

NEW FOREST NATIONAL PARK AUTHORITY

MINUTES OF PLANNING COMMITTEE MEETING

HELD ON TUESDAY 17 SEPTEMBER 2019 AT 9.30 AM IN THE COUNCIL CHAMBER,
LYMINGTON TOWN HALL, LYMINGTON SO41 9ZG

Present:

Members:

Leo Randall (Chairman)
Gordon Bailey (Deputy Chairman)
David Bence
Sue Bennison
Oliver Crosthwaite-Eyre
Gavin Parker
Caroline Rackham
Barry Rickman
Richard Taylor

Officers:

Steve Avery	Executive Director Strategy and Planning
Rosalind Alderman	Solicitor and Monitoring Officer
Natalie Walter	Principal Planning Officer
Clare Ings	Senior Planning Officer
Frances Connolly	Executive Assistant
Debbie Copping	Executive Assistant

9 Apologies for Absence

9.1 Apologies for absence were received from John Sanger, Ann Sevier and George Bisson.

10 Declarations of Interest

10.2 Richard Taylor declared an interest in minute item 13 report item 1 as a member of Minstead Parish Council.

11 Minutes

11.1 **RESOLVED:** That the minutes of the meeting held on 20 August 2019 be approved as a true record.

12 Chairman's Announcements

12.1 The Chairman advised committee members that the Planning Tour would take place on Thursday 24 October at 09:30 am. He said that details of the tour would be available in due course.

13 Planning Applications for Committee Decision (Paper NFNPA/PC 301/19)

13.1 Members gave detailed consideration to the individual planning applications contained within the report.

RESOLVED: That the planning applications listed below be determined as shown in respect of each application and, in accordance with the Authority’s policies and procedures, formal notice of the decisions to be sent to the applicants forthwith.

REPORT ITEM 1	
Application No.	19/00357/FULL
Details	Mill Lane Farm, Mill Lane, Minstead, Lyndhurst, SO43 7FP – Change of Use of existing stables to 1 no. self-contained holiday let; agricultural barn (Demolition of existing stables)
Comments	On this occasion Members decided not to support the officer’s recommendation set out on the paper.
Decision	Planning consent <u>refused</u>
Reasons	<ol style="list-style-type: none"> 1. The need for the proposed holiday let to support the agricultural enterprise at the site has not been satisfactorily demonstrated to the National Park Authority. In particular, there is a lack of detailed financial information including the contribution from the existing holiday lets. The proposal would therefore be contrary to policies DP45 and SP46 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019). 2. The Authority is not satisfied that the proposed holiday let would have a satisfactory relationship with the buildings accommodating livestock in relation to unacceptable noise and odour nuisance. The proposal would therefore be contrary to policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019). 3. Insufficient information has been submitted to demonstrate that the stable building, due to its scale, is genuinely redundant from agricultural use, and its conversion would therefore result in a holiday let of a significant proportions. The proposal would therefore be contrary to policies SP21, SP48 and DP49 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019). 4. The application site lies in close proximity to internationally and nationally designated sites (SSSI, SPA, SAC, Ramsar) and it has not been demonstrated to the satisfaction of the National Park Authority, through adequate mitigation measures, that there would not be significant in-combination

	<p>impacts on the ecological sensitivities of these areas. In addition, insufficient information has been submitted to assess whether the development would be nitrate neutral to avoid eutrophication at some European designated nature conservation sites in the Solent catchment. The proposal would therefore be contrary to SP5 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019) and Section 15 of the NPPF.</p>
Voting	Unanimous

REPORT ITEM 2	
Application No.	19/00434/FULL
Details	Ramsley, Southampton Road, Boldre, Lymington SO41 8PT – Detached outbuilding with office over
Decision	Planning consent <u>granted subject to conditions</u>
Conditions	<p>1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p>2. Development shall only be carried out in accordance with drawing nos: 6517 PL 01, 6517 PL 02 Rev A and 6517 PL 05. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.</p> <p>Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019)</p> <p>3. The external facing materials to be used in the development shall be as described in the application form, unless otherwise agreed in writing by the New Forest National Park Authority.</p> <p>Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>4. The building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.</p>

	Reason: To protect the character and appearance of the countryside in accordance with Policies DP36 and DP37 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).
Voting	Unanimous

REPORT ITEM 3	
Application No.	19/00499/FULL
Details	Jolly Sailor, Ashlett Road, Ashlett Creek, Fawley, Southampton SO45 1DT – Single storey extension
Public Participants	Mr Cox (Applicant)
Decision	Planning consent <u>refused</u>
Reasons	<p>1 The proposed addition by virtue of its size would appear out of scale and disproportionate in relation to the original building and would result in the further sprawl of the building projecting significantly beyond the existing rear out shoots. This is further exacerbated by the removal of the existing boundary treatment and the physical extension of the site boundary increasing the prominence of the site and the erosion of existing rural features. The proposal would thus result in the suburbanisation of the site and would detract from the architectural and historic interest of this non-designated heritage asset and the contribution the building and the site makes to the visual amenities of the Ashlett Creek Conservation Area. The proposal is therefore contrary to policies DP2, DP18, SP16, SP17 and DP45 of the New Forest National Park Local Plan 2016 - 2036 and the National Planning Policy Framework.</p>
Voting	Unanimous

REPORT ITEM 4	
Application No.	19/00547/FULL
Details	13 Chestnut Road, Brockenhurst, SO42 7RF – New dwelling; creation of new vehicular and pedestrian access; 3No. new parking spaces; 1.8-metre-high close boarded fence; demolition of existing outbuilding.
Public Participants	Gary Bradford (For) Kerrie Beardall (Against) Cllr Russell Horne (Brockenhurst Parish Council) Cllr Maureen Holding (District Ward Councillor)

Comments	It was agreed that the wording of the first sentence of Condition 7 as proposed in the officer’s report should be amended, so that the words ‘and/or’ would be replaced with ‘and’.
Decision	Planning consent <u>granted subject to conditions</u>
Reasons	<p>1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004</p> <p>2 The development hereby permitted shall not be occupied until:</p> <p>a) A water efficiency calculation in accordance with the Government’s National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority;</p> <p>b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and</p> <p>c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.</p> <p>The development shall be carried out in accordance with and subject to the above details.</p> <p>Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Authority has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy SP5 of</p>

	<p>the adopted New Forest National Park Local Plan (2016 - 2036).</p> <p>3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, C or D of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.</p> <p>Reason: To ensure the development remains of a size and character which is appropriate to its location within the countryside and the street scene and to comply with Policies SP21 and SP17 of the New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>4 Prior to the commencement of development (including site and 27 scrub clearance), measures for ecological mitigation and enhancement (including timescales for implementing these measures) shall be submitted to and approved in writing by the National Park Authority.</p> <p>The submitted mitigation and enhancement measures shall include a Construction Method Statement to avoid pollution and disturbance of protected species) and measures of biodiversity enhancement to meet government and planning policies for net gains in biodiversity, thereby securing accordance with policy.</p> <p>The measures thereby approved shall be implemented and retained at the site in perpetuity. The measures shall be based on the recommendations set out in the ecological report approved as part of this planning application.</p> <p>Reason: To safeguard protected species in accordance with Policies DP2 and SP5 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>5 No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.</p> <p>Development shall only be carried out in accordance with the details approved.</p> <p>Reason: To ensure an acceptable appearance of the building in accordance with Policy SP2 of the New Forest National Park Local Plan 2016 - 2036 (August 2019)</p> <p>6</p>
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	<p>The boundary hedgerows shall be maintained completely in accordance with Drawing 279.04B to ensure the retention of sufficient visibility splays.</p> <p>Reason: In the interest of highway safety and to comply with Policy SP55 of the New Forest National Park Local Plan (2016 - 2036) and Section 4 of the National Planning Policy Framework.</p> <p>7</p> <p>Prior to the commencement of development ecological mitigation for the Solent and New Forest Special Protection Areas, Special Areas of Conservation and/or Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's adopted Development Standards (SPD) and the Solent (SRMP) Explanatory Note.</p> <p>Reason: To safeguard sites of international ecological importance in accordance with Policies CP1 and CP2 of the adopted New Forest National Park Core Strategy and Development Management Policies DPD, Development Standards SPD and the SRMP.</p> <p>8</p> <p>No windows or rooflights other than those hereby approved shall be inserted into the roofspace of the dwelling unless express planning permission has first been granted.</p> <p>Reason: To ensure the accommodation provided on the site remains of a size appropriate to its location within the countryside and to comply with SP21 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>9.</p> <p>No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include:</p> <ul style="list-style-type: none"> a) the existing trees and shrubs which have been agreed to be retained; b) a specification for new planting (species, size, spacing and location); c) areas for hard surfacing and the materials to be used; d) other means of enclosure; e) (e) a method and programme for its implementation and the means to provide for its future maintenance. <p>No development shall take place unless these details have been approved and then only in accordance with those details.</p> <p>Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policies SP17 and DP2 of the adopted New Forest</p>
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	<p>National Park Local Plan 2016- 2036 (August 2019).</p> <p>10 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.</p> <p>Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.</p> <p>Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP2 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>11 Development shall only be carried out in accordance with drawing nos: 279.02, 279.04 Rev B, 279.05, 279.06. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.</p> <p>Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>Informative(s): 1 Please be advised that because the proposal involves the creation of a new access onto the highway, the Highways Authority advise that the applicant needs to be made aware of the requirement to carry out any works on the highway to the appropriate standard laid down by and under a licence agreement with the highway authority.</p> <p>The footway should be reinstated at the applicant's expense.</p> <p>The applicant can apply to the County Council via the following link for permission to have a new access/vehicle crossing installed.</p> <p>https://www.hants.gov.uk/transport/parking/droppedkerbs</p>
<p>Voting</p>	<p>7:2</p>

REPORT ITEM 5	
Application No.	19/00554/FULL
Details	The Pound, Pound Lane, Burley, Ringwood BH24 4EE
Public Participants	Emma Newbury (For) Mr Robert Clarke (Burley Parish Council)
Comments	<p>It was agreed that the second informative would be amended by the insertion of the word 'not' in the last line.</p> <p>Members also agreed that the applicant would be required to enter into a legal agreement to prevent the implementation of both this and an existing planning permission at the site.</p>
Decision	Planning consent <u>granted subject to conditions</u>
Reasons	<p>1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p>2 Development shall only be carried out in accordance with Drwg No: 45-102. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.</p> <p>Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>3 The external facing materials to be used in the development shall be as described in the application form and on Drwg No. 45-102, unless otherwise agreed in writing by the New Forest National Park Authority.</p> <p>Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>4 The building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.</p>

	<p>Reason: To protect the character and appearance of the countryside in accordance with Policies DP36 and DP37 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>5 Prior to the commencement of development, a Unilateral Undertaking shall be submitted which shall restrict the applicant to the construction of either the approved outbuilding or that permitted under planning ref: 19/00292 on 17 June 2019.</p> <p>Reason: To avoid the proliferation of outbuildings within the site in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p>
Informative(s)	<p>1 The Authority has considered the application in relation to its adopted Local Plan, the National Planning Policy Framework and any other relevant material planning consideration and has confirmed to the applicant or their agent that the development is compliant and does not harm the character and appearance or amenities of the area.</p> <p>2 The applicant is advised that a private right of way serving Turbary and Holly Steps runs through the site, and that this should not be obstructed at any time.</p>
Voting	Unanimous

14 Planning Appeal Decisions (Paper NFNPA/PC 302/19)

14.1 Members noted the appeal decisions.

15 Nutrient Neutrality and New Development – update

15.1 Steve Avery outlined the main issues which surrounded nitrates in the protected Solent habitats; the advice from Natural England; and the range of potential measures available to form an interim mitigation solution.

15.2 Mr Avery said that the proposed approach to mitigation was for the Authority to work with neighbouring planning authorities, water companies and landowners to explore the option of creating wetland areas adjacent to Wastewater Treatment Works to reduce the level of nitrogen entering the Solent.

15.3 He said the Authority had prepared a ‘Nitrate Mitigation Checklist’ to be completed as part of the planning application validation process. It would then be considered by planning officers when undertaking the appropriate assessment of planning applications that would result in a net increase in dwellings or provide additional overnight accommodation.

15.4 Steve Avery advised that further work was required by the Authority, its neighbouring planning authorities and other partners to confirm the package of mitigation measures

required and how these would be costed and delivered. He said that there would be meetings with relevant landowners and the matter would be raised with applicants as part of the Authority’s pre-application advice service. Planning agents would also be made aware of the issue when the annual meeting was hosted in early October 2019.

RESOLVED: that members approve the overall approach to identify mitigation measures as set out in the report; and endorse the principle of working with the Partnership for South Hampshire to develop a comprehensive, long-term mitigation strategy for the Solent.

Voting: Unanimous

16 Any other items which the Chairman decides are urgent

16.1 Steve Avery updated members about the Fawley application. He said that the Fawley application was likely to be considered at the December Planning Committee meeting. He said that access had been made available for members to visit the site together with New Forest District Council members, and members would be notified of the date. Mr Avery explained that as demolition was due to start on site, access was limited.

17 Date of next meeting

17.1 Members noted that the next meeting of the Committee would be held at 09:30 hours on Tuesday 15 October 2019 in the Council Chamber, Lymington Town Hall, Avenue Road, Lymington.

PART II ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPTED INFORMATION MAY BE DISCLOSED

Resolved, that the public be excluded from the meeting during the following item of business, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information within Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

18 Planning Enforcement Action

18.1 Members considered a report on enforcement action. This is a summary of the minute which contains exempt information.

The meeting ended at 12:05 pm.

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Chairman

Date