

20 MARCH 2001

NEW FOREST DISTRICT COUNCIL

Minutes of a Special meeting of the New Forest District Council held at the Waterside Theatre, Esso (Fawley) Recreation Club, Long Lane, Holbury on Tuesday, 20 March 2001.

p Cllr A W Rice TD - Chairman
p Cllr Miss P A Drake - Vice-Chairman

Councillors:

p Mrs S M Abernethy
p K F Ault
e K E Austin
e E R Bowring
p F J Bright
e Mrs D M Brooks
D S Burdle
p W R Catt
p J E Coles
e D E Cracknell
e P H Cummings
e B D Dash
J J Dawson
p W H Dow
e T J Droogleever
e L T Dunsdon
p B C Earwicker
p M H G Fidler
p R L Frampton
p Ms C F Gradidge
P C Greenfield
e R C H Hale
e L E Harris
e F R Harrison
p S A Hayes
p J D Heron
p Mrs M D Holding
p Mrs A M Howe

Councillors:

p J M Hoy
p Mrs M Humber BA
p J A G Hutchins JP
e M J Kendal
M C Kidman
e G N D Locock
p Mrs B M Maynard
e Mrs M McLean
e G K Richardson
e B Rickman
p Mrs M J Robinson
e B Rule
p T M Russell
p D N Scott
e M J Shand
e S A Shepherd
p Mrs B Smith
Mrs L P Snashall
p G Spikins
p M H Thierry
p D B Tipp
e J Waddington
p M S Wade
e S S Wade
e C A Wise
p P R Woods
p Mrs P A Wyeth
Vacancy

Officers Attending:

Ms E Malcolm, Miss J Debnam, Miss G O'Rourke, S Trueick, D Atwill and J Ward.

71. SPECIAL PLANNING DEVELOPMENT CONTROL COMMITTEE.

The Chairman of the Committee presented the report of the special meeting which had been held earlier during the day, 20 March 2001.

On the motion that the report be received:-

The Chairman advised Members that Councillors Brooks, Dash, Harris, Harrison, Richardson, Shand, Waddington and S Wade had disclosed interests in the subject matter of the meeting and, as a consequence, were not in a position to attend for the debate and voting.

The Chairman also advised Members that Councillors Austin, Bowring, Cracknell, Dawson, Droogleever, Hale, Kendal, McLean and Shepherd had apologised from attending.

Cllr Catt disclosed a pecuniary interest in the subject matter of this item, as he owned shares in Associated British Ports. Such ownership was however below the threshold which established a clear and substantial interest. He consequently remained in the meeting to speak and to vote.

Cllr M S Wade disclosed a non-pecuniary interest in the subject matter of this item but did not consider such interest was clear and substantial and remained in the meeting to speak and to vote.

RESOLVED:

- (a) That following its further assessment of the Dibden Bay port development applications, the Department of the Environment, Transport and the Regions be informed that this Council restates its objection to the proposals;
- (b) That the DETR be informed that this Council does not consider that an overriding case has been made regarding the need for the development, and that the Council's initial concerns about the impact of the development proposals have been reinforced following further assessment, in line with the comments contained in Report A to the special meeting of the Planning Development Control Committee, together with the following additional concerns:
 - The wider effects of the additional railway routes, including additional closure of the level crossing in Junction Road and consequent effects on the community of Totton; and conflict with movements on the existing rail network.
 - The effects of additional HCV movements on all the settlements along the Waterside, and beyond into the Forest. In addition, traffic congestion along the A326, A35 and neighbouring local roads.
 - The inadequacy of enforcement of HCV routes and the consequent need for sufficient control of HCV movements to prevent or minimise such traffic through the Forest. This might need additional statutory monitoring and control measures and other solutions.
 - The overall effect of the proposals on the health and quality of life of residents along the Waterside, and wider within the New Forest District.
 - Concern over the accuracy of the modelling of the effects of the dredging and port development on the stability of the saltmarshes and mudflats, and the consequent conclusions that might be drawn from such modelling.
 - Concern that the assessment of wave action did not recognise the height of bow waves that might be generated by larger ships, or by wind action.

- Concern over the potential release of toxic materials into the saltmarshes as a result of the dredging and recharging operations.
 - Concern that the recharge might destroy the Saltmarshes it was designed to assist, thereby making further habitats unavailable for use as feeding grounds by the bird population.
 - The loss of the amenity value of land at Hythe Marina Bund and its replacement with land at a more remote location.
 - The possibility that development might be in a flood plain and exacerbate flooding problems elsewhere.
- (c) That the District Council should, accordingly, continue to assess the development proposals and should present its objections and concerns at the forthcoming Public Inquiry;
- (d) That the DETR be informed that this Council also restates its view that the Appropriate Assessment has not been carried out in accordance with relevant guidance, and is therefore inadequate. The DETR should therefore require this Appropriate Assessment to be revised and resubmitted, prior to the Public Inquiry;
- (e) That the DETR be informed that this Council would have refused planning application 70255 (erection of noise barriers along the Fawley Branch Line) on the grounds that:
- (1) the proposed noise barriers, by virtue of their height, size, design and proximity to neighbouring residential properties, represent an inappropriate and visually intrusive form of development, to the detriment of the residential and visual amenities of neighbouring occupiers, contrary to policy DW-E1 of the New Forest District Local Plan; and
 - (2) the applicant has not submitted sufficient details concerning the design of the proposed noise barriers. Consequently, the Local Planning Authority has been unable to determine whether the proposed noise barriers would be adequate in their design and construction to offset the impact of the increased noise arising from the additional rail traffic as a result of the port development proposals;
- (f) That the DETR be informed that this Council would have refused planning application 70243 (works along the A326) on the grounds that:
- (1) the need for a new container port has not been adequately demonstrated;
 - (2) there is currently inadequate information to fully assess the following issues:

- (i) whether the highway proposals can adequately and safely deal with the volume of traffic generated by the overall port development; and
 - (ii) whether the highway proposals would give rise to significant additional environmental disturbance to people living in the vicinity of the A326, due to the increased volume of traffic using the A326 and the likelihood of traffic diverting onto other local roads.
- (3) it is likely to result in increased HCV traffic on local and Forest roads where controls in respect of the enforcement of HCV routes are currently inadequate without further statutory measures
- (g) That this Council formally objects to the Notice of Intention to issue an Exchange Land Certificate, and that the objections set out in Appendix C to Report A to the Planning Development Control Committee, be strengthened to highlight that the proposed exchange of land will be in a more remote location and consequently of lesser amenity value to the residents of the Marina and the wider community, and forwarded to the Government Office for the South East;
- (h) That officers be authorised to enter into discussions with ABP as appropriate with a view to resolving any objections if possible;
- (i) That the Chief Executive and the Director of Environment Services be given authority, in consultation with the Leader of the Council, and the Economy and Planning Portfolio Holder, to take any action necessary to enable the Council to respond quickly and effectively on matters relating to the Council's objections and its presence at the forthcoming Public Inquiry.

CHAIRMAN