

8 NOVEMBER 2023

NEW FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 8 November 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

Officers Attending:

Stephen Belli, Coulter, James Gilfillan, David Norris, Sophie Tagg, Robert Thain, Walton and Karen Wardle

Apologies

Apologies for absence were received from Cllr M Wade.

20 MINUTES

RESOLVED:

That the minutes of the meeting held on 11 October 2023 be agreed as a correct record and signed by the Chairman.

21 DECLARATIONS OF INTEREST

Cllr Reilly, for transparency purposes, declared a non-pecuniary interest in application 22/10854 as the local ward councillor. He concluded there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Cllr Crisell declared a non-pecuniary interest in applications 22/10854 and 23/10430 as a member of Totton & 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.

Cllrs Penny and Sleep declared a non-pecuniary interest in applications 22/10854 and 23/10430 as members of the Planning Committee of Totton & Eling Town Council which had commented on the applications. They concluded that as they had not participated or voted on these applications there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.

Cllr Woods declared a non-pecuniary interest in application 23/10316 as he had submitted an objection to the application as a local resident, prior to becoming a District Councillor. He reported that he would be speaking on the application as a local member and therefore would not participate in the debate or vote on the application. He remained present during the consideration of the item.

22 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a **SS16 Land North of, Station Road, Fordingbridge (Application 23/10316)**

Details:

Application for full planning permission to provide 198 dwellings (including affordable housing provision), new pedestrian and cycle routes, landscaping, parking, public open space, Alternative Natural Recreational Greenspace, improvement of existing access, drainage and all other necessary on site infrastructure; and demolition of former outbuildings and agricultural buildings. (AMENDED REASON TO ADVERTISE)

Public Participants:

John Richards, Cala Homes (Thames) Ltd (Applicant)
Cllr Anna Wilson and Cllr Diane Paton, Fordingbridge Town Council
Cllr Phil Woods, Ward Councillor – Fordingbridge, Godshill & Hyde

Additional Representations:

Two further letters of objection had been received since the report had been published. These raised issues of traffic, sustainable build and matters of principle which had been included in the report. This had been included in the update note published prior to the meeting.

Comment:

Cllr Woods declared a non-pecuniary interest as he had submitted an objection to the application as a local resident, prior to becoming a District Councillor. He reported that he would be speaking on the application as a local member and therefore would not participate in the debate or vote on the application. He remained present during the consideration of the item.

The applicant had circulated a briefing note to members prior to the meeting. This had been included in the update note published before the meeting.

The Case Officer reported that the owners of Allenbrook Care and Nursing Home had withdrawn their objection to the application, having reached agreement with the developer and requesting to be a party to the S106. They had therefore withdrawn their request to speak at the meeting.

Decision:

Delegated Authority be given to the Head of Service 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 the report; such agreement to be completed by end of June 2024; and

- (ii) The imposition of the conditions set out in the report and any additional / amended conditions deemed necessary by the Development Manager/Service Head, having regard to the continuing Section 106 discussions.

b Land West of Hill Street, Calmore, Netley Marsh (Application 22/10854)

Details:

Construction of 60 dwellings; creation of two new accesses from Hill Street, parking, landscaping, open space (including ANRG) and associated works

Public Participants:

Nick Whittington, Pegasus Group (Agent)

Additional Representations:

None

Comment:

Cllr Reilly, for transparency purposes, declared a non-pecuniary interest as the local ward councillor. He concluded there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Cllr Crisell declared a non-pecuniary interest as a member of Totton & 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 Penny and Sleep declared a non-pecuniary interest as members of the Planning Committee of Totton & Eling Town Council which had commented on the application. They concluded that as they had not participated or voted on the application there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.

The Case Officer referred to the update sheet published prior to the meeting. Within this, a briefing note had been circulated to all members of the Committee from the applicant. There were also a number of amended and additional conditions and an amendment to the recommendation to include a target of June 2024 for the completion of the Section 106 agreement. A further update was reported at the meeting in relation to condition 19 (Surface Water Drainage), which would require the applicant to submit a revised drainage strategy, to address the location of a replacement pipe which as currently proposed would conflict with trees on the site. It was noted that this was a small element of the drainage strategy and that the wider strategy had been approved by Hampshire County Council.

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 those matters set out below; such agreement to be completed by the end of June 2024:

Air Quality Monitoring contributions: £6,180

Recreational Habit Mitigation:

- Infrastructure Habitat Mitigation Provision of 1.3ha of publicly accessible ANRG, with future transfer to Management Co. provision of management plan.
- Phased delivery of ANRG
- Non-infrastructure Habitat Mitigation (Access Management and Monitoring): £49,678
- Bird Aware Solent: £45,892

Highways:

- Provision of £90,000 towards A326/A31 southbound off slip junction capacity improvement project.
- Provision of off site highway, bus stop and crossing improvements
- Provision of £27,000 towards Green Lane Bridleway improvement project
- Ensure vehicular access to adjoining land for development is not prevented

Education:

- Provision of £247,571 towards Primary age school infrastructure

Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £808.00
- Affordable Housing Monitoring: £808.00
- Recreational Habitat Mitigation on site monitoring: £11,608
- Biodiversity Net Gain on site monitoring: £4,980
- Public Open space on site monitoring: £6,542

Affordable Housing:

- Secure 21 units in the proposed housing and tenure mix.
- Secure phases provision.

Recreation

- Secure informal open space provision of 032ha

- Secure on site play area provision of 0.03ha
 - Phased provision prior to occupation of penultimate dwelling and transfer to management company
 - Provision of £23,880 towards formal public open space towards the provision and maintenance of offsite sports facilities to include one or more of the following:
 - MUGA Sports pitches in wider SS1;
 - Cricket pitch within locality of Totton;
 - Other off site sports facilities within the vicinity of the development;
- (ii) The imposition of the conditions set out in the report, update note and the rewording of condition 19 to require a revised drainage strategy

c Units 2-4, Totton Retail Park, 62-96 Commercial Road, Totton (Application 23/10430)

Details:

Installation of a drive thru lane; additional hardstanding to extend service area to form a turning circle; external alterations; use as a coffee shop

Public Participants:

Matthew Gray (Agent)

Additional Representations:

None

Comment:

Cllr Crisell declared a non-pecuniary interest as a member of Totton & 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 Penny and Sleep declared a non-pecuniary interest as members of the Planning Committee of Totton & Eling Town Council which had commented on the application. They concluded that as they had not participated or voted on the application there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.

Members felt that the proposed drive through would create an unacceptable level of congestion, which would have an adverse impact on the amenity of customers and the safety and convenience of the adjacent retail units.

Decision:

Refuse

Conditions / Reasons:

The creation of a drive-thru facility in this location will result in an unacceptable level of congestion that would have an adverse impact upon the amenity of customers and the safe and convenient operation of the adjoining retail uses, contrary to Policy ENV3, Policy ECON1 and Policy CCC2 of the New Forest District Local Plan 2016-2036 Part 1.

d Land adjacent to Cracknore Cottage, Cracknore Hard Lane, Marchwood (Application 23/10630)**Details:**

Erection of new detached dwelling and associated landscaping works on land adjacent to Cracknore Cottage

Public Participants:

A representation was read out on behalf of Mr and Mrs Nicholas (Objectors)

Additional Representations:

None

Comment:

The applicant had submitted an Air Quality Statement setting out the measures to comply with the Air Quality in new development SPD. This had been included in the update note circulated prior to the meeting. The Case Officer reported a further update following receipt of a late representation from a neighbour reporting there were slow worms on the site. This matter had not been raised previously and therefore had not been considered as part of the officer report. The Case Officer reported she had spoken to the Council's Ecologist and advised that if approval was granted for the application, this would need to be monitored on site and an informative would be added to the decision notice on the need to adhere to relevant legislation on protected species.

Some members of the Planning Committee expressed the view that this would be a cramped form of development, out of keeping of the character of the local area and would have an adverse impact on the amenity of the neighbouring properties.

Decision:

Refuse

Conditions / Reasons:

1. The proposed development of this site for one new dwelling would constitute an incongruous form of development out of keeping with and contrary to the prevailing character of the area. The excessive built form would result in a visually cramped and contrived appearance which would have an adverse impact upon the amenity of the neighbouring

properties. As such, the proposed development is contrary to the design, character and amenity related provisions of Policy ENV3 of the Local Plan Part 1 and Chapter 12 of the National Planning Policy Framework.

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, and the Solent Maritime Special Area of Conservation 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 SPD - Mitigation Strategy for European Sites.

CHAIRMAN