

14 DECEMBER 2022

NEW FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 14 December 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:

Stephen Belli, Jacky Dawe, James Gilfillan, Nigel Hewitson, Richard Natt, David Norris, Ian Rayner, Warren Simmonds, Claire Upton-Brown and Karen Wardle

Apologies

There were no apologies for absence.

23 MINUTES

RESOLVED:

That the minutes of the meeting held on 9 November 2022 be agreed as a correct record and signed by the Chairman.

24 DECLARATIONS OF INTEREST

Cllrs Crisell and Kangarani declared a non-pecuniary interest in application 22/10714 as members of Totton and Eling Town Council which had commented on the application. They concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.

Cllr Hawkins declared a non-pecuniary interest in application 21/11179 as a member of the Planning Committee of New Milton Town Council which had commented on the application. He concluded that as he had not expressed a view

on the application, as amended, there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Cllr Ring declared a non-pecuniary interest in application 19/11369 as a member of Ringwood Town Council which had commented on the application. He concluded that there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Cllr Ward declared a non-pecuniary interest in application 21/11179 as a member of New Milton Town Council which 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.

25 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a SS9: Land East of, Everton Road, Hordle (Application 21/11731)

Details:

Residential development of site for 97 dwellings, open space, Alternative Natural Recreational Greenspace (ANRG), vehicular access via Everton Road

Public Participants:

Alison Young, Turley (Agent)
Wendy Grace (Objector)
Cllrs Maggie Hill, Hordle Parish Council
Cllr Alvin Reid, Hordle Ward Cllr

Additional Representations:

The Case Officer reported that two further third party presentations had been received raising concerns regarding foul and surface water drainage, highway safety and protected trees, this had been included in the update note circulated prior to the meeting.

A statement was read out on behalf of Cllr Carpenter.

Comment:

The Case Officer reported that the applicant had submitted details of the drainage strategy for disposal of surface water on 7 December 2022. He also reported an amendment to paragraph 10.3.2 of the report, in relation to the mix of housing, to be 73 houses, of which 23 would be 2 bed, 38 would be 3 bed and 12 would be 4 bed, the remainder would be flats. 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) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure the following contributions (subject

to indexation) and other benefits:

- **Affordable Housing (AH)** - 49 units (equating to 50%) with a tenure split of 17 social rented units, 23 shared ownership units and 9 affordable rent. Phasing delivery of units to be agreed, and long-term retention as AH.
- **Education** - financial contribution of £365,747. This is towards the expansion of Hordle CE Primary School, Ashley Infant and Junior Schools or New Milton Infant and Junior Schools, based on the provision of 1 teaching space at a pro-rata cost to accommodate the pupils from this development. This contribution would be payable prior to commencement to Hampshire CC.
- **Recreational Habitat Mitigation:**
 - Infrastructure - none as provided on site
 - Habitat Mitigation (Provision)
 - Non-Infrastructure Habitat Mitigation (Access Management & Monitoring) Total = £68,477.00
 - Bird Aware Solent contributions Total = £62,683.00 (To be paid to Council prior to commencement of development.)
- **Air Quality Monitoring contribution**
Contribution required of £91 per dwelling - To be paid to the Council prior to the commencement of development. Total = £8,827.00
- **Biodiversity net gain (BNG) implementation and monitoring contribution**
 - Implement in full the agreed monitoring and management plan
 - 30 year Monitoring the management and maintenance of BNG
 - An Index linked monitoring contribution to be paid to the Council
- **ANRG provisions (Management and maintenance of ANRG):**
 - The completion of, and provision of all informal ANRG areas prior to first occupation
 - Public access to such areas in perpetuity
 - The management and maintenance of all ANRG areas
 - Management company to be in place prior to first occupation
 - Default provisions in the event of management company failure
 - Management company set up funding
- **POS provisions (Management and maintenance of POS including play areas, and public access)**
 - The completion of all informal POS areas and equipment/street furniture prior to phased occupation
 - The completion of the main LEAP play area prior to first occupation of any dwelling
 - Public access to all POS and play areas in perpetuity
 - The management and maintenance of all POS areas 50
 - Management company to be in place prior to first occupation
 - Provisions relating to failure of management company and its replacement.
 - Travel Plan Contribution to HCC for bond, monitoring fees and approval fees to be paid on completion of agreement.
- **Private road management (On Site highway estate roads, footpaths, drainage and street lighting)**
 - Prior to first occupation or in accordance with phasing plan condition of planning permission.
 - Works have been carried out and are fit for purpose.

- Setting up of a private management company to maintain all on site highway
 - Provision to include potential failure of management company and setting up of new company
 - Provision of bond to secure any necessary remedial works that may be required
 - **S106 Monitoring charges - The following will apply to the development:**
 - Recreational mitigation contributions £750
 - Affordable Housing £750
 - Recreational Habitat Mitigation including on site alternative natural recreational green space £10,700
 - Biodiversity Net Gain £4,625
 - Public Open Space (formal, informal, play area and landscaping) £6,075
 - **Surface water drainage features (Management and maintenance of all surface water drainage features on site)**
 - Management company to be set up prior to first occupation
 - Provisions in event of failure of management company
- 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 to the East of Brockhills Lane, New Milton (SS10) (Application 21/11179)

Details:

Phased residential development for 164 dwellings; new vehicular access onto Brockhills Lane and other associated works including landscaping, ANRG and open space

Public Participants:

Karen Barns, Turley Associates (Agent)
 Robert Lofthouse, Pennyfarthing Homes (Applicant)
 Stephen Hunt – i-Transport, Highways Consultant
 Neill Crawford, on behalf of the Residents Against the development of Brockhills Lane (Objector)
 Cllr Alvin Reid, New Milton Town Council

Additional Representations:

A statement was read out on behalf of Cllr Carpenter, New Forest District Council.

Comment:

Cllr Hawkins declared a non-pecuniary interest as a member of the Planning Committee of New Milton Town Council which commented on the application. He concluded that as he had not expressed a view on the application, as amended there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Cllr Ward declared a non-pecuniary interest as a member of New Milton Town 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.

The Case Officer reported an amendment to the recommendation to grant permission subject to no further new material or substantive representations being received by 16 December on the proposed amendments. This was in addition to a Section 106 agreement and the imposition of conditions and had been included in the update note.

The Case Officer also reported an amended CIL contribution and that a further 290 letters of objection had been received, stating that the reduction in the number of dwellings do not address previous concerns. This had been included in the update note circulated prior to the meeting.

The Planning Committee raised concerns in relation to the highway safety, in particular the crossing point along Brockhills Road for pedestrians, recognising that the volume of traffic using this road would increase. Members felt that additional technical information was required in relation to highway safety, the crossing point, and the volume of traffic using the road prior to making a decision and therefore sought to defer the application.

Decision:

Defer

Conditions / Reasons:

In order for additional technical highway safety information to be provided.

c Little Testwood Farm, Salisbury Road, Calmore, Totton (Application 22/10714)

Details:

Development of a Class E foodstore (1,890sqm); associated access; car parking and landscaping; Class B2/B8 employment unit (1,848sqm) with parking and landscaping

Public Participants:

Dan Templeton, Planning Potential (Agent)

Additional Representations:

An additional representation had been received from Hampshire County Council Highways. This had been included in the update note circulate prior

to the meeting.

Comment:

Cllrs Crisell and Kangarani declared a non-pecuniary interest as members of Totton and Eling Town Council which had commented on the application. They concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.

The Case Officer reported an amendment to condition 16 and an additional condition. This had been included in the update note which had been circulated prior to the meeting.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per item (3c) and update note

d Hill View Farm, North End Lane, Harbridge, Ellingham, Harbridge and Ibsley (Application 21/11058)

Details:

Agricultural dwelling

Public Participants:

Jack Edwards, Symonds and Sampson (Agent)
Mr and Mrs Naphine (Applicants)
Cllr Roly Errington, Ellingham, Harbridge and Ibsley Parish Council

Additional Representations:

None

Comment:

The Committee understood that Ellingham, Harbridge and Ibsley Parish Council had not be consulted on the revised application where the floorspace of the proposed agricultural dwelling had reduced in size. Members requested that officers provide details on the procedure to the Parish Council in relation to how objections and the consultation process is managed.

Cllrs Bellows, Holding and Kangarani were not present for this application.

Decision:

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

- i) The completion and provision of a planning obligation entered into by way of Unilateral Undertaking in accordance with Section 106 to secure:
- New Forest Recreational Infrastructure: £6,282.00
 - New Forest Recreational Non-Infrastructure: £999.00
 - New Forest Air Quality Monitoring: £91.00
- ii) The imposition of the conditions set out in the report

Conditions / Reasons:

As per report (Item 3d)

e Redbrook Barn, Ringwood Road, Fordingbridge (Application 20/11403)

Details:

Use of existing redundant agricultural barn to four dwellings with associated car parking, new access and landscaping

Public Participants:

Kate Yeoll, Pell-Stevens Architects (Agent)

Additional Representations:

None

Comment:

Cllrs Bellows, Holding and Kangarani were not present for this application.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3e)

f 25-27 Southampton Road, Ringwood (Application 19/11369)

Details:

Convert first-storey to residential use; add two additional storeys to create six residential apartments; Improvements to front and rear elevations; Improvements to rear service yard including demolition of existing cold store and rebuild to form new cold store, bicycle and bin store with associated planting

Public Participants:

None

Additional Representations:

None

Comment:

Cllr Ring declared a non-pecuniary interest as a member of Ringwood Town Council which had commented on the application. He concluded that there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Cllrs Bellows, Holding and Kangarani were not present for this application.

Decision:

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

- i) The completion by 28 April 2023, of a planning obligation entered into by way of a Section 106 Agreement to secure appropriate habitat mitigation measures, and air quality monitoring contributions; and
- ii) The imposition of the conditions set out in the report

Conditions / Reasons:

As per report (Item 3f)

g Pheasants Walk, Poplar Lane, Bransgore (Application 22/11065)**Details:**

Bay window extension; porch; canopy to the front; boundary fence to the rear

Public Participants:

Sara Baker (Objector)
Cllr Manners, Bransgore Parish Council

Additional Representations:

None

Comment:

Members acknowledged the objection raised was in relation to the boundary fence which was proposed to be 20 cm higher than that which could be erected under permitted development rights. No objection had been raised to the other elements of the planning application. The Planning Committee heard how there was a difference in the levels of the site and expressed the view that the proposed increase in fence height was unneighbourly. It was

therefore suggested that the application be deferred to further discuss with the applicant the height of the boundary fence in order to address the objections which had been raised. A successful negotiation on this element may allow the application to be determined under delegated powers.

Decision:

Defer a decision to allow officers to negotiate on the height of the fence. If a lower fence can be agreed with the applicant to no higher than that of permitted development, to delegate authority to the Executive Head of Planning, Regeneration and Economy to grant permission subject to conditions.

Conditions / Reasons:

To discuss with the applicant the height of the boundary fence.

26 UPDATE ON OUTLINE PLANNING APPLICATION 19/10581: SITE OF FAWLEY POWER STATION, FAWLEY ROAD, FAWLEY, SO45 1TW

The Committee noted a report providing an update on planning application 19/10581: Site of Fawley Power Station which had been considered by the Planning Committee on 27 July 2020. The report set out the key actions which had been taken since this meeting and the changes to national and local planning legislation, policy and to the site. Once the Section 106 agreement had been completed, planning permission would be granted. This was expected in January 2023.

27 APPEAL DECISION UPDATE FORMER LYMINGTON POLICE STATION, SOUTHAMPTON ROAD SO41 9GH 21/10938

The Committee noted a report in relation to application 21/10938, the Former Lymington Police Station, Southampton Road which provided an update following the outcome of a Public Inquiry and the Inspectors decision to dismiss the appeal.

CHAIRMAN