

ELLINGHAM, HARBRIDGE & IBSLEY PARISH COUNCIL PLANNING COMMITTEE

Minutes of the meeting held in Ellingham Church Hall on Tuesday 11 September 2018.

Members:

Cllr Spark – Chairman (P)	Cllr Loader (P)
Cllr Burtenshaw (P)	Cllr Errington (P)
Cllr Lane	Cllr Webster (P)
Cllr Sampson	Cllr Stainton-Burrell
Cllr Taylor (P)	Cllr Trebilco (P)

(P) denotes present

In attendance:

Natasha Mackenzie – Clerk

Members of the public (7)

1. Apologies

18/09/104P

The clerk had received apologies from Cllrs Lane, Sampson and Stainton-Burrell.

2. Declarations of interest

18/09/105P

Cllr Trebilco declared a non-pecuniary interest in NFNPA 18/00385 Hill View.

Cllr Errington declared a non-pecuniary interest in NFNPA CONS/18/0777 Forest Holm.

Cllr Webster declared a non-pecuniary interest in NFDC 17/11180 Druce Acres.

Cllr Taylor declared a non-pecuniary interest in NFDC 17/11180 Druce Acres – he will not speak or vote.

3. To approve the minutes of the last meeting

18/09/106P

The minutes of the last Planning Committee meeting on 10 July 2018 were approved and signed as correct. Proposed by Cllr Taylor, seconded by Cllr Webster. 5 in favour (2 abstentions as not present at that meeting).

4. Chairman's Report of Matters Arising

18/09/107P

18/05/55P – advertised camping at Druce Acres. The clerk is still awaiting a response from senior planning officer Nichola Windebank.

Re-consultation on NFDC 17/11180 Druce Acres: siting of a caravan for an agricultural worker – on agenda.

18/08/102P – holiday letting of the garage at Newlands Farm: an enforcement investigation has been opened by NFNPA.

5. Public Forum – none

6. To consider responses for Development control and TPO applications:

Please note: applications are minuted in the order they were discussed.

18/09/108P

NFNPA CONS/18/0806 Roughwood House, Highwood Lane – Fell 2x Poplar trees; fell 1x Birch tree; fell 1x Sycamore tree. Cllr Burtenshaw explained the location, using aerial photos and maps. The poplars have been pollarded in the past however they are very large and there are concerns of the potential detrimental impact on the drainage system. The applicant spoke of falling branches onto the drive and stable area.

It was proposed to recommend to raise no objections to the NPA Tree Team with the following comments:-

- **There are concerns of the effect of the roots potentially undermining the drainage system, and of falling branches on the drive and stable area.**
- **The loss of these trees would have no adverse impact on the surrounding area.**
- **The Parish Council request the applicant consider native compensation planting, with guidance from the Tree Team.**

Seconded, all in favour (7).

18/09/109P

NFNPA CONS/18/0803 Highwood Farm, Highwood Lane – Prune 1x Group of Oak trees; prune 1x Group of mixed tree species. Cllr Burtenshaw explained the location, showing aerial maps and photos. The proposals are to crown lift to 4m for each group of trees.

It was proposed to recommend to raise objections to the NPA Tree Team with the following comments:-

- **These trees, especially the oaks, were considered as fine specimens. The Parish Council request the Tree Team to look closely at the effect of a crown lift to 4m on these trees.**

Seconded, all in favour (7).

18/09/110P

NFNPA CONS/18/0813 Smugglers Way, Mockbeggar - Fell 1 x Cypress tree. Cllr Burtenshaw explained the location and showed photos of the tree, sited near the house, which has split and grown into two trunks.

It was proposed to recommend to raise no objections to the NPA Tree Team.

Seconded, all in favour (7).

18/09/111P

NFNPA CONS/18/0773 Mount Farm, Highwood – Prune 4x Beech trees. Cllr Trebilco showed photos of the trees to be pruned to crown lift the lower branches to let more light to the hornbeam hedge.

It was proposed to raise no objections to the NFNPA tree team. Seconded, 7 in favour.

18/09/112P

NFNPA CONS/18/0777 Forest Holm, Newtown Lane, Mockbeggar – Fell 1x group of Sycamore trees. Cllr Errington reviewed this application. Over time, the sycamore trees have self-seeded in pasture land. **It was proposed to raise no objections to the NFNPA tree team.** Seconded, 7 in favour.

18/09/113P

NFNPA CONS/18/0758 Sandmartins, Rockford – Fell 2x Leylandii trees; Fell 1x Pine tree. Cllr Sampson had circulated her comments and photos prior to the meeting. In summary, the trees to be felled had not been maintained and been left to grow too large, resulting in excessive dominance. **It was proposed to raise no objections to the NFNPA tree team.** Seconded, 7 in favour.

18/09/114P

NFNPA 18/00651 Hill View, Mockbeggar – Retention of detached garage. Cllr Burtenshaw reminded all of this application in June 2018, where the existing small garage was being replaced with a covered walkway to the rear garden being attached to the house from the garage roof. The applicant halted building work on receipt of an enforcement notice, as NPA states it would breach the 30% permitted increase in habitable floorspace. The applicant has adjusted the proposal for the walkway to be uncovered, and the garage completely detached from the house, meeting the requirements of NFNPA and there is no impact on neighbours.

It was proposed to recommend to permission under option 1 with delegated powers to NFNPA with the following comments:-

- **The garage should be conditioned for incidental use only to prevent any future use as habitable floor space.**
- **Being mindful of the rural location, the Parish Council would like the importance of mitigating any light pollution to be stressed with the applicant with all external lighting to be a material consideration with Passive Infrared (PIRs) sensors as standard.**

- **The applicant is commended for complying with the planning authority.**

Seconded, all in favour (7).

18/09/115P

NFNPA 18/00529 Hollywood Cottage, Highwood Lane, Highwood –single-storey extension. Cllr Loader explained the location using aerial maps, demonstrating the property is not overlooked. The following was discussed and established:-

- The proposed application is to build a small extension on the southern elevation at the back of the property, creating a sunroom, mirroring an extension on the same elevation. Materials will match the existing (tiled, rendered with oak supporting pillars).
- The Planning Officer's briefing note states the floor space calculations need to be checked to see if within the permitted 30%. The applicant believes they have 10% left and this application uses 9%.
- The design was noted as an enhancement and in keeping with the property.

It was proposed to recommend to permission under option 1 with delegated powers to NFNPA with the following comments:-

- **As there are no details of the increase in floor space and current calculations, the proposal should meet policy DP11's stated maximum increase of 30%.**
- **Being mindful of the rural location and the additional glazing, the Parish Council would like the importance of mitigating any light pollution to be stressed with the applicant with all external lighting to be a material consideration with Passive Infrared (PIRs) sensors as standard.**
- **Materials should match the existing property.**

Seconded, 6 in favour.

18/09/116P

NFDC 17/11180 Druce Acres: siting of a caravan for an agricultural worker. Cllr Spark explained the local planning authority's consultant has responded with their interpretation of the applicant's submitted business plan, however the case officer has not provided any further guidance through an updated briefing note but drawn attention to correspondence between himself and the agent (available on the planning portal).

Cllr Spark summarised this retrospective application has become more of a test of planning law, and in his opinion it is not for the Parish Council to comment on the legal aspects of the application. The applicant voiced extreme frustration on the length of time this application is taking to be determined, and Cllr Spark reminded her that had she not placed the mobile home on the land before getting permission she would not be in this predicament. The applicant keeps changing the parameters of various aspects of the application, such as the number of horses and the diversity of livestock that the planning officer is having to ask the applicants agent to clarify details and this all takes time.

Cllr Errington returned at 8.35pm.

Cllr Spark stated he felt the Parish Council's position had not changed in the light of the business plan report. He suggested that similar comments; namely policy DM21, size and location of the mobile home, materials used and concerns on highway safety expressed by the Parish Council on 10/01/2018 are still relevant and these should be re-submitted, with the exception of the inaccuracy of the site plan (as this has been corrected).

Online correspondence between the case officer and agent notes the applicant was asked and refused to consider relocating the mobile home to a different part of the field as it is placed there for bio-security and protection of the site.

As far as the Parish Council is concerned, however, it was stated that we are not prepared to consider relocation of the mobile home as it does not have planning permission to be anywhere on the field, and it has not been proven that it is a viable agricultural business requiring the home in the first place.

The applicant left the meeting at 8.38pm.

Finally, other concerns were noted regarding:-

- the business plan submitted has so many inaccuracies and poor financial structure that it does not require a professional to see that it is not a viable business in this format. The Mobile home should not be permitted whilst the applicant simply uses trial and error to find a way of justifying the mobile home on site;
- the plan submitted for the 4 bedroom mobile home has measurements of 46' x 20', however the actual mobile home would appear to be much larger;
- a statement from the agent that the applicant will be in a position to seek planning permission for a permanent rural workers' dwelling in two years' time. Such an application would be vehemently opposed by the Parish Council and many residents.

It was proposed to recommend refusal under option 4 to NFDC with the following comments:-

- **The Parish Council is aware this application should primarily be tested against policy DM21 to ensure it is a viable, profitable, well-established agricultural business, therefore the submitted business plan should have effectively been in place for at least the last year and the actual figures could be compared with what has been predicted.**
- **The Parish Council has concerns relating to the size of the mobile home: the current submitted plan states it is 46' x 20' however in reality, it appears much larger, and would request the case officer checks the dimensions of the existing mobile home, as policy DM20 states such homes must not exceed the maximum of 100sq.m.**
- **The location is not well-related to the existing farm buildings; the design, size, height and massing as well as the close proximity to the main road have a harmful impact on the rural character of the area. Again, councillors feel that Policy DM20 is not satisfied.**
- **Following repeated calls for a thorough assessment by HCC Highways, this has resulted in a response by them on 10 May 2018 stating "unfortunately insufficient information has been submitted for a recommendation to be made at this stage. Whilst the application form indicates that there will be no changes to the existing access onto the local highway network, plans do not make it clear where this access point is located, and given the intensification of use that the caravan and other on-site activities are bringing, it is essential that this access is fully checked for suitability." The Parish Council request HCC Highways concerns to be noted and clarification sought from the applicant by them with a site visit. The current single access point onto this fast flowing, undulating section of the A338 is dangerous.**
- **The NFDC Landscape Team object to this application, concluding 'This development is inappropriate, contrary to policy and is not supported by sufficient evidence, justifying the harm to landscape character or visual amenity.' These comments echo the Parish Council's concerns regarding policies relating to the harm to landscape character and the visual impact of the mobile home, field shelters and fencing.**
- **With reference to the statement from the agent regarding how the applicant will be in a position to seek planning permission for a permanent rural workers' dwelling in two years' time, the Parish Council would like it made known such an application would be vehemently opposed by the Parish Council and many residents.**
- **Several, very pertinent issues concerning this retrospective application have been raised by local residents in their commentaries to NFDC. Without restating them, the Parish Council would like NFDC to understand that the Council endorses them.**

Seconded, 6 in favour (Cllr Taylor did not speak or vote.)

18/09/117P

NFNPA 18/00628 Land adjacent to Ashdown, Linford – agricultural building. Cllr Errington reminded all members of the location, explaining this building is intended for storage of machinery relating to maintain the pasture.

The elevations were viewed, ascertaining the roof has a shallow pitch and its dimensions are 12m x 6m (72 sq.m). The materials were stated as dark green metal cladding on a steel frame, and all building materials and machinery will be stored on site during the works.
No trees will be disturbed during the works, as the outbuilding is outside of the root protection area.

It was proposed to recommend permission under option 1 to NFNPA with the following comment:-

- **the Parish Council are happy with the principle of the agricultural building in this location, with the finish of the outbuilding to be decided between the case officer and the applicant.**

Seconded, all in favour (7).

18/09/118P

NFNPA 18/00435 Linford Park Nursing Home, Linford – provision of single-storey building to form manager's dwelling and separate consultant's overnight accommodation.

Cllr Errington reminded all of the nursing home's location. The two dwelling units would be sited on the access road to the nursing home on the footings of the derelict mortuary, just outside of the nursing home boundary.

Proposed building - the semi-detached dwelling would provide a manager's unit (approx. habitable floor area 170 sq.m.) and accommodation for visiting consultants or families of seriously ill residents (approx. habitable floor area 65 sq.m.) at ground floor level. Beneath this would be service/store rooms and a covered parking area for 6 vehicles. Including the undercroft and area under the ground floor balcony increases the floor area to over 500 sq.m. Although the dwelling would partly be built into the slope of the site, the drawings do not dimension the ridge height relative to existing or re-profiled ground levels across the site.

Need for dwelling(s) - the application argues that a manager is required on site 24/7 to run the nursing home and that accommodation is needed for this person plus family. It contends that there are no existing buildings on the nursing home site suitable for this. It puts forward that determination should be assessed under Policy DP13.

Policy DP13 states:

'Permission will be granted for an agricultural, forestry and other occupational worker's dwelling provided that the tests of Annex A of PPS7 are met and:*

a) no other dwellings either on or closely connected to the holding/enterprise have been sold separately or in some way alienated

Permission will be granted for an agricultural, forestry and other occupational worker's dwelling provided that the tests of Annex A of PPS7 are met and:*

a) no other dwellings either on or closely connected to the holding/enterprise have been sold separately or in some way alienated from the holding/ enterprise;

b) the size of the proposed dwelling would not result in a total habitable floorspace exceeding 120 square metres; and

c) where practicable and appropriate first consideration has been given to the conversion of an existing building under the terms of Policy DP19. Where evidence of the financial soundness and future sustainability of the holding/enterprise appears inconclusive, consideration may be given to permitting a caravan or other temporary accommodation for a limited period of time in order to provide time for the viability of the holding / enterprise to be proven.'

*Annex A of PPS7 relates to thorough scrutiny of applications for isolated dwellings, and only be allowed to support existing, proven activities.

Officer comments as at 11 September:

Conservation – no objection

Highways – no objection

Trees – no arboricultural statement, cannot make recommendation

Landscape – insufficient proposals, objection

Planning – Policy CP12 also considered relevant, there are 14 staff bedrooms existing within accommodation block

Neighbour comments as at 11 September:

17 objections recorded, many making well researched and informed points.

It was proposed to recommend refusal under option 4 to NFNPA with the following detailed commentary:-

- The need for a manager to live on site and be available 24/7 was discussed. It was noted that in general practice it is not a requirement for managers to live on site at a Class C2 Residential Institution and that a shift rotation system would operate. Even if this was a requirement, it was questioned where a relief manager would live when the manager was on annual leave or away.
- Several councillors advised of other local nursing/care homes they knew of, none of which provided accommodation for live-in managers.
- It was noted that there was no mention in the 'Statement of need for a Manager's House' or the 'Design and Access Statement' about any attempt(s) to acquire an existing property in the vicinity for this purpose.
- It was felt that the case made about the unsuitability of the existing staff accommodation units, or any other building (or part of) on the nursing home site, for manager, consultant or relative accommodation, was insufficient to justify developing the site of the former morgue for this purpose.
- Councillors felt that the case had also not been made to put aside the 120 sq.m. habitable floorspace limit stipulation for new dwellings (*Policy DP13*). Depending on how the habitable floorspaces are calculated, two dwellings (semi-detached) are proposed of approx. 170 sq.m. and 65 sq.m., or over 500 sq.m. combined if the undercroft is included. It was noted the dwelling would partly be built into the slope of the site, however the drawings do not dimension the ridge height relative to existing or re-profiled ground levels across the site.
- One Councillor suggested that a more modest manager's accommodation could be needed, however felt that the overnight unit was not required.
- It was noted that the 'Statement of need for a Manager's House' makes particular reference to a 'mental care facility' and [managing] 'mental diseases' as part of the justification for a new dwelling. The Council understands that this level of care would necessitate an application for change of use as mental health facilities are Class C2A Secure Residential Institution. Linford Park Nursing Home is designated C2 Residential Institutions.
- The site is described as isolated, however it is a mile from the local market town of Ringwood, and a few minutes from the A31 trunk road.
- Councillors would prefer that, rather than providing accommodation for out-of-area staff, local employment is supported by recruiting appropriately qualified employees from the locality.
- The Planning Agent for the applicant, Mr Ian Donahue, answered a few queries as they were raised during the discussion and supplied some additional information. He advised that other matters would be referred back to the applicant.

At the time of the meeting, 17 neighbours' objections had been submitted to the planning authority's website, many making well researched and informed points.

- Overall it was agreed there was a lack of clarity and justification in the application, and that it did not comply with Policy CP12, nor satisfy the requirements of DP13.

Seconded, 7 in favour.

Standing Orders were suspended during the discussion at 9.30 pm – proposed by Cllr Spark and seconded; all in favour.

7. Decisions received from NFDC & NFNPA (circulated prior to Agenda):

18/09/119P

NFDC 18/10902 Copley Wood Farm, Harbridge Green, Harbridge – *granted stc*

NFNPA CONS/18/0637 Brogenslade, Furze Hill, Fordingbridge – *raise no objections*

NFNPA 18/00453 Moyles Court School, Moyles Court, Rockford – *granted stc*

NFNPA 18/00420 Haineswood Lodge, Linwood – *granted stc*

8. To consider responses for Planning Authority Committee meetings, Appeals and Enforcements:

none

18/09/130P

NFDC 18/10871 West Barns, Bleak Hill Farm – will be heard at the Development Control Committee meeting on 12 September 9am at Appletree Court, Lyndhurst.

9. Correspondence

18/09/130P - the clerk requested any suggested tasks for the Parish Lengthsman to be set to her urgently, for the next date is 17 September.

18/09/131P – Cllr Taylor advised he will be attending the HALC Planning Training on 12 September.

18/09/132P – Cllr Webster advised a planning application is forthcoming for Bleak Hill Quarry's time extension.

The meeting closed at 9.48pm.

Forthcoming Planning Committee meetings at 7.30pm in Ellingham Church Hall:-

Tuesday 9th October 2018

Tuesday 13th November 2018

DRAFT