

11 MAY 2022

NEW FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 11 May 2022

* Cllr Christine Ward (Chairman)

* Cllr Christine Hopkins (Vice-Chairman)

Councillors:

* Ann Bellows
* Sue Bennison
* Hilary Brand
Anne Corbridge
Kate Crisell
* Allan Glass
* David Hawkins

Councillors:

* Maureen Holding
* Mahmoud Kangarani
Joe Reilly
* Barry Rickman
Tony Ring
* Ann Sevier
* Malcolm Wade

*Present

In attendance:

Councillors:

Diane Andrews

Officers Attending:

Ian Austin, Jim Bennett, Richard Natt, David Norris, Julie Parry, Andrew Sage, Claire Upton-Brown and Karen Wardle

Apologies

Apologies for absence were received from Cllrs Corbridge, Crisell, Reilly and Ring.

38 MINUTES

RESOLVED:

That the minutes of the meeting held on 13 April 2022 be agreed as a correct record and signed by the Chairman.

39 DECLARATIONS OF INTEREST

Cllr Bellows disclosed a non-pecuniary interest in application 21/11036 as a member of Damerham Parish Council which had commented on the application. She concluded that there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

Cllr Wade disclosed a non-pecuniary interest in application 22/10237 as a member of Hythe and Dibden Parish Council which had commented on the application. Cllr Wade also reported that a local resident had contacted him in relation to the application. He had not expressed a view on the application and concluded there

were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

40 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a Land south of, Derritt Lane, Sopley (Application 21/11097)

Details:

Development of 100 dwellings; informal open space; natural recreation greenspace and play areas; footpaths and cycleways; associated landscaping; utilities and drainage infrastructure and enabling works; vehicular access from Derritt Lane and West Road

Public Participants:

Tim Hoskinson (Applicant)
Chris Yalden (Flood risk and drainage consultant) (Present to answer questions only)
Philip Emmel (Objector)
Cllr Jeremy Allen, Sopley Parish Council
Cllr Richard Frampton, Ward Cllr – Bransgore & Burley

Additional Representations:

None

Comment:

The Case Officer reported an amendment to the recommendation to extend the time period to complete the Section 106 Agreement to the end of 31 March 2023. This had been included in the update note circulated prior to the meeting.

Members noted that that applicant would be required to pay a Community Infrastructure Levy (CIL) contribution. It was requested that officers work with HCC and others to consider whether the CIL contribution could be used towards the upgrade of the footpath to the south of the site to Wiltshire Gardens and to improve Derritt Lane to the west of the site near to Clockhouse Stream in order to reduce the risk of flooding.

Decision:

Delegated Authority be given to the Executive Head for Planning, Regeneration and Economy to **GRANT PERMISSION subject to:**

- i) The completion by the end of 31 March 2023, of a planning obligation entered into by way of a Section 106 Agreement to secure the following contributions and other benefits:
 - **Affordable Housing (AH)** – 30 units with a tenure split of 19 Affordable rent and 11 shared ownership. Phasing delivery of units to be agreed, and long-term retention as AH.
 - **Biodiversity net gain (BNG).**
 - **ANRG provision and maintenance** and monitoring

- **Habitat mitigation for recreational impact** – non infrastructure access and management contributions per dwelling as per standard formula = £69,497
 - **POS provision and maintenance including play spaces** – triggers for implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas.
 - **Provision and management of on-site drainage**
 - **Air quality assessment** monitoring contribution of £8,500 in line with Local Plan policy.
 - **Off-site highway works** – The installation of a vehicular cross-over with tactile paving at the entrance to the rear parking court of numbers 5-11 Derritt Lane; The installation of dropped kerbs with tactile paving at the junction of Brookside Road/Derritt Lane; To provide dropped kerbs and tactile paving on the highway at the access to a private road approximately 100m south of Burley Road/Ringwood Road Junction; To install tactile paving Junction of St Marys Close/Ringwood Road and Provision of a new crossing point on Ringwood Road near the Three Tuns Pub. All under S278 Highways Act agreement
 - **Provision of a full Travel Plan** with bond, monitoring fees and approval fees.
 - **Monitoring contributions**
- ii) Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to include the conditions as set out in the report together with any further additions, and amendments to conditions as appropriate

Conditions / Reasons:

As per report (Item 3a) and update note

b Land south of, Milford Road, Pennington (NB: Proposed Legal Agreement) (Application 20/11192)

Details:

Residential development (Use Class C3) comprising up to 110 dwellings; open space, including Alternative Natural Recreational Green Spaces; footpaths, cycleways, and internal roads; associated landscaping, utilities and drainage infrastructure including connection to the strategic foul network; and associated infrastructure and groundworks (Outline application with details only of access) (AMENDED PLANS & DOCUMENTS)

Public Participants:

Ryan Johnson – Turley Associates (Agent)
 Donald Mackenzie (Objector)
 Cllr Ash-Vie, Lymington and Pennington Town Council
 Cllr Jack Davies, Ward Cllr - Pennington

Additional Representations:

A statement was read out on behalf of Kevin Pritchard (Objector).

Comment:

The Case Officer reported an amendment to the recommendation to extend the time period to complete the Section 106 Agreement to 31 March 2023. This had been included in the update note circulated prior to the meeting.

Decision:

Delegated Authority be given to the Executive Head for Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) Being satisfied that there is an off-site mitigation project capable of being delivered that will enable the required 10% gain in biodiversity to be achieved in perpetuity;
- ii) The completion by the end of 31st March 2023, of a planning obligation entered into by way of a Section 106 Agreement to secure the following contributions and other benefits:
 - **Affordable Housing (AH)** – 50% of the proposed dwellings as Affordable Housing, in which the affordable housing mix be comprised of 70% dwellings for social rent and affordable rent (split equally) and 30% intermediate / shared ownership.
 - **Biodiversity net gain (BNG).**
 - **ANRG provision and maintenance** and monitoring
 - **Habitat mitigation for recreational impact** – non infrastructure access and management contributions per dwelling as per standard formula
 - **Solent Recreation Mitigation Contribution**
 - **POS provision and maintenance including play spaces** – triggers for implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas.
 - **Provision and management of on-site drainage**
 - **Air quality assessment** monitoring contribution of £9,350 in line with Local Plan policy.
 - **On and Off-site highway works** – There will be a requirement to secure and carry out the provision of the access, junction and associated highways works onto and along Milford Road including crossing, bus stop relocation and cycle path to Harford Close, to construct a vehicle access road within the site between Milford Road and to the point of the boundary of 'Phase 2', to secure a contribution of £41,920, towards transportation improvements towards the A337/North Street/Ridgeway Lane roundabout, Cycle facilities (staggered barriers) for cyclist to slow cyclist on the approach to Milford Road, dropped kerb and tactile paving across the Widbury Road / Southlands junction, A new dropped kerb and tactile paved crossing of Widbury Road to access the pedestrian path to Meadow Road.
 - **Provision of a full Travel Plan** with bond, monitoring fees and

- approval fees.
 - **Monitoring contributions**
 - **Priority Habitat** – There will be a need to secure a long term landscape management plan for the future maintenance and maintenance of the Priority Habitat.
- iii) Delegated authority be given to the Executive Head of Planning, Regeneration and Economy to include the conditions as set out in the report together with any further additions, and amendments to conditions as appropriate

Conditions / Reasons:

As per report (Item 3b) and update note

c Courtvale Farm, Court Hill, Damerham, Fordingbridge (Application 21/11036)

Details:

Proposed erection of a 2m high close boarded fence; part change of use of land to civil engineering depot; landscaping

Public Participants:

Jerry Davies, Jerry Davies Planning Consultancy (Agent)
George Wilson (Objector)
Cllr Phil Tandy, Damerham Parish Council
Cllr Edward Heron – Ward Cllr - Downlands and Forest

Additional Representations:

The Case Officer reported that further comments had been received from the NFDC Environmental Health (Pollution) team and that further correspondence had been received from Mr G Wilson, Objector to the application. This had been included in the update note circulated prior to the meeting.

Comment:

Cllr Bellows disclosed a non-pecuniary interest as a member of Damerham Parish Council which had commented on the application. She concluded that there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

Members acknowledged that the operational part of the yard had encroached upon the adjoining woodland and countryside, causing harm to the protected trees, ecology and quality of the local landscape and Area of Outstanding Natural Beauty. Members also felt that the application to extend the operational area of the depot would have an unacceptable impact in terms of noise and disturbance on the amenity of the neighbouring properties. It was therefore felt the application should be refused.

Members recommended that enforcement action be taken in respect of the

unauthorised extension of the yard.

Decision:

Refuse

Conditions / Reasons:

1. The physical encroachment of the operational area of the civil engineering yard into the adjoining woodland and countryside has resulted in harm to a recognised area of ecological importance, damage to a historic woodland as well as having an adverse impact upon the visual amenity of the local landscape and Cranborne Chase Area of Outstanding Natural Beauty. The application is therefore contrary to Policies ENV3, ENV4 and STR2 of the Local Plan 2016-2036 Part 1 Planning Strategy for the New Forest outside the National Park and Policies DM2 and DM22 of the Local Plan Part 2 Sites and Development Management Plan Development Plan Document.

2. The application has failed to demonstrate that extension of the operational area of the civil engineering yard into the adjoining woodland would not cause unacceptable impacts to the amenity of neighbouring properties in terms of noise nuisance and disturbance, contrary to Policy ENV3 of the Local Plan 2016-2036 Part 1 Planning Strategy for the New Forest outside the National Park and Policy DM22 of the Local Plan Part 2 Sites and Development Management Plan Development Plan Document

Members resolved that enforcement action be taken in respect of the unauthorised extension of the yard.

d Plot 1, Gordleton Industrial Park, Hannah Way, Pennington, Lymington (Application 19/11321)

The Committee noted that this application had been deferred.

e 1 Malwood Road, Hythe (Application 22/10237)

Details:

Detached garage

Public Participants:

Lucie Dick, RS Studio (Agent)

Additional Representations:

None

Comment:

Cllr Wade disclosed a non-pecuniary interest as a member of Hythe and Dibden Parish Council which had commented on the application. Cllr Wade also reported that a local resident had contacted him in relation to the application. He had not expressed a view on the application and concluded

there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3e)

f 39 Newbridge Way, Pennington, Lymington (Application 22/10218)

Details:

Roof alterations to include raising ridge height, dormer windows and extension in association with new first floor; Single-storey rear extension; removal of existing

Public Participants:

Hannah Husband (Applicant)
Mr Bicker (Objector)

Additional Representations:

None

Comment:

None

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3f)

CHAIRMAN