

NEW FOREST NATIONAL PARK AUTHORITY  
MINUTES OF PLANNING COMMITTEE MEETING

HELD ON TUESDAY 16 AUGUST 2022 AT 9:30 AM IN THE COUNCIL CHAMBER,  
LYMINGTON TOWN HALL, AVENUE ROAD, LYMINGTON SO41 9ZG

**Attending:**

*Members:*

George Bisson  
Sue Bennison  
Gavin Parker  
Ann Sevier  
Stephen Tarling  
Richard Taylor  
Michael Thierry  
Steve Trow (In the Chair)

*Officers:*

Steve Avery	Executive Director (Strategy and Planning)
Rosalind Alderman	Solicitor and Monitoring Officer
David Stone	Corporate Services Manager
Natalie Walter	Principal Planning Officer
Liz Marsden	Planning Officer
Rachel Bonathan	Administrator

**73 Apologies for Absence**

73.1 Apologies for absence were received from Gordon Bailey, David Harrison and Richard Clewer.

**74 Declarations of Interest**

74.1 Stephen Tarling declared a prejudicial non-pecuniary interest in Item 77 Report Item 1 as a member of Sway Parish Council and owing to previous involvement with this matter, and as such he left the Council Chamber during debate and vote on this item.

**75 Minutes**

75.2 **RESOLVED:** That the minutes of the meeting held on 19 July 2022 be approved as a true record.  
*Voting: none voting against*

**76 Chair's Announcements**

76.1 There were no Chair's announcements on this occasion.

**77 Planning Applications for Committee Decision (Paper PC 400-22)**

77.1 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.

<b>REPORT ITEM 1</b>	
<b>Application No.</b>	<b>21/00743/FULL</b>
<b>Details</b>	Land At Church Lane, Sway, SO41 6AD - 46 no. dwellings; ancillary infrastructure; access provisions; associated informal public green space and landscaping (AMENDED PLANS)
<b>Public Participants</b>	Mr Hurst (For) Edward Watts (Against) John Curley (Against) Katie Walding (Sway Parish Council)
<b>Comments</b>	Members resolved to delegate authority to Officers to grant permission as per the recommendation on the paper, together with amendments to the wording of condition 17 regarding sustainability measures and amended wording to the condition relating to the garages, and subject to the owners first entering into a section 106 obligation to secure the affordable housing as such in perpetuity and the other matters as listed at paragraph 11.52 of the report.
<b>Decision</b>	Subject to the prior completion of a section 106 agreement the Executive Director of Strategy & Planning be authorised to <u>grant</u> planning permission subject to conditions
<b>Conditions</b>	<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:</p> <p>1059.2/01E - Public open space landscaping  1059.2/02B - Illustrative masterplan (development area)  1059.2/03A - Illustrative masterplan (whole site)  5631/002 Rev L - Access layout  5631/010 Rev B - Off site highway improvements  5631/014 - Internal Street dimensions  GH2165.3A - Tree constraints plan  GH2165.3B - Tree protection plan  9450/400 - Site plan, residential layout  9450/401 - Location and block plan  9450/402 rev. A - Affordable housing plan  9450/403 rev. A - Schedule of accommodation  9450/404 - Boundary and hard surfaces treatment  9450/405 - Hard landscaping details  9450/406 rev. A - A &amp; C house type plans and elevations  9450/407 rev. A - B &amp; E house type plans and elevations  9450/408 rev. A - D &amp; D (handed) house type plans and elevations</p>

	<p>9450/409 rev. A - F &amp; F (handed) house type plans and elevations</p> <p>9450/410 rev. A - G house type plans and elevations</p> <p>9450/411 rev. A - H &amp; H (handed) house type plans and elevations</p> <p>9450/412 rev. A - H1 &amp; H1 (handed) house type plans and elevations</p> <p>9450/413 rev. A - I house type plans and elevations</p> <p>9450/414 rev. A - J house type plans and elevations</p> <p>9450/415 rev. A - K (flats) plans and elevations</p> <p>9450/416 rev. A - L house type plans and elevations</p> <p>9450/417 - Proposed street scenes</p> <p>9450/418 - Proposed cycle store plans and elevations</p> <p>9450/419 rev. A - Section through entrance</p> <p>1989 Rev. P03 - Horizontal illuminance</p> <p>2099.08/04 - Biodiversity enhancement plan</p> <p>5631/001 rev. G - Surface water and foul drainage strategy</p> <p>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 No development shall take place above slab level until samples or exact details of the materials to be used in the facing, roofing and fenestration of the proposed dwellings 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 DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>4 50% of dwellings to be provided shall comprise affordable dwellings (as defined in the National Planning Policy Framework).</p> <p>Reason: To meet identified local housing need and to accord with Policy SP25 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).</p> <p>5 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, B or C 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</p>
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	<p>permission first having been granted.</p> <p>Reason: To ensure the dwellings remain of a size which is appropriate to their location within the countryside, to ensure the acceptable appearance of the development and to comply with Policies DP2, SP17, SP25, DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>6 The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement. In addition details of the additional tree protection measures to be provided for the mature tree to the east of the proposed access (T6) shall be submitted to and approved in writing by the National Park authority, prior to the commencement of works on site.</p> <p>Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>7 Prior to commencement of works (including site clearance or any other preparatory works) the scheme for the protection of trees in accordance with the submitted Arboricultural Impact Assessment and Method Statement (Gwydion's Tree Consultancy, Ref. GH2165.3, dated 26/05/22) and Tree Protection Plan Ref.GH216.3B, shall be implemented and at least 3 working days' notice shall be given to the Local Planning Authority that this has been installed.</p> <p>Note: Your attention is drawn to the requirements of a pre-commencement site meeting as set out on page 2 of the above report.</p> <p>Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).</p> <p>8 Landscaping of the site shall be implemented in accordance with drawings ref: 2099.08/04; 9450/404; 9450/405; 1059.2/03A; 1059.2/02B . Notwithstanding the approval of these plans, within three months of the date of this decision, precise details of the soft landscaping, the areas for hard surfacing and the materials to be used, including details of road kerbs, shall be submitted to and approved in writing by the National Park Authority.</p> <p>No development shall take place unless these further details have been approved and then only in accordance with those details.</p>
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	<p>Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>9 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 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>10 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.</p> <p>Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>11 No development shall take place (including any works of demolition), until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall include scaled drawings illustration the provision for:</p> <ul style="list-style-type: none"> <li>1 - The Parking of site operatives and visitors vehicles</li> <li>2 - Loading and unloading of plant and materials</li> <li>3 - Management of construction traffic and access routes</li> <li>4 - Storage of plant and materials used in constructing the development</li> <li>5 - Wheel washing facilities</li> </ul> <p>Reason: In the interests of highway safety</p> <p>12 Before the development is brought into use, the means of vehicular access to the site and associated works shall be constructed in accordance with the approved plan (5631/002 Rev. L) and no structure, erection or planting exceeding 1.0m in height shall thereafter be placed with the visibility spays shown of the approved plans.</p> <p>Reason: To ensure a suitable access and layout in the interests of highway safety.</p>
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	<p>13 The development hereby permitted shall not be occupied until the arrangements for car and cycle parking and turning within its curtilage have been implemented.</p> <p>These areas shall be kept available for their intended purposes at all times and at no time shall the garages be altered to be used as habitable accommodation.</p> <p>Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policies DP2 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019) and Section 9 of the National Planning Policy Framework.</p> <p>14 The recommendations and requirements of the Bat Survey (HDA ref:1059.1); Great Crested Newt Survey reports (HDA ref:1059.1 and Invertebrate Scoping Survey (Ecosa 22.0065.001 FO), shall be updated and enhanced by a Biodiversity Enhancement Plan (BEP), to be informed by a Biodiversity Net Gain assessment demonstrating a 10% gain based on the most current adopted Defra metric available, covering a minimum period of 30 years. The BEP shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The BEP shall include:</p> <ul style="list-style-type: none"> <li>- quantum, location and specifications of artificial habitat measures in accordance with good practice including BS 42021:2022 and the submitted Biodiversity Enhancement outline Plan</li> <li>- details of a plan for delivery of the required ecological gain and enhancement for habitats within the development and associated open space</li> <li>- management prescriptions to meet ecological objectives and targets,</li> <li>- arrangements for ecological monitoring and reporting</li> <li>- mechanisms for adaptive management that may arise.</li> </ul> <p>The approved mitigation measures shall be adhered to throughout all phases of the development and the ecological enhancements measures shall be thereafter maintained in perpetuity, unless otherwise agreed in writing by the National Park Authority.</p> <p>Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>15 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</p>
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	<p>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. 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 the adopted New Forest National Park Local Plan (2016 -2036).</p> <p>16 The drainage system shall be constructed in accordance with the Flood Risk Assessment and Technical Notes (MT/5631, dated 24.06.22). Any changes to the approved documentation must be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.</p> <p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.</p> <p>17 Prior to development above slab level, exact details of the proposed sustainability measures, including details of energy efficiency and the provision of facilities to enable the charging of electric vehicles, shall be 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>
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	<p>Reason: In the interests of achieving a sustainable form of development in accordance with Policies DP18 and SP11 of the New Forest National Park Local Plan 2016-36 (August 2019) and national planning policies</p> <p><b>Informative(s):</b></p> <ol style="list-style-type: none"> <li>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 recommended changes which have been accepted by the applicant to ensure the development is compliant and does not harm the character and appearance or amenities of the area.</li> <li>2 The planning permission does not authorise the undertaking of any works within the highway (carriageway, footway or verge). Any works within the highway must be approved by S278 Agreements, details of which can be found at: <a href="https://www.hants.gov.uk/transport/developers/constructionstandards">https://www.hants.gov.uk/transport/developers/constructionstandards</a></li> <li>3 Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.</li> </ol>
<b>Voting</b>	Unanimous

<b>REPORT ITEM 2</b>	
<b>Application No.</b>	<b>22/00240/FULL</b>
<b>Details</b>	Oak Cottage South, Lyndhurst Road, Burley Lodge, Burley, Ringwood, BH24 4HS - Creation of hardstanding
<b>Comments</b>	Members were minded to defer the application as they required further information from the applicants in regard to the existing structures at the site, the hedging and the length of the track.
<b>Decision</b>	Application <u>deferred</u>
<b>Voting</b>	Unanimous

**78 Planning Appeal Decisions (PC 401/22)**

78.1 Steve Avery, Executive Director (Strategy and Planning), reported three appeal decisions over the period, two of which had been dismissed and one allowed with conditions.

**79 Any other items which the Chairman decides are urgent.**

79.1 There were no further items.



**80 Date of next meeting**

80.1 The next meeting is scheduled for Tuesday 20 September 2022, to be held in the Council Chamber, Lymington Town Hall, Avenue Road, Lymington SO41 9ZG

The meeting ended at 11:45 am.

..... Date .....

Chair