

NEW FOREST NATIONAL PARK AUTHORITY
MINUTES OF PLANNING COMMITTEE MEETING

HELD ON TUESDAY 20 AUGUST 2024 AT 9:30 AM IN THE COUNCIL CHAMBER,
LYMINGTON TOWN HALL, AVENUE ROAD, LYMINGTON SO41 9ZG.

Attending:

Members:

Gordon Bailey (Chair)
Mary Davies
Gavin Parker
Joe Reilly
Ann Sevier
Michael Thierry
Steve Trow (Deputy Chair)

Officers:

Steve Avery	Executive Director of Strategy and Planning
Rosalind Alderman	Solicitor and Monitoring Officer
David Stone	Corporate Services Manager
Natalie Walter	Principal Planning Officer
Lucie Cooper	Enforcement Manager
Vicki Gibbon	Member Services Administrator

176 Apologies for Absence

176.1 Apologies for absence were received from Caroline Rackham and Brice Stratford.

177 Declarations of Interest

177.1 Michael Thierry declared a prejudicial interest under Part 2 section B (non-pecuniary interests) of the NPA's Code of Conduct in minute item 180 report item 4 as he knew one of the speakers; he accordingly left the meeting during the debate and vote on that item.

178 Minutes

178.1 **RESOLVED:** That the minutes of the meeting held on 16 July 2024 be approved as a true record.

Voting: Unanimous

179 Chair's Announcements

179.1 There were no announcements on this occasion.

180 Planning Applications for Committee Decision (Paper PC 463/24)

180.1 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.	23/00134/FULL
Details	Tregonals Bungalow, Lymington Road, East End, Lymington SO41 5SS - Garden Shed with log store
Public Participants	Mike Urwin (Against) Cllr Michael Husband (East Boldre Parish Council)
Decision	Planning consent <u>granted</u> subject to conditions
Conditions	<ol style="list-style-type: none"> The development hereby permitted shall be begun before the expiration of three years from the date of this permission. 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. 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. Development shall only be carried out in accordance with the details approved. 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). 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 permission first having been granted. Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019). No development, demolition or site clearance shall take place until the arrangements to be taken for the protection of trees and hedges on the site (to be identified by agreement with the Local Planning Authority beforehand), have been submitted to and approved in writing by the Local Planning Authority. The agreed arrangements shall be carried-out in full prior to any activity taking place and shall remain in-situ for the duration of the development. Reason: To safeguard trees and natural

	<p>features which are important to the visual amenities of the area.</p> <p>5. Development shall only be carried out in accordance with Drawings LP 01, PL01 Rev E . 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>6. 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>7. 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. 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>Informative:</p> <p>This planning permission has only been granted following the prior completion of a section 106 legal agreement on 13 March 2024. Your attention is drawn to the covenants and legal effects contained therein.</p>
Voting	4:2, 1 abstention

REPORT ITEM 2	
Application No.	24/00504/FULL
Details	Applegarth, 4 Rhinefield Close, Brockenhurst SO42 7SU - Replacement gate
Public Participants	Nikki Addinall (For) Cllr John Korbey (Brockenhurst Parish Council)
Decision	Planning consent <u>granted</u> subject to conditions
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</p>

	<p>Planning and Compulsory Purchase Act 2004.</p> <p>2. Development shall only be carried out in accordance with ARC-PL-201 Rev A and ARC-PL-202 Rev B. 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 stated on the application form and drawings hereby approved, 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>
Voting	Unanimous

REPORT ITEM 3	
Application No.	24/00554/FULL
Details	Laurel Cottage, Pilley Bailey, Boldre, SO41 5QU - Extension; replacement shed; outbuilding
Public Participants	Bob Hull (Agent)
Decision	Planning consent <u>granted</u> subject to conditions
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</p> <p>PP-001, PP-002, PP-010, PP-011, PP-015, PP-020, PP-021, PP-022, PP-030</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</p>

	<p>(August 2019).</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 development otherwise approved by Classes A, B or C 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 dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>4. No first floor windows shall be inserted into the building unless express planning permission has first been granted.</p> <p>Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP2 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 for the extension and outbuildings 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>6. All new roof lights shall be of a 'Conservation' type and shall be fitted so that, when closed, their outer surfaces are flush with the plane of the surrounding roof covering.</p> <p>Reason: To protect the character and architectural interest of the building in accordance with Policies DP2, DP18 and SP16 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>7. The outbuildings 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 -</p>
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	<p>2036 (August 2019).</p> <p>8. No external lighting other than that hereby approved 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>9. The trees and hedges forming the western boundary 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 recommendations as set out in BS5837:2012.</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>10. All materials, machinery (including vehicles) and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>Informatives:</p> <p>1. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is 0300 060 3900.</p>
Voting	6:0, 1 abstention

REPORT ITEM 4	
Application No.	24/00649/FULL
Details	Fortune Centre Of Riding Therapy, Lanfranco House, 28 Garden Road, Burley, Ringwood, BH24 4EA - Change of use of existing buildings from a C2 residential institution to a single C3 dwellinghouse with outbuilding
Public Participants	Jerry Davis (Agent) Tracey Weetman (Against) Jonathan Ryder (Against)
Comments	Michael Thierry left the meeting during debate and vote on this item as per his declaration of interest.
Decision	Planning consent <u>granted</u> subject to conditions
Conditions	<ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. 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. 2. The outbuilding (formerly known as Meredith Lodge) 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. Within three months of the date of this permission, details of the existing internal fixtures and fittings to be removed from the outbuilding (that previously supported the C2 use) shall be submitted to and approved in writing by the New Forest National Park Authority. The removal of the agreed items shall take place within three months of commencement of the development hereby permitted. Reason: To ensure the outbuilding is only used for incidental purposes and 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). 3. Development shall only be carried out in accordance with Drawings JDPC-01 (Location Plan), JDPC-02 (Existing and Proposed North and South elevations), JDPC-03 (Existing and Proposed East and West Elevations), JDPC-04 (Existing and Proposed Ground and First Floor Plans), JDPC-05 Existing and Proposed Full Plans - Meredith Lodge), JDPC-06 (Site Plan). No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority. 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>4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any re-enactment of that Order) no development otherwise approved by Classes A and 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: In view of the physical characteristics of the plot, the New Forest National Park Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy DP2 (and SP17) of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>Informative:</p> <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>
Voting	Unanimous

Non-Compliance with Enforcement Cases

181 24/0017/EC – Adjacent Rectory Cottage, Plot known as ‘Kensington Lodge’, Main Road, Dibden, Southampton SO45 5TD

181.1 Lucie Cooper gave an overview of the case and the need to take further action in respect of the Stop Notice that had not been complied with. She asked the Committee to endorse the recommendation as set out below, which Members supported.

RESOLVED: that authority be delegated to the Authority’s Executive Director Strategy and Planning, in consultation with the Solicitor and the Enforcement Manager, to:

- i. consider the further evidence, if any, submitted in respect of any purported impediment to compliance and form a view as to the appropriate course of action to achieve compliance with the Stop Notice; and
- ii. if officers are in agreement that it is appropriate to do so, in light of any further information referred to in paragraph (i) above, take all action as necessary to commence and conduct the prosecution of the owners of the Land adjacent to Rectory Cottage, Plot known as 'Kensington Lodge', Main Road, Dibden, Southampton, SO45 5TD in respect of their non-compliance with the Stop Notice issued 14 March 2024; or
- iii. if it is not considered appropriate to commence a prosecution, to consider and take such other action as necessary to achieve compliance with the Stop Notice including taking direct action and any other steps as necessary to recover the costs of so doing from the owners, including arranging for a charge to be placed on the land.

Voting: unanimous

182 24/0039/EC The Old Quarry (Doctors Copse), Southampton Road, Boldre, Lymington SO41 8ND

182.1 Lucie Cooper gave a summary of her report, which concerned a breach of an Enforcement Notice. She asked members to authorise officers to consider any further evidence received, if any, in order to form a view as to whether to proceed with prosecution or take other action, as detailed in the resolution below.

RESOLVED: that authority be delegated to the Authority's Executive Director Strategy and Planning, in consultation with the Solicitor and the Enforcement Manager, to:

- i. consider the further evidence, if any, submitted in respect of any purported impediment to compliance and form a view as to the appropriate course of action to achieve compliance with the Notice; and
- ii. if officers are in agreement that it is appropriate to do so, in light of any further information referred to in paragraph (i) above, take all action as necessary to commence and conduct the prosecution of the persons responsible for the Breach of the Enforcement Notice at The Old Quarry (formerly known as Doctors Copse), Southampton Road, Boldre, Lymington, SO41 8ND; or
- iii. if it is not considered appropriate to commence a prosecution, to consider and take such other action as necessary to achieve compliance with the Notice including taking direct action and any other steps as necessary to recover the costs of so doing from the owners, including arranging for a charge to be placed on the land.

Voting: unanimous

183 Planning Appeal Decisions (PC 467/24)

183.1 Steve Avery, Director of Strategy and Planning, reported two Planning Appeal decisions during the relevant period, with one being withdrawn and the other dismissed.

184 Any other items which the Chairman decides are urgent.

184.1 There were no urgent items.

185 Date of next meeting

185.1 The next meeting is scheduled for Tuesday 17 September 2024, to be held in the Council Chamber, Lymington Town Hall, Avenue Road, Lymington SO41 9ZG.

The meeting ended at 11:06 am.

..... Date

Chair