



Minutes of the Meeting of the Sway Planning & Transport Committee held on Thursday 11th April 2019, at the Jubilee Field Pavilion

Present:

Cllr Hugh Marchant, Chairman
Cllr Stephen Tarling
Cllr John Warden
Cllr Ted Fleat
Karen Marshall, Tree Representative
Katie Walding, Clerk & RFO

5 members of the public (MotP) in attendance

The meeting started at 7:30pm with a welcome from the Chairman.

PT19/054. Apologies

Cllr Seacombe, Cllr Pepper and Cllr Dance sent apologies.

PT19/055. Declarations of Interest

Cllrs Tarling and Warden are members of the New Forest Association. Cllr Marchant sits on the Planning Committee of the New Forest Association. Cllr Fleat noted that he is an immediate neighbour to Lancewood House, planning application 19/00161.

PT19/056. Minutes of the previous Meeting

Two minor amendments were noted to the minutes of the meeting held on 14th March:

- PT19/041 'buses' amended to read 'bus'
- PT19/050 'compared to' amended to read 'compared with'

With the above amendments, the minutes were approved as a true record of the meeting held on 14th March by those in attendance and signed by the Chairman.

Matters Arising

- The Clerk noted that she had still received no response from Phil Dominey at SW Railways.
- Cllr Tarling noted that the Hatch Motors application was still not officially recorded as 'Granted' and this was likely to be the delay in producing suitable conditions to cover the vehicle and pedestrian access, and parking arrangements on the site.

PT19/057. Clerk's Report

- In regard to the purchase of new and improved projection equipment, a recommendation had been made to full Council but they had not approved it, and so further investigation would be needed into other alternatives.
- Notice had been received from UK Cycling Events – the Brewin Dolphin New Forest Summer Sportive would take place on Saturday 29 June 2019.
- Notice had been received of an application for a Premises Licence for the new Budgens store: Monday-Sunday from 0600-2200 hours. Representations could be submitted to NFDC before 7th May.
- Recent Twitter chatter regarding the proposed road closure of the A35 at Holmsley resulted in an invitation from Edward Heron for the Parish Council to make a presentment at the Verderers' Court on Wednesday 17th April. The Committee briefly discussed but felt that this would not be appropriate for Sway given the likely low impact for the parish.

ACTION: The Clerk to make a polite enquiry to Brockenhurst to see if they will be



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making a presentment.

PT19/058. Post Office Closure

The consultation was open for comments until 18th April. A draft had been circulated by Cllr Tarling. It was suggested that a sentence be included to note the newly announced potential closure of the Brockenhurst Post Office.

DECISION: Cllr Marchant proposed, and Cllr Fleat seconded that the Clerk submit the draft letter (including the addition of a reference to the potential Brockenhurst closure) on behalf of Council. This was approved unanimously.

PT19/059. Transport Representative's Report

Cllr Warden noted that numbers were holding up well. The bus would be going in for its MOT during April and then straight to Hants & Dorset Trim where it would be fitted with new panels, seats and would be repainted.

PT19/060. Tree Representative's Report

Karen Marshall gave a summary of applications:

Case Ref: TPO/19/0236
Proposed Works: Prune 1 x Monterey Pine
Site Address: Forest Heath House, Station Road, Sway, SO41 6BA

This application covers extensive works: Reduce branches towards building as much as possible (North side), by up to 4m. Crown lift low branches over road and wires to 5.2m Reduce branches over road and remaining lateral canopy, by up to 3m, to balance reduction carried out on North side. Any branches that cross and major deadwood to be removed to increase light.

Ms Marshall noted that whilst there were some grounds for concerns with shade, it was not a new problem and the work seemed drastic and excessive. The recommendation would be not to approve the application. However, if the Tree Officer felt the works were absolutely necessary then care must be taken to preserve the symmetry of the tree and not reduce its mass, which was a significant part of its amenity value.

Case Ref: TPO/19/0281
Proposed Works: Fell 2 x Scots Pine trees
Site Address: Busketts House, Brighton Road, Sway, Lymington, SO41 6EB

Reasons cited were the suppression of adjacent beech trees, which would seem reasonable and sensible to encourage native trees. The recommendation would be to support the Tree Officer's decision.

Case Ref: TPO/19/0263
Proposed Works: Prune 1 x Monterey Cypress
Site Address: Hallands, Mead End Road, Sway, Lymington, SO41 6EE

This application was approved straight away, and noted as exempt, due to the risk of falling timber. Ms Marshall wanted to note the application as she felt that the work starting may cause some public concern.



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The Clerk reported a conversation with a tree contractor concerning roadside tree works that could be carried out by Hampshire Highways, to rectify branches at less than 5.2m above the highway. In respect to any perceived threat to the Jubilee Oak, with no TPO in place, this would indicate that there was some possibility of a threat which would not necessarily be identifiable until work commenced.

ACTION: The Council to write to Hampshire Highways regarding the situation with the Jubilee Oak

PT19/061. Roads, hedges and ditches

Nothing to report.

PT19/062. Letter to Hampshire Highways

A draft letter had been circulated by HM in advance and he had received some comments back from members.

DECISION: Cllr Tarling proposed – and Cllr Fleat seconded – that The Clerk should send the letter addressed to Councillor Mans and copied to other relevant parties which had been listed. The final version to be attached to these minutes as an appendix.

PT19/063. Rights of Way

Cllr Dance was going to follow up but was not present to update.

PT19/064. New Planning Applications

COOMBE GRANGE REST HOME, COOMBE LANE, SWAY, LYMINGTON, SO41 6BP Ref. No: 19/00227 Part demolition of Rest Home to form 2 No.detached dwellings and 2 No. semi-detached dwellings; garage block; access and parking (Application for Non Material Amendment to planning permission 16/00457)	Date not published
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The Committee had not been invited to comment on this Non Material Amendment and in fact the application had already been decided.

Cllr Marchant noted that the Officer's report only took note of one of the six amendments – that of a longer window on the rear elevation. Of the other five, three were easily as significant as the one mentioned in the Officer's report; including a change from single door with windows either side to bifold 3 door on the rear elevation of both semis, and the addition of a new external door and two windows on the side elevation of each semi.

Cllr Marchant felt that there was a lack of professionalism in the way this application had been rushed through, in the process ignoring 4 of the 5 obvious differences between the previously approved plans and those submitted this time. The collective changes created much more than minor non-material amendments. He felt this to be a failure in the system.

ACTION: A brief note back to the Planning Officer would be drafted by Cllr Warden and sent from the Clerk on behalf of the Committee.



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SWITCHELLS, BIRCHY HILL, SWAY, LYMINGTON, SO41 6BJ Ref. No: 19/00257 Application under part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 in respect of the siting, appearance and design of an agricultural building	Date not published
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The Committee had not been invited to respond. The applicant was present and explained the application: planning permission had previously been granted for the barn. Having visited another site where the same barn was being erected, the applicant felt that in consideration for neighbours who would have to overlook it, they would prefer to move it to a different paddock where it would not be visible from neighbouring properties. The Chairman offered thanks for the consideration of neighbours.

HOLM FARM, BOUNDWAY HILL, SWAY, LYMINGTON, SO41 6EN Ref. No: 19/00159 Application to vary condition 13 of planning permission 18/00833 for replacement dwelling; new pool house; temporary siting of 2 No. cabins and equipment store; demolition of 2 No. existing dwellings to allow minor material amendment	10 April (ext. 12 April requested)
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DECISION: 5. We are happy to accept the decision reached by the National Park Authority's Officers under their delegated powers (unanimous)

Sway supported the previous application 18/00833 and comments submitted then, that should be repeated now, were:

Sway is wholly in favour of the removal of the building at the Northeast corner of this site and is pleased with the proposed design of the residence.

We would like to note:

- *The preference is for only native species on the boundary*
- *There was some concern with the glass roof of the pool house and the potential for light pollution and every effort should be taken to minimise this in such a highly sensitive location.*
- *The Tree Officer's concerns must be considered – it was noted that the updated plans include moving the garage by approx. 2m in order to satisfy recommendations.*
- *Sway would want the Tree Officer to be re-consulted in light of this.*
- *Any concerns from the Conservation and Design Officer should be fully considered.*
- *The preservation of the northern boundary should be conditioned.*
- *A condition should be added to ensure that construction traffic access is only via the tarmac road (Marley Mount) to the property, and all site traffic, materials, machinery, waste and similar is to be contained within the curtilage at all times.*
- *For the avoidance of doubt a condition should be added to ensure protection of the adjacent vulnerable forest fringe verge at all times and no parking, storage, delivery shall be allowed there at any time.*

In addition, on this application we would add:

1. Sway note that amended plans were added after the issue of the Parish Briefing Note. This is a disappointing late change, and Sway would ask the Planning Officer to check carefully that these amended plans do not include any substantial adverse development.
2. Whilst this site is large we have some concerns over the further intensification of use – the large



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basement adds a lot to the floorspace and if the Planning Officer feels this should be considered in respect of DP11 and this addition then breaches DP11 then Sway would recommend refusal.

3. The garage is enlarged and roof lights may add to light pollution at the edge of the SPA, and if granted should be conditioned to ensure it is only used as a garage and not for habitable accommodation.
4. In terms of current NFNPA policy CP6 Sway have serious concerns over the glass roof of the pool because this site is on the very edge of the SPA, and we would wish to be sure that if granted a condition is added to ensure that light pollution is minimised
5. We note with appreciation that the Constructors Compound Plan highlights that the only entrance and exit to the site will be via the Marley Mount entrance and this should be a condition.
6. Sway reiterate that if granted we would also like to again recommend conditions including all the appropriate ones indicated in our response to 18/00833 (above), including the demolition of the building in the northeast corner.

HAZELHURST FARM, FLEXFORD LANE, SWAY, LYMINGTON, SO41 6DN Ref. No: 19/00145 Determination as to whether Prior Approval is required for Proposed change of use of agricultural barn to D2 leisure and assembly	11 April (ext. 12 April requested)
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DECISION: 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 (unanimous)

This application gives multiple concerns: if the building were to be used for seminars and conferences, the large number of likely visitors will certainly create local noise impact. It would only add more congestion and damage to the verges and hedges of this narrow country lane which has no official passing points. There is already a business run in the lane which involves the public using the lane on a regular basis and a further business will only exacerbate existing traffic problems.

The Committee has concerns about the over intensification of this plot and considers that prior approval is definitely required. It remains concerned that other development is going on in accordance with Application 17/00091 which has still not been decided by the NFNPA after two years. Hardcore is being deposited on site in such a position as to suggest that the new access requested in 17/00091 is already under construction.

LAUREL COTTAGE, NORTHOVER LANE, TIPTOE, LYMINGTON, SO41 6FS Ref. No: 19/00174 and 19/00175 Listed Building Consent Single storey rear extension; internal and external alterations; terrace; partial change of use of paddock to residential curtilage Single storey rear extension; internal and external alterations; terrace (Application for Listed Building Consent)	15 April
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DECISION: 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 (unanimous)

Sway notes that:

- the Conservation Officer had no concerns;
- if permission is granted, then Sway recommends the specifications for the join of the new build and the original building be carefully set out and agreed in advance as this is very difficult



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to do;

- Sway would recommend the creation of a link between the old and new builds;
- Sway was disappointed that the application does not comply with the Sway Village Design Statement, where point 4 on page 20 under guidelines, reads: an extension should be built from similar materials to the main building.
- Sway would recommend that a condition be added to specify the amount of the paddock to be included into the curtilage of the site.

ROSE GARTH, 4 NORMANDY CLOSE, SWAY, LYMINGTON, SO41 6EF Ref. No: 19/00187 Single storey rear extension	16 April
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DECISION: 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 (unanimous)

The application notes that it supercedes a previous application (18/00831) for an extension to the garage. Sway notes that this is a preferable application and has little impact. Sway wishes to be assured that suitable conditions or legal agreement be drawn up to ensure that this application can only be implemented if the previous application 18/00831 is withdrawn.

THE WING, LITTLE ARNEWOOD HOUSE, LINNIES LANE, SWAY, LYMINGTON, SO41 6ES Ref. No: 19/00111 Single storey rear extension	23 April
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DECISION: 5. We are happy to accept the decision reached by the National Park Authority's Officers under their delegated powers (unanimous)

Sway recommends that consideration be given to the potential for light pollution.

LANCEWOOD HOUSE, BARROWS LANE, SWAY, LYMINGTON, SO41 6DE Ref. No: 19/00161 Outbuilding	30 April
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DECISION: 4. We recommend REFUSAL for the reasons listed below (unanimous)

This application, at 143 m², presents a huge building which is not at all subservient and does not appear to be for incidental use. The location is outside the defined village. The application is introducing what appears to be new industrial usage to the site which will encourage increased traffic locally. Consideration should be given to the potential noise impact to neighbours.

ACTION: Cllr Marchant to draft a more detailed response for submission nearer the closing date.

GRID REF SZ 27129632 LAND TO THE NORTH OF SILVER STREET FARM, SWAY, SO42 OFN Ref. No: 19/00254 Retention of 3no. agricultural shelters and addition of hay store	2 May
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DECISION: 5. We are happy to accept the decision reached by the National Park Authority's Officers under their delegated powers (unanimous)



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There is currently no PBN – however pre-application advice was taken and Sway can identify no issues with the application. The Committee reserves the right to update its recommendation if the Parish Briefing Note draws any attention to an issue.

PT19/065. Outcome of planning applications

- 19/00021 Coombe Grange – granted, subject to conditions

PT19/066. Planning Enforcement

Summarised by Cllr Marchant and attached as Appendix 1.

PT19/067. Planning Inspectorate and Enforcement Appeals

- 18/00548: 1&2 Shelley Cottages – Appeal Allowed with Conditions
- 18/00092: Restaurant The Silver Hind – A hearing would take place on Wednesday 15th May and Cllr Tarling agreed to represent Sway.
- 18/00711: Land of South Sway Orchard, South Sway Lane, Sway, SO41 6DP
This newly registered appeal requires responses to be submitted by Thursday 9th May.

ACTION: Cllr Marchant and Karen Marshall to draft and circulate a response for approval by the Committee

Cllr Tarling noted three potential forthcoming appeals for the new Council to monitor:

- 18/00866 7 Durrant Way – no opportunity to comment and previous comments stand
- 18/00624 Springfield, Station Road
- 18/00980 Merrifield, Flexford Lane

PT19/068. NFNPA Planning Committee

The next meeting is scheduled for Tuesday 16th April. No applications would be considered for Sway.

PT19/069. [Community Speedwatch \(CSW\)](#) and 'Vera' (vehicle activated speed limit reminder)

Cllr Marchant has so far had no response to the additional locations in the 40mph zones. There would be eight sessions by the CSW team the following week.

VERA had been triggered (over 35mph) over 18,000 times in two weeks whilst situated at Birchy Hill.

PT19/070. Wiggle Cycling Event

Cllr Marchant had drafted and circulated a report for consideration by the Committee. Cllr Tarling felt that the very late notification of this event should be strongly emphasised. Cllr Marchant was pleased to note the last minute change to the route following intense lobbying; with a further commitment by the organiser that they would submit plans to the Safety Advisory Group well in advance next time.

DECISION: Cllr Tarling proposed and Cllr Marchant seconded that the report be submitted on behalf of the Committee. This was approved unanimously.

Cllr Marchant noted that the Spring Sportive, taking place on 13th/14th April passes along the edge of the parish. The organisers anticipate 1900 riders on Saturday and 1750 on Sunday.

PT19/071. Other items for discussion

None offered.



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PT19/072. Agenda items for the next meeting

None offered.

PT19/073. Date of Next Meeting – Provisionally set for Thursday 23rd May 2019, subject to the approval of the new Council at its Annual Meeting on Thursday 16th May 2019.

As this was the final meeting of the current members, Cllr Tarling noted that the Committee had considered and responded to approx. 400 applications and 100 Tree Work Orders and TPOs.

Sway had spoken on 20 planning applications at NFNPA Planning Committee meetings, and had responded to the Planning Inspectorate on around a dozen Appeals. Sway has been acknowledged by the NFNPA as having the highest number of planning applications of all 37 parishes and towns within the National Park.

In closing, the Chairman thanked all the members for all the work they had done. With all business concluded, the meeting closed at 21:03 pm.

SIGNED:.....DATE:.....

DRAFT