

NEW FOREST NATIONAL PARK AUTHORITY
MINUTES OF PLANNING COMMITTEE MEETING

HELD ON TUESDAY 15 OCTOBER 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
Caroline Rackham
Joe Reilly
Ann Sevier
Brice Stratford
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
David Illsley	Policy & Conservation Manager
Vicki Gibbon	Member Services Administrator

186 Apologies for Absence

186.1 An apology for absence was received from Michael Thierry.

187 Declarations of Interest

187.1 None

188 Minutes

188.1 **RESOLVED:** That the minutes of the meeting held on 20 August 2024 be approved as a true record.

Voting: Unanimous

189 Chair's Announcements

189.1 There were no announcements on this occasion.

190 Planning Applications for Committee Decision (Paper PC 468/24)

190.1 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.	23/00741/FULL
Details	Broad Acre, Sway Road, Brockenhurst, Brockenhurst, SO42 7SG - Single-storey first floor extension; cladding; 1no. shepherd's hut for purposes ancillary/incidental to the dwelling
Public Participants	Cllr John Korbey
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. Development shall only be carried out in accordance with plan PL AB0104/2022, received 01/10/2024. 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). 3. No development shall take place above slab level until samples or exact details of the proposed cladding 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). 4. Prior to siting of the shepherd's hut on the site, exact details of the shepherd's hut shall be submitted to and approved in writing by the New Forest National Park Authority. The shepherd's hut shall accord with the details approved. Reason: To ensure an acceptable appearance of the structure in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

	<p>5. The shepherd's hut the subject of this permission shall only be used for purposes incidental or ancillary to the dwelling on the site and shall not be used for any commercial purposes or as a separate unit of accommodation.</p> <p>Reason: To protect the character and appearance of the area in accordance with Policy DP34 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.</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. 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 Preliminary Roost Assessment, Nesting Birds and Bat Activity Survey Report (ABR Ecology, dated 24/09/2024) 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 Park Local Plan 2016 - 2036 (August 2019).</p> <p>8. Within three months of the completion of the development the ecological mitigation and enhancement measures shall be inspected by the Ecologist to ensure that they are functional and in accordance with the requirements of the submitted reports. Written confirmation of these measures shall be provided to the Local Planning 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>
Voting	Unanimous

REPORT ITEM 2	
Application No.	24/00629FULL Major - Non EIA
Details	Lyndhurst Park Hotel, 78 High Street, Lyndhurst SO43 7NL - Erection of a mixed-use development comprising a total of 79 dwellings and three commercial units (class E) to include the demolition of the existing hotel and reconstruction to form apartments together with associated landscaping, access and parking, part retrospective

	following the approval of application 20/00718 (AMENDED PLANS AND INFORMATION)
Public Participants	Giles Moir & Julie Phelps (For)
Decision	Subject to the receipt of the findings of the independent review of the Economic Viability Assessment and the prior completion of a S106 legal agreement, the Executive Director of Strategy and Planning be authorised to grant planning permission 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 drawing nos:</p> <p>9256/102 Rev D- Amended Block A Ground & First Floor Plans 9256/103 Rev C- Block A Second & Third Floor Plans 9256/104 Rev E- Amended Block A North & West Elevations 9256/105 Rev B- Block A South & East Elevations 9256/106 Rev C- Block B Floor Plans 9256/1100 Rev H- Amended Proposed Site Plan 9256/111 Rev C-Block D Ground & First Floor Plans 9256/112 Rev C- Block D Second Floor Plans 9256/113 Rev D- Block D North & West Elevations 9256/114 Rev D- Block D South & East Elevations 19349-7- Amended Tree Protection Plan 5385/002 Rev C- Surface Water & Foul Drainage Strategy 9256/107 Rev C- Block B North & West Elevations 9256/108 Rev C- Block B South & East Elevations 9256/1103 Rev E- Amended Block C Elevations 9256/1102 Rev E- Amended Block C Floor Plans 9256/206 Rev C- Amended Houses Unit 6 Elevations & Floor Plans 9256/202 Rev A- Houses Units 1 & 2 Elevations & Floor Plans 9256/203 Rev C- Amended Houses Unit 3 Elevations & Floor Plans 9256/204 Rev C- Amended Houses Unit 4 Elevations & Floor Plans 9256/205 Rev C- Amended Houses Unit 5 Elevations & Floor Plans 9256/123 Rev A- Proposed Car Ports Elevations & Plans 9256/1104 Rev C- Amended Indicative Street Scene & Proposed Bicycle Storage 2228/1Q- Amended Landscape Plan Sheet 1 2228/2Q- Amended Landscape Plan Sheet 2 5385/208 Rev A- Additional Delivery Vehicle Access Plan 1 5385/209 Rev A- Additional Delivery Vehicle Access Plan 2 5385/210 Rev A- Amended Delivery Vehicle Access Plan 3</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 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. No development shall take place above slab level until samples or exact details of the facing and roofing materials, including the finished appearance of the topcoat of render and any decorative finishes to be applied, 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. Unless otherwise agreed in writing by the New Forest National Park Authority, the facing and roofing materials for block A shall be as stated in the application for discharge of conditions reference 23/00292DOC (partial discharge letter, dated 17 March 2023).</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 windows shall be installed until the following details have been submitted to, and approved in writing by the New Forest National Park Authority.</p> <p>a) Details of all fenestration – at 1:20 elevation for all units and for 1:10 for the former hotel with 1:10 sections, including the proposed colour of windows and doors.</p> <p>Development shall only take place in accordance with those details which have been approved.</p> <p>Reason: To protect the character and appearance of the buildings and the conservation area in accordance with Policies DP2, DP18, SP16 and SP17 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>6. No demolition shall take place until a Level 2 Historic Building and photographic survey, as set out by Historic England in <i>Understanding Historic Buildings: A Guide to Good Recording Practice</i>, is submitted to and approved in writing by the New Forest National Park Authority. This work should be undertaken</p>
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by a competent person or persons/organisation with specialist knowledge and a proven track record and of dealing with built heritage. Thereafter, copies of the historic building record will be deposited with the local planning authority, the Christopher Tower Reference Library at the New Forest Heritage Centre, and Hampshire's Historic Environment Record within 12 months of the date of completion of program recording, unless a revised timescale is agreed in writing with the Local Planning Authority.

Reason: To secure an understanding of the building and its significance, and create a publicly available record, prior to demolition, in accordance with paragraph 211 of the NPPF.

7. All materials/specifications used for the recreation of the original historic building detailing should be submitted to and approved in writing by the National Park Authority (drawings scale 1:20 elevation and 1:10 section where relevant).

Development shall only take place in accordance with those approved details.

Reason: To protect the character and appearance of the conservation area in accordance with Policies DP2, DP18, SP16 and SP17 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

8. Acoustic mitigation shall be provided to the proposed residential properties as outlined in Table 2-2 in section 2 and Figure 2-1 of the Noise Impact Assessment carried out by WSP Project No. 70066062, dated July 2023.

Reason: In the interest of the amenity of the surrounding neighbouring properties in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

9. The combined noise rating level of plant and equipment on the site shall not exceed the background level (LA90) as defined as 51 dB Daytime (07:00-23:00 hrs) and 30dB Night-time (23:00-07:00 hrs) at 3.5m from the facade of any residential premises in accordance with BS4142:2014.

Reason: In the interest of the amenity of the surrounding neighbouring properties in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

10. Unless otherwise agreed in writing by the New Forest National Park Authority, development shall take place in accordance with the Construction Environmental Management Plan Final Version 1.2, prepared by H20Geo, dated 11 October 2022.

Reason: In the interest of the amenity of the surrounding

	<p>neighbouring properties in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>11. No external lighting (to include balcony lighting) shall be installed anywhere 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>Any lighting installed at the hereby approved development shall not exceed the following maximum values of vertical illuminance at the facade of any residential premises in accordance with Environmental Zone E2: 5 lux pre-curfew (07:00- 23:00hrs) and 1 lux post-curfew (23:00- 07:00hrs).</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>12. Prior to occupation of any of the proposed development, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved development shall be submitted to the Local Planning Authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be retained and maintained in perpetuity.</p> <p>Reason: To ensure that the development would not adversely harm the air quality of the High Street in accordance with policy DP2 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).</p> <p>13. Unless otherwise agreed in writing by the New Forest National Park Authority, landscaping of the site shall be implemented solely in accordance with drawing nos: 2228/1Q and 2228/2Q</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 Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).</p> <p>14. 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 (Arboricultural Assessment and Method Statement ref: 19349-AA7-PB dated 21 August 2024).</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>
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	<p>15. 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, or means of enclosure otherwise approved by Class A of Part 2 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 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>16. Unless otherwise agreed in writing by the New Forest National Park Authority, development shall take place in accordance with the measures for ecological mitigation and enhancement contained in the following documents:</p> <ul style="list-style-type: none"> • Ecological Mitigation and Enhancement Strategy, prepared by EPR, dated 11 October 2022. • Rhododendron Management Plan, prepared by EPR, dated 11 October 2022. • Biodiversity Net Gain Assessment, prepared by EPR, dated 11 October 2022. • Updated Protected Species Surveys 2022 Memorandum of Activities, prepared by EPR. <p>The measures thereby approved 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 Park Local Plan 2016- 2036 (August 2019).</p> <p>17. The 60th dwelling of the development hereby permitted shall not be occupied until:</p> <p>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>The development shall be carried out in accordance with and subject to the above details and in accordance with the nutrient</p>
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	<p>mitigation package (reference: 24/00130DOC), namely:</p> <ul style="list-style-type: none"> - Nutrient budget for mitigation, received on 02 February 2024. - Notice of purchase, dated 18 January 2024. - Nitrate Mitigation Capacity Statement. - Section 106 Agreement, dated 18 January 2024. - Drawing DR1 B: Land Allocation Plan. <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 DP8 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).</p> <p>18. The development hereby permitted shall not be occupied until the arrangements for car and bicycle parking and turning within its curtilage have been implemented.</p> <p>These areas shall be kept available for their intended purposes at all times.</p> <p>Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019) and Section 9 of the National Planning Policy Framework.</p> <p>19. Notwithstanding the provisions of the Town & Country Planning General Development Order nothing over 600mm in height shall be placed or permitted to remain on the land shaded green on the approved plan.</p> <p>Reason: In the interest of highway safety and to comply with Policy SP55 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019). and Section 9 of the National Planning Policy Framework.</p> <p>Informative(s):</p> <p>1. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission</p>
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	<p>for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.”</p> <p>If at any point during construction works any great crested newts are identified, then the following instructions must be strictly adhered to:</p> <p>Stop all works immediately and leave the area</p> <p>Inform an ecologist immediately who will provide further guidance / instructions</p> <p>Do not try to handle or rescue a great crested newt</p> <p>Do not resume construction works until advised it is safe to do so by an ecologist</p> <p>It should be noted that if an individual great crested newt is found at any point during the works, a European Protected Species Licence (EPSL) or District Licence (DL) may be required to permit works that would potentially cause disturbance and otherwise commit an offence under the relevant legislation.</p> <p>If the applicant wishes to completely avoid any risks relating to great crested newts, they have the option to enquire for the New Forest National Park Authorities District Licence, which provides full legal cover for any impacts to great crested newts and therefore removes the risk of having to stop works if great crested newts are found on site. More details on the District Licensing Scheme operated by the council can be found at https://naturespaceuk.com/.</p>
Voting	5:3

191 Planning Appeal Decisions (PC 469/24)

- 191.1 Steve Avery, Director of Strategy and Planning, reported three Planning Appeal decisions during the relevant period, with two being withdrawn and the other allowed.

192 Revised Ashurst & Colbury Village Design Statement (PC 470/24)

- 192.1 David Illsley, Policy and Conservation Manager, began his presentation by advising members that the current Ashurst & Colbury VDS was formally adopted in June 2013 and since that adoption there had been significant changes in both national and local policy guidance. Updating the VDS requires the revised document to be subject to

consultation and a formal decision by the Authority. Mr Illsley explained that the report set out the first steps in that process.

192.2 Mr Illsley advised that Ashurst & Colbury Parish Council had worked alongside Authority officers on the revision of the VDS and officers were content that the updates did not conflict with the Authority's own policies and guidance and therefore could proceed for consultation. Members were then asked to endorse the recommendation.

192.3 Following discussion it was agreed that an extra recommendation be added, to delegate authority to the Policy and Conservation Manager to make any necessary minor amendments in conjunction with the Parish Council prior to consultation. Members then unanimously agreed to the recommendations as detailed below.

RESOLVED: that Members

(i) delegate authority to the Policy and Conservation Manager to make any necessary minor amendments to the draft Ashurst & Colbury VDS (Annex 1), in consultation with the Parish Council, prior to consultation;

(ii) approve the revised draft Ashurst & Colbury VDS (Annex 1), subject to any changes as agreed pursuant to (i) above, for a statutory period of public consultation; and

(iii) note that the final version of the Ashurst & Colbury VDS will be considered at a full Authority meeting for formal adoption in due course.

Voting: unanimous

193 NPA consultation responses – Changes to national planning policy and the proposed Solent CO2 pipeline (PC 471/24)

193.1 David Illsley introduced his report, informing members that the Authority had recently submitted responses to two important consultations relevant to the statutory functions and delivery of National Park purposes. He explained that the report summarised the Authority's response to the Government consultation on proposed changes to national planning policy and the response to the consultation undertaken by Exxon Mobil on the proposed Solent CO2 pipeline. The revised National Planning Policy Framework was expected to be published around the end of 2024, although a precise date had not been provided. In terms of the Solent CO2 pipeline, it was highlighted that on 3 October 2024 Exxon Mobil confirmed they would not be taking forward the proposal.

193.2 Members were then asked to support the recommendations as detailed below, which they duly did.

RESOLVED: that Members

(i) note the Authority's submitted consultation responses to the Government's proposed reforms to national planning policy (Annex 1), and the initial Solent CO2 pipeline proposals (Annex 2); and

(ii) note the indicative timescales outlined in the report for the next stage in the NPPF consultation.

Voting: unanimous

194 Any other items which the Chairman decides are urgent.

194.1 There were no urgent items.

195 Date of next meeting

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

The meeting ended at 11:20 am.

..... Date
Chair