

- Will allow the Trust to continue and provide funds for the site to be renovated having fallen into poor condition;
- Reduction to five homes will reduce any parking and access impacts on Waltham Park Road;
- Family homes will attract a younger demographic;
- Will not be detrimental to surrounding areas.

6. Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan is the South Downs National Park Local Plan (2014-33). The relevant policies are set out in section 7 below.

National Park Purposes

6.2 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;

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- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty upon the Local Planning Authority to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 The National Planning Policy Framework (2021) is considered holistically although the following sections are of particular relevance to the applications:
- Section 2: Achieving sustainable development
 - Section 6: Building a strong, competitive economy
 - Section 8: Promoting healthy and safe communities
 - Section 12: Achieving well-designed places
 - Section 15: Conserving and enhancing the natural environment
 - Section 16: Conserving and enhancing the historic environment.
- 6.4 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and the revised National Planning Policy Framework (NPPF) (2021). The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Major Development

- 6.5 Officers are of the view that the proposal does not constitute major development for the purposes of paragraph 177 of the NPPF, and accompanying footnote 60, advising that 'major development' in designated landscapes is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. In this case, the proposal is for a modest development of five dwellings, and officers are of the view that any adverse impacts on the designation as a result of development would not be significant.
- 6.6 The proposal has also been assessed against the Town & Country Planning (Environmental Impact Assessment) (EIA) (England & Wales) Regulations 2017. The development does not fall within the thresholds listed under Infrastructure Projects (Part 10 b ii) and iii) of Schedule 2 of the Regulations, being less than 1ha in size, and for less than 150 dwellings, however falls within a wooded location in a 'sensitive area,' namely a National Park. Having regard to the selection criteria under Schedule 3 of the Regulations, and the location and characteristics of the development, it is considered that the proposed development is unlikely to have significant effects on the environment within the meaning of the EIA Regulations 2017.

The South Downs National Park Partnership Management Plan 2020-25

- 6.7 The South Downs National Park Partnership Management Plan (SDPMP) (2020-25) is a material consideration in the determination of planning applications, as outlined in national planning practice guidance, and has some weight. It outlines a vision and long term outcomes for the National Park. Policies 1, 3, 5, 8, 29, 30, 41, 43, 50 and 55 are relevant.

Statutory Requirements

- 6.8 The Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations) (HRA) places a duty on planning authorities when determining applications that may affect international sites to determine the potential for likely significant effects. Where proposals are likely (without mitigation) to have significant effects on international sites, the planning authority is required to undertake an appropriate assessment in order to ascertain

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that there would not be adverse impacts on the integrity of the international site, and whether the proposal demonstrates that impacts would be avoided or adequately mitigated against.

7. Planning PolicyThe South Downs National Park Local Plan (2014-33)

7.1 Whilst the South Downs Local Plan must be read as a whole, the following policies are particularly relevant:

- SD1: Sustainable Development
- SD2: Ecosystems Services
- SD4: Landscape Character
- SD5: Design
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD10: International Sites
- SD11: Trees, Woodland and Hedgerows
- SD19: Transport and Accessibility
- SD25: Development Strategy
- SD26: Supply of Homes
- SD64: Land South of London Road, Coldwaltham.

8. Planning Assessment

8.1 The main considerations to be determined as part of this application are:

- The principle of providing new residential accommodation;
- Landscape and ecology impacts (Purpose 1);
- Wider public benefits and rural economy (Purpose 2 and Duty);
- Highways and access.

Principle of Development

8.2 Outline planning applications seek to establish whether the general principles of a proposal would be acceptable before a fully detailed proposal is brought forward. Outline proposals may defer the determination of one or more 'reserved matters,' which may include access; appearance; landscaping; layout; and scale of development. In this instance, all matters aside from access are reserved for later determination.

8.3 SD26 allocates a housing provision of approximately 28 dwellings to Coldwaltham, which is provided for by SD64: Land South of London Road, Coldwaltham (25-30 dwellings.) SD26 allows for windfall developments however these should "primarily within tightly drawn settlement boundaries, generally in the form of infill development."

8.4 Policy SD25 of the Local Plan directs new development to within settlement policy boundaries. Exceptionally, proposals outside settlement boundaries may be supported if these

- Comply with other relevant development plan policies; respond to the context of the relevant broad area; and there is "an essential need for a countryside location;" or
- The proposal would comprise "an appropriate reuse of a previously developed site... and conserve[s] and enhance[s] the special qualities of the National Park."

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Supporting paragraph 7.10 states that the exceptional circumstances whereby development outside settlements may be acceptable include community and tourism uses, and rural exception (100% affordable housing) sites. Policy SD25 provides limited flexibility, in exceptional circumstances, to allow 'brownfield' development outside settlement boundaries, where "demonstrably necessary to meet the wider objectives of this Local Plan."

- 8.5 Policy SD1 promotes a presumption in favour of sustainable development where development proposals accord with other relevant policies in the South Downs Local Plan and with National Park Purposes. Where it appears that there is a conflict between the National Park purposes, greater weight will be attached to the first purpose. Under SD1 4), where proposals fail to meet the first purpose, these will be refused unless, exceptionally,
- a) The benefits of the proposals demonstrably outweigh the great weight to be attached to those interests; and
 - b) There is substantial compliance with other relevant policies in the development plan.
- 8.6 In this case, a proportion of the site, comprising the footings of the demolished scout hut and parking area, is previously developed. However, no affordable dwellings are proposed as this would require a higher quantum of housing in order to provide the sought for capital funding. The proposal for up to five market dwellings does not represent an 'exceptional' use, and given the Authority's healthy 7.92 year supply of deliverable housing sites, is not necessary to meet wider Local Plan objectives. The proposal therefore fails to meet any of the criteria under SD25.
- 8.7 The acceptability of development of the site turns to consideration of SD1 4), and consideration of the following:
- i) The ability of the proposal to conserve and enhance the natural beauty, wildlife and cultural heritage of the area (Purpose 1);
 - ii) The ability to accord with key development plan policies including SD2, SD4, SD5, SD8, SD9 and SD11;
 - iii) In the case that the proposal fails to conserve the interests attached to i), that the benefits of the proposal demonstrably outweigh the great weight to be attached to those interests.
- 8.8 These and other matters that are material considerations are considered in more detail below.
- Landscape Impacts
- 8.9 Policies SD4 and SD5 require the design of development to adopt a landscape-led approach in order to conserve and enhance existing landscape character features; and be of a scale and nature appropriate to the character and function of the settlement in its landscape context. Policy SD21 states that development will not be permitted where it would reduce the biodiversity, landscape and amenity value and character of historic rural roads. Particular attention will be given to new access points and other physical alterations to roads, and to the impacts of additional traffic. Development proposals involving physical alterations to historic rural roads and their immediate setting should demonstrate that the historical significance, ecological, landscape and recreational value and character of those roads are conserved and enhanced. The integrity of banks, hedges, walls and roadside trees must also be maintained.
- 8.10 Although appearance, layout, and scale are not matters for consideration at this outline stage, it is important to understand whether the site is capable in principle of supporting 'up to five' dwellings in landscape terms.
- 8.11 The SDNPA Landscape officer has an in-principle objection to the proposal as it would fail to support the settlement pattern of Coldwaltham along the valley slopes, and would negatively impact the village's wooded setting. The widening of the access would result in a loss of vegetation and part of the boundary bank, which would negatively impact the character of Waltham Park Road. It is also unclear whether the site has capacity for five dwellings.

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- 8.12 It is acknowledged that there would be a level of intrinsic landscape harm, given the permanent nature of residential development and the inability for the site to be enhanced at any future point by returning it to a natural state, re-planting it and managing it as native woodland habitat. However, in this case the site is partly previously developed, and was until recently in a community use, being separated from the main Lodge Hill grounds by an existing boundary. There is also an existing emergency access through the site such that it cannot be viewed as an 'unused' forestry site. The parts of the site that comprise semi-natural and plantation woodland (approximately 0.3ha) are dominated by invasive species (laurel and rhododendron). Visual impacts are considered to be limited, given the proposed retention and strengthening of the existing hedged boundaries along Waltham Park Road and the A29 to provide 5m woodland buffers, and would be limited to views into the site via the proposed access. The density of development would also be comparatively low (approximately 7 dwellings per hectare (dph) or less), and would allow for there to be a level of tree planting within the site. Development of the site would also secure landscape enhancements of the wider Lodge Hill Grounds, and an overall net-gain in biodiversity (see paras 8.16-8.21 below).
- 8.13 It is also acknowledged that there would be a loss of some vegetation and part of the raised bank at the site entrance onto Waltham Park Road, which is a historic rural road for the purposes of SD21, and a single lime tree within the site, due to the unavoidable need to widen the existing access to be able to accommodate two cars in the interests of highway safety. However, the vegetation that would be lost mainly comprises a group of multi-stemmed, self-seeded saplings, and ivy, bramble and laurel, which are considered to be of limited amenity value. A section of the existing bank (approximately 5m) would also be removed. It is considered that the loss of this vegetation would be partly mitigated for by the enhancement of the site's boundary with Waltham Park Road via the proposed removal of non-native species and native 5m buffer planting. Details of suitable planting and an extension of the bank in to the site either side of the new access, alongside suitably low-key surface treatment, could also be secured via the landscaping details at Reserved Matters, and would ensure that impacts on the landscape and amenity value and character of Waltham Park Road would be limited. As such, officers are of the view that the degree of landscape harm is not so significant as to warrant a reason for refusal given other benefits.
- 8.14 With regard to cumulative impacts of development, given allocation SD64 for 25 to 30 dwellings in Coldwaltham, the provision of up to 5No additional market dwellings would have a limited impact in terms of overall numbers. It is also the case that until an additional level of landscape evidence analysis has been undertaken in greater detail, the precise arrangement of up to five dwellings within the site remains unknown. It would need to be clearly demonstrated at Reserved Matters, when matters relating to layout, scale, appearance, quantum and form would be considered, that the amount of development proposed would not result in unacceptable harm to the character of the area and wider landscape. The proposal wording allows flexibility for a smaller amount of development to be brought forward at Reserved Matters.
- 8.15 In summary, given the ability to secure landscape enhancements over the wider site, and subject to further consideration of impacts on trees and ecology, it is considered that the proposal is capable of conserving landscape character. It will, however, be critical to the success of any Reserved Matters application for the design process to be demonstrably led by detailed landscape evidence and analysis in order to meet policies SD4 and SD5. It is also considered appropriate to secure an amended Landscape and Ecological Management Plan (LEMP) via a suitably worded condition to ensure landscape character evidence features prominently in any ongoing management of the site and wider grounds post development.
- Trees, Ecology and Woodland Habitat
- 8.16 Policies SD2, SD9, SD11 and SD45 support proposals that conserve and enhance biodiversity, trees and woodland, and green infrastructure; retain, protect and enhance

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features of biodiversity and supporting habitat, and identify and incorporate net gains for biodiversity and green infrastructure.

- 8.17 The application is supported by a draft Landscape and Ecological Management Plan (LEMP) setting out habitat mitigation and enhancement strategies. The LEMP sets out that there would be a total loss of 2.59 biodiversity units as a result of development, which would be compensated for by on- and off-site enhancements which would result in an overall 41.61% net gain in habitats. This would largely be achieved through the provision of 5m woodland buffers along the site's boundaries, and enhancement of the wider wooded site through removal of non-native species and re-planting. An inner, thorny native hedge would be provided to protect the buffer zones.
- 8.18 The Habitats Regulations Assessments (HRAs) conclude that the proposal would not have an adverse effect on the integrity of the Arun Valley Special Protection Area (SPA); and the Ebernoe Common and Mens Special Areas of Conservation (SACs) on the basis of the avoidance and mitigation measures proposed.
- 8.19 The Authority's Ecologist is satisfied that the proposed mitigation for bats, dormice and reptiles, which include the 5m wooded buffers and thorny inner hedge; and proposed ecological management of the off-site woodland, is appropriate, subject to conditions securing the measures set out in the submitted Landscape and Ecological Management Plan, and the securement of a further Habitat Enhancement and Management Strategy.
- 8.20 The SDNPA Woodland and Biodiversity Officer is also of the view that the proposal would provide adequate on- and off-site mitigation. Securement of a Woodland Management Plan (WMP) has been suggested to complement the Landscape and Ecology Management Plan (LEMP); however woodland management would be covered by the LEMP. The Tree Officer has no objection to the proposal subject to conditions securing details of tree protection, and a condition preventing works to trees for a period of five years post completion without written consent from the LPA. A future Tree Preservation Order may be appropriate to secure tree protection.
- 8.21 Whilst it is best practice to avoid private gardens backing onto buffer zones; this may prove not to be practicable here and is not unfamiliar in planning. However, the buffer zones would be protected by an inner, thorny hedge which would deter encroachment and prevent access.
- 8.22 In summary, subject to the above measures being secured, it is considered that the proposal is capable of more than mitigating for the loss of existing habitat within the site and enhancing woodland habitat within the wider grounds. The planting of new native species and the removal of non-native invasive species within the site and wider grounds represents an overall enhancement. Given the nature of development proposed and the landscape considerations above, Officers are of the view that the proposal overall would, on balance, conserve this part of the National Park.

Purpose 2 and Rural Economy

- 8.23 The second purpose of the National Park is to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. The National Park also has a Duty, when carrying out the Purposes' to foster the economic and social well-being of communities living within the National Park.
- 8.24 Policy SD34 supports proposals that foster the economic well-being of local communities and promote businesses linked to tourism and the knowledge sector, both of which are key business sectors in the National Park. The Authority has also issued a COVID-19 Position Statement setting out how it plans to assist local businesses during the pandemic in line with its Duty. The Statement adds the Knowledge Sector to the list of key rural economy sectors that are supported by SD34, which would extend to outdoor learning providers.
- 8.25 As a charitable provider of outdoor education for young and disadvantaged people within and outside the National Park, who would ordinarily not experience the National Park's Special Qualities, the work done by Lodge Hill Trust strongly aligns with the National Park's second purpose. The Charity is also an important local employer, currently 12 FTEs which

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will rise to 15-16 FTEs when full post-COVID operations are resumed, as well as many local casual workers who assist with activities, domestic work and administration. The Trust also employ 20-30 local suppliers for catering provisions, on-site maintenance and works, site servicing, external service provision for large events, equipment purchase, machinery servicing, tree surgery and grounds maintenance.

- 8.26 The proposal has applied 'enabling' principles, which are usually only applicable in the interests of preserving designated heritage assets, and is supported by a viability report setting out how the funds raised from the land sale would be utilised. This sets out that whilst funding is more easily obtained for specific projects, funds for ongoing maintenance are difficult to procure, and the charity has furthermore been financially impacted by the pandemic. The sale of the land is therefore required to ensure the long term ability of the Trust to carry out necessary repairs and continue its charitable works. The works required and associated costs are detailed at **Appendix I**. The retention of 1 No dwelling would either provide long-term rental income for the Trust, or be used for staff accommodation.
- 8.27 The requirement for 5 No units as a minimum is driven by the cost of repair works, taking into account the loss of the land asset, but also by the requirement for the payment of a 25% overage to West Sussex County Council, who are the previous landowner. It is understood that the applicant is in discussions with WSCC to seek a reduction in the overage, given that the Lodge Hill Trust are a key provider for WSCC, which may assist in reducing the total number of units brought forwards at Reserved Matters.
- 8.28 In summary, the proposal would accord with the National Park's Purpose 2 and Duty and policy SD34 in accruing significant public benefits, by assisting the ability of the Lodge Hill Trust to continue providing outdoor learning to a wide range of visitors to the National Park, and support the rural economy.

Traffic and Access

- 8.29 Policy SD21 states that proposals will be permitted provided that they protect and enhance highway safety.
- 8.30 The site will be accessed via an existing vehicular access off Waltham Park Road, with an existing pedestrian access to the northern side of London Road/A29 proposed to be upgraded. The existing emergency access to Lodge Hill grounds along the Western boundary will be retained for emergency use.
- 8.31 The Highway Authority has no objection on highway safety grounds, and are satisfied that the necessary visibility splay, vehicle tracking can be achieved. The proposal would not result in 'severe' cumulative impacts on the operation of the highway network.
- 8.32 A single category B Lime tree and part of the existing hedgerow boundary would be removed to allow the access to be widened to accommodate two cars. No vegetation is required to be removed to provide the required visibility display; however this would continue be trimmed back to prevent overhanging the highway as per the existing access arrangement.
- 8.33 Details provided of dropped kerbing for the uncontrolled pedestrian crossing over London Road are also considered acceptable. Matters of internal layout and car and bicycle parking would be expected at Reserved Matters stage.

Other Considerations*Dark night skies*

- 8.34 Policy SD8 requires proposals must to that all opportunities to reduce light pollution have been taken, and ensure that the measured and observed sky quality in the surrounding area is not affected.

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8.35 The site falls within zone EI(a), or 'intrinsic rural darkness,' which is classified as 'dark sky' and includes isolated areas that may not be connected to the main core.

8.36 Details of an appropriate external lighting scheme to protect dark skies and wildlife, and other dark skies measures such as low transmittance glazing, may be secured via suitably worded conditions.

9. Conclusion

9.1 As set out above, the proposal does not comply with SD25 as it does not meet any of the exceptions. The in-principle acceptability of development of the site is therefore dependent on the consideration of the following:

- i) The ability of the proposal to conserve and enhance the natural beauty, wildlife and cultural heritage of the area (Purpose 1);
- ii) The ability to accord with key development plan policies including SD2, SD4, SD5, SD8, SD9 and SD11;
- iii) Whether the benefits of the proposal demonstrably outweigh the great weight to be attached to those interests in i) having regard to the level of harm (or benefit) to those elements.

9.2 In this instance, officers are of the view that, on balance, the proposal would provide appropriate mitigation for loss of habitat and deliver significant biodiversity net gain both within the site and in the wider Lodge Hill grounds; and is capable of conserving the natural beauty and wildlife of the area, in accordance with i) above. The proposal would also substantially accord with policies SD9 and SD11, and subject to the consideration of further design details at Reserved Matters stage, is considered capable of complying with SD2, SD4, SD5, and SD8 and ii) above. As such, it is considered that the proposal would conserve this part of the National Park.

9.3 The proposal would also accrue significant public benefit in assisting the ability of the Lodge Hill Trust to continue providing its unique outdoor learning programme to a wide range of visitors to the National Park, and support the rural economy, in accordance with the National Park's Purpose 2 and Duty. The application is therefore recommended for approval.

10. Reason for Recommendation and Conditions

10.1 The application is recommended for approval subject to the following conditions and a legal agreement to secure proceeds from the sale of the land for essential maintenance works. If the legal agreement is not completed or sufficient progress been made within six months of the Planning Committee meeting of 13 August 2020, it is recommended that authority be delegated to the Director of Planning to refuse the application.

1. The permission hereby granted is an outline permission under Section 92 of the Town and Country Planning Act 1990 (as amended) and an application to the Local Planning Authority for the approval of the following matters shall be made not later than the expiration of 2 years from the date of this permission:

- i) Layout;
- ii) Scale;
- iii) Appearance; and
- iv) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. The development permitted shall be begun either before the expiration of five years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3. The development hereby permitted shall be carried out strictly in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

4. From the date of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order amending or revoking and re-enacting this Order, no further buildings, structures or means of enclosure shall be erected or installed at the site without prior planning permission from the Local Planning Authority.

Reason: In the interests of amenity, and to prevent unsustainable development that would not comply with planning policy.

Construction

5. No works pursuant to this permission shall commence until plans and cross sections of the existing and proposed ground levels of the development, site boundaries and finished floor levels in relation to a nearby datum point (above Ordnance datum) have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in full accordance with the approved details.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees.

6. No works pursuant to this permission, including any works of demolition, shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- i) An indicative programme for carrying out the works;
- ii) The anticipated number, frequency and types of vehicles used during construction;
- iii) The method of access and routing of vehicles during construction;
- iv) The parking of vehicles by site operatives and visitors;
- v) The loading and unloading of plant, materials and waste;
- vi) The storage of plant and materials used in construction of the development;
- vii) The erection and maintenance of security hoarding;
- viii) No burning of construction materials on site;
- ix) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders where necessary);
- x) Measures to minimise the noise (including vibration) generated by the demolition/construction process to include hours of work, proposed method should foundation piling occur, the careful selection of plant and machinery and use of noise mitigation barriers;
- xi) No work to be undertaken on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work to be undertaken on Sundays, Bank and Public Holidays;
- xii) Details of any flood lighting, including location, height, type and direction;
- xiii) Measures to control the emission of dust and dirt during demolition/construction;

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- xiv) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- xv) A method to record the quantity of recovered material (re-used on site or off site);
- xvi) Details of public engagement both prior to and during the construction works.

Reason: In the interests of highway safety and the amenities of the area. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

7. All new electricity and telephone lines shall be laid underground.

Reason: To safeguard the landscape character of the site.

Design and Materials

8. The appearance particulars to be submitted in accordance with Condition I shall include a Design Code demonstrably informed by an assessment of local landscape character, to be submitted to, and approved in writing, by the Local Planning Authority. The design code shall provide further details on matters such as building typology and heights, the approach to car parking, structural planting, lighting and treatment of the public realm. Thereafter the development shall be carried out in full accordance with the approved design code.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development.

9. The appearance particulars to be submitted in accordance with Condition I shall include a schedule of architectural details, materials and finishes and, where so required, samples of such materials and finishes, to be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, but not be limited to:

- i) Treatment of external walls, roofs, eaves;
- ii) Windows and doors including glazing, head, sill, lintel and depth of reveal; and
- iii) Rainwater goods and fascias.

Thereafter the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To achieve an appropriate form of development in the interests of the character and appearance of the area, and the quality of the development.

10. The landscaping and layout particulars to be submitted in accordance with Condition I shall include a detailed scheme of hard and soft landscaping works, which shall be submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in accordance with the approved development. The scheme shall include details of:

- i) Proposed planting plans and strategy, including written specifications, cultivation and other operations associated with plant, grass, shrub and replacement tree establishment; schedules of plants and trees (achieving where possible closed canopies along the green corridor through the site) noting species, sizes; and proposed numbers/densities where appropriate;
- ii) Tree guards, staking and tree-pit construction;
- iii) Location, height and materials/construction technique for all boundary treatments and other built means of enclosure (including gates and setbacks) to property frontages, including the 5m site boundary buffers and inner thorny hedge;
- iv) Details of the construction of the access, to address the loss of vegetation and existing boundary bank, including appropriate surface treatment to maintain the character of the historic rural road;

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- v) Retained areas of grassland cover, scrub, hedgerow, and trees;
- vi) Treatment of surfaces, paths, access ways, courtyards, seating areas, patio areas and parking spaces, including their appearance, depth and permeability, kerbs, edges, steps and ramps, spot levels, finished floor levels, upstands and demarcation;
- vii) Above ground rainwater harvesting solutions and rain gardens;
- viii) Ancillary structures (including cycle and refuse storage to the rear of dwellings);
- ix) Electric vehicle charging points;
- x) A timetable for implementation of the soft and hard landscaping works.
- xi) A schedule of landscape maintenance for a minimum period of 5 years to include details of the arrangements for its implementation.

Thereafter the development shall be undertaken in full accordance with the agreed details.

All soft landscaping shall be carried out in the first planting and seeding season following the first occupation of the building, or the completion of the development, whichever is the sooner. All shrub and tree planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species,

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties.

11. The landscaping and layout particulars to be submitted in accordance with Condition I shall include a Landscape Management Plan covering areas outside of private ownership including shared public space, access roads, pathways and landscaping, which shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens. The landscape management plan shall thereafter be implemented in full prior to the first occupation of the development hereby permitted.

Reason: To secure the long term maintenance of the landscaping scheme, which will contribute to the setting of the development and the surrounding character and appearance of the area.

12. No works pursuant to this permission shall commence until a design stage construction report (in the form of design stage SAP data and SBEM calculations; a BRE water calculator; product specifications; and building design details, layout or landscape plans), has been submitted to, and approved in writing, by the Local Planning Authority. The report shall demonstrate that:

- i) Each dwelling has reduced predicted CO₂ emissions by at least 19% due to energy efficiency and a further 20% due to on site renewable energy compared with the maximum allowed by building regulations;
- ii) Predicted water consumption no more than 110 litres/person/day;
- iii) Evidence demonstrating sustainable drainage and adaptation to climate change;
- iv) Sustainable, locally sourced materials (including plastic-free windows and doors).

Thereafter the development shall be undertaken in full accordance with the agreed details.

Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

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13. Prior to the first occupation of the development hereby permitted detailed information in a post construction stage sustainable construction report (in the form of design stage SAP data and SBEM calculations; a BRE water calculator; product specifications; and building design details, layout or landscape plans), has been submitted to, and approved in writing, by the Local Planning Authority. The report shall demonstrate that:

- i) Each dwelling has reduced predicted CO2 emissions by at least 19% due to energy efficiency and a further 20% due to on site renewable energy compared with the maximum allowed by building regulations;
- ii) Predicted water consumption no more than 110 litres/person/day;
- iii) Evidence demonstrating sustainable drainage and adaptation to climate change;
- iv) Sustainable, locally sourced materials (including plastic-free windows and doors).

The development shall be occupied in accordance with these agreed details and these details will hereafter be retained.

Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change.

14. Prior to the first occupation of the development hereby permitted, a refuse storage and management strategy, incorporating collection for recyclables and private garden compost, shall be submitted to and approved, in writing, by the Local Planning Authority. Thereafter the development shall be undertaken in full accordance with the agreed strategy.

Reason: To safeguard against an unacceptable impact upon amenity.

Lighting and Dark Night Skies

15. Prior to development above slab level, a scheme of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority. The lighting shall:

- i) Comply with the guidance set out in the SDNPA's Dark Night Skies Technical Advice Note;
- ii) Be designed to minimise impacts on wildlife, particularly along the ecological buffers on the southern, eastern and northern boundaries.

The lighting shall be installed, maintained and operated in full accordance with the approved details, and no other external lighting shall be installed anywhere within the site,

Reason: In the interests of amenity and ecology, and to protect the South Downs International Dark Skies Reserve.

16. Prior to first occupation of the development hereby permitted, details of low transmittance glazing and timed black-out blinds to be affixed to any rooflight(s) 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.

Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve.

Archaeology

17. No works pursuant to this permission shall commence until a programme of archaeological monitoring on any groundworks (including the removal of tree stumps) associated with the development. Thereafter the provisions of the scheme shall be carried out in full accordance with the approved programme.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets. This is

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required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

Drainage

18. No works pursuant to this permission shall commence until details of the proposed foul drainage and means of disposal, including on and/or off site works, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved designs.

Reason: To ensure satisfactory provision of foul water drainage. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

19. No works pursuant to this permission shall commence until details of the proposed surface water drainage and means of disposal, including on and/or off site works, and timetable for implementation, have been submitted to and approved in writing by the Local Planning Authority.

All works shall be undertaken in full accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage (SuDS) principles. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100-year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

The maintenance and management of the SuDS system should be set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure satisfactory provision of surface water drainage. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

20. Prior to development above slab level, details of vegetative and capture-at-source solutions for the management of surface water shall be submitted to and approved by the Local Planning Authority.

These may include, but are not limited to the provision of:

- i) Rainwater gardens (to include any planted areas in front of buildings);
- ii) Green roofs (where feasible);
- iii) Water butts.

The details shall be implemented and maintained as approved in full accordance with the approved details,

Reason: To manage and mitigate surface water run-off and the risk of flooding.

Ecology and Trees

21. Notwithstanding the submitted Landscape and Ecological Management Plan (LEMP), no works pursuant to this permission shall commence (including any demolition, ground works, site clearance) until a further LEMP has been submitted to and approved in writing by the Local Planning Authority, incorporating the measures detailed at sections 5 'Protected Species and Habitat Mitigation', 6 'Habitat Creation', 7 'Other Enhancements' and 8 'Post Construction Management Plan' and including:

- i) A description, plan and evaluation of landscape and ecological features to be managed within the site and wider Lodge Hill grounds;
- ii) Ecological trends and constraints on site that might influence management;
- iii) Long-term aims and objectives of management;

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- iv) Appropriate management options for achieving aims and objectives;
- v) Prescriptions for management actions, together with a plan of management compartments;
- vi) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 10-year period);
- vii) Details of the persons, body or organisation responsible for implementation of the plan;
- viii) A scheme of ongoing monitoring over a 10 year period, to ensure management is generating the desired outcomes and remedial measures (within the 10 year monitoring period) incorporated where appropriate, including a mechanism to discharge the monitoring by the Local Planning Authority;
- ix) Details of any legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer in partnership with any management body(ies) responsible for its delivery.

The approved LEMP shall thereafter be implemented in accordance with the approved details and where deemed necessary by the Local Planning Authority shall include contingencies and/or remedial action to be further agreed and implemented where the results from monitoring show that conservation aims and objectives of the LEMP are not being met.

Reason: To ensure appropriate on-going management of the land beyond the completion of the development, to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme, to meet the purposes of the South Downs National Park.

22. No works pursuant to this permission shall commence (including any demolition, ground works, site clearance) until a detailed Habitat Enhancement and Management Strategy, supported by drawings, and stating management aims, objectives and prescriptions as well as a monitoring and review process, has been submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

Reason: To enhance biodiversity in accordance with the NPPF. This is required to be a pre-commencement condition because it is necessary to agree such details prior to commencing works.

23. No trees or shrubs on the site other than those the Local Planning Authority has agreed shall be felled as part of this permission shall be wilfully damaged or uprooted, felled/removed, topped or lopped, unless agreed in writing by the Local Planning Authority, until 5 years after the completion of the development hereby permitted.

Any trees on the site which die or become damaged during the construction process shall be replaced with trees of a type, size and in positions agreed by the Local Planning Authority.

Reason: To ensure the retention of the vegetation important to the amenity and environment of the development.

24. All trees on the site shown for retention as part of the proposal shall be fully protected throughout all construction works by tree protective fencing placed along the edge of the root protection areas (RPA). The fencing shall be affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

Once installed, the fencing shall be maintained during the course of the development works until all machinery and materials have been removed from the site.

Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any

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tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Reason: To ensure the successful and satisfactory protection of the retained trees on the site.

Lighting and Dark Night Skies

25. Prior to development above slab level, a scheme of external lighting to be installed at the site shall be submitted to, and approved in writing by the Local Planning Authority. The lighting shall:

- i) Comply with the guidance set out in the SDNPA's Dark Night Skies Technical Advice Note;
- ii) Be designed to minimise impacts on wildlife, particularly along the ecological buffers on the southern, eastern and northern boundaries.

The lighting shall be installed, maintained and operated in full accordance with the approved details, and no other external lighting shall be installed anywhere within the site,

Reason: In the interests of amenity and ecology, and to protect the South Downs International Dark Skies Reserve.

Highways and Parking

26. Prior to the first occupation of the development hereby permitted, the vehicular access, footway and crossing serving the development shall be constructed in accordance with the details shown on the drawing titled Potential Access Arrangements and numbered ITB16035-GA-001 Rev A. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: In the interests of road safety.

27. Prior to the first occupation of the development hereby permitted, visibility splays of 2.4 metres by 56 metres east and 2.4 metres by 55 metres west shall be provided at the proposed site vehicular access onto Waltham Park Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: In the interests of road safety.

Informatives

1. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
2. The proposed development lies within a Source Protection Zone. The applicant will need to consult with the Environment Agency to ensure the protection of the public water supply source is maintained and inform Southern Water of the outcome of this consultation.
3. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
4. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

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11. Crime and Disorder Implication

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices I. Lodge Hill Maintenance and Development Programme

SDNPA Consultees Legal Services, Development Manager

Background Documents [All planning application plans, supporting documents, consultation and third party responses](#)

[National Planning Policy Framework \(2021\)](#)

[Planning Portal \(Outline Permission\)](#)

[South Downs Local Plan \(2014-33\)](#)

[South Downs National Park Partnership Management Plan 2020-25](#)

[South Downs Integrated Landscape Character Assessment 2020](#)

[Roads in the South Downs \(2015\)](#)

[SDNPA COVID-19 Position Statement](#)

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Agenda Item 9 PC Report PC 21/22-10 - Appendix 1



Maintenance & Development Programme - Lodge Hill 2021 - 2025

Ref.	Building/Element	Year 1 (2020)	Year 2 (2021)	Year 3 (2022)	Year 4 (2023)	Year 5 (2024)	TOTAL Years 1 - 5
1.A	Main House Building	£20,000.00	£30,000.00	£50,000.00	£0.00	£20,000.00	£120,000.00
1.B	The Limerick Studio	£0.00	£20,000.00	£0.00	£0.00	£10,000.00	£30,000.00
1.C	Toilet/Activities store	£0.00	£5,000.00	£0.00	£0.00	£5,000.00	£10,000.00
1.D	Garage/Workshop	£0.00	£0.00	£10,000.00	£0.00	£0.00	£10,000.00
1.E	Campsite- Classroom	£0.00	£0.00	£30,000.00	£0.00	£0.00	£30,000.00
1.F	Campsite- Cook house	£0.00	£0.00	£20,000.00	£0.00	£0.00	£20,000.00
1.G	Campsite- WC/Shower block 1	£0.00	£0.00	£0.00	£50,000.00	£0.00	£50,000.00
1.H	Campsite- WC/Shower block 2	£0.00	£0.00	£0.00	£50,000.00	£0.00	£50,000.00
1.I	Boilers	£0.00	£0.00	£0.00	£40,000.00	£0.00	£40,000.00
1.J	Bradbury Referb- Floor/toilet extensions	£0.00	£0.00	£100,000.00	£0.00	£0.00	£100,000.00
1.K	Driveways	£0.00	£45,000.00	£0.00	£0.00	£0.00	£45,000.00
1.L	Roof repairs- Estimates 5 years	£0.00	£10,000.00	£0.00	£10,000.00	£0.00	£20,000.00
1.M	Activity additions- assault course	£0.00	£0.00	£0.00	£75,000.00	£0.00	£75,000.00
1.N	Existing activity repairs/renewals- Incl trail	£5,000.00	£10,000.00	£5,000.00	£10,000.00	£5,000.00	£35,000.00
1.O	Activity shelter and storage near climbing tower	£0.00	£35,000.00	£0.00	£0.00	£0.00	£35,000.00
1.P	WiFi/IT budget	£5,000.00	£3,000.00	£3,000.00	£10,000.00	£3,000.00	£24,000.00
1.Q	Perimeter refencing/hedging	£0.00	£26,000.00	£0.00	£0.00	£5,000.00	£31,000.00
1.R	Double glazing first floor- Main house	£0.00	£0.00	£26,000.00	£0.00	£0.00	£26,000.00
1.S	Additional seating- picnic around site & disabled facilities	£6,000.00	£0.00	£0.00	£6,000.00	£0.00	£12,000.00
1.T	Lodges referb- internal work	£0.00	£0.00	£15,000.00	£0.00	£0.00	£15,000.00
	Subtotal:	£36,000.00	£184,000.00	£259,000.00	£251,000.00	£481,000.00	£778,000.00
	Builders Work on Service Items @ 10%:	£3,600.00	£18,400.00	£25,900.00	£25,100.00	£48,000.00	£77,800.00
	Preliminaries @ 12.5%:	£4,500.00	£23,000.00	£32,375.00	£31,375.00	£6,000.00	£97,250.00
	Contingency @ 5%:	£1,800.00	£9,200.00	£12,950.00	£12,550.00	£200.00	£38,900.00
	Allowance for Response Maintenance (to be confirmed by client - say £5,000.00)	£5,000.00	£5,000.00	£5,000.00	£5,000.00	£5,000.00	£25,000.00
	TOTAL:	£50,900.00	£239,600.00	£335,225.00	£325,025.00	£492,680.00	£1,016,950.00

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APPENDIX I

Agenda Item 8 Report PC21/22-49 Appendix 2**SOUTH DOWNS NATIONAL PARK AUTHORITY****PLANNING COMMITTEE**

Held at: 10.00am on 9 September 2021 at The Memorial Hall, South Downs Centre.

Present: Heather Baker (Chair), Barbara Holyome, Gary Marsh, Robert Mocatta, Andrew Shaxson, Thérèse Evans, Diana Van De Klugt and Richard Waring

Officers: Tim Slaney (Director of Planning), Robert Ainslie (Development Manager), Mike Hughes (Major Planning Projects and Performance Manager), Lucy Howard (Planning Policy Manager), Rebecca Moutrey (Senior Solicitor), Richard Sandiford (Senior Governance Officer), and Sharon Libby (Governance Officer).

Also attended by: Graeme Felstead (Development Management), Stella New, (Senior Development Management Officer), Vicki Colwell (Principal Planning Officer), Kevin Wright (Planning Policy Officer), Kirsten Williamson (Planning Policy Lead), Chris Paterson (Planning Policy Lead), Jessica Riches (Planning Officer), and Kelly Porter (Major Projects Lead).

OPENING REMARKS

56. The Chair welcomed Members to the meeting and informed those present that SDNPA Members had a primary responsibility for ensuring that the Authority furthered the National Park Purposes and Duty. 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

57. Apologies were received from Alun Alesbury and Janet Duncton.

ITEM 2: DECLARATION OF INTERESTS

58. Diana van der Klugt declared a public service interest in Agenda Item 9 as a Horsham District Councillor.
59. Robert Mocatta declared a public service interest in Agenda Item 7 as an East Hampshire District Councillor and a personal-non prejudicial interest as he was acquainted with one of the speakers, Councillor David Ashcroft.
60. Barbara Holyome declared a personal non-prejudicial interest in Agenda Item 7 as she was acquainted with one of the speakers, Councillor David Ashcroft.

ITEM 3: MINUTES OF PREVIOUS MEETING HELD ON 12 AUGUST 2021

61. The minutes of the previous meeting held on 12 August 2021 were agreed as a correct record and signed by the Chair.

ITEM 4: MATTERS ARISING FROM PREVIOUS MINUTES

62. There were none.

ITEM 5: UPDATES ON PREVIOUS COMMITTEE DECISIONS

63. SDNP/19/03160/OUT – Lower Yard, Selborne Road, Newton Valence June 2020 was subject to a complex legal agreement which had now been agreed and the decision was issued on 20 August 2021.

ITEM 6: URGENT ITEMS

64. There were none.

ITEM 7: SDNP/20/04118/FUL – QUEEN'S HOTEL SELBORNE

65. The Case Officer presented the application, reminded Members of the report content and referred to the update sheet. Additionally the Case Officer advised the Committee that further comments had been received from the Sustainable Economy Officer with no

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objections, and from the Landscape Officer with a holding objection, but it was considered the objections could be overcome through conditions.

66. The following public speakers addressed the Committee:
- Councillor Joanna Clay spoke against the application as a Selborne Parish Councillor.
 - Geraldine Dawson spoke against the application on behalf of Community Interest Group "Save the Queens".
 - Andrew Roberts spoke against the application representing himself.
 - Councillor David Ashcroft spoke in support of the application as an East Hampshire District Councillor for Binsted, Bentley & Selborne Ward.
 - Wendy Megeney spoke in support of the application representing herself.
 - Khalid Aziz spoke in support of the application on behalf of Gilbert Whites & Oates Collections.
67. The Committee considered the report by the Director of Planning (Report PC 21/22-08), the updates, and the public speaker comments, and requested clarification as follows:
- The Update Sheet referred to a 99 year lease for the ground floor, with the option of a five year break, what would happen if Gilbert White Museum used the five year break option?
 - Could it be confirmed, in accordance with SD43(c) that prior local community engagement had taken place?
 - Was the link between the hospitality units and the museum supported by a condition?
 - A public speaker mentioned that this was an Asset of Community Value but had been previously refused recognition by East Hampshire District Council, could the detail be clarified?
 - Had a robust marketing campaign been conducted under SD43 2a?
 - Did the Committee have the authority to issue a Compulsory Purchase Order (CPO) as suggested by one of the speakers?
 - The recommendation stated that planning permission be granted subject to a Legal Agreement agreeing "The use of the Queens Hotel tied to the Gilbert White Museum and the Wider Community". How would this be tied to the wider community?
 - When the Field Study Centre was used for pupils, it was assumed that parking would be required for school transport, did the facility have sufficient parking space?
 - Was the tourist accommodation first come first served, or did the public have to wait to see if Gilbert Whites had a pending engagement?
68. In response to questions, Officers clarified:
- The Business Plan referred to the five year break itself only, with no further detail. If the applicant exercised the five year break the legal agreement would have to be revisited.
 - Engagement took place in the form of a leaflet drop with online updates and a facebook group with responses had been completed. These were considered prior to the application being submitted.
 - The detail surrounding the Asset of Community Value being refused was not known. However, it was confirmed that the Queens Hotel was not recognised by East Hampshire District Council as an Asset of Community Value.
 - A marketing campaign was not requested, nor conducted as the proposal was considered to satisfy policies SD23 & SD43 as officers considered there was no loss of, or an unacceptable impact upon community facilities given what was proposed was

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considered to be of equivalent or better quality than that existing as commented on in paragraphs 7.5 and 7.6 of the report.

- The SDNPA did have the authority to issue a CPO, but it was not considered appropriate or likely to be successful in this case.
- The use of the Queens Hotel tied to the Gilbert White Museum and the Wider Community would be implemented via an S106 agreement which included a management plan. This would include details of operational hours and availability of the Field Study Centre and the TAP room.
- There were no suitable parking facilities on site for larger vehicles, however there was no objection from the Highways Authority. There was parking in the area, and potentially space for a drop off point in front of the newly refurbished building.
- For tourist accommodation availability, Gilbert Whites had priority, but would make vacant units available on cottages.com. It was confirmed that planning permission existed to Gilbert Whites for 25 social events annually, of which no more than 10 could have amplified music, which gave clarity to the approximate number of events that Gilbert Whites could host per year.

69. The Committee discussed and debated the application, making the following comments:

- It was not felt that the replacement facilities were equivalent or better, than those offered when previously open as a hotel.
- As the Queens Hotel was a historic coaching inn it was not felt this application conserved or enhanced the cultural history of the national park, and therefore did not meet the first purpose of the SDNP.
- There was concern about the overdevelopment of the site, particularly around the development that would take place along Huckers Lane, the proposed removal of the existing hedge and its replacement with a smaller hedge or wall climbing plant, neither of which were considered appropriate.
- The combination of the uses for the building for school children and the general public was considered to possibly be incompatible and may raise child protection issues.
- The fact that the village hall, an already existing community facility, was only a few doors away seems not to have been considered. What effect would an additional room for hire have on the community, particularly as the Field Study Centre's hours of use would be restricted?
- Although the development may work for Gilbert Whites Museum, it was felt that it may not work for the village of Selborne.
- Concern was expressed that with the five year break agreement, the developer could change its purpose and bring forward a new proposal.
- This did not seem like the right location for an educational facility given the risks of children by the busy road and no dedicated parking for school visits.
- As the building was not considered an Asset of Community Value, if this application was declined there was no mechanism to make the developer return with a more suitable application.
- Tying this proposal into the Gilbert Whites Museum made the proposal innovative including the enhanced education centre and the TAP room which encouraged workshops. With the enhancement of disabled access it was a good way of reviving an old public house. This was a good opportunity for both the local and wider community.
- This approach seemed to be an appropriate, sustainable and the most viable use of this building which would work well for the community.

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- The development along Huckers Lane could be considered typical of a small lane in a village.
 - Although there was some desire to see the building returned to its previous use as a hotel it was considered very unlikely this would come forward.
 - There were two main reasons to visit Selborne, one was the cycling and walking routes in the area, the other was Gilbert White and the excellent facilities put in place by the trust. This Committee had an obligation to encourage businesses such as these to be as viable as possible, which this application supported.
 - It was appreciated the village was divided over this issue, however, the solution before the committee was appropriate and the village should support this to help both the building and village move forward.
 - The engagement of the local community seemed to be limited; the postcard drop only asking for support and no public meeting being held. The significant amount of correspondence received against this application demonstrated that leaflet drops were not the answer to community engagement. It should be reconsidered whether this application had the support of the local community or not.
 - Whether this development was in line with Policy SD43 was a judgement call and some Members felt it did satisfy the policy.
 - Could the developer be made to return the building to its original state, both externally and internally?
70. Members were further advised:
- The Authority only had the power to request a developer restore a building if it was a listed building and certain inappropriate actions had taken place. If a site became extremely unsightly a S215 discontinuance notice could be used, but that was only external works in the interests of public amenity.
71. It was proposed and seconded to vote on the officer's recommendation.
72. The recommendation was not resolved.
73. It was proposed and seconded that planning permission be refused for the following reasons with the final form of words delegated to the Director of Planning in consultation with the Chair of Planning Committee:
1. The proposals would amount to an overdevelopment of the site, notably to Huckers Lane, and would therefore have an unacceptable impact on the landscape character of the area and the Conservation Area.
 2. It had not been demonstrated that the proposed alternative community facilities to be provided were of an equivalent or better quality to those lost and the proposal was therefore contrary to Policy SD43 of the South Downs Local Plan.
74. **RESOLVED:** That planning permission be refused for the following reasons:
1. It had not been demonstrated that the proposed alternative community facilities to be provided were of an equivalent or better quality to those lost and the proposal was therefore contrary to Policy SD43 of the South Downs Local Plan; and,
 2. The proposals would amount to an overdevelopment of the site, notably to Huckers Lane, and would therefore have been an unacceptable impact on the landscape character of the area and the Conservation Area.
- The final form of words delegated to the Director of Planning in consultation with the Chair of the Planning Committee.

Agenda Item 8 Report PC21/22-49 Appendix 2**ITEM 8: SDNP/20/04766/CND – KING EDWARD VII ESTATE**

75. The Case Officer presented the application, reminded Members of the report content, and referred to the update sheet. The officer drew Members attention to a response received from South East Water who highlighted the significant response from local residents with regards to water supply, which had been occurring for a number of years.
76. The following public speakers addressed the Committee:
- Simon Vernon-Harcourt spoke in support of the application on behalf of the applicant.
77. The Committee considered the report by the Director of Planning (Report PC 21/22-09), the updates and the public speaker comments, and requested clarification as follows:
- Was there a plan to install Swift boxes or bricks for bats into the blocks?
 - There was a draining issue where lawns which did not have enough soil depth were damaged, had this been resolved.
 - Had the gymnasium been reduced in size and was this for the one block or the whole site?
 - Was it correct that 5l gas boilers were being installed?
 - Was the underground parking being reduced?
 - Were the measured historic walkways impacted by the development?
78. In response to questions, Officers clarified:
- Whilst swift boxes were not covered in the ecology statement, this was discussed with the applicant who confirmed this could be considered.
 - The application was reviewed by a draining engineer who raised no objection. One resident had a concern over the drainage and the existing garden area and this was being discussed further with residents.
 - The gymnasium was comparable with that previously provided for residents of the estate and that was still the case.
 - The boilers used in the units was out of the remit of this application.
 - There was no reduction in parking allocation.
 - The historical measured walks were not impacted by this application.
79. The Committee discussed and debated the application, making the following comments:
- It was acknowledged that the new layout presented an excellent solution, taking it away from the chapel.
 - A great improvement was shown in the woodland area and the dormers along with the improved view in between the buildings.
80. It was proposed and seconded to vote on the officer's recommendation subject to the inclusion of an amended ecology condition requiring swift boxes.
81. **RESOLVED:** That planning permission be granted subject to:
- I. A deed of variation to the substantive Section 106 Agreement being completed to incorporate the application details and subject to the conditions set out in Paragraph 10.1 of this report subject to the inclusion of an amended ecology condition requiring the provision of swift boxes.

ITEM 9: SDNP/20/00627/OUT – Lodge Hill Education Centre

82. The Case Officer presented the application, reminded Members of the report content and referred to the update sheet. The Case Officer additionally advised the Committee that a

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further letter of objection had been received with regards to the access at Waltham Park Road and the timing of this meeting as they were unable to attend.

83. The following public speakers addressed the Committee:
- Matthew Wykes, spoke in support of the application on behalf of Lodge Hill Trust
 - Lisa May, spoke in support of the application on behalf of Lodge Hill Trust
 - Peter Cleveland, spoke in support of the application on behalf of the applicant
84. The Committee considered the report by the Director of Planning (Report PC 21/22-10), the updates and the public speaker comments, and requested clarification as follows:
- Was there no ancient woodland within the site?
 - At the time of allocated site SD64 being considered as part of the Local Plan, was this site also considered and rejected or was the site not put forward?
 - How many trees would be cut down for the development?
 - Under Key Matters (third bullet within the report) it referred to capital funds for Lodge Hill, with an anticipated amount of £700,000. Was that the entire income of the site, or had overage or other payments already been taken from this figure?
 - The application stated this was for up to five houses, how was this decision reached?
 - How was the Landscape Led objection on page 56, paragraph 4.9 of the report addressed?
 - Would the submitted Landscape and Ecological Management Plan (LEMP) be approved or was there a condition to secure it?
85. In response to questions, Officers clarified:
- It was confirmed that there was no ancient woodland within the site.
 - This site was not put forward at the time of the Strategic Housing Land Availability Assessment (SHLAA). However, it was put forward at the time of the Local Plan examination along with a number of other omission sites. As the inspector had no issue with any of the allocated sites none of the omission sites were considered.
 - Approximately 25 trees would be removed (Category A x1, Category B x 18, Category C x 5, Category U x 1). Replacement trees, of an equivalent if not more, would be planted around the site buffers and within the wider site.
 - It was confirmed that the figure of £700,000 of capital funds from the land sale was an estimate, prior to any overage or payments being deducted.
 - The application originally proposed 16 dwellings, which was considered to be an over-development. The site's capacity for development was unknown at this stage, however officers considered it suitable for up to five dwellings and capable of meeting SD4.
 - The in-principle landscape objection related to the pattern of settlement, south of the A29, which this site did not follow. There were also concerns with regard to the loss of a section of the bank due to the widening of access and the impact on Waltham Park Road. However, the trees in this location were of a lower category and non-native species and considered on balance not to be contrary to SD21.
 - An amended LEMP would be secured by Condition 21.
86. The Committee discussed and debated the application, making the following comments:
- Whilst Lodge Hill was an incredible facility and a worthy charity, it was not the only one within the park, and approving this application could set a precedent for similar 'enabling' residential development.

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- The entrance on Waltham Chase Road would significantly change a very rural secluded lane.
 - The application was contrary to the local plan because it was outside of the settlement boundary. There was also a key objection from the Landscape Officer.
 - There were concerns due to there being no footpath available on Waltham Park Road and it was not possible to create one. Additionally, the proposed houses would produce light pollution.
 - The tenuous benefits did not outweigh the shortcomings of the development in terms of planning policy compliance and harm to the landscape and bio diversity.
 - The landscape objections and SD25 were of concern. One side was urban and the other was semi-rural and this application led to a more urban feel.
 - The replacement of any tree loss was welcomed. Although the trees were of poor quality the disturbance to the ground flora and soil should also be taken into account.
 - The woodland area above Waltham Park Road was sparsely developed and the introduction of five dwellings potentially changed the nature of the wider environment. However, it was acknowledged that a balanced approach was needed as this was an exceptional charity.
 - This was only an outline planning application, to agree access and the request to build up to five houses. Full details of the proposal would be brought back to the committee via a reserved matters application.
 - This application was an exception and as stated in paragraph 4.12, page 56 of the report "... Reduced quantum of development may achieve the necessary balance of SD1 (4) that would enable the continued operation of Lodge Hill". The Committee should support initiatives like this, as Lodge Hill is an extremely unique environment.
 - The access was already in place and the Highways Authority did not object.
 - The impact upon the landscape was limited and the proposal was capable of conserving the landscape.
 - The final quantum would be considered once negotiations regarding the overage had been concluded, albeit officers understood Members concerns over the maximum number suggested.
87. It was proposed and seconded to vote on the officer's recommendation, subject to an amended recommendation to increase the length of time for the completion or sufficient progress of the legal agreement from six to twelve months, with the final form of the legal agreement delegated to the Director of Planning..
88. **RESOLVED:** That planning permission be granted subject to:
1. The conditions set out in paragraph 10.1 of the report and a legal agreement to secure proceeds from the sale of the land for essential maintenance works to the Centre, the final form to be delegated to the Director of Planning
 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 not made within twelve months of the Planning Committee meeting of 9 September 2021.
89. Gary Marsh and Robert Mocatta left the meeting at 13.45

ITEM 10: RAMPION 2 RESPONSE TO RAMPION EXTENSION DEVELOPMENT LTD'S SECTION 42 STATUTORY CONSULTATION ON THE RAMPION 2 OFFSHORE WIND FARM

90. The Officer reminded Members of the report content and referred to the update sheet. The Officer also updated Members on a further email received from Dr Ross of Protect

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Coastal England which reiterated previous comments that Rampion 2 was not required to meet the government's offshore wind energy generation requirements.

91. The following public speakers addressed the Committee:
- Vaughan Weighill spoke in support of the Rampion extension on behalf of RWE Renewables
92. The Committee considered the report by the Director of Planning (Report PC 21/22-11), the update sheet and the public speaker comments, and requested clarification as follows:
- Was there a 10 year period for works to be made good with Rampion 1, the same as was proposed for Rampion 2?
 - Why was Rampion 2 close to the shore?
 - Was the red line area onshore (i.e. the cable corridor) always a 50m wide construction zone, or would the construction line need to be extended to allow for haulage access and storage, etc.?
 - The life cycle was 25 years, when the cable was replaced would the cable be re-laid?
 - Could the cabling be upgraded via conduits, or would it have to be dug up?
93. In response to questions, Officers clarified:
- There was a 10 year monitoring period that started in 2020 for Rampion 1.
 - The Crown Estate issued the licences for wind farms and this was one of those areas which went through a licensing round and permission was granted for Rampion 2 to continue to the next stage (i.e. seeking a development consent order). It was also close to the shore due to the shipping lanes in the English Channel.
 - There were locations along the cable corridor where it was wider for techniques proposed to navigate the cable through the area. Construction compounds were also additional to the 50m wide zone. Although there were a couple of areas where it was slimmed down to 30m so storage areas could go beyond the corridor but not the red line boundary of the scheme.
 - Re-laying of a cable after 25 years was dependent on the evolution of technology. If turbines were replaced the cables may require upgrading.
 - It was not known how cables would be upgraded.
94. The Committee discussed and debated the application, making the following comments.
- By concentrating on the visual impact of the cable route, rather than other details, the Authority may be too concerned about one area and missing others which may be of greater concern.
 - Frustration was expressed that Rampion 1 was not future-proofed to account for additional cabling that may be required.
 - The response was not strong enough in highlighting the negotiations that had already taken place and that the SDNP had not been afforded its status or value as a protected landscape and that insufficient regard was being given to the national park purposes. The facts presented had not been given sufficient attention.
 - The response was overly diplomatic in places.
 - The application proposal should present more alternatives than those currently given.
 - Some of the questions posed in the response needed some context around them to ensure they were not lost.

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95. Members were further advised:
- The visibility of the cable route also identified impacts on ground conditions which affected land and crop management.
 - Future-proofing of Rampion I had previously been raised; it seemed that future proofing was only employed where it suited the company.
96. It was proposed and seconded to vote on the officer's recommendation, with the final form of words delegated to the Director of Planning in consultation with the Chair of the Planning Committee to amend the response in accordance with the comments of the committee resulting in a strengthened objection.
97. **RESOLVED:** The committee considered and provided comments on the contents of the draft response to be provided by the Chief Executive of the Authority as part of the Section 42 Statutory. The final form of words to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee to amend the response in accordance with the comments of the committee.

ITEM 11: EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS LOCAL PLAN REVIEW

98. The Officer presented the report and referred to the update sheet.
99. The Committee considered the report by the Director of Planning (Report PC 21/22-12) and requested clarification as follows:
- Were Novington sandpit and Stantons Farm one and the same, which although being inactive had a 250,000 ton reserve?
 - Was it for convenience that the SDNPA had separate East Sussex and West Sussex Minerals Plans which the SDNPA have fed into, to or was it through legal necessity that it was handled this way? Because of this was a situation arising because of this where the SDNPA was approving new soft sand sites in West Sussex despite there being soft sand reserves remaining in another?
 - How was planning effectively undertaken when confidential figures were not seen?
 - Why did it take four years to complete the review of aggregate policies started in 2017, which was to be followed by a five year plan to be completed in 2023?
100. In response to questions members clarified
- Novington sandpit and Stantons Farm were the same facility. It was for the operator to bring the site forward if they chose to.
 - Officers did look at the issue of minerals movement across the three counties and nationally, informed by a 4 year survey, which unfortunately was delayed for a year. That information was taken into account when the SDNPA planned, as required by the NPPF, for a steady and adequate supply of minerals. The SDNPA was required to consider minerals movements and could not control movements in and out of boundaries. These matters were also considered at a regional level at the South East Aggregate Working Party.
 - Officers did have sight of the confidential figures when undertaking minerals planning. Future reports would be amended to make this clear.
 - The delay in the review was due to significant discussions related to a large site in an SPA RAMSAR designated area where the operator was keen to continue the provision of aggregates and whether that was appropriate. The 2017 plan only addressed a few specific issues and there would be a need to consider all policies in the current plans under the five year review required by regulation and national policy. This was likely to take place in 2022/2023.
101. It was proposed and seconded to vote on the officer's recommendation.

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102. **RESOLVED:** The Committee recommended that the National Park Authority:
1. Approve the consultation draft of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Review, as detailed in Appendix 1 (a) of this report, for Regulation 19 Consultation in autumn/winter 2021 subject to any comments made by the Planning Committee being addressed, and subject to any minor changes that arise prior to the start of the Regulation 19 publication being agreed by the Director of Planning in consultation with East Sussex County Council and Brighton & Hove City Council
 2. Note the main issues arising from Sustainability Appraisal (SA) and the Habitat Regulation Assessment Screening document (HRA) as detailed in Appendices 2 and 3.
 3. Delegate authority to the Director of Planning in consultation with the Chair of the Authority, East Sussex County Council and Brighton & Hove City Council, to make any minor changes arising from the consultation and then submit the Waste and Minerals Local Plan Review to the Secretary of State under regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for examination.
 4. Note that if major changes are required to the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Review that a further public consultation and decision by the Authority may be required.

ITEM 12: PROPOSED LOCAL CONNECTION TEST FOR APPLICANTS TO THE SELF-BUILD AND CUSTOM HOUSEBUILDING REGISTER

103. The Officer presented the report and referred to the Update Sheet.
104. The Committee considered the report by the Director of Planning (Report PC 21/22-13) and requested clarification as follows:
- The Authority had a duty, not an obligation for sufficient plots. What defined “Local Connection”?
 - How would this be managed within the local plan?
 - How did the plots become available and did the builder still have to get planning permission? What happened if sufficient plots were not made available within the three year base period?
 - Was there a clear set of criteria that defined self-build so it was not left open to dispute?
 - Was there a right of appeal for ones excluded from the register, and who would the right of appeal be to?
 - Concern was expressed that Grandparents were included within the self-build register, as that was a separate generation and not immediate family? If the aim was to restrict the number of self-build home that could be built, then removing grandparents would restrict it further. This may also bring it into line with criteria for affordable housing.
 - What would happen, if after consultation, it was requested that Uncles and Aunts were to be included in the register?
105. In response to questions, Officers clarified:
- A local connection was defined as a parish wholly or partly in the SDNP.
 - The register showed people that had an interest in building their own home and provided evidence of the demand. By being entered on the self-build register there was no guarantee of receiving a plot when one became available. Planning permission for building a dwelling was required for those persons entered on the self-build register.
 - The government had not specified what would happen, if anything, if the demand was not met.

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- The definition and criteria of self-build was set out in the Self-Build and Custom Housing Act.
 - The right of appeal needed to be clarified further, but it was expected it would be submitted via the SDNPA.
 - Grandparents were included within the scope by the SDNP, but this could be reviewed.
 - If, as a result of public consultation, it was requested for example, Uncles and Aunts to be included in the local connection test criteria, the Director of Planning under delegated authority would decide whether to include, for this or other minor matters. If major matters arose from the public consultation, these issues would be brought before the Planning Committee for a decision on how to proceed with the proposed local connection test.
106. It was proposed, seconded and agreed to amend the recommendation to:
1. Remove Grandparents from the local connection test so it was in line with affordable housing criteria.
 2. Implement an appeals process for any persons failing the local connection test and therefore excluded from Part I of the self-build register.
107. It was proposed and seconded to vote on the amended recommendation.
108. **RESOLVED:** The Committee resolved to:
1. Approve the draft local connection test to the Self and Custom Housebuilding Register for public consultation (Appendix I) subject to the following amendments:
 - Remove Grandparents from the local connection test so it was in line with affordable housing criteria.
 - Implement an appeals process for any persons failing the local connection test and therefore excluded from Part I of the self-build register.
 2. That the authority be delegated to the Director of Planning, in consultation with the Planning Committee Chair, to make further minor changes to the local connection test prior to public consultation.
 3. That authority be delegated to the Director of Planning, in consultation with the Chair of the Planning Committee to consider the response from the public consultation, and subject to there being no major matters arising implement the local connection test.

ITEM 13: ADOPTION OF HAMBLEDON VILLAGE DESIGN STATEMENT AS A SUPPLEMENTARY PLANNING DOCUMENT

109. The Officer presented the report
110. The following public speakers addressed the Committee:
- Doctor John Thornton spoke in support of Hambledon Parish Council.
111. The Committee considered the report by the Director of Planning (Report PC 21/22-14) and made the following comments:
- Village Design Statements (VDS) and Neighbourhood Development Plans added incredible value in recording what made these places unique to the SDNP. Had officers experienced a local awareness that went beyond the planning system?
 - Did a “How to Guide” exist for other parishes? If a Parish published their own VDS and did not consult SDNPA, would it still carry weight in the determination of planning applications?
 - What was the difference in the status of a VDS if it was adopted only by the parish as opposed to by the SDNPA as well?

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112. Members were advised:

- In some areas yes, for example, Lodsworth issued their VDS to new residents as part of a new home pack.
- Officers were working with parishes and other Local Planning Authorities to develop a template for a VDS.
- A VDS adopted by a parish only would have limited weight when considering an application, whereas one adopted by the SDNPA would have greater weight.

113. **RESOLVED:** The committee resolved to approve the adoption of Hambledon Village Design Statement as a Supplementary Planning Document

ITEM 14: SUMMARY OF APPEALS DECISION UPDATE

114. The Officer presented the report

115. The Committee considered the report by the Director of Planning (Report PC 21/22-15) and made the following comments:

- There was a need to resolve the issue of gypsy and traveller sites within the park.
- Following the Judicial Review on the Cuckmere Haven application, was there a live application that remained to be determined?

116. The committee were further advised;

- The applicants for the Cuckmere Haven application were considering the situation and the way forward.

117. The Chair closed the meeting at 3.20pm

CHAIR

Signed: _____

APPENDIX 2