

13 NOVEMBER 2024

NEW FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 13 November 2024

* 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
Jeremy Heron

Councillors:

Steve Rippon-Swaine

Officers Attending:

Vivienne Baxter, Kate Cattermole, Jessica Cooke, Tanya Coulter, James Gilfillan, Tim Guymer, Richard Payne, Sophie Tagg, Robert Thain, Karen Wardle and Mark Wyatt

Apologies

An apology for absence was received from Cllr Hawkins.

20 MINUTES

RESOLVED:

That the minutes of the meeting held on 9 October 2024 be agreed as a correct record and signed by the Chairman.

21 DECLARATIONS OF INTEREST

Cllrs Dowd and Wade declared a non-pecuniary interest in application 24/10057 as members of Hythe and 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 Woods declared a non-pecuniary interest in applications 23/11306 and 24/10054, for transparency purposes as a Ward Cllr for Fordingbridge, Godshill & Hyde. He reported that he had not been involved in these applications and

therefore 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 22/10219 and 22/10854 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.

Cllrs Penny and Sleep declared a non-pecuniary interest in applications 22/10219 and 22/10854 as members of the Planning Committee of Totton and Eling Town Council. They concluded that as they had not expressed a view on the applications there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.

Cllr Reilly declared a non-pecuniary interest in application 22/10854, for transparency purposes as a 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.

22 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a SS13 Land off Moortown Lane, Ringwood (Application 21/11723)

Details:

Hybrid planning application comprising a total of 443 dwellings: Outline planning permission (all matters reserved except access) for residential development of up to 293 dwellings, public open space, ANRG, SuDS, Landscaping, other supporting Infrastructure associated with the development; Full permission for 150 dwellings with means of access from Moortown Lane, associated parking, ANRG, open space, landscaping, and SuDS, other supporting Infrastructure associated with the development. This application is subject to an Environmental Assessment and affects Public Rights of Way.

Public Participants:

Jim Beavan, Savills (Agent)
Dr Chris Treleaven (Objector)
Cllr Mary Deboos, Ringwood Town Council
Cllr Jeremy Heron, Ringwood South Ward Cllr
Cllr Steve Rippon-Swaine, Ringwood South Ward Cllr

Additional Representations:

None

Comment:

The Case Officer provided a number of updates since the report had been published in relation to amended plans from the applicant as well as a further detailed representation from Ringwood Town Council and a member of the public. The planning considerations arising from this were detailed in the update note circulated prior to the meeting.

The Case Officer also reported there were three additional conditions in relation to:

- Zero carbon buildings and energy efficiency
- the housing mix for Phase 2 (open market housing)
- the five Parameter plans

The Case Officer also reported that an email had been received from HCC estates which clarified that the applicant had been engaging with them, as an adjacent landowner throughout the course of the application. He also reported that some minor amendments had been agreed in relation to the housing mix for open market homes.

Cllr Brand was not present for this item.

Decision:

Delegated Authority be given to the Service Manager (Development Management) to reconsult Natural England prior to the proposed adoption of the shadow HRA and AA, and to **GRANT PERMISSION** subject to:

- i. the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:
 - Affordable housing provision (133 units);
 - Air quality monitoring contribution;
 - Alternative Natural Recreational Greenspace (ANRG), Public Open Space (POS) and play spaces including management and maintenance framework (including provision for the scenario whereby management is not undertaken properly or the management company ceases to operate)
 - ANRG Phase 1 Phasing Plan;
 - Biodiversity Net Gain management and monitoring;
 - Community Facility contribution in lieu of community focal point;
 - District Council Monitoring charges (recreational habitat mitigation commencement and on-site monitoring and/or inspections, affordable housing monitoring, biodiversity net gain monitoring, public open space);
 - Formal public open space (football pitch) contribution;
 - Habitat Mitigation;
 - Linden Ring 3 footpath improvement contribution;
 - Hampshire County Council:-
 - Primary Education in Ringwood contribution;
 - Countryside Services (Public Rights of Way) contribution;
 - Local Highway Authority contribution.
- ii. the imposition of the conditions set out in the report and update note and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions

Conditions/Reasons:

As set out in the report (Item 3a) and update note

b Open Space adjacent to Crow Lane, Ringwood (Application 23/10707)**Details:**

The change of use of agricultural land to publicly accessible open space to facilitate Alternative Natural Recreational Green Space ('ANRG'), with associated landscaping, footways and access points

Public Participants:

Jim Beavan, Savills (Agent)
Cllr Mary Deboos, Ringwood Town Council

Additional Representations:

The Case Officer reported that Ringwood Town Council had submitted a further representation, maintaining their objection to the application. This had been included in the update note published prior to the meeting.

Comment:

None

Decision:

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

- i. the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:
 - Public Open Space Management and Maintenance framework
- ii. the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

Conditions/Reasons:

As set out in the report (Item 3b)

c SS1 Land North of Cooks Lane, Totton SO40 2BQ (Application 22/10219)**Details:**

Development of up to 196 Dwellings, including accesses from Cooks Lane and Pauletts Lane, provision of Public Open Space & Alternative Natural

Recreational Greenspace and Drainage (Outline Application with details only of Access).

Public Participants:

Adam Bennett, Ken Parke Planning (Agent)
Gary Humphreys (Objector)
Paul Andrews (Objector)
Lindsey Templeman (Objector)

Additional Representations:

None

Comment:

Cllr Crisell declared 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 Penny and Sleep declared a non-pecuniary interest as members of the Planning Committee of Totton and Eling Town Council. They concluded that as they had not expressed a view 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 reported an amendment to condition 13 relating to securing updated ecological surveys prior to the commencement of development and an amendment to the recommendation ii), which proposed to give the Service Manager Development Management delegated authority to amend or add conditions, as deemed appropriate. This had been included in the update note circulated prior to the meeting.

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;

Air Quality Monitoring:

Provision of £109 per dwelling, total figure based on final number of dwellings approved.

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation: Phased delivery of 4.12ha of publicly accessible ANRG, with future transfer to a Management Company provision of a management plan including arrangements for the funding of the ANRG maintenance and a mechanism to ensure that the ANRG is maintained and managed in perpetuity should the management company fail to exist or fail to undertake the maintenance of the land in accordance with any management plan.

- Provision of Non-Infrastructure Habitat Mitigation (Access Management and Monitoring) financial contribution appropriate to final housing mix. Currently:

£489.00 per 1 bed dwelling
 £693.00 per 2 bed dwelling
 £956.00 per 3 bed dwelling
 £1,174.00 per 4 bed dwelling

- Provision of Bird Aware Solent financial contribution appropriate to final housing mix. Currently:

£465.00 per 1 bed dwelling
 £671.00 per 2 bed dwelling
 £875.00 per 3 bed dwelling
 £1,029.00 per 4 bed dwelling

Highways:

- Provision of £1,500 per dwelling towards A326/A31 southbound off slip junction capacity improvement project.
- Provision of off site WCHAR pedestrian paths and crossing improvements • Provision of £315,811.00 towards pedestrian and cyclist improvements projects in Totton in accordance with HCC LCWIP.
- Provision of residents travel plan.

Education:

- Provision of £4,369.00 per dwelling (excluding 1-bed dwellings) towards Primary age school infrastructure

Affordable Housing:

- Secure 35% (at least 69 dwellings) of the scheme as affordable housing in the adopted size and tenure mix.
- Secure phased provision.

Recreation:

- Secure on site informal open space provision of 1.03ha
- Secure on site play area provision of 0.13ha
- Phased provision and transfer to management company, including arrangements for funding the maintenance and a mechanism to ensure that the POS is maintained in perpetuity should the management company fail to exist or fail to undertake the maintenance in accordance with any management plan.
- Provision of £398.00 per dwelling towards formal public open space towards the provision and maintenance of off site 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;

Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £847.00
- Affordable Housing Monitoring: £847.00
- Recreational Habitat Mitigation on site monitoring: £24,356.00
- Biodiversity Net Gain on site monitoring: £10,450
- Public Open space on site monitoring: £13,756.00

- ii) The imposition of the Conditions and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

Conditions/Reasons:

As set out in the report (Item 3c) and update note

d 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:

None

Additional Representations:

None

Comment:

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

Cllr Reilly declared a non-pecuniary interest, for transparency purposes as a 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.

The Case Officer reported an additional section 106 obligation to secure a contribution towards sustainable transport provision and amendments to conditions 2, 20 and 25 and the removal of condition 29. This had been included in the update note circulated prior to the meeting.

Decision:

Delegated Authority be given to the Service Manager Development Management to **Grant Planning Permission** subject to:

- i. the completion of a planning obligation entered into by way of a

Section 106 Agreement to secure:

Air Quality Monitoring contribution: £6,540

Recreational Habitat 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): £51,024
- Bird Aware Solent: £47,354

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
- Secure £100,000 towards sustainable transport infrastructure within the vicinity of the development.

Education:

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

Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £847.00
- Affordable Housing Monitoring: £847.00
- Recreational Habitat Mitigation on site monitoring: £12,178
- Biodiversity Net Gain on site monitoring: £5,225
- Public Open space on site monitoring: £6,863

Affordable Housing:

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

Recreation:

- Secure informal open space provision of 0.32ha
- 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. and

- ii. the imposition of the conditions set out in the report and update note

Conditions/Reasons:

As set out in the report (Item 3d) and update note

**e Land adjacent to 15 Lucerne Road, Milford-on-Sea SO41 0PL
(Application 24/10630)****Details:**

Demolition of existing garage and erect new detached dwelling with associated parking and modified access

Public Participants:

Mr Annen, Pure Town Planning (Agent)

Additional Representations:

None.

Comment:

The Case Officer reported that the ecologist had provided comments on the application advising that recreational habitat mitigation would be required, that the biodiversity net gain deficit should be provided through credits or off site units and that ecological enhancement should be provided in line with the Ecology report. This had been included in the update note circulated prior to the meeting.

Members noted the officer recommendation, however the committee expressed the view that the proposals constituted an appropriate form of development.

Decision:

Delegate Authority 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 matters such as ecological mitigation and recreational impacts; and
- ii) the imposition of any conditions, deemed appropriate.

Conditions/Reasons:

As detailed above.

f Land adjacent to Aspen Cottage, Hythe Road, Marchwood SO40 4WU (Application 23/10887)

Details:

1 no. 3-bed dwelling

Public Participants:

Edward Heron, Edward Heron MRICS Limited (Agent)

Additional Representations:

None

Comment:

Cllr Hartmann was not present for this item.

Decision:

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

- i) the completion of a Section 106 Agreement to secure contributions to mitigate the development's recreational and air quality impacts on designated European sites; and
- ii) the imposition of the conditions set out in the report.

Conditions/Reasons:

As set out in the report (Item 3f)

g Woodbury, 2 Viney Road, Lymington SO41 8FF (Application 24/10429)

Details:

Replacement dwelling with a detached garage; detached outbuilding in the rear garden

Public Participants:

Chris Miell on behalf of Morgan Building Design Ltd (Agent)
Jonathan Meeson (Objector)
Ms E Jenkins (Objector)
Cllr Jacqueline England, Ward Cllr Lymington

Additional Representations:

The Case Officer reported that two additional letters of objection had been received. These objections reiterated the points already made and referred to shadow diagrams to support their objections. One additional letter of support had also been received challenging the accuracy of the shadow

diagrams as they had not been drawn to scale.

Comment:

Members expressed the view that the bulk and massing of the proposed two outbuildings was too large and would have a detrimental impact on the amenity of 1 Viney Road.

Cllr Hartmann was not present for this item.

Decision:

Refuse

Conditions/Reasons:

By reason of the bulk and massing of the proposed detached outbuilding and detached garage, the detached outbuilding and garage would result in an unacceptable overbearing effect upon the neighbouring residential amenity of no. 1 Viney Road and the proposal therefore fails to comply with Policy ENV3 of the Local Plan Part One: Planning Strategy for the New Forest outside of the New Forest National Park Authority.

h Durban House, 3 Ashleigh Close, Hythe, SO45 3QT (Application 24/10557)

Details:

Installation of a fence panel above existing wall (Retrospective)

Public Participants:

None

Additional Representations:

None

Comment:

Cllrs Dowd and Wade declared a non-pecuniary interest as members of Hythe and 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.

The Case Officer reported that there were some typographical errors in the report and that the references to 1 Warry Close should be substituted with 1 Ashleigh Close and that section 10,10.2 of the report should refer to 2 Ashleigh Close rather than 2 Warrys Close. This had been included in the update note circulated prior to the meeting.

Cllr Hartmann was not present for this item.

Decision:

Refuse

Conditions/Reasons:

As set out in the report (Item 3h)

i The Old Farmhouse, Salisbury Road, Burgate, Fordingbridge SP6 1LX (Application 23/11306)

Details:

Conversion and extension of outbuilding to two 4-bed dwellings; erection of an L-shaped building comprising one 3-bed dwelling and two 2/3-bed dwellings in place of two modern outbuildings; new access onto Fryern Court Road; associated parking; hard and soft landscaping

Public Participants:

Jeremy Heppell, CPC Planning (Agent)
Mike Etherington (Supporter)

Additional Representations:

None

Comment:

Cllr Woods disclosed a non-pecuniary interest, for transparency purposes as a Ward Cllr for Fordingbridge, Godshill & Hyde. He reported that he had not been involved in the application and therefore concluded there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Members acknowledged the proposed reasons for refusal, in particular the fact the proposals would result in less than substantial harm to the character, appearance and setting of the listed building and that the Conservation Officer considered this harm to be significant. They also recognised that the listed building and outbuildings were in poor condition, and that some form of development would be an improvement and enable the listed farmhouse to be refurbished. The Committee felt that the decision on the application should be deferred to enable officers to work with the applicant in an attempt to resolve this.

Cllr Hartmann was not present for this item.

Decision:

Defer

Conditions/Reasons:

In order to officers to work with the applicant to address matters set out in

the reason for refusal.

**j The Old Farmhouse, Salisbury Road, Burgate, Fordingbridge SP6 1LX
(Application 24/10054)**

Details:

Restoration of the listed building including proposed internal wall, conversion and extension of outbuilding to two 4-bed dwellings, demolition of curtilage listed buildings (Application for listed building consent)

Comment:

Cllr Woods disclosed a non-pecuniary interest, for transparency purposes as a Ward Cllr for Fordingbridge, Godshill & Hyde. He reported that he had not been involved in the application and therefore concluded there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

In light of the decision made on the previous application 23/11306 for the same site, it was proposed to defer a decision on this application for listed building consent.

Cllr Hartmann was not present for this item.

Decision:

Defer

Conditions/Reasons:

As a result of the deferral of application 23/11306, to enable officers to work with the applicant to address the matters set out in the reasons for refusal.

CHAIRMAN