

11 OCTOBER 2023

**NEW FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held on Wednesday, 11 October 2023

- \* Cllr Christine Ward (Chairman)
- \* Cllr Barry Rickman (Vice-Chairman)

**Councillors:**

- \* Hilary Brand
- \* Kate Crisell
- \* Philip Dowd
- \* Matthew Hartmann
- \* David Hawkins
- \* Dave Penny

**Councillors:**

- \* Joe Reilly
- \* Janet Richards
- \* John Sleep
- \* Malcolm Wade
- \* Phil Woods

\*Present

**In attendance:**

**Councillors:**

Jacqui England

**Officers Attending:**

Vivienne Baxter, Jessica Cooke, Tanya Coulter, Nigel Hewitson, Richard Natt, David Norris, Sophie Tagg, Robert Thain, Joe Tyler and Tava Walton

**Apologies**

There were no apologies for absence.

**17 MINUTES**

**RESOLVED:**

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

**18 DECLARATIONS OF INTEREST**

Cllrs Dowd and Wade declared a non-pecuniary interest in application 23/10358 as members of Hythe & Dibden Parish 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 Richards declared a non-pecuniary interest in applications 23/10806 and 23/10820 as Ward Cllr. She concluded that there were grounds under common law to prevent her from remaining in the meeting to speak and vote.

**19 PLANNING APPLICATIONS FOR COMMITTEE DECISION**

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**a Land South of Milford Road, Pennington, Lymington (App No. 23/10691)****Details:**

Reserved Matters Application pursuant to condition 1 and 3 of outline planning approval (Ref. 20/11192) for the approval of appearance, landscaping, layout and scale for 90 dwellings (Use Class C3), associated and ancillary infrastructure, utilities, public open space and play areas, Alternative Natural Recreational Green Spaces; footpaths, landscaping and sustainable drainage systems. Vehicular access is to be taken from Milford Road, as approved under the outline planning approval (Ref: 20/11192). (AMENDED REASON TO ADVERTISE).

**Public Participants:**

Mr Ryan Johnson - Turley (Agent)  
Dr Adele Carroll (Objector)  
Mr Gareth Davies (Objector)  
Cllr Jacqueline England – Lymington Ward Cllr

**Additional Representations:**

None.

**Comment:**

As per the Committee Updates document, published on 8 October 2023, the following updates were taken into consideration by the Committee:

There was an amendment to the Case Officer's recommendation, which read:

Delegated Authority to be given to the Service Manager Development Management to  
GRANT PERMISSION subject to minor modifications to the internal road within the development and to include the conditions as set out in this report together with any further additions, and amendments to conditions as appropriate.

The Highway Authority did not raise any substantial objections to the proposal on public highway safety grounds, subject to minor modification to the internal layout and conditions. The Highway Authority raised several observations and considerations.

There were two additional representations received that referred to overshadow and loss of privacy, the development being out of keeping, the impact on existing traffic and highway safety concerns onto A337, the land needing to be returned to green belt and green belt land needing to be protected and restored.

An error was highlighted and correct in Paragraph 10.12.19 which states that the distance between Parcel C

There was an amendment to two Plan numbers in relation to Condition 1, these being: (Site Layout Plan) SL.01 Rev G and and CSL.02. Rev G.

**Decision:**

Grant Subject to Conditions of the Reserved Matters Application pursuant to condition 1 and 3 of outline planning approval (Ref. 20/11192) dated 29th March 2023.

**Conditions/Reasons:**

As set out in report (item 3a).

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**b Lymington Sports Ground, St Thomas Park, Lymington (App No. 23/10375)**

**Details:**

Additional spectator stand; re-build of facilities to rear of existing stand; new maintenance store; 3 x turnstiles; fence (AMENDED REASON TO ADVERTISE).

**Public Participants:**

Ms Slade – Draycott Chartered Surveyors (Agent)  
Cllr Jacqueline England – Lymington Ward Cllr

**Additional Representations:**

None.

**Comment:**

None.

**Decision:**

Grant subject to conditions.

**Conditions/Reasons:**

As per the report (item 3b).

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**c Land Adjacent to Oakbridge House, Lymore Valley, Milford-on-Sea (App No. 22/10936)**

**Details:**

Retention of log store (retrospective); completion of pole barn.

**Public Participants:**

Ms Slade – Draycott Chartered Surveyors (Agent).  
Mr Tom Chamberlain (Applicant)

**Additional Representations:**

None.

**Comment:**

Members felt that the proposal was an appropriate development of the site and were satisfied, from the application and the representations provided during the meeting, that there was reasonable potential of the proposal being used for agriculture purposes only, without presenting any visual harm to the greenbelt.

The Committee did, however, want assurances via condition to ensure that the land should be agricultural only.

**Decision:**

Grant subject to conditions.

**Conditions/Reasons:**Condition 1

The development permitted shall be carried out in accordance with the following approved plans:

- Planning Statement (dated 21 November 2022)
- 101 REV A Block & Location Plan
- 001 Log Store Plan and Elevations - Existing & Proposed
- 004 Pole Barn - Existing
- 022 Pole Barn Plan - Proposed
- 025 Pole Barn Roof Plan - Proposed
- 027 Pole Barn Elevations - Proposed

Reason: To ensure satisfactory provision of the development.

Condition 2

The structures that are the subject of this permission shall only be used for agricultural and forestry purposes and for no other commercial, residential or domestic, recreational, business or storage purposes whatsoever. Should this use cease, the structures shall be removed from the site, and the land reinstated to a condition which has been agreed in writing by the Local Planning Authority beforehand, within 6 months of the cessation of that use.

Reason: The structures are only justified on the basis that they are necessary for agriculture and forestry and in accordance with Policy ENV2

of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM22 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

Condition 3

No external lighting shall be installed on the site unless details of such proposals have first been submitted to and approved by the Local Planning Authority in writing.

Reason: To protect the amenities of the area in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

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**d Cairns, 12-14 Langdown Lawn, Hythe (App No. 23/10358)**

**Details:**

Construction of 5 residential units and all associated works.

**Public Participants:**

Ms Linda Wellman (Objector)  
Mr Geoff Barnet (Objector)  
Mr Dan Atkinson (Objector)

**Additional Representations:**

None.

**Comment:**

Cllrs Dowd and Wade declared a non-pecuniary interest in application 23/10358 as members of Hythe & Dibden Parish 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.

Members expressed concern over the proposal, feeling that it would represent overdevelopment of this backland site resulting in a cramped environment that would have an adverse impact upon the amenity of residents and the local area.

**Decision:**

Refuse.

**Conditions/Reasons:**

1. The proposal by reason of its overdeveloped design in an uncharacteristic backland location would fail to respond to the local context, and result in a cramped environment that would have an adverse impact upon the amenity of residents and the local area.

The proposal is therefore contrary to Policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the National Planning Policy Framework (2023).

2. The recreational and Air Quality 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 be likely to unacceptably increase recreational pressures and erode air quality on these sensitive European nature conservation sites, contrary to Policy ENV1 of the Local Plan 2016-2036 Part One: Planning Strategy and the Council's Supplementary Planning Document "Mitigation for Recreational Impacts on New Forest European Sites" and the Bird Aware Solent strategy 2017.

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**e Barn to East of Sandle Lodge, Main Road, Sandleheath (App No. 23/10806)**

**Details:**

Variation of conditions 2 and 10, removal of condition 9 of application 20/10487 to allow changes to elevations and increase to x4 no bedrooms.

**Public Participants:**

Mr Aaron Smith – Master Land & Planning Ltd (Agent)  
Mr Stephen Smith (Objector)

**Additional Representations:**

None.

**Comment:**

**Updates to Committee:**

The second sentence in paragraph 2 on p.112 of the report should read as follows:

**This planning permission remains extant indefinitely.**

The agent has provided a materials schedule to negate the need for condition 3. The materials are considered acceptable, and it is proposed to add the schedule into the list of approved documents. As a result of this submission, the drawing indicating the proposed elevations has been updated, included in the presentation and will also be included in the list of approved documents as follows:

- A-191108-01 rev.1 - site location plan
- A-191108-100 Rev 7 - proposed site plan

- A-191108-101 Rev 9 - floor plans and elevations
- Preliminary Ecological Appraisal by Abbas Ecology dated 10/07/2020
- Tree Survey and Arboricultural Assessment by Hellis dated April 2020
- Planning Statement by Fowler Architectural and Planning
- Materials schedule.

A landscaping scheme has also been submitted at short notice although this does not cover all elements of the proposed condition. Should Members resolve to grant permission in accordance with the recommendation, it is requested that Officers have delegated powers to consider this submission and amend the landscaping condition accordingly.

Following a query from the agent over the imposition of condition 6, the Case Officer agreed with amending the first part of the condition relating to the water efficiency calculator but was satisfied that the remaining part of the condition should be imposed. Specific wording of the condition can be found in the Committee Updates sheet published on 8 October 2023.

**Decision:**

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- (i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure the transfer of monies paid under application reference 20/10487 and the uplift contributions as follows:
  - Air Quality Monitoring £77.43,
  - Habitat Mitigation (infrastructure) £2,311.79 and
  - Habitat Mitigation (non-infrastructure) £416.71
- ii) the imposition of the conditions as set out in the report. Officers have delegated authority to amend the materials and landscaping conditions following receipt of late information.

**Conditions/Reasons:**

As per the report (item 3e) and the update note.

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**f The Lodge, Mushroom Farm, Rockbourne (App No. 23/10820)**

**Details:**

Erection of a replacement dwelling; hard and soft landscaping..

**Public Participants:**

Mr Dan Roycroft (Agent).

**Additional Representations:**

A representation was received from Rockbourne Parish Council.

**Comment:**

The Parish Council advised of the following comments:

PAR4: We recommend REFUSAL for the reasons listed.

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Highway safety (overuse of connecting footpath)
- Layout and density of building, specifically the height which extends to two storeys.

**Decision:**

Grant subject to conditions.

**Conditions/Reasons:**

As per the report (item 3f).

CHAIRMAN