

30 OCTOBER 2006

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 30 October 2006

- p Cllr D N Scott - Chairman
- e Cllr W H Dow - Vice-Chairman

Councillors:

- p G Abbott
- p K F Ault
- e K E Austin
- p C Baker
- p G C Beck
- p Mrs J L Cleary
- p D E Cracknell
- p G F Dart
- e L T Dunsdon
- p M H G Fidler
- p Ms L C Ford
- p Mrs L P Francis
- p P C Greenfield
- p R C H Hale
- p L Harris
- p C J Harrison
- p D Harrison
- p F R Harrison
- p J D Heron
- p P E Hickman
- p Mrs M D Holding
- p J M Hoy
- p Mrs M Humber
- p J A G Hutchins
- p M J Kendal
- p Mrs B M Maynard
- p Mrs M McLean
- p M J Molyneux
- p R J Neath

Councillors:

- p G J Parkes
- p Sqn Ldr B M F Pemberton
- p J Penwarden
- p L R Puttock
- p A W Rice TD
- p B Rickman
- p Mrs M J Robinson
- p B Rule
- p D J Russell
- p T M Russell
- p N E Scott
- p Lt Col M J Shand
- p S A Shepherd
- p Mrs B Smith
- p Mrs S I Snowden
- p M H Thierry
- p A R Tinsley
- p D B Tipp
- p C R Treleaven
- p Mrs B Vincent
- p M S Wade
- p S S Wade
- p G M Walmsley
- p J G Ward
- p A Weeks
- p Dr M N Whitehead
- p C A Wise
- p P R Woods
- p Mrs P A Wyeth

Officers Attending:

D Yates, J Mascal, C Malyon, D Atwill, Mrs M Dunsmore, C Elliott and Mrs R Rutins.

36. DECLARATIONS OF INTEREST.

Cllr Mrs Smith for Minute No. 44.
Cllrs D Harrison, Kendal, Rice and Weeks for Minute No. 44.
Cllr Mrs Robinson for Minute No. 41.

37. MINUTES (PAPER A).

RESOLVED:

That the minutes of the meeting held on 18 September 2006, having been circulated, be signed by the Chairman as a correct record.

38. CHAIRMAN'S ANNOUNCEMENTS.

There were none.

39. PETITION – DEVELOPMENT IN LYMINGTON.

Mr Sutton presented a petition, on behalf of the Lymington Society, containing approximately 1,425 signatures, plus a further 291 submissions made online. The petition asked New Forest District Council to change their implementation of current planning policies within the town of Lymington which:

- were causing irreversible damage to the character of the town;
- the destruction of many valuable family homes;
- their replacement by developments of flats completely out of character with their location in the town.

In addition, the petitioners requested that the NFDC urgently:

- carry out a review of "Areas of Special Character" with a view to protecting the many attractive areas in Lymington that are currently at risk of disappearing forever under inappropriate development;
- institute a far more open planning consultation policy allowing local residents and Amenity Societies greater access to the planning process to enable them to make full representations on proposed developments both before and after the submission of planning applications.

In presenting the petition Mr Sutton said that the petition had arisen from the strong public dissatisfaction over the development of areas within Lymington and the detrimental effects on the character of these areas.

Mr Sutton said that the Lymington Society accepted that there was a need for new affordable homes within Lymington, however sites for development should be developed to a reasonable density without causing damage to the locality. It was also felt that areas of special character could be under threat from redevelopment and should be preserved as the houses in larger gardens gave a semi rural and suburban character to the town.

He said that Lymington had, until recently, managed to retain its character and not be overshadowed by large scale developments such as blocks of flats which infringed on the town's special character.

He appreciated that the Planning Development Control Committee had a hard task refusing inappropriate applications when developers were often successful at appeal. However, he had recently attended an informal planning appeal hearing where structured dialogue had taken place with various parties, including members of the public, and hoped that this example could be followed more widely in the future.

On closing, Mr Sutton stated that the density guidelines outlined in PPG3 had exceptions where the character of the locality dictated a lower density. He felt that the residential areas of Lymington exemplified this and therefore considered that the guidelines should not be applied too rigorously in Lymington, except in circumstances where there would be no obvious damage to local character.

The Leader of the Council stated that he was aware that a further two petitions regarding planning policy in the New Milton and Milford on Sea areas were being compiled. The petition in respect of New Milton was handed to the Chairman and he understood that that in respect of Milford would follow in due course.

The Chairman did not consider the subject of the petition to be urgent and, therefore, in accordance with Standing Orders 38.3 and 38.4, the petition stood referred to the Cabinet and the Planning Development Control Committee.

The Chairman invited representatives from the Lymington Society to remain in the meeting to listen to further debate regarding this issue under the motion put forward by Cllr Kendal.

RESOLVED:

That the petition relating to the current planning policies and their application in Lymington be referred to the Planning Development Control Committee and the Cabinet for consideration in due course.

40. REPORT OF COMMERCIAL SERVICES JOINT COMMITTEE.

Cllr Thierry, Vice-Chairman of the NFDC/TVBC Commercial Services Joint Committee, presented the report of the meeting held on 7 September 2006.

Members discussed the value of examining the need to reduce fuel usage of the Council fleets by 1% in response to the serious issue of climate change. It was recognised that targets such as these could have implications for the quality of service delivery, however it was acknowledged that alternative fuels should and would be investigated further.

On the motion that the report be received, it was

RESOLVED:

That the report be received.

41. REPORT OF CABINET.

Cllr Mrs Robinson declared a personal interest in Item 1 of the Cabinet's report as the Chairman of Hampshire Partnership NHS Trust. She considered that such interest was not prejudicial and remained in the meeting to speak and vote.

Cllr Kendal, the Leader of the Council and the Chairman of the Cabinet, presented the report of the meeting held on 4 October 2006.

On the motion that the report be received:

RESOLVED:

That the report be received.

42. QUESTIONS UNDER STANDING ORDER 22.

There were none.

43. NOTICES OF MOTION.

(a) (This motion was considered following Minute No 39).

Cllr Kendal moved the following motion standing in his name:

"That this Council notes with concern that:

- (1) New Forest District gardens are under increasing threat of unwanted development and infill, due to the inadequate protection of green spaces in planning regulations passed by John Prescott;
- (2) The Government's density targets in PPG3 and draft PPS3, combined with regional building targets, are resulting in new homes of the wrong size and shape which fails to meet the public demand for new family homes with gardens and sufficient parking; and
- (3) The forthcoming Council tax revaluation in England may target homes with gardens and home improvements with higher bills, without any improvement in public services.

Therefore, this Council resolves to write to Ruth Kelly, Secretary of State for Communities and Local Government, calling for the forthcoming publication of PPS3 to:

- (1) Give Local Planning Authorities greater discretion to protect communities from inappropriate over-development and maintain the character of local neighbourhoods;

- (2) Re-designate gardens so they are not classified as brownfield land for planning purposes;
- (3) Give Councils greater freedom to set their own parking and density standards in new residential developments;
- (4) Stop higher Council taxes being levied on home improvements and gardens;

and calls on the officers of the New Forest District to take full account of paragraph 34 of PPS1 in making recommendations to the Planning Development Control Committee. This states:

'Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted'.

It is particularly important that this guidance is applied in the many parts of the District currently characterised by attractive low density housing. “

In seconding the motion Cllr Mrs Wyeth said that following a recent site visit to the new Lymington hospital, it had become apparent that there was insufficient parking for the facility which would create problems in the future. She therefore proposed that the second numbered paragraph 3 of the motion be amended by the deletion of the words 'in new residential developments'.

Following a vote, Cllr Mrs Wyeth's amendment was agreed.

Cllr F R Harrison proposed the following amendment to the substantive motion:

That the motion be amended by the deletion of all words from paragraph 3 of the original motion, beginning with the words 'therefore' and be replaced with: -

'The Council deplores the failure of the present Administration to come up with any ideas to resolve the dilemma between housing need and protection of our environment even though the numbers on our housing waiting list are growing rapidly and people continue to be accepted as homeless.

It therefore calls on the Administration and on officers and members in Housing and Planning to work with the Government of any political colour to find ways to provide the needed houses while avoiding damage to our towns or our countryside'.

The amendment was seconded.

Some members spoke against the amendment stating that the Council had a high achieving housing service performing in the top quartile in the country. The service had developed various policies such as asset reviews, priority leasing schemes and a local connections policy which aimed to tackle the housing shortage within the District. Members felt that Housing officers within the Council had worked hard to develop solutions to provide affordable housing to those in need. Schemes had been successfully developed despite the fact that the Government had abolished the Social Housing Grant.

Other members were of the view that more work needed to be done to find appropriate land for housing. Support was expressed for a larger proportion of social housing on new developments. It was felt that the current policy was inadequate and was not meeting housing needs. Areas such as Lymington were good examples of where policy was not working effectively to provide appropriate housing. Many felt that buildings of local importance such as infirmaries, hospitals etc had been demolished to make way for private housing whose position and density were inappropriate to the area.

Concerns were further raised regarding the destruction of character of many villages and towns in the New Forest. However, there were also views that the shortage of affordable housing put many young residents at a disadvantage.

Some Members expressed the view that all applications should be determined on planning grounds and the use of terms such as "garden grabbing", which had been used in political material should be avoided.

In replying to the debate, Cllr Harrison said that he believed the Council's officers did an excellent job, but were handicapped by planning policies. He felt that the provision of new affordable housing in appropriate locations was a serious matter that needed to be resolved, if the targets set by SEERA for building new homes in the District over the next 20 years, were to be met. He expressed concerns regarding this increase and felt that housing would infringe on rural and greenbelt areas.

The Leader of the Council said that affordable housing was a high priority for the Council. The Council had exceeded its targets of reducing the numbers of those on waiting lists. In his view, the Council had missed the opportunity to improve the provision of affordable homes when in 1996/97 it had not persuaded tenants to vote in favour of large scale voluntary transfer of its housing stock. This would have raised sufficient capital to fund future developments. The Leader further stated that he would be happy to add to the motion that the Council would work with the Government of any political party.

Cllr Harrison's amendment was put to a vote and was lost.

Members spoke in support of the substantive motion stressing that the Council needed to be more proactive in seeking to lobby Government in addressing affordable housing needs. Some members felt that the Council should press the Government for more freedom in planning of their areas.

Cllr Wise proposed that the substantive motion be amended to include the following paragraph (5) "enable reassessment of Council Tax banding following housing improvements on approval of the work rather than when the property subsequently changes hands".

The amendment was seconded.

Members spoke against the amendment stating that many families struggled to purchase suitable sized housing within the Forest and should not be burdened further with larger Council Tax bills purely for making home improvements.

The Leader of the Council stated that the debate surrounding property re-banding would be discussed once the Lyons Review had been published.

Cllr Wise's amendment was put to the vote and was lost.

Members discussed the value in having a joint meeting between the Economy and Planning Review Panel and the Planning Development Control Committee to discuss this issue further, in conjunction with the petition presented by the Lymington Society. The Economy and Planning Review Panel had discussed areas of special character in the past and had come to a view that whilst this designation could be used to protect towns and villages, if applied too liberally, the protection this designation afforded could be devalued. It was hoped that the guidance laid out in PPG3 would be applied gradually.

The substantive motion was put to the vote and was agreed.

RESOLVED:

That the Council write to the Secretary of State for Communities and Local Government detailing the issues outlined in the above motion.

(b) Cllr D Harrison moved the following motion standing in his name:

"That this Council resolves to use powers under the Clean Neighbourhoods and Environment Act 2005, to more effectively tackle the problem of the abandoned shopping trolleys in areas of the New Forest where this is a continuing problem."

The motion was seconded.

RESOLVED:

That under the provisions of Standing Order 41, the motion be referred to the Cabinet.

- (c) Cllr C J Harrison moved the following motion standing in his name:

“That, from 1 January 2007, the £80 car parking clock be abolished in all Hythe car parks and that all day parking be permitted in these car parks from this date with the display of an £8 car parking clock, to alleviate –

- (1) the traffic congestion arising from all day on-street parking in areas of Hythe because motorists are unwilling to pay for an £80 parking clock; and
- (2) the resultant traffic chaos which has become particularly bad in the areas of West Street, the entrance to the marina, Jones Lane and Atheling Road since the introduction of the £80 charge, despite the fact that there are empty spaces in the adjacent car parks.”

The motion was seconded.

RESOLVED:

That under the provisions of Standing Order 41, the motion be referred to the Cabinet.

- (d) Cllr Shepherd moved the following motion standing in his name:

“That this Council resolves to undertake a comprehensive Green Audit, to begin within the next six months and to cover all aspects of the Council’s operations, and a review of Council policy aimed at improving the performance of the Authority in terms of protecting the environment.”

The motion was seconded.

RESOLVED:

That under the provisions of Standing Order 41, the motion be referred to the Cabinet.

44. PORTFOLIO HOLDERS’ QUESTION TIME.

Cllr Mrs Smith declared a personal and prejudicial interest in the question to be posed as a family member made use of the Stocklands Centre in Calmore. She left the meeting during consideration of that item.

Cllrs D Harrison, Kendal, Rice and Weeks declared personal interests as members of Hampshire County Council. They considered that such interests were not prejudicial and remained in the meeting.

Question from: Cllr Weeks to Cllr Mrs Holding (Health and Social Inclusion Portfolio Holder)

“Please could you tell me what the District Council’s response was to the consultation by Hampshire County Council on their proposal to close Stocklands Older Persons Home and Day Centre at Calmore?”

Answer

The Portfolio Holder replied that the District Council's response to the proposed closure mirrored the sentiments expressed at the last Council meeting.

The care home had been declared unfit for purpose by the Commission for Social Care and was considered below the required care standards. It was estimated that approximately £1.5million would have to be spent in order to radically improve facilities. This would include extending current room sizing and as a result approximately 30 beds would be lost.

Consultation had not taken place because of requirements and demands of the Care Homes Act. The Portfolio Holder commended the work undertaken by Hampshire County Council staff at the care home, in light of the serious shortfalls in budgets. The deficit in the Hampshire County Council budget was largely due to the fact that the County had the second lowest grant from the Government for social care. Despite the shortfalls in funding the County Council had increased spending on social care by 60%.

The Portfolio Holder expressed concerns regarding the loss of beds at the care home, and suggested that more should be done to lobby the Government to increase grants for care homes in Hampshire.

The Portfolio Holder stressed that adequate communication had taken place between the District Council and the County Council on this matter, allowing the Council sufficient input into the debate surrounding the proposal put forward by Hampshire Country Council.

45. MEMBERSHIP OF COMMITTEES AND PANELS.

RESOLVED:

- (a) That Cllr T M Russell be appointed to serve on the Crime and Disorder Review Panel in place of Cllr Austin; and
- (b) That Cllr Beck be appointed to serve on the Planning Development Committee in place of Cllr Ault.

CHAIRMAN