

29 SEPTEMBER 2022

NEW FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Thursday, 29 September 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

Councillors:

Jeremy Heron

Officers Attending:

Vivienne Baxter, Stephen Belli, John Fanning, Judith Garrity, James Gilfillan, Nigel Hewitson, David Norris, Warren Simmonds, Joe Tyler, Claire Upton-Brown and Karen Wardle

Apologies

Apologies for absence were received from Cllrs Bellows, Brand, Glass, Kangarani, Ring and Wade.

14 MINUTES

RESOLVED:

That the minutes of the meeting held on 10 August 2022 be agreed as a correct record and signed by the Chairman.

15 DECLARATIONS OF INTEREST

Cllr Corbridge disclosed a non-pecuniary interest in applications 19/11321 and 21/11633 as a member of Lymington and Pennington Town Council which had commented on the applications. She concluded that there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

Cllr Crisell disclosed a non-pecuniary interest in applications 22/10878 and 22/10746 as a member of Totton and Eling Town Council which had commented on

the applications. She concluded that there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

16 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a Land to West of, Whitsbury Road, Fordingbridge (Application 21/10052)

Details:

Residential development and change of use of land to Alternative Natural Recreational Greenspace and all other necessary on-site infrastructure (Outline planning application all matters reserved except means of access only in relation to a new point of vehicular access into the site)

Public Participants:

Guy Peirson-Hagger, Pennyfarthing Homes (Applicant)
Louise Tonkin (Objector)
Cllr Mike Jackson and Cllr Diane Patton, Fordingbridge Town Council

Additional Representations:

A statement was read out on behalf of Cllr Ann Bellows.

The Case Officer reported that further consultee responses had been received from Hampshire County Council (Highways), NFDC Urban Design and Landscape Officer and Wessex Water. This had been included in the update note circulated prior to the meeting. An additional **five** letters of objection had also been received.

Comment:

The Case Officer reported that a further offer of affordable housing and proposed housing mixed / tenure had been submitted. This fourth offer set out a reduced overall number of units and percentage of affordable housing from 103 units (30%) to 85 units (25%). It was considered to be a more appropriate tenure mix to better meet local housing need. This had been included in the update note circulated prior to the meeting. As a result of the fourth offer of affordable housing, section (L) of the officer report had been amended as well as officer recommendation to include this housing mix. The completion of the Section 106 was also proposed to be extended to the end of June 2023.

Amendments to Conditions 2 and 9 were proposed, which had been included in the update note. The Case Officer also reported an amendment to Condition 8, which should read at the end of the last sentence “before first occupation, *and prior to any works commencing on highway infrastructure works.*”

Decision:

Delegated Authority be given to the Executive Head of 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 those matters set out in Section (L) of the Committee report and update note; such agreement to be completed by end of June 2023; and

- ii) the imposition of the conditions set out in the report and any additional / amended conditions deemed necessary by the Executive Head of Planning, Regeneration and Economy, having regard to the continuing Section 106 discussions.

Conditions / Reasons:

As per report (Item 3a) and updates to Committee

b Plot 1, Gordleton Industrial Park, Hannah Way, Pennington, Lymington (Proposed Legal Agreement) (Application 19/11321)

Details:

Variation of condition 19 of Planning Permission 16/10885 – not able to achieve BREEAM “Excellent” rating due to various constraints

Public Participants:

None

Additional Representations:

None

Comment:

Cllr Corbridge disclosed a non-pecuniary interest as a member of Lymington and Pennington 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.

Cllr Holding was not present for this item.

Decision:

Delegated Authority be given to the Executive Head of 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 highways improvements; and
- ii) the imposition of the conditions set out in the report.

Conditions / Reasons:

As per report (Item 3b)

c 2 Nursery Road, Ringwood (Application 21/10668)

Details:

Demolish existing outbuildings; conversion of front building to 2 bed cottage; erection of 6 No 2 bed houses (7 dwellings in total); parking

Public Participants:

Giles Moir, Chapman Lily Planning Ltd (Agent)
Clair Manners (Objector)
Cllr Glenys Turner, Ringwood Town Council

Additional Representations:

None

Comment:

The Committee felt that the proposal would have a detrimental impact on the Ringwood Conservation Area. Members expressed the view that the dwellings would be overly dominant within the streetscene due to their size, height and location, and cause loss of light to adjoining residential properties. Concerns were raised about the existing parking problems, noting there was a shortfall in proposed parking provision with the application which place additional pressure for on street parking.

Cllr Holding was not present for this item. Cllr Sevier was not present for part of this item and therefore did not vote.

Decision:

Refuse

Reasons for Refusal:

1. The site is located in a sensitive location within the Ringwood Conservation Area. The proposed development, by reason of its layout, size and scale, height and massing, would be over dominant within the streetscenes of Nursery Road and Hightown Road and would be out of scale with the existing character of traditionally proportioned properties. As a result, the development would have a detrimental impact on the character and local distinctiveness of the area and would fail to improve the character and quality the Ringwood Conservation Area. As such, the proposed development would be contrary to Policy ENV3 of the Local Plan Part 1 Planning Strategy, Policy DM1 of the Local Plan Part 2, the Ringwood Local Distinctiveness Supplementary Planning Document, and Chapter 16 of the National Planning Policy Framework (NPPF).
2. The proposed development by reason of its layout, height and massing, and consequent relationship with adjoining residential properties would lead to harmful impacts on reasonable amenity by reason of loss of light and overdominant impact. As such, this would be contrary to Policy ENV3 of the Local Plan Part 1 Planning Strategy for the New Forest outside of the National Park.

3. The proposed development is located in an area where parking problems currently exist. The shortfall of parking provision on the site would lead to an additional demand for parking in the vicinity of the site, which would exacerbate existing pressures for on street car parking and consequently lead to an unacceptable and harmful impact on highway safety. As such, it would be contrary to Policy CCC2 of the Local Plan Part 1 Planning Strategy for the New Forest outside of the National Park.
4. The recreational and air quality impacts of the proposed development on the New Forest Special Area of Conservation, the New Forest Special Protection Area, and the New Forest Ramsar site, would not be adequately mitigated and the proposed development would therefore be likely to unacceptably increase recreational and air quality pressures on these sensitive European nature conservation sites, contrary to Policy DM3 of the New Forest District Local Plan Part 2: Sites and Development Management.

d Land adjoining 2A, Highfield Road, Ringwood (Application 21/11530)

Details:

3 Detached houses with associated parking and landscaping

Public Participants:

Ken Parke, Ken Parke Planning Consultants Ltd (Agent)

Additional Representations:

The Case Officer reported that a further letter of objection had been received, this had been included in the update note circulated prior to the meeting.

Comment:

The Case Officer reported that an air quality statement had been requested.

A member of the Planning Committee noted that the site was formerly a builders yard and suggested a condition be included in relation to the discovery of contaminated land.

Cllr Holding was not present for this item.

Decision:

Delegated Authority be given to the Executive Head of 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 air quality monitoring, habitat mitigation and habitat mitigation monitoring; and

- ii) the imposition of the conditions set out in the report and additional condition regarding contaminated land.

Conditions / Reasons:

As per report (Item 3d), update note and additional condition set out below:

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination, until an investigation and risk assessment has been undertaken in accordance with the Environment Agency's technical Land Contamination Risk Management (LCRM) guidance. Where remediation is necessary, a remediation scheme must be prepared and submitted to, for approval in writing by, the Local Planning Authority, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property. The scheme must include all works to be undertaken, proposed remediation objectives and criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

e 2 Park Road, Fordingbridge (Application 22/10148)

Details:

4 detached dwellings with associated garages/parking and landscaping

Public Participants:

Giles Moir, Chapman Lily Planning Ltd (Agent)

Additional Representations:

The Case Officer reported that a local resident had submitted photographs of parking outside the site and along the road. This had been included in the update note circulated prior to the meeting.

Comment:

The Case Officer reported that an Air Quality Statement had been requested.

Cllr Holding was not present for this item.

Decision:

Delegated Authority be given to the Executive Head of 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 Air Quality Monitoring, Habitat Mitigation and Habitat Mitigation Monitoring; and
- ii) the imposition of the conditions set out in the report

Conditions / Reasons:

As per report (Item 3e)

f MWINGO, Green Lane, Blackfield, Fawley (Application 22/10838)**Details:**

Single-storey rear extension

Public Participants:

Dr Matthew Balme (Objector)

Additional Representations:

None

Comment:

Cllrs Corbridge and Holding were not present for this item.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3f)

g 169 Water Lane, Totton (Application 22/10878)**Details:**

Single-storey rear extension; ramped access with verge crossing & dropped kerb

Public Participants:

None

Additional Representations:

None

Comment:

Cllr Crisell disclosed a non-pecuniary interest as a member of Totton and Eling 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.

Cllrs Corbridge and Holding were not present for this item.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3g)

h 9A Belstone Road, Totton (Application 22/10746)**Details:**

Construction of four houses with associated access, parking and landscaping; demotion of the existing building

Public Participants:

Matt Holmes, Spruce Town Planning Ltd (Agent)
Tracey Wyeth (Objector)

Additional Representations:

None

Comment:

Cllr Crisell disclosed a non-pecuniary interest as a member of Totton and Eling 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 update had been submitted in relation to the ecological survey. As part of this, a scheme of mitigation and enhancement for biodiversity net gain was proposed and this was considered to be acceptable. An amendment to condition 10 was proposed due to this additional submission. This had been included in the update note circulated

prior to the meeting.

The Committee felt that the proposed development would result in a cramped form of development and therefore would constitute overdevelopment. They felt it would be detrimental to the amenity of the area, noting that there were existing parking issues along this road.

Cllrs Corbridge and Holding were not present for this item.

Decision:

Refuse

Reasons for Refusal:

1. The proposed development would result in an unsuitably cramped form of development and would constitute an overdevelopment of the site, to the detriment of amenity and the existing character of the area, located off of a narrow cul-de-sac with existing localised parking issues. Consequently, it is considered the proposal is discordant with provisions of local plan Policy ENV3, which requires all development to achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality.
2. The recreational impacts of the proposed development on the New Forest Special Area of Conservation, the New Forest Special Protection Area, the New Forest Ramsar site, the Solent and Southampton Water Special Protection Area, the Solent and Southampton Water Ramsar site, the Solent Maritime Special Area of Conservation and the Solent and Dorset Coast Special Protection Area would not be adequately mitigated and the proposed development would therefore unacceptably increase recreational pressures on these sensitive European nature conservation sites. In addition, the air quality impacts of the proposed development on the aforementioned New Forest sites would not be adequately mitigated, and the proposed development would therefore unacceptably increase air quality impacts on these sensitive European nature conservation sites. As such, the proposal would be contrary to Policy ENV1 of the New Forest District Local Plan 2016-2036 Part 1 and Policy DM2 of the Local Plan Part 2 Sites and Development Management Development Plan Document and the Supplementary Planning Document - Mitigation for Recreational Impacts on New Forest European Sites.

i Ampress Park, Ampress Lane, Lymington (Application 21/11633)

Details:

Use of Buildings A, B and C (Granted by Permission 10/95414) from B1 and B2 use (restricted by Section 106 Agreement dated 12/06/12 in relation to land at Bridge Road, Lymington and land at Ampress Park) to uses within B2, B8 & E

Public Participants:

Ken Parke, Ken Parke Planning Consultants Ltd (Agent)
Cllr Ash-Vie, Lymington and Pennington Town Council

Additional Representations:

A business located on the high street and the Lymington Society had submitted a representation following the publication of the report. This had been included in the update note circulated prior to the meeting.

Comment:

Cllr Corbridge disclosed a non-pecuniary interest as a member of Lymington and Pennington 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.

Cllr Holding was not present for this item.

Decision:

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

- i) the completion, within 6 months of the date of this resolution, of a planning obligation entered into by way of a Section 106 Agreement to secure a deed of variation to the 2012 S.106 agreement; and
- ii) the imposition of the conditions set out in the report

BUT, in the event that the Agreement is not completed, the Executive Head of Planning, Regeneration and Economy to **REFUSE PERMISSION** as the proposal is only acceptable on the basis that a s106 deed of variation is entered into.

Conditions / Reasons:

As per report (Item 3i)

17 DATES OF MEETINGS 2023/24

RESOLVED:

That the following meeting dates for 2023/24 be agreed (Wednesdays at 9.00 am):

- 3 May 2023
- 14 June 2023
- 12 July 2023
- 9 August 2023
- 13 September 2023
- 11 October 2023
- 8 November 2023
- 7 December 2023 (Thursday)
- 10 January 2024
- 14 February 2024
- 13 March 2024
- 10 April 2024
- 8 May 2024

CHAIRMAN