

FORDINGBRIDGE TOWN COUNCIL

Minutes of a meeting of the Planning Committee held on Wednesday 9th March 2022 at 7.30pm in the Town Hall (Minutes subject to approval at the next meeting of the Council)

Present: Cllr Paton - Chairman
Cllrs Anstey, Earth, Hale, Goldsmith, Jackson, Mouland, White and Wilson

In attendance: Paul Goddard, Town Clerk
Rachel Edwards, Asst Town Clerk
The applicant for application 22/10130
2 Neighbours of application 21/11490
Developer of SS18: Lights Farm development
A reporter from the Salisbury Journal

1. To receive any apologies for absence

Apologies were received from Cllrs Adams, Perkins and Lewendon.

2. To receive any Declarations of Interest

Cllr Goldsmith declared an interest in planning application 22/10170 as he knew a dog groomer. He would stay in the meeting but not speak or vote.

Cllr Jackson declared an interest in application 22/10189 as he is a near neighbour and knows the applicant. He would stay in the meeting but not speak or vote.

3. To confirm the minutes of the meeting held on 9th February 2022 and report any matters arising

Cllr Goldsmith proposed and it was seconded by Cllr Mouland and therefore **RESOLVED:** that the minutes of the meeting held on the 9th February 2022 be signed as a true record.

Matters arising

Agenda item 11 – The Mayor and the Clerk had an initial meeting Alderholt Parish Council last Monday

4. To receive any matters raised by Members of the Public

No matters raised.

5. To report any Results on Planning Applications, Appeals, Tree Works Applications & Tree Preservation Orders made

Application 21/11713

SITE: 168 STATION ROAD, FORDINGBRIDGE SP6 1DS
DESCRIPTION: Fenestration alterations & internal alterations to annexe (Lawful development certificate that permission is not required for proposal)
DECISION: Was lawful in part

Application 21/11703

SITE: 3 NORMANDY WAY, FORDINGBRIDGE SP6 1NW
DESCRIPTION: New first floor side extension above existing attached garage
DECISION: Granted Subject to Conditions

Application 21/11705

SITE: MERRIE LEAS, FRYERN COURT ROAD, BURGATE, FORDINGBRIDGE SP6 1ND
DESCRIPTION: Cladding of existing metal gate; timber fencing (Retrospective)
DECISION: Granted Subject to Conditions

Application 21/10658

SITE: UNIT 1, 1 BRIDGE STREET, FORDINGBRIDGE SP6 1AH
DESCRIPTION: Use of first & second floor as 3 flats; retain existing Class E (formerly including class A1/A2 use and offices) on ground floor; remodelling of rear ground floor to create residential unit 4; extension to form staircase to first floor; bin & cycle store; external alterations to windows & doors (Retrospective)
DECISION: Refused

Application 22/10068

SITE: KINGFISHER COTTAGE, SALISBURY ROAD, BURGATE, FORDINGBRIDGE SP6 1LX
DESCRIPTION: Use of existing leisure building as annex to main dwelling; windows to south elevation
DECISION: Granted Subject to Conditions

Application 22/10060

SITE: THE GEORGE INN, 14 BRIDGE STREET, FORDINGBRIDGE SP6 1AH
DESCRIPTION: Proposed change of use on existing courtyard car park to dining and seating area. Proposed timber dining pods, covered timber pergola walkway and seating area. (Retrospective)
DECISION: Granted Subject to Conditions

Application 22/10106

SITE: 9 JUBILEE ROAD, FORDINGBRIDGE SP6 1DP
DESCRIPTION: Ground floor re-modelling and rear extension; creation of new first floor including lifting of the existing ridge
DECISION: Granted Subject to Conditions

Application 22/11675

SITE: 25 & 27 SALISBURY STREET, FORDINGBRIDGE SP6 1AB
DESCRIPTION: Use of 25 & 27 as retail (Use Class E) (Lawful Use Certificate for retaining an existing use or operation)
DECISION: Was Lawful

Appeal Decisions

No appeal decisions.

Tree Work Decisions

Case Ref: R14/15/22/0101

Site Address: 21 BRIDGE STREET, FORDINGBRIDGE, SP6 1AH
Decision: Exempt Works

Case Ref: R14/15/22/0117

Site Address: Land to the rear of 24 LOWER BARTONS, FORDINGBRIDGE, SP6 1JB
Decision: Exempt Works

6. To consider new Planning Applications

22/10130	14 Shaftesbury Street, Fordingbridge SP6 1JF	Mr & Mrs Clare
Construction of a new single-storey link building connecting with existing outbuilding		
Cllr Jackson presented this application.		
Cllr Jackson proposed and it was seconded by Cllr Goldsmith and therefore RESOLVED to recommend PERMISSION under PAR3 as the application is within keeping and will help the applicant. All in favour.		
21/11490	Land Off Jubilee Crescent, Fordingbridge SP6 1ED	Palmer, King, Sainsbury, Northway
Development of seven dwellings, with access provided off Jubilee Crescent (Outline Application with details only of Access)		
Cllr Paton reported that there are concerns with access to the site and these have not been addressed by the developer. Jubilee Crescent is designed to have full width access but it suddenly narrows; there are particular concerns with refuse vehicles accessing the properties.		
Cllr Paton reported that no allowance has been made for the inclusion of the proposed Fordingbridge Town Trailway and Cllr Heron (HCC) has objected to the application for this reason. Developers are of the mind that the town trailway does not need to be included due to the Neighbourhood Plan not having been completed. Cllr Wilson reported that there has been a change in the wording of the National Planning Policy Framework. Whereas it previously stated that 'Developers should consult the Neighbourhood Plan'. The NPPF 2021 version states 'Developers should contact the Neighbourhood Plan Steering Group'.		
Two homeowners from Jubilee Crescent reported that they own the land at the entrance to the proposed site and there is no right of way access over their land. One reported that his house would be exceedingly close to the new proposed road, should it be built.		
Cllr Hale proposed and it was seconded by Cllr Earth and therefore RESOLVED to recommend REFUSAL under PAR4 as the access is not adequate and the town trailway has not been taken into account. All in favour.		
<i>[The applicant for application 22/10130 and the neighbours of application 21/11490 left the meeting.]</i>		
22/10148	2 PARK ROAD, FORDINGBRIDGE SP6 1EQ	Northshore Companies Ltd - Northshore Companies Ltd
4 detached dwellings with associated garages/parking and landscaping		
Cllr Anstey presented this application to demolish No. 2 Park Road and build four detached properties. Councillors were concerned about the density of building on the site. They noted that there are already problems with parking along Park Road and this development would further exacerbate the issue.		
<i>[The developer of SS18: Lights Farm development entered the meeting]</i>		
Cllr Goldsmith proposed and it was seconded by Cllr Mouland and therefore RESOLVED to recommend REFUSAL under PAR4 as it is an overdevelopment of the site and the application would further increase the problems with parking along Park Road. All in favour.		

22/10110	SURMA VALLEY, SALISBURY ROAD, BURGATE, FORDINGBRIDGE SP6 1LX	Mr Wrigley
Change of Use of restaurant and outbuildings to single dwelling		
<p>Cllr Wilson presented this application.</p> <p>Cllr Hale proposed and it was seconded by Cllr Jackson to recommend PAR5. Fordingbridge Town Council is sorry to have lost a business in the town and happy to accept the decision reached by the District Council's Officers under their delegated powers.</p> <p>Cllr Anstey proposed to recommend PERMISSION under PAR3. There was no seconder.</p> <p>Cllr Hale's proposal was voted on and therefore RESOLVED to recommend PAR5. 8 in favour, 1 against.</p>		

22/10149	87 WHITSBURY ROAD, FORDINGBRIDGE SP6 1LB	Mr & Mrs Rust
Loft conversion and rear extension		
<p>Cllr Hale presented this application. He reported that the existing property is not very big and the extension would make it approximately 60% larger. The proposal is to build into the loft with dormer windows. Councillors thought the previous application 21/11289 (refused by NFDC) more aesthetically pleasing.</p> <p>Cllr Earth proposed to recommend PERMISSION under PAR3. There was no seconder.</p> <p>Cllr Goldsmith proposed and it was seconded by Cllr Jackson and therefore RESOLVED to recommend PERMISSION under PAR1, as Fordingbridge Town Council is not overly keen on dormer windows and thought the earlier application 21/11289 more attractive and less intrusive, but would accept the decision reached by the District Council's Officers under their delegated powers. All in favour.</p>		

22/10170	1 PEALSHAM GARDENS, FORDINGBRIDGE SP6 1RD	Miss Humby
Change of use of garden outbuilding to dog grooming facility		
<p>Cllr White reported that Pealsham Gardens is generally developed to a reasonably high density, with the majority of properties being either linked or semi-detached.</p> <p>Parking is available on the driveway of 1 Pealsham Gardens at all times, alternatively there is unrestricted parking on the road opposite the property. Customers will not be allowed to stay at the property whilst their dog is being groomed, therefore any parking will only be for a very short period of time to drop off or pick up their dog. The dog grooming services will be one-to-one and by appointment only, the applicant would meet the customer and their dog at the garden gate at their appointment time or pick up time.</p> <p>The salon would only operate Monday to Saturday 9am - 5.30pm. The applicant will be the sole owner and operator of the business. There will be only one dog groomed at any time and this will be via appointment only. The outbuilding doors and window would be kept closed whilst drying and clipping the dog to ensure any noise is kept to a minimum.</p> <p>Environmental Protection have requested a scheme for the management of waste from the proposed business to be submitted and agreed in writing before any development is commenced. Also, a noise management plan (NMP) to be submitted and approved in writing, before use of the development commences.</p>		

Objections have been received from two neighbours raising concerns about noise disturbance and increased traffic.

Cllr Hale proposed and it was seconded by Cllr White and therefore **RESOLVED** to recommend REFUSAL under PAR4, due to potential parking issues and noise disturbance with the location being in close proximity to other residents. All in favour.

22/10189	12B VICTORIA ROAD, FORDINGBRIDGE SP6 1DD	Mr and Mrs Saunders
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Rear conservatory

Cllr Mouland presented this application.

Cllr Wilson proposed and it was seconded by Cllr White and therefore **RESOLVED** to recommend PERMISSION under PAR3, as the application doesn't affect anyone else. All in favour.

22/10231	168 STATION ROAD, FORDINGBRIDGE SP6 1DS	Mr & Mrs Ford
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Bi-fold doors to existing adjoining annexe

Cllr Goldsmith presented this application for bi-fold doors to replace existing windows. He said that it was difficult to see the property from the street.

Cllr Goldsmith proposed and it was seconded by Cllr Wilson and therefore **RESOLVED** to recommend PERMISSION under PAR3 as the property is not visible from the street. All in favour.

22/10038	THE OLD AUCTION ROOMS, ROUNDHILL, FORDINGBRIDGE SP6 1AQ	Mr Burgin
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Use of first floor of the property as a single residential unit (Lawful Development Certificate that permission is not required for proposal)

FOR INFORMATION ONLY

7. To consider new Tree Works Applications

Members considered the following applications.

Case Ref: CONS/22/0060
Site Address: BICKTON HOUSE, BICKTON LANE, BICKTON, FORDINGBRIDGE, SP6 2HA
Proposed Works: G1 - Limes x 10 - Reduce (as pollard) to approx 10 m above the first unions - trees are close to adjacent residence and have begun to fail in varying degrees. It is felt a pollard will retain the trees at "safe" height. T1 - Cedar - Reduce the over-extended laterals by approximately 1 m to lessen weight. Remove snapped and broken limbs. Reduce the co-dominant leaders by approx. 3 m to lessen weight and exposure.
Reason for Works: Arboricultural Maintenance

Case Ref: TPO/22/0075
Site Address: TIMBERMILL COURT, FORDINGBRIDGE, SP6 1RG
Proposed Works: Crack Willow x 2 (T1 & T2) - Pollard to 10m
Reason for Works: Both trees are starting to shed limbs, routine maintenance.

8. To consider any Licensing Act 2003 applications

No licensing applications.

9. To review the Local Plan and SS16

Cllr Wilson gave a presentation on Strategic Site 16, citing flaws in the application. She said that the following information is either missing from the application or incorrect:

- Ownership of the site
- Number of existing vehicular access points
- A lease plan exists but is not listed. There is no documentation to show that the applicants have taken over the lease.
- The title deed HP664924 relates to land of size 8 hectares, not 16.2 hectares as in the application. Much of the 8 hectares cannot be used for development as this is the site of Allenbrook Nursing Home.
- The application lists the lease title rather than the registered owner title. Cllr Wilson queried whether the owners are aware that someone wants to build on their land. She reported that the lessor's title is registered under HP3008. HP3008 gives four registered owners as well as Allenbrook Care Limited and Their Leaseholder.

Cllr Wilson quoted from <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>

What factors can be considered when assessing availability?

A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development.

Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.

What happens when constraints are identified that impact on the suitability, availability and achievability?

Where constraints have been identified, the assessment will need to consider what action could be taken to overcome them. Examples of constraints include policies in the National Planning Policy Framework and the adopted or emerging development plan, which may affect the suitability of the site, and unresolved multiple ownerships, ransom strips tenancies or operational requirements of landowners, which may affect the availability of the site.

Cllr Wilson submitted a FOI request to NFDC in January 2022 asking that when the authority received the call for sites response from site 16:

1. Was the response from the landowner?
2. What name was given as the landowner?
3. Did the authority's initial survey include any legal searches of ownership?
4. Did any searches discover multiple ownerships or ransom strips?

The response from NFDC was as follows:

1. There were three Call for Sites responses. One was made on behalf of Fordingbridge Developments Ltd, who is the leaseholder.
2. Name of landowner(s) are not being provided as this is considered to be personal data.
3. The Council does not hold any record of any legal searches undertaken of ownership for Strategic Site 16 Land north of Station Road, Ashford.
4. Not applicable. Please see the answer to Question 3 above

Cllr Wilson thought that section 2 of the site submission form, detailing who owns the site, was never filled in, rather than having been redacted. She said that NFDC say that the copy of the form

sent has been redacted for data protection reasons. However, the form does not appear to be redacted, it appears to have not been fully completed.

The Application 20/10522

- Applicants Name: Infinite Homes Ltd.
- We assume this is an error and it should be Infinite Housing Ltd. As they have the same director as Fordingbridge Developments Ltd
- It would seem no one checked.
- Applicant signed Certificate A

Ownership Certificate

- I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner* of any part of the land or building to which the application relates,

Town and Country Planning Act - Article 12

If any person - recklessly issues a certificate which purports to comply with any such requirement and contains a statement which is false or misleading in a material particular, he shall be guilty of an offence.

Implications of incorrect certificate

- If a certificate is inaccurate as a matter of fact, the planning authority should not deal with the application any further.
- If a local planning authority either ignores a defect in an Article 12 certificate or is unaware of this and proceeds to determine an application and grant planning permission, then any permission granted will be invalid.

Letter to applicant's Agent from Stephen Belli Senior Planning Officer - 12th October 2020

You have already responded to confirm that Certificate A confirming that your clients own the land edged red is incorrect. You have confirmed that you intend to submit a revised application form. This should include the confirmation of having served the relevant notice on those owners/other parties who have an interest in the site and a copy of the notice served along with the date of service

Letter to Agent 05 July 2021 - From Stephen Belli

- Request an extension of time to the end of February 2022.
- The Agent replied 4 months later in November 2021 with no mention of the incorrect certificate.

Cllr Wilson concluded that the Local Plan should be reviewed and Site 16 removed, stating that it was never deliverable. She said that the Local Plan had to be reviewed within five years of publication; there has been no investigation as to who owns the land and yet a fortune has already been spent on surveys.

Cllr Wilson requested that the District Councillors be asked to lobby on behalf of the Town Council to have the site removed. She said that the case officer has been aware of this issue since the beginning and that this is a case of poor administration or maladministration.

Cllr Wilson said that the next step is to make an official complaint to NFDC and if the response is not satisfactory, to complaint to the ombudsman after twelve weeks.

Action: Clerk to draft letter to District Councillors asking that they lobby on behalf of Fordingbridge to have site 16 removed from the Local Plan. Letter to be reviewed by a planning expert before sending.

10. To give formal feedback on SS18 Lights Farm development

Following a presentation given to the Planning Committee on 9th February regarding the Site 18 – Lights Farm, Middle Burgate development, Councillors were asked for formal feedback on the proposed plans.

Councillors said they liked the design of the proposed development, using the words “nice, different, lovely, great design”. They liked the proposal for all vehicle access from Salisbury Road (A338) to prevent the estate becoming a cut through to the rest of site 18.

The developer had previously expressed a wish that dwellings be sold to those with a local connection only and members discussed the possible criteria for this – whether those with a close relative in the town might qualify for example or whether property may only be sold to those working in Fordingbridge. Cllr Wilson reported that shared ownership would be a way to restrict ownership to those with a local connection. Cllr Paton expressed reservations about shared ownership. Cllr Moulard pointed out that shared ownership gives young local people chances they may not otherwise have.

Councillors thought some retail on site would be a good idea; perhaps a shop or restaurant.

The developer was concerned that the High Street is becoming increasingly dangerous to pedestrians and offered to sponsor a road survey or speed check for the High Street.

11. To note any items of correspondence

Tinkers Cross Planning Committee Meeting

Cllr Bellows emailed the following response to concerns raised by Fordingbridge Town Council regarding her proposal and support of the Tinkers Cross application 20/11469 at NFDC's Planning Committee meeting on 9th February 2022.

Dear All,

Further to the email from Fordingbridge Town Clerk expressing some concerns re the above NFDC Planning Committee meeting - Tinkers Cross:

As you are aware the Town Council is a Consultee on all relevant planning applications within the Town and the Council's views were extensively expressed in section 6 of the Officers Report. Councillor Sevier and I have had a number of discussions with the planning case officer regarding this application and we have highlighted the concerns the Town Council have raised, albeit that some of the points that have been raised are neither material planning considerations nor within the scope of the application.

It is not my role as the elected District Councillor to give the Town Council's views to the Planning Committee, indeed the Committee's standing orders make specific allowance for the Town/Parish Councils to attend and address Members should they feel the strength of their view on a particular application, as so many choose to do when an application is of sufficient interest to their community.

Listening to the objections of the Town Council does not mean that in balance and when considered against the national and adopted planning policies to which the District Council is legally obliged to adhere, I form the same conclusion. While the Town Council are entitled to object to the application as were the 14 residents who responded against the application, this does not necessarily mean that the objections are in accordance with policy or indeed a view shared by the majority of local residents.

I will of course be happy to obtain answers to any technical questions the Town Council may have regarding this application. My view is that on balance the application met the national and local policy requirements and that therefore there were no reasonable grounds for the District Council to refuse the application. The application is subject to lots of conditions which do have to be met

before building can proceed and technically planning permission is not given until these have been met.

In this instance I feel we must agree to disagree.

*Kind regards,
Annie*

*Cllr Annie Bellows
Fordingbridge and Sandleheath*

Tinkers Cross Archaeological Works

Archaeological works commenced this week at the land at Tinkers Cross, Whitsbury Road, Fordingbridge. The archaeological excavation is designed to ensure that buried archaeological remains within the site are excavated and recorded prior to any development. The archaeological excavation has been commissioned by the landowner, Pennyfarthing Homes, as a requirement from New Forest District Council (NFDC) before any development of this allocated site is allowed to proceed.

Site 16 application 20/10522 - Land at Station Road Ashford, Fordingbridge - update

NFDC have recently been approached by a new housing developer and had an initial pre-application meeting to discuss issues with the current stalled application and the submission of a new application. That developer is currently awaiting the planning case officer's initial response and following that is due to conclude his negotiations with the existing developer to take over the scheme. This will involve the old application being formally withdrawn and a new application taking its place.

Strategic sites update

See appendix.

12. To receive a report from the Clerk or any other relevant planning business

Nothing further to report.

13. To note the date of the next meeting as Wednesday 13th April 2022

The meeting closed at 21.05pm.

Strategic Sites Update (March 2022)

FORD 1 – Augustus Park, (Land East of Whitsbury Road), Fordingbridge SP6 1NQ
Planning Permission Ref: 17/10150 – 145 dwellings

The Planner has contacted the Developer about the muddy state of the roads. He has informed them that this situation needs to be rectified.

The highways contractor is still carrying out the works to raise the road gullies ready for the final road surfacing to be laid. This may affect the roads for a while.

The temporary car parking area at the Northern end, adjoining the site, has been cleared of equipment and materials. The temporary grasscrete parking surface has also been removed.

The spoil removal from the Northern end, adjoining the site, is still ongoing. I informed the Developer that this is taking too long. They have chased their sub-contractor again, more strongly. I am going to make more regular visits to site in the short-term to make sure this is progressed and that the footpath is re-instated as quickly (to standard) as possible.

Works to install the gabion baskets to cover the ends of the drainage pipes in the swale and the swale construction in certain areas of the linear SANG are still due to be completed.

The maintenance parking area and widened maintenance access into the Western SANG has not commenced yet. This is dependent on a Hampshire Highways agreement.

More of the remedial planting has been undertaken, but there is still more due to go in.

This needs to be completed within this planting season, before the end of March. I will be checking against the remedial planting plans this week so that I can chase any areas that haven't been planted up yet.

We have recently taken measurements of the bio-retention pond as there have been queries raised about it. These measurements, alongside information about the planting that has been carried out, have been passed to the Planner for his consideration.

All the houses on the development are now occupied.


Regular monitoring of this site by the Site Monitoring Officer will continue in the short and medium term.

13.04.2022



Occupation Status

 Not commenced construction
 Under construction
 For Sale

 Reserved
 Exchanged
 Occupied/Completed