

NEW FOREST NATIONAL PARK AUTHORITY
MINUTES OF PLANNING COMMITTEE MEETING

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

Attending:

Members:

Gordon Bailey (Chair)
Mary Davies
Caroline Rackham
Joe Reilly
Ann Sevier
Brice Stratford
Michael Thierry
Steve Trow (Deputy Chair)

Officers:

Steve Avery	Executive Director Strategy and Planning
Rosalind Alderman	Solicitor and Monitoring Officer
David Illsley	Policy and Conservation Manager
David Stone	Corporate Services Manager
Sarah Applegate	Senior Policy Officer
Natalie Walter	Principal Planning Officer
Lucie Cooper	Planning Enforcement Manager
Carly Cochrane	Planning Officer
Vicki Gibbon	Members Services Administrator

119 Apologies for Absence

119.1 An apology for absence was received from Gavin Parker.

120 Declarations of Interest

120.1 None.

121 Minutes

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

Voting: none voting against

122 Chair's Announcements

122.1 There were no announcements on this occasion.

123 Planning Applications for Committee Decision (Paper PC 445/24)

123.1 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.	23/01333/FULL
Details	Haworth, Brook Lane, Woodgreen, Fordingbridge SP6 2BQ - Replacement of existing roof to provide additional accommodation, associated external alterations
Public Participants	Jerry Davies (Agent) Helena Datta (Woodgreen Parish Council)
Decision	Planning consent <u>granted</u> subject to conditions
Conditions	<p>1. The development hereby permitted shall be begun before:</p> <p style="padding-left: 40px;">The expiration of three years from the date of this permission; or</p> <p style="padding-left: 40px;">The carrying-out of any further extension or enlargement to the dwelling otherwise permitted under Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order subsequently revoking or re-enacting that Order; whichever is the sooner.</p> <p style="padding-left: 40px;">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 and to ensure the dwelling remains of an appropriate size in accordance with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>2. Development shall only be carried out in accordance with the following plans:</p> <ul style="list-style-type: none"> - Proposed Floor Plans, DWG No.: 001 Rev B - Proposed Elevations, DWG No.: 002 – P Rev C - Existing and Proposed Street Scene, DWG No.: 006 – P Rev B - Block Plan, DWG No.: DR1 - Location Plan, DWG No.: DR2 <p style="padding-left: 40px;">No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.</p> <p style="padding-left: 40px;">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> <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 extension 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>5. All materials, machinery 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>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. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the New Forest National Park Authority.</p> <p>Development shall take place in accordance with the approved CEMP.</p> <p>Reason: To safeguard protected species and in accordance with Policies DP2, SP5 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019)</p> <p>8. Unless otherwise agreed in writing by the National Park Authority, development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the ecological report hereby approved. The specified measures shall be implemented and retained at the site in perpetuity.</p> <p>Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National</p>
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	Park Local Plan 2016 - 2036 (August 2019).
Voting	Unanimous

REPORT ITEM 2	
Application No.	23/01382/FULL
Details	Brook Heath, Sandy Down, Boldre, Lymington SO41 8PL - Single-storey outbuilding
Public Participants	Simon Longhorn (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 the following plans:</p> <ul style="list-style-type: none"> - Block and Location Plan, DWG No.: 8735.110, Revision P1 - Proposed Site, Floor Plans and Elevations, DWG no.: 8735.112, Revision P2 <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, 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 details shall include a revised site-specific Arboricultural Method Statement and Tree Protection Plan, which should include details of the temporary surface for access and areas identified for storage of materials.</p> <p>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.</p>

	<p>Reason: To safeguard trees and natural features which are important to the visual amenities of the area.</p> <p>4. No development, demolition or site clearance shall take place until a method statement and engineering drawings for the foundation design of the approved development has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Development shall only take place in accordance with these approved details.</p> <p>Reason: To safeguard trees and natural features which are important to the visual amenities of the area.</p> <p>5. No development, demolition or site clearance shall take place until a plan showing:</p> <ul style="list-style-type: none"> - Service routes, including the position of soakaways; - Location of site compound and mixing areas; <p>are submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.</p> <p>Reason: To safeguard trees and natural features which are important to the visual amenities of the area.</p> <p>6. The external facing materials to be used in the development shall match those used on the existing outbuilding as approved under application 19/00504 and in accordance with the materials proposed on 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>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.</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>8. 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</p>
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	<p>with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>9. No windows or rooflights other than those hereby approved shall be inserted into the outbuilding unless express planning permission has first been granted.</p> <p>Reason: To safeguard the dark night skies of the National Park and to ensure it has an acceptable appearance in accordance with Policies SP15 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p>
Voting	Unanimous

REPORT ITEM 3	
Application No.	23/01383/FULL
Details	Land Adjacent Oaklea, Forest Road, Hale SP6 2NP - Extension to barn; associated hard & soft landscaping (AMENDED PLANS & DESCRIPTION)
Public Participants	Deborah Slade (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 the following plans:</p> <ul style="list-style-type: none"> - Amended Block Plan, including landscaping, DWG No.: DSL 02 - Proposed Floor Plan, Roof Plan and Elevations, DWG No.: PN2 <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. The development the subject of this permission shall only be used for and in association with agricultural purposes and for</p>

	<p>no other commercial, business or storage purposes whatsoever. Should the development the subject of this permission no longer be required for agricultural purposes, it should be demolished, all materials removed and the site restored to its former level and condition prior to the development being carried out.</p> <p>Reason: The building is only justified on the basis that it is necessary for agriculture and in accordance with Policy DP50 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>4. The external facing materials to be used in the development shall match those set out in the application form, matching that used on the building approved under application 21/00524, 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>5. No external lighting, other than that already existing on the main hay barn under plan number PN2, Revision A application reference 23/ 00793DOC 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>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. Works to instate the wildflower beds should be carried out within a period of six months from the date of this permission.</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>
Voting	Unanimous

REPORT ITEM 4	
Application No.	23/01552/FULL
Details	Plough Inn, Plough Inn, Sway Road, Tiptoe, Lymington SO41 6FQ - 2 storage containers and an area of compacted earth & gravel for a temporary period of 18months
Public Participants	Cllr Malcolm Warne Holland (Hordle Parish Council)
Comments	Following discussion members requested a further condition be added to ensure full screening of the container and / or painting of the container. The application was subsequently granted subject to conditions.
Decision	Planning consent <u>granted</u> subject to conditions
Conditions	<p>1. The storage containers, hardsurface and use of the land for storage shall be for a limited period expiring 18 months from the date of the permission. On or before the expiration of which period the structures shall be removed and the land restored to its former condition and use.</p> <p>Reason: The development is of a type not considered suitable for permanent retention.</p> <p>2. Development shall only be carried out in accordance with LP. 01 rev A and PE. 01 rev A. 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 development 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. Within 3 months of the date of this decision, the storage containers the subject of this permission shall be painted dark green. Reason: To ensure an acceptable appearance of the development in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p>
Informative	Please be advised that the Authority will not be minded to support any further applications for the siting of storage containers for a further temporary period and expects the storage containers to be removed from the site in a timely manner in accordance with Condition 1.
Voting	7:0, 1 abstention

Enforcement Cases

123.1 20/0032 – Bramshaw House (Formally Branksome), Penn Common Road, Bramshaw, Lyndhurst SO43 7JL

Lucie Cooper gave a brief overview of the enforcement case, advising the concerns regarding non-compliance. She informed the Committee that the Authority must now decide on the most appropriate course of action. Members unanimously agreed to endorse the recommendation as set out 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 the purported impediment to compliance and form a view as to the appropriate course of action to achieve compliance with the Enforcement Notice; and
- (ii) if officers were 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 Bramshaw House (Formerly Branksome), Penn Common Road, Bramshaw, Lyndhurst, SO43 7JL in respect of their non-compliance with the Enforcement Notice issued in August 2022; 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 Enforcement 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

123.2 21/0194 – Ramsley, Southampton Road, Boldre, Lymington SO41 8PT

Lucie Cooper gave a summary of her report, which concerned a Breach of Condition Notice. She explained that to date the requirements of the Notice had not been complied with and therefore the Authority must decide the most appropriate course of action within the circumstances.

Mr Steve Rose, owner of the property, gave a three-minute presentation regarding the case, and also spoke during his one-minute right of reply.

Following discussion members were minded to support the officer's recommendations as detailed 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 the purported impediment to compliance and form a view as to the appropriate course of action to achieve compliance with the Enforcement 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 Ramsley, Southampton Road,

Boldre, Lymington, SO41 8PT in respect of their non-compliance with the Enforcement Notice issued in August 2022; 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 Enforcement 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

124 Planning Appeal Decisions (PC 446/24)

- 124.1 Steve Avery, Executive Director, reported two Planning Appeals during the relevant period, of which one been dismissed and the other withdrawn.

125 Fawley Neighbourhood Area Designation (PC 447/24)

- 125.1 David Illsley began his report by reminding members that neighbourhood plans allow local communities to prepare a plan for development and land use in their area. In order to begin the formal process of preparing a neighbourhood plan the town / parish council must make an application to the local planning authority for the designation of the area that their neighbourhood plan would cover. Fawley Parish Council did this in a letter to the National Park Authority dated 10 January 2024.
- 125.2 Mr Illsley advised that his report sought members' approval for the formal designation of the proposed neighbourhood area applied for by Fawley Parish Council by the Authority. New Forest District Council had already confirmed the Fawley Neighbourhood Area designation for the parts of the parish within the District Council's separate planning jurisdiction. Authority officers will work closely with New Forest District Council to support Fawley Parish Council as they embark on their neighbourhood plan.

RESOLVED: that the proposed Neighbourhood Area applied for by Fawley Parish Council (Annex 1) is formally designated by the Authority as it relates to the area of the parish within the New Forest National Park.

Voting: Unanimous

126 New Forest National Park Annual Monitoring Report (PC 448/24)

- 126.1 Sarah Applegate reminded members that, as a local planning authority, the Authority was required to produce an annual monitoring report which detailed the number of completed dwellings, the Authority's co-operation with other local planning authorities or relevant bodies and the timetable and progress of the documents set out in the Authority's Local Development Scheme. Members then noted the report.

127 Biodiversity Net Gain (BNG) Update (PC 449/24)

- 127.1 David Illsley summarised the main elements of the legal requirement for BNG which applies to certain developments from 12 February 2024, and how BNG delivery could be achieved on-site, off-site and through statutory biodiversity credits. He explained that the mandatory requirement for BNG came into effect for major planning applications on

12 February 2024 and from 2 April 2024 BNG would be required for non-major applications.

127.2 Mr Illsley detailed the ways in which to achieve BNG, whether that be on-site, off-site or through national credits. He explained that incentives in the Biodiversity Metric encouraged on-site gains to be considered first, followed by off-site biodiversity gains, and as a last resort national biodiversity credits.

127.3 It was explained that this report requested members' endorsement to enable the Authority, working with landowners and where necessary neighbouring planning authorities, to agree the legal framework to enable the off-site delivery of BNG units. Following discussion members approved the recommendation as detailed below.

RESOLVED: that,

- (i) The current position on delivering Biodiversity Net Gain (BNG) as part of new development within the National Park be noted;
- (ii) members endorse the principle of working with landowners and neighbouring planning authorities on the delivery of Biodiversity Net Gain schemes; and
- (iii) authority be delegated to the Executive Director for Strategy & Planning to take all action as necessary to put in place the legal framework to secure BNG schemes allowing the off-site purchase of units to support development, including the negotiation and execution of legal agreements as necessary.

Voting: Unanimous

128 Any other items which the Chairman decides are urgent.

128.1 There were no urgent items.

129 Date of next meeting

129.1 The next meeting is scheduled for Tuesday 19 March 2024, to be held in the Council Chamber, Lymington Town Hall, Avenue Road, Lymington SO41 9ZG.

The meeting ended at 11:40 am.

..... Date

Chair