

Sway Parish Council Planning and Transport Committee

Minutes of the meeting of the Planning and Transport Committee held at the Jubilee Field Pavilion, Station Road, Sway on Thursday 12th November 2015.

Present

Councillor Name		Councillor Name	
Stephen Tarling (Chair)	P	Kevin Cripps (Vice Chair)	P
Peter Dance	P	Hugh Marchant	P
Alex Pepper		Melanie Seacombe	P

P = Present

Also in attendance: Susan Brayley (Parish Clerk), John Warden (Transport Representative), Cllr. Len Thomas (Community SpeedWatch Representative), a member of the press and nine members of the public.

PT15/103 – Apologies

Received from Cllr. Alex Pepper.

PT15/104 - Declarations of Interest

Cllr. Marchant declared his membership of the New Forest Association (NFA) Planning Committee; and Cllr. Tarling his membership of the NFA. Cllr. Cripps declared a pecuniary interest in planning application 15/00776 Bilyara as the applicant. Cllr. Dance declared a non-pecuniary interest in application 15/00757 Little Haven as a neighbour.

PT15/105 - Minutes of the Meeting held on the 8th October 2015 and Matters Arising

The minutes of the meeting held on the 8th October 2015 were unanimously agreed after some minor amendments, and were signed by the Chair. They would be added to the web soon. There were no matters arising not covered elsewhere on the agenda.

PT15/106 - Outcome of Planning Applications Considered at Previous Meetings

The Chair introduced a report of the decisions made by the NFNPA Planning Officers on applications discussed at previous meetings. The list of outcomes of Planning Applications considered at previous meetings is appended to these minutes as Appendix 1.

PT15/107 - New Tree Preservation Orders

None

PT15/108 – Applications for Tree Works

i. Comments submitted to the NFNPA Tree Team

As the Tree Representative, Cllr. Seacombe's recommendations were noted and are appended as Appendix 2.

ii. To review TPO 15/1125 Plot 1 Land adj to High Forest, Manchester Road and confirm Sway's response

Sway Parish Council's Tree Representative (Cllr. Seacombe) along with councillors Tarling, Cripps and Golby, the NFNPA Tree Officer (Ms. Liz Beckett), the owner's Landscape Design and Management Agent (Mr. Adrian Creed) and close neighbours who could accept the invitation had all been on site visits. Cllr. Seacombe described in detail all the trees under consideration and it was unanimously resolved that Sway's response to the tree team should be along the lines of:

Sway Parish Councillors and neighbours were pleased to be invited on site visits and thank Ms. Liz Beckett (NFNPA Tree Officer) and Mr. Adrian Creed (the owner's Landscape Design and Management agent) for their time and patience, and the owner for permission. As a result Sway Parish Council are pleased to see that this application is for necessary and reasonable work and as agreed ask that consideration be given to: 1. Planting replacement native trees where

appropriate, when trees are felled; and 2. Maintaining screening to and from adjacent neighbours – particularly to the north.

PT15/108 New Planning Applications

15/00757 Little Haven, Middle Road, Sway, SO41 6AT Single storey extension; roof alterations to facilitate additional first floor accommodation; external alterations 06 Nov 2015

The matter of the high front fence is not a consideration for this application. After hearing from the applicant the committee unanimously decided:

Sway 1: We recommend PERMISSION, for the reasons listed below, but would accept the decision reached by the National Park Authority's Officers under their delegated powers.

We recommend permission in this particular case as

- We appreciate that the neighbours most affected by the application have expressed their support of the application
- This would eliminate a flat roof
- This would eliminate problem of being overlooked for neighbours
- This would improve the look of the dwelling

All of the above outweigh the Sway VDS concerns of maintaining space between properties.

15/00772 Avon Wood, Arnewood Bridge Road, SO41 6DA Single storey rear extension 12 Nov 2015

The committee unanimously decided:

Sway 1: We recommend PERMISSION, for the reasons listed below, but would accept the decision reached by the National Park Authority's Officers under their delegated powers. Provided that:

1. A water-tight agreement must be reached, so that the commenced GPDO extensions are halted and never completed (and the work already started is undone and the land concerned restored to its previous state); and
2. Any further permitted development rights are removed (without further planning permission); and
3. The existing garage is only to be used for the parking of cars and other incidental use and may never be used for residential purposes; and
4. A scheme of surface water disposal is agreed; and
5. Details of additional facing and roofing materials are agreed before work commences; and
6. Exact dimensions are provided, agreed and adhered to; and
7. Screening to adjacent properties be maintained; and
8. The light pollution caused by the lighting on the driveway is a problem to traffic using Arnewood Bridge Road as well as neighbouring properties and should be checked.

15/00776 Bilyara, 3 Moser Grove, Sway, SO41 6GA Greenhouse 16 Nov 2015

Cllr. Tarling declared a non-pecuniary interest as he knows the applicant well, as the applicant is the vice-chair of the Committee.

The applicant, Cllr. Cripps, was absent from the room while this application was discussed and decided. The unanimous decision of all other members present was:

Sway 3: We recommend PERMISSION, for the reasons listed below.

As the Planning Officer summarised this is a most modest greenhouse; and we note that the applicant took and followed per-application advice, that Land Drainage have no issues with this application, and there is no clash with any guideline of the Sway Village Design Statement.

15/00786 Arnewood to Milford On Sea Overhead Line (Limolands), Near Sway Electricity pole with associated overhead wires (Application under section 37 of the Electricity Act 1989 and section 90(2) of the Town and Country Planning Act 1990 16 Nov 2015

The committee unanimously decided:

Sway 4: We recommend REFUSAL, for the reasons listed below.

Sway opposed the original Limolands Solar Farm application – on the grounds that it clearly contravenes core policies, the sensitive location is totally inappropriate, it is not small scale, and would adversely affect the landscape character and local ecology. The NFNPA refused permission, and it has gone to appeal, and there is no decision yet. Hence this application is premature and Sway strongly recommend refusal, unless and until the appeal is upheld – at which point we would like to see far more thorough plans for work at this sensitive site.

15/00789 Cheriton Cottage, Manchester Road, Sway, SO41 6AS Replacement dwelling; detached garage; 1.2 metre high fence 20 Nov 2015

After hearing from a neighbour, the committee unanimously decided:

Sway 4: We recommend REFUSAL, for the reasons listed below.

This is clearly inappropriate and unsympathetic in scale, character, and visual intrusion. The proposed building and outbuilding are not on the same footprint as the current building and there is no environmental benefit to this change. Thus this application clearly contravenes DP1 paragraphs a), b) and d); CP7; CP8; DP6 a); DP9; and DP10 b); and the Design Guide SPD. We would particularly highlight that in the Sway Village Design Statement (which is a SPD) the Guidelines on Garages (page 22) emphasise that “Garage, outbuildings of carports should not be positioned in front of the house”, and add that in respect of boundaries the Guidelines on page 21 say that “Picket fencing or low walls under 1 metre combined with native hedge planting is to be encouraged”. We agree completely with the conclusions of the Building Design Officer and thank them for their professional analysis.

15/00767 Shirley Holms Farm, Shirley Holms, Sway, SO41 8NH New Commoners dwelling; new agricultural barn; new stables 25 Nov 2015

The committee unanimously decided:

Sway 3: We recommend PERMISSION, for the reasons listed below.

Sway residents thoroughly support commoning - as evinced by the survey for the Sway Village Design Statement. We note the approval of the NFNPA Commoners Dwelling Scheme Panel; the support of two close neighbours and the appropriate design and style of the commoners dwelling. We would want to be absolutely assured that this development – including the barn and any other outbuildings could only ever be used for commoners. We ask for the current screening to be maintained and would welcome any further screening from Jealous Lane.

15/00770 Ciren, Middle Road, Sway, SO41 6BB Single storey extension; extension to existing garage; new 2.1m high wall with render 25 Nov 2015

The committee decided by majority; with 4 votes for option 5, and 1 vote for option 1:

Sway 5

There may be a misprint. The title refers to a 2.1m wall; whereas both the Parish Briefing Note and the plans refer to a 1.8m wall between the bungalow and the garage. To be perfectly clear: Sway maintain that a 2.1m wall is completely unacceptable and inappropriate. A 1.8m wall is excessive. Otherwise we assume that if granted conditions would be added to ensure appropriate surface water disposal and matching facing materials.

15/00822 Leaway, Pitmore Lane, Sway, SO41 6BW Re-design of dormer windows: replace tile hanging with timber cladding on gable ends, dormer face and cheeks; render existing brick walls 27 Nov 2015

The committee unanimously decided:

Sway 1: We recommend PERMISSION, for the reasons listed below, but would accept the decision reached by the National Park Authority's Officers under their delegated powers.

This is a modest change, hardly visible from the adjacent right of way. Sway would wish for any comments from the neighbours at Glenwood to be considered; and insist that the Guidelines of the Sway Village Design Statement (page 19) should be followed.

15/00814 3 Heron Close, Sway, SO41 6ET Rear dormer window to garage to create storage space 27 Nov 2015

The committee unanimously decided:

Sway 1: We recommend PERMISSION, for the reasons listed below, but would accept the decision reached by the National Park Authority's Officers under their delegated power

This is a minor extension which fits entirely within the Sway Village Design Statement guidelines – and we note the utility room thus created will not be a 'liveable' room.

15/00850 Hillside, Mead End Road, Sway, SO41 6EE Addition of 3no. dormer windows and 5no. rooflights to facilitate first floor accommodation; porch; flue 07 Dec 2015

Cllr. Alex Pepper was not present at the meeting. Cllr. Tarling declared a non-pecuniary interest as knowing Cllr. Alex Pepper who is one of the co-applicants and also a Sway Parish Councillor and member of the committee.

The committee unanimously decided:

Sway 1: We recommend PERMISSION, for the reasons listed below, but would accept the decision reached by the National Park Authority's Officers under their delegated power

This is a modest improvement, and we understand the neighbours have no objections. This follows the guidelines of the Sway Village Design Statement. We note that the applicants sought and followed pre-application advice, and one of the co-applicants came to the meeting and explained the design.

Resolved: the Clerk to forward these responses to NFNPA Planning

PT15/109 Update on Planning Enforcement

The Chair reported that Sway had started the month with eleven enforcement investigations, three had been resolved and four have been added, and therefore twelve were carried forward to next month.

The list of current Sway Enforcement cases has been appended to these minutes: Appendix 3.

PT15/110 Planning Inspectorate and Enforcement Appeals –

The Chair reported that appeal 3132914: Westwards, Birchy Hill SO41 6BJ. 2 metre high fence and gates; (Appeal against the refusal of planning application 15/00313) is dismissed. Sway recommended refusal of the original application with a 2: 'We recommend REFUSAL, for the reasons listed below, but would accept the decision reached by the National Park Authority's Officers under their delegated powers.' The decision strongly supports both the national and Sway Parish Council's stance on high fences against the highway and the decision is attached as Appendix 4.

Otherwise there was no change to the previous month's notes: so there are five appeals against NFNPA planning decisions relevant to Sway, including two for one site that covered both Hordle and Sway; and two for the same site in Sway.

The list of current Sway Planning Inspectorate and Enforcement Appeals has been appended to these minutes: Appendix 5.

PT15/111 NFNPA Planning Development Control Committee (PDCC)

There was to be one Sway application coming before the 17 November 2015 PDCC meeting: 15/00652 Sway Social Club, Westbeams Road SO41 6AE Application to vary condition 12 of application 15/00656 to allow a minor material amendment to planning permission reference 14/01035.

It was unanimously agreed that Cllr. Tarling as Chair of the Committee would represent Sway at the NFNPA Planning Development Control Committee; and that the essence of our case would be:

Cllr. Tarling is there to represent the views of Sway residents. Sway's major concern is that this application steps over the line of development appropriate for a New Forest Village.

The attention of PDCC members is drawn to the following sequence:

1. 14/01035 was the original application for this development to replace Sway Social Club with 4 semi-detached and one detached dwellings. Sway gave this a 1 and made a number of suggestions for conditions. A petition of over 100 names was presented objecting – particularly to the loss of parking and turning space, and expressing road safety concerns for children at the school opposite (Westbeams Road is a cul-de-sac). This application was granted subject to 11 conditions.
2. 15/00531 was an update to bring garages forward and increase their height, change the appearance of the dwellings, including the porches. Sway recommended refusal and this application was withdrawn.
3. 15/00656 was a non-material amendment to add drawings as a condition of the permission and the officer raised no objections.
4. 15/00652 before you today seeks to amend those drawings and revert to those of application 15/00531 which was opposed by Sway. However no drawings whatsoever were added to the application until Sway pointed this out. Drawings were added on 12 November 2015 – last Thursday – to an application validated on 16 Sep 2015 and with a consultation period that ended 21 Oct 2015. So the sequence was: 16 Sep validated; 21 Oct end of consultation; 14 Nov drawings added.

So nobody had any chance to spot that this proposal was to revert to the plans that had been previously thoroughly rejected by Sway and withdrawn. There seems to Sway residents to have been some subterfuge, conspiracy or incompetence.

So for the avoidance of doubt Sway recommended refusal of these plans previously and does so again now in the terms expressed by the case officer's summary:

This would contravene DP1 as being inappropriate in terms of scale, appearance and form, not sympathetic to the local built environment, would have an adverse impact on road safety and in terms of visual intrusion. This would also contravene CP7 in terms of the local vernacular, and particularly contravenes CP8 in terms of suburbanisation. This does not seem to be in alignment with the Design Guide SPD – particularly the Avoiding Suburbanisation and the New and Replacement Dwellings section. This would appear too terraced, which the Sway VDS (an SPD) Guidelines say should be avoided, and has garages further forward - thus leaving less parking space (and hence exacerbating road safety concerns).

For these reasons Sway would ask the PDCC to refuse this application and preserve the integrity of a New Forest village – and then the previous agreed version can go ahead - which we are all agreed is not astonishingly different for the developers.

PT15/112 Other Planning Issues

i. To discuss the issue of over-height fences

Sway have been disappointed that NFNPA Enforcement have not been consistent and have not followed national and Sway Village Design Statement guidance in respect of high fences against the highway. Cllrs. Dance and Tarling have pursued the question of the extensive high fencing on Holly Bank – all round the corner from Station Road to Church Lane with both our local Enforcement Officer and the Enforcement and Tree Manager and their response has failed to explain why this has not been pursued. In the light of a number of recent appeals to build or retain high fences that the NFNPA have seen dismissed Sway are anxious that NFNPA Enforcement follow the guidelines within Sway, so as to avoid suburbanisation by precedent.

Resolved: the chair is to draft a letter to Steve Avery (NFNPA Director of Strategy and Planning) setting out our concerns. That draft to be circulated to members of the committee for their amendments and with agreement of committee members the final version to be sent to the Clerk to forward to Mr. Avery (and copy to Paul Hocking).

ii. To discuss SSEPD removal of overhead power lines project

Sway does have a number of poles with high voltage overhead lines – for instance to and from the sub-station in Northover Lane, Tiptoe. Members of the committee and local residents are invited to visit www.ssepd.co.uk/undergrounding and consider any areas where they feel these power lines should be buried.

iii. NFNAP Planning shortcomings:

Resolved: The Clerk to write to NFNPA Planning in terms that: Sway Parish Council are dismayed at the poorer quality plans and papers appearing on the NFNPA Planning website – this may be due to poor scanning. And separately we are dismayed that a number of plans are being presented without dimensions

PT15/113 Reviewing New or Amended Policies from External Bodies such as the NFNPA, NFDC, DCLG

Sway Parish Council's response to the NFNPA Local Plan Review has been submitted and acknowledged and is Appendix 6 hereto.

PT15/114 To Review P&TC Terms of Reference

The Clerk noted that Cllr. Len Thomas – who is the Community SpeedWatch Representative would like to join the committee. She therefore suggested amending paragraph 1 of the Terms of Reference to read:

1. The Committee to comprise a minimum of four Councillors appointed by the Parish Council. Three voting members of the Committee shall constitute a quorum.

And the Clerk further suggested deleting the existing paragraph 3 (and renumbering accordingly), because with 7 members we should not need a reserve. The Chair of the Parish Council has agreed to these proposals going forward. It was **resolved** that the Clerk would check that the Vice-Chair of the Parish Council, who is currently the reserve member of this committee, is in agreement; and if so this proposal should go forward to the next full Parish Council meeting, and if approved to be added to the web site.

PT15/115 To agree a Sway Representative to the CANGO Flexible Service Governance Committee

Cllr. Marchant was proposed by Cllr. Cripps and seconded by Cllr. Tarling and unanimously elected to this post.

PT15/116 Report by the Parish Council's Transport Representative

John Warden (Transport Representative), reported that the new CANGO flexible booking system was continuing smoothly and he tabled a paper showing that the average subsidy per passenger-trip has been £5.07, just a few pence more than the target maximum of £5.00. Typically the CANGO carries some 60 passengers a day, but more would be most welcome and publicity is slowly being arranged, for instance in the New Milton Focus magazine, and details will be added to Sway's website, and submitted to Tiptoe News. Many passengers are being delivered into Lymington for shopping and similar and thus supporting Lymington businesses. Cllr. Jacqui England (Lymington & Pennington County Councillor) has been most supportive and wanted to travel on the Cango, and the Chair of the Cango Users' Forum invited all Sway Parish Councillors to use the CANGO.

PT15/117 Roads, Hedges and Ditches

- i. A letter from the owners of Hazelhurst Farm concerning the water coming from their driveway and damaging Flexford Lane had been circulated. The owners have investigated and were assured it is not foul, surface or mains drinking water and it may be due to a small natural spring. The owners intend to investigate further and will plug or re-route this small spring. **Resolved:** Cllr. Tarling to draft a reply thanking them for keeping us informed and wishing them all speed and good luck in their efforts to prevent further damage to Flexford Lane; and the Clerk to forward this to the owners.
- ii. Cllr. Cripps mentioned a chevron sign in the Arnewood Bridge Road (B3055) that is completely overgrown. It may be too dangerous an area for the Lengthsman to carry out work, so Cllr. Cripps will report it to Hampshire County Council Highways in the usual way.
- iii. The gate from the B3055 through to the War Memorial is overgrown and users need to step into the road to get round the vegetation. This may well be a Forestry Commission item and the Clerk will mention it to their Estates Manager.
- iv. Cllr. Cripps led thanks to the Clerk for arranging the road closure by the war memorial for the Remembrance Day service there.
- v. Cllr. Marchant reported remedial works are to be carried out in Coombe Lane before next spring; with full surfacing work planned for next spring / summer.

PT15/118 Community SpeedWatch (CSW)

Cllr. Len Thomas (CSW Representative), advised that there are now no separate figures available for letters sent out as a result of Sway CSW's work – ours are now all incorporated into 'Lymington Rural' figures covering an unknown area – so we do not know the extent to which Sway's work is being followed up. Due to lack of support from the police Sway CSW did not operate in October or November, but will do so in December after Sway CSW contacted Simon Hayes (Hampshire Police and Crime Commissioner) who is promising an improvement in support from the police – who have been suffering from the teething problems of a new IT system.

PT15/119 Correspondence and Any Other Business

None.

PT15/120 Date of Next Meeting

The next P&TC meeting will be held at Jubilee Field Pavilion at 7.30pm on Thursday 10th December 2015.

There being no further business, the meeting closed at 9.11pm.

.....
Chair of Committee

.....
Date

Appendix 1 (to the minutes of the 12 November 2015 meeting of the Sway Planning and Transport Committee)

Outcome of planning applications considered at previous meetings (as at 17:00 on 12 Nov 2015)

Number	Address	Title	Sway No.	Sway notes	NFNPA	NFNPA Notes
15/00678 Amended	Boundway Gate, Boundway Hill SO41 6EN	Replacement dwelling; garage block.	N/A	The Parish Council were informed by the applicant of the intention to submit amendments and in the absence of these, have opted not to make any recommendation.	Refuse	Exceeds the floor area limits of DP11; Contrary to DP1, DP10, CP8 and DP12, the Sway Village Design Statement and the NFNPA Design Guide.
15/00703	4 Bond Close SO41 6DR	Single storey rear extension.	1	This is mainly a modest infill ground floor extension, appropriate to the curtilage, and neither intrusive to neighbours, nor visible from the street. We are pleased to see plans already in place to deal with additional surface water disposal. We have just a minor concern as to whether the rear will use excessive glass - which is not considered appropriate in the Sway Village Design Statement.	Grant StC	Facing materials to be agreed; Development only in accordance with agreed drawings.
15/00697	Knight Bridge Farm, South Sway Lane SO41 6DP	Application for a Certificate of Lawful Development for Existing use of stables as ancillary accommodation.	5	We are happy to accept the decision reached by the National Park Authority's officers under their delegated powers.	Raise no objection	The Authority is satisfied that on the balance of probabilities the use referred to in the First Schedule has been in existence for a period of at least 10 years preceding the date of the application for the Certificate of Lawfulness.
15/00666	The Well House, Boundway Hill SO41 6EN	Application for a Certificate of Lawful Development for Existing use of stable building as ancillary accommodation to the main house in breach of Condition 1 of planning permission reference 87/35502.	2	Unable to verify the use of the existing building and have no evidence of relevance to its existing use.	Raise no objection	There is no evidence currently available which would conflict with the applicant's case and based upon the site inspection and evidence referred to above it is considered that the building has, on the balance of probability, been used as ancillary living accommodation in association with the main dwelling, The Well House, in breach of condition 1 of Planning Consent 87/35502 for a period of at least 10 years or more. It is therefore recommended that the certificate of lawfulness (existing) should be granted.

15/00617	Gablemead, Manchester Road SO41 6AS	Replacement outbuilding for use as ancillary annexe to the main dwelling; 13 No. roof mounted photovoltaic solar panels.	4	This site is already over-developed. In respect of the previous application (14/00261) Sway suggested the removal of further permitted development rights and that is what the case officer wisely did. To enlarge and convert the old shed to yet further accommodation would be inappropriately large in scale, unreasonable in siting and layout, and would adversely affect neighbours in terms of intrusion (and possibly overlooking and/or shading). Neighbours express their strongest concerns over the height, and the potential creation of a separate dwelling. The development would not be accessible - and hence contravene DP6 c); and would not maintain the spacious plots referred to in DP9. DP12 c) suggests that outbuildings should not provide habitable accommodation. The Sway Village Design Statement also says overcrowding of plots should be avoided (page 18).	Withdrawn	Withdrawn
15/00682	Forest Haven (formerly Crisdene), Jordans Lane SO41 6AR	Front and rear dormer windows; porch.	1	This is a far better application than the recent ones, however the lack of dimensions and details are still a matter of concern, and the extensive dormer windows, the flat roof at the rear, and the lack of a full soft and hard landscaping plan respecting the SPA boundary at the rear, are disappointing. Unsure whether any garage is to be included - would suggest that if granted then further permitted development rights are removed. This application is not completely compliant with the Sway Village Design Statement - would particularly like to see adherence to the boundary treatment guidelines. In any case, if granted, would also want to be assured that there will be no increase in ridge height and that the neighbour's views are all fully considered.	Grant StC	Facing and roofing materials to be agreed; Further permitted development rights removed; All materials and machinery to be stores on site, Development as amended plans

15/00694	Rose Cottage, Back Lane SO41 6BU	Application for a Certificate of Lawful Development for Proposed single storey extension.	N/A	N/A	Approved	Approved without conditions
15/00560	Fyre Stychen, Mount Pleasant Lane SO41 8LS	Replacement kennels; associated parking	1	Supportive of opportunities for local employment, however: Concerns over noise and environmental impact upon adjacent public right of way. Concerns over safe disposal of asbestos. Intensity of development. Insufficient detail within application in relation to hardstanding (which should be permeable), soft landscaping (particularly screening). Potential impact upon neighbours in terms of vehicle movements, noise odour and other environmental factors. Insufficient parking. Potential disruption of trees and hedgerows.	Refuse	Harmful and urbanising impact, no environmental benefits, increased activity, not small scale. Highways site access not good enough for safety and increased traffic.
15/00516	Heathey Lodge, Station Road SO41 6BA	Retention of fence and reduction in height from 1.8m to 1.5m.	4	The applicant has previously lost an appeal to retain the fence and so it should now be reduced to 1.2 metres. The National Park has the highest status of protection and adopted policies and Supplementary Planning Documents support this. The Sway Village Design Statement expresses a preference for low 1m boundary enclosures not a solid close boarded fence.	PDCC Grant	"In light of the Enforcement Notice, in the alternative, requiring the fencing to also be reduced, it is thus appropriate to remedy the harm by reducing the fence to 1.5 metres within this timeframe. This has been agreed with the applicant and accords with the principles of policies DP1 and CP8 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010)"
15/00577	Hazelhurst Farm, Flexford Lane, Sway, SO41 6DN	Replacement roof; raise ridge and eaves height to Implement store	1	Supports this impressive local business and are pleased to see an appropriate equestrian venture thriving. The proposal is helpful for the business, would not have any adverse impact on the adjacent buildings - if anything it would improve the look of the courtyard, and is broadly in line with policies and appropriate for the outer parish area of Sway. We applaud the plans to re-use the existing roof tiles and suggest that a condition is added to ensure that if the existing roof tiles are not used, then approved matching tiles are used, and hence the work confirm to the Sway Parish Design Statement.	Grant StC	External facing materials to be agreed.

15/00737	41 Heron Close SO41 6ET	Single storey extension.	1	This is a modest side extension, should not affect neighbours and is appropriate to the dwelling and curtilage. The sloping roof is consistent with Sway Village Design Statement guidelines. Along with granting of permission Sway would want to see an agreed method of surface water disposal and soft landscaping – for instance with native hedging (and no further high fence or wall) to soften the view from the road.	Grant StC	Matching external facing materials Removal of further Permitted Development (without planning permission)
----------	-------------------------------	-----------------------------	---	---	-----------	--

Appendix 2 (to the minutes of the 12 November 2015 meeting of the Sway Planning and Transport Committee)

Tree Work Comments as Reported to NFNPA since 10th October Meeting

TPO/15/1025 - Site Address: Wireoak House, Brighton Road, Sway - Proposed Works: Prune 1 x Oak tree

Due to errors in the NFNPA IT system (of which NFNPA have been made aware) we were unable to access the exact description of the requested work and the correct tree.

It appears on a site visit that the tree is within the garden of Wireoak House but the applicant lives in a house backing onto the property in Buldowne Walk.

It is impossible from a site visit to ascertain which oak tree (there appear to be two visible from the road) is the correct one.

The two oak trees viewed from the front property of Buldowne Walk however are of a considerable height and can be seen over the houses rooftops and therefore have a high amenity value to both addresses.

We therefore reluctantly propose that we go with the recommendation of the NFNPA tree officer in the absence of any factual information to make an informed assessment.

NFNPA Tree Officer Decision – Grant (02/11/15)

TPO 15/1028 Meadow Cottage Arnewood Bridge Road, Sway – Proposed Works: Fell 1 x Birch tree.

We are happy to accept the recommendations of the NFNPA Tree Officer.

NFNPA Tree Officer Decision – Grant as exempt works (15/10/15)

TPO 15/1061 Rivendell Adlams Lane Sway – Proposed Works: Prune 3 x Oak trees

We propose, due the high amenity value of the two oaks in the front garden that only the offending branches that might cause damage to the garage roof are removed, ensuring the tree remains balanced. The oak in the rear garden to be left to the tree officer's discretion.

NFNPA Tree Officer Decision – Grant (11/11/15)

Appendix 3 (to the minutes of the 12 November 2015 meeting of the Sway Planning and Transport Committee)

Enforcement investigations in Sway

Number	Location	Address	Investigation item	Notes
QU/15/0233	Gablemead	Manchester Road SO41 6AS	Development not in accordance with approved plans PP 14/00261 - siting of external staircase.	New
QU/15/0231	Sway Storage and Workshops	Barrows Lane SO41 6DD	Unauthorised change of use - industrial use of land and buildings	New
QU/15/0216	Fyre Stychen	Mount Pleasant Lane SO41 8LS	Breach of Condition 4 of planning permission NFR/15422/2 (Agricultural Occupancy)	New
QU/15/0212	1 Sway Lodge	Brighton Road SO41 6EB	Unauthorised development - stable block	New
QU/15/0201	Green Pastures	Pitmore Lane SO41 8LL	Unauthorised Change of Use (storage of cars); Breach of Condition (working outside of permitted hours)	
QU/15/0196	Passford Hotel	Mount Pleasant Lane SO41 8LS	Unauthorised development - floodlights	
QU/15/0190	Lepe House	Flexford Lane SO41 6DN	Unauthorised change of use - business use of site	
QU/15/0180	Dray's Nursery / Pots of Colour	Pitmore Lane SO41 8LL	Unauthorised hardstanding	
QU/15/0154	Land off North Common Lane	North Common Lane SO41 8LS	Unauthorised change of use - use of land for tented camping	
QU/15/0153	Avon Wood	Arnewood Bridge Road SO41 6DA	Unauthorised development - various outbuildings, structures and pond	
QU/15/0138	Coopers Croft Farm	Flexford Lane SO41 6DN	Multiple concerns: Garage conversion; Breach of Condition 2 of PP 91837 (use of manege); Erection of agricultural buildings	
EN/14/0157	Stables adjacent South Sway Farm	South Sway Lane	Residential use of stables	
QU/15/0138	One Oak	Middle Road SO41 6BB	<i>Development not in accordance with approved plans - Planning Permission 15/00329</i>	Breach Ceased
QU/15/0128	Land opposite The Lodge	Pitmore Lane SO41 6BW	<i>Breach of PP 14/00176 - non-agricultural use of agricultural building</i>	No Breach
QU/13/0236	Heathey Lodge	Station Road	<i>Front fence adjacent highway more than 1m</i>	Breach Ceased

Appendix 4 (to the minutes of the 12 November 2015 meeting of the Sway Planning and Transport Committee):



Appeal Decision

Site visit made on 4 November 2015

by **C J Ball** DArch DCons RIBA IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11/11/2015

Appeal Ref: APP/B9506/D/15/3132914

Westwards, Birchy Hill, Sway, Lymington S041 6BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Debbie Adams against the decision of New Forest National Park Authority.
 - The application Ref 15/00313, dated 9 April 2015, was refused by notice dated 13 July 2015.
 - The development proposed is a 2 metre high fence and gate.
-

Decision

1. The appeal is dismissed.

Main issues

2. The main issues to be considered in this appeal are:
 1. The effect the proposal would have on the character and appearance of the surrounding area; and
 2. The impact of the proposal on the safe and convenient use of the public highway.

Reasons

3. Westwards is a detached house set back from the 83055 road on the edge of Sway village. The current roadside garden boundary is a 1 metre high close boarded fence. I saw that part of it has been badly damaged, as I understand it by a vehicle colliding with it. The proposal is to replace the whole of the fence.

The effect the proposal would have on the character and appearance of the surrounding area

4. Sway is a small village within the New Forest, with Birchy Hill on the outskirts characterised by its distinctly rural nature. There is a variety of boundary treatments in the local area, many of hedges and trees but also timber fencing, some of it 1.8 or 2 metres high. While in some cases they are softened by weathering and established planting, the high fences are essentially suburban in nature and they contribute little to the prevailing open rural character of the area.
5. The proposal to match the neighbouring fences is therefore misconceived. It would result in just the kind of cumulative erosion of the National Park's local character, and the gradual suburbanising effect, that policy CP8 of the New Forest

National Park Core Strategy is intended to prevent. The appearance and form of such a high fence would not respect local landscape character or enhance the distinctly rural nature of the area, in conflict with the objectives of policy DP1, the advice in the Authority's Design Guide SPD and the guidance in the Sway Village Design Statement. I note the presence of trees and shrubs on the boundary and the appellant's willingness to grow a hedge behind the fence. While that would soften the appearance of the fence, it would not significantly reduce its suburbanising effect.

6. I have taken note of the 2 similar cases at Landford (APP/69506/D/11/2160210) and Sway (APP/69506/C/14/2216553 & 2216554) referred to by the Authority. In both cases it was concluded that high close boarded fences would have an erosive suburbanising effect, adding in Sway that neither vegetation nor colour staining would ameliorate the adverse impact. My findings here are consistent with the conclusions in those cases and they reinforce my view that the proposal would have an unacceptably harmful impact on the distinctive character and appearance of the surrounding area

The impact of the proposal on the safe and convenient use of the public Highway

7. The 63055 is a classified highway and the site lies within a 30 mph speed limit. The new boundary fence would incorporate a setback of 4 metres with double gates. That would be insufficient for a vehicle to pull clear of the highway while the gates are opened or closed, causing difficulty for all users of the highway. With the high fence right on the boundary there would be extremely limited visibility of traffic approaching from the right. The exit in particular would be dangerous. I consider that, in conflict with policy CP19 of the New Forest National Park Core Strategy, the proposal would have an unacceptably adverse effect on the safe and convenient use of the public highway.

Other matters

8. The appellant offers to relocate the gates and fence to allow sufficient setback and visibility splay. That might overcome highway objections but does not address the principal concerns about the impact on local character.
9. The appellant argues that the high fence is necessary to prevent overlooking from passing traffic and that she has a human right to privacy under ECHR article 8. Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Protection of property) of the Human Rights Act 1998 give qualified rights and, while I recognise that dismissal of the appeal could interfere with the appellant's home and family life, that must be weighed against the wider public interest. The fence is not acceptable in planning terms and dismissal of the appeal serves a clear planning purpose in protecting the National Park. I consider that dismissal serves a legitimate and proportionate planning purpose in the public interest and that it does not represent a violation of the appellant's human rights.

Conclusions

10. For the reasons given above I dismiss the appeal.

Colin Ball

Inspector

Appendix 5 (to the minutes of the 12 November 2015 meeting of the Sway Planning and Transport Committee)

Appeal outcomes awaited

Number	End of consultation	Address	Title	Sway No.
Appeal 3070029	08-Sep-15	Nordic Farm, Silver Street (Hordle) SO41 0FN	Without planning permission the material change of the use of the land affected from agricultural to a mixed use for agricultural and for the stationing of a caravan and for the stationing of a porta-loo for non-agricultural purposes.	n/a
Appeal 3070026	08-Sep-15	Nordic Farm, Silver Street (Hordle) SO41 0FN	Without planning permission the erection of 3 outbuildings and fence shown on the plan	n/a
Appeal 3006387	19-Jun-15	Land of Limolands Farm, Vaggs Lane, Hordle SO41 0FP	Construction of a 14 hectare solar farm, to include solar panels to generate electricity, associated plant buildings; perimeter fencing; cctv cameras; landscaping and associated works. (Appeal against the refusal of 14/00817).	4
Appeal 3006490	29-May-15	South Sway Farm House, South Sway Lane SO41 6DL	Change of use to equestrian holiday centre; conversion [sic] of barn 5 to incorporate 5 No. Holiday lets; Barn 4 to be used as ancillary staff accommodation.	4
Appeal 3002901	25-Mar-15	South Sway Farm House, South Sway Lane SO41 6DL	NFNPA Enforcement Case EN/14/0157: Without planning permission the material change of use of the land affected from a livery yard with associated commercial use of manege to a mixed use comprising the aforementioned and for residential purposes and the storage of caravans.	n/a

Appendix 6 (to the minutes of the 12 November 2015 meeting of the Sway Planning and Transport Committee)

Sway Parish Council's response to the NFNPA Local Plan Review initial 'call for views'

Introduction

Sway Civil Parish is entirely within the National Park and includes the defined village of Sway. Sway Parish Council are grateful to the NFNPA for their strategy of consulting with parishes on many policies; and in this particular case would also like to thank David Illsley and Deborah Slade for setting the scene with their presentation and discussion session at one of Sway's recent meetings.

The NFNPA "Core Strategy and Development Management Policies DPD" [henceforth the Core Strategy] of December 2010 has a lot of merits and took balanced cognisance of the issues of the time. However with changes of government policy, some unintended consequences, efforts to get around the rules, and more recent pressures, it is now due for an update.

In 2013 Sway's Village Design Statement was approved and adopted by the NFNPA as a Supplementary Planning Document, after extensive local consultation – including over 500 questionnaire returns. Since then as part of a Housing Needs Survey a further questionnaire on current priorities for Sway residents has been issued with a similar response rate – and the results were summarised independently. Given these and other extensive consultations, Sway Parish Council feel confident that we have strong evidence of the priorities of the local residents – who comprise some 10% of the entire population of the National Park.

In the current Core Strategy we particularly applaud efforts to limit development, to limit gradual suburbanisation, to preserve Sway as a New Forest Village (with appropriate retail and commercial activity) in a countryside setting, and to maintain a stock of smaller dwellings. We have been pleased to see efforts to support tranquillity, the quality of the adjacent SPA, affordable housing, local small businesses, biodiversity, trees and hedgerows, community facilities and heritage assets. And we appreciate policies to manage the difficult balances involved in: recreational horse keeping, pollution of all kinds, camping and caravanning, surface water disposal, parking spaces, the land based economy, property boundaries, and the 400m zone. These items are all strongly supported in the survey of what residents feel makes Sway special, and the priorities areas where residents want to see Sway Parish Council encouraging improvements. The Sway VDS is well known to the NFNPA and attached is a brief independent summary of the results of the recent "Your Parish Council" survey.

As a result of the current Core Strategy, Sway remains a pleasant and highly desirable place to live – residents appreciate that and want to encourage vigilance and policies that will allow that to continue.

However there are a number of consequential issues – either intended or unintended - which have been evolving and we would include in these:

- The defined village of Sway (much of which is within the 400m zone) is now getting quite crowded – it is transforming slowly from a New Forest Village to a Hampshire Town. The unlimited extensions allowed within the defined village (except for 'small dwellings') has meant that many plots are now crowded, garden grabbing now means that virtually the only green spaces are the school playing field and a couple of small public open spaces. That which has not been covered by extensions is often tarmacked or paved or accommodates outbuildings.

- This increase in development has resulted in many more larger houses in Sway, and few smaller dwellings – and although it may not be a material planning consideration there is also an increasing strain on infrastructure and surprisingly little increase in the total rateable value of the housing stock.
- Within the civil parish, but outside of the defined village many properties have been extended to their 30% allowance, but then massive outbuildings are being allowed in the larger curtilages, permissions for which then defeat the DP11 intent. The results often appear as urban citadels within a rural setting.
- Whilst the PDCC members are to be applauded for taking a strong line over maintaining small dwellings, even these are more gradually disappearing – from unauthorised loft conversions, the addition of outbuildings, the result of appeals, and similar.
- Outbuildings and agricultural buildings are being used for residential or business purposes – again resulting in an intensification of development and strain on the infrastructure. Some outbuildings are being changed into residential by stealth after 10 years, with no way of preventing this from happening.
- The target of 50% affordable housing within the defined village, and exception sites outside, is not being met.
- We are losing precious retail space to housing development as much of it is outside defined shopping areas.

On balance we feel the benefits of maintaining a defined village (but updating the differentials between defined village and outer parish) are greater than abandoning that hierarchy. The current defined village of Sway is now suburban – approaching urban - so if government targets demand substantially more housing it is difficult to see how this could be added within the defined village. If we were to abandon the defined village concept and allow development in the outer parish on an equal footing there would inevitably be indiscriminate sprawl. We could consider increasing the boundary of the defined village but we feel that will just extend the suburban area with little control over affordable housing or smaller dwellings.

Given all the foregoing we would suggest that the new Local Plan should consider:

1. The NFNPA being more encouraging of any substantial increase in housing being in adjacent urban and suburban areas (outside the Park) where infrastructure is far better; in exchange for the Park continuing to provide a tranquil extensive green area for the benefit of visitors from those adjacent areas.
2. The NFNPA should lobby infrastructure providers, on behalf of Park residents, to explain that without their support any government targets for increased housing will result in major problems.
3. Extending the right to buy to housing association properties should be resisted within the National Park because of the difficulty of using any funding thus raised to build more affordable housing within the National Park.
4. Maintaining the Sway defined village at the current boundary; modifying the rules within the defined village in line with the Sway VDS: to discourage boundary to boundary intensive building with impermeable hard surfacing.
5. Adjacent to the defined village allowing development at specific agreed sites and controlling that development by conditions to include affordable housing and also smaller dwellings (even at

market price). This is already anticipated by the 'Call for Sites' going out in parallel to this consultation.

6. Introducing some sensible limits on the extent of outbuildings (perhaps as a percentage of the floorspace of the dwelling) and the concomitant automatic removal of further permitted development rights. Also adding a policy which would prevent outbuildings automatically becoming residential after 10 years.
7. Renewing and adhering to targets for: affordable housing, building within the 400m zone, retention of retail and commercial units, small dwellings, and other targets covered in Chapter 10 of the current Core Strategy. To encourage small dwellings consider allowing one larger dwelling being allowed to be replaced by two much smaller ones, in preference to one that is even larger.
8. Even if they are not material planning considerations, perhaps some specific guidance could be considered concerning: camping and caravanning, private events (e.g. with marquees etc.), parking, use of outbuildings and agricultural buildings, drainage ditches, soakaways, impermeable surfaces, fences, walls & gates; invasive species & native species; encouraging biodiversity; maintaining the local heritage; the impact of development work, and similar peripheral but increasingly sensitive matters.
9. Encouraging people to make use of the free pre-application advice service; and encouraging people to report possible enforcement issues in confidence.
10. Providing clear guidance (with diagrams) on the ownership, maintenance responsibilities, planning limitations and neighbourliness of roadside verges, ditches, hedges, soakaways, impermeable surfacing and property boundaries.
11. Continuing and expanding the enforcement work – without which we do not need a Local Plan at all. To be consistent and serious about challenging unauthorised development.
12. Not being scared of appeals – given our already excellent record of winning appeals and the fact that the Planning Inspectorate decisions are not at all consistent we should vigorously defend our Local Plan, and make it clear that that is what we will do.
13. Taking great care not to reward misdeeds – TPO trees being felled should never make way for development; retrospective applications should never be granted just because the development has already taken place; unauthorised temporary development should never lead to permission; so called 'non-expedient' enforcement items should be carefully considered in case they set a precedent – better to have such infractions nipped in the bud so as to discourage further contraventions.
14. Extend DP7 restrictions on change from retail use to include sites outside the defined shopping areas.

So in respect of the views sought in the “Your views” box on page 6 of the initial ‘Call for Views’

- 1) Overall Sway Parish Council agree with the identification of the key planning issues but would want to see some changes of emphasis, as detailed herein.
- 2) Sway Parish Council see no further fundamental key issues that should be included.

Our further comments on the numbered issues (and paragraphs) are as follows

Issue	Comments
Natural Environment section	
4.11	Fails to note the sensitive zone within 400m of the SPA.
1	The overarching key issue.
2	To particularly include the 400m zone around the SPA.
3	To include the continuing monitoring of agricultural ties.
5	This is particularly important: one minor change may appear trivial (to a Planning Inspector for instance) but the cumulative effect is increasing suburbanisation – especially within the defined village.
6	To include the effects of hard landscaping increasing water run-off, soil erosion and local flooding.
Built Environment section	
4.17	In order to bolster a Local Plan, the NFNPA should continue to support and adopt Village Design Statements and consider doing the same for Neighbourhood Plans.
1	Taking cognisance of VDSs and the Design Guide SPD.
2	The Sandford Principle of protection taking priority must be paramount.
3 and 4	This is a refreshing approach which we applaud – in Sway we’ve sometimes seen development allowed when there is significant damage to local heritage.
5	In Sway we have had no development of more than 5 units for many years – so all policies relating to larger developments are unlikely to be significant.
Communities section	
4.23	An average of 24 new dwellings per annum have been built between 2006 and 2014, compared to a target of 11; so the NFNPA has consistently been allowing more new development of dwellings than the requirement.
1	From the Sway Housing Needs Survey the needs within our Civil Parish are for affordable housing and smaller dwellings for those with strong local links, and policies should be adapted to encourage such provision.
2	Local support for affordable housing is strong, provided that the priority really is for those with the strongest connections with the local area.
3	Vide supra. Sway suggest keeping the defined village and the existing boundary, but modifying the rules for inside the defined village to limit further suburbanisation. Further development should then be in allocated/selected sites just outside the boundary of the defined village, but only on condition that affordable housing and smaller dwellings are a major part of any development (of whatever size – three adjacent 5 dwelling developments really do look similar to one 15 dwelling development). Outside of the defined village some control over outbuildings is urgently required.
5	This is an essential key issue – and Sway feel this needs to be carefully considered as part of the new Local Plan.
7	Sway already has over 31% of the population aged 65 or over – well above even the NFDC average, see http://www.newforest.gov.uk/CHttpHandler.ashx?id=23525&p=0 and we imagine this proportion will increase; so provision for the elderly local population is vital, a specific section on this and dementia-friendly planning should be considered as part of the new Local Plan.
8	Such a review is important, but if such contributions apply only to larger developments (of more than 5 dwellings) then we are dismayed, because we do not imagine there will be many such larger developments in Sway.
Local Economy section	
4.31	Whilst average household incomes are high – even in comparison to the South East; average house prices are proportionately even higher, so housing affordability is poor.
4.32	Says the main business constraints include “ <i>poor transport links, including the local road network, coupled with insufficient provision of public transport.</i> ” Sway agree with this analysis and would like to see further support for better local public transport. It is

	disappointing that the NFNPA has supported the summer tour bus for visitors, but not supported the local CANGO bus service for local residents.
2	There may be a confusion between correlation and causation here – we do not feel that low unemployment has any causal relationship with a diverse local economy – it may well be that a desirable place to live and high house prices attracts employable and fully employed professionals to the area.
3	As well as the conversion of offices to housing; resisting the conversion of outbuildings, commercial, business and retail property into housing should also be a matter of policy in the Local Plan. This should also include retail premises that exist outside "defined shopping areas".
4	Again: this should be with the Sandford Principle – the basis of National Parks - foremost in our concerns.
5	Efforts to try to support local farming – including supporting the New Forest Marque – should be enshrined in our new Local Plan. Examples of diversification should be provided (and not include large scale solar PV installations, which as the PDCC agreed are industrialisation rather than diversification).
6	Encouraging flexible working and home working is laudable, but not at the price of large new offices being built as outbuildings (and perhaps later converted to housing).
Transport and Access section	
1	That compelling justification within Sway Defined Village in particular being the congestion and dangers that lack of parking has brought to the central area (around the railway station and shopping frontage).
2	In recent wide scale surveys of Sway residents speeding is one of the highest priorities for action.
3	Sway rights of way are remarkably poorly networked and hence underused, so we would support this as a key issue. Whilst small scale local and family cycling are supported, large commercial, timed, events are not.

‘Your Parish Council’ survey responses

A housing need survey was conducted in November 2013; the main purpose of this survey was to identify demand and support for a small affordable housing scheme for local people in Sway parish. An additional section (Part 3: ‘Your Parish Council’) was also added to the survey as the parish wanted to find out resident’s views about other (non-housing related) issues in the parish.

As a non-Sway resident and the person who conducted the survey and collated the results, it was agreed that I would be best placed to provide an objective summary of the results of Part 3 of the survey form ‘Your Parish Council’. 474 households responded to the survey (please note that not all answered the questions in Part 3.)

What further services or provision would you like to see provided by Sway Parish Council?

The results show that residents have different ideas about what additional services and provision should be provided in Sway.

The services and provision residents would like to see are as follows:

	Respondents
Support in clearing ditches and trimming hedges	195
More road safety measures	176
More support for older people	134
A Parish Council annual report on how money is being spent	132
Support for more musical and cultural events	115
Improved quality and provision of green spaces	101
Parish Council newsheet	93
More allotments	56
Internet café	47
Extend summer playscheme	43
Planning clinic	41

Other additional services and provision residents would like to see include:- cheaper allotments - car parking - fixing potholes - more things for young people to do - improved lighting - better bus service - improve tidiness of village - local help with internet - enclosed area for dogs - toilets in village centre - clearing surface water on roads - review of meeting room availability requirements - bus shelter - more signage - sustainable ecological plan – childcare - notice board - better paths - improved drainage - road safety for animals - pedestrian crossing - cycle lanes - modernising the village hall - parking restrictions in village centre - apprenticeships for local people

The three main priorities for residents in Sway Parish are:

- 1. more road safety measures**
- 2. support in clearing ditches and trimming hedges**
- 3. more support for older people**

74% of survey respondents think that the Parish Council’s current precept (council tax) of £28.60 per annum (for Band D households) should stay the same. Some respondents did not think that the majority of the precept should go towards the Jubilee Field.

60% of survey respondents know who their Parish Councillors are and 64% consider themselves well informed about current activities in the parish. 34% of respondents are aware of the Parish Council website.

***Catherine Kirkham,
Rural Housing Enabler,
Hampshire Alliance for Rural Affordable Housing***