



## Minutes of the Meeting of the Sway Planning & Transport Committee held on Thursday 9<sup>th</sup> August 2018, at the Jubilee Field Pavilion

Present:

Cllr Hugh Marchant, Chair  
Cllr Melanie Seacombe, Vice Chair  
Cllr Stephen Tarling  
Cllr Peter Dance  
Cllr John Warden  
Cllr Ted Fleat  
Cllr Alex Pepper  
Katie Walding, Clerk & RFO

In attendance: Sway News and 21 members of the public (MotP)

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The meeting started at 7:30pm.

### **PT18/131. Apologies**

Received and accepted from Karen Marshall.

### **PT18/132. 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 and is a resident of Pauls Lane (ref: PT18/137(a)). Cllr Tarling declared a personal interest in planning application 18/00527 (ref: PT18/138).

### **PT18/133. Minutes of the previous meeting and matters arising**

Draft minutes of the previous meeting on Thursday 12<sup>th</sup> July 2018 had previously been circulated and published online. There had been one recent amendment to the minutes under PT18/114 Southern Gas Networks, where the following had been included:

*“The smaller lanes of south Sway (Pauls Lane, Kings Lane, Kings Hyde and North Common Lane) will be closed at one end, and marked ‘for access only’ **at the other end** to remove their use as cut-throughs.”*

There were no other corrections and the members then approved them as a true record of the meeting. The Chair signed the minutes.

### **PT18/134. Clerk’s Report and Correspondence**

- Had received notification of a consultation in regard to New Forest Inclosures Deforestation Proposals, previously circulated and for submission by 24<sup>th</sup> August 2018. No council response will be submitted.

**ACTION:** The Clerk to promote via social media for residents to respond directly.

- Also received an invitation to be part of the New Forest Walking Festival due to take place from 13-28 October this year. Option to set up a walk around the parish. Cllr Tarling suggested contacting Sean Marsh, leading the ‘Conserving the Forest Fringe’ project as he had offered a parish walk and perhaps the two could be combined.

**ACTION:** The Clerk to contact Sean Marsh and discuss.



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- The next SW Quadrant meeting of the NFNPA is to be held on 11<sup>th</sup> September in Brockenhurst. Any agenda items from Sway to be submitted to the Clerk by 4<sup>th</sup> September.
- South Western Railway had sent a response to the Clerk's letter expressing concern about the condition of the footbridge between the platforms at Sway Station. They said this was the remit of Network Rail and they would advise accordingly. The Clerk confirmed that she had also been in touch with Network Rail and logged the issues directly with them. They will do a site visit in due course and then update her accordingly.
- An appeal notification had been received from NFNPA as Planning Authority in regard to the original Beverley application 18/00089. This item would be covered under Appeals (PT18/141) but the Clerk had mentioned it here so that MotPs present (for the new application #18/00493 to be discussed at PT18/138) would be aware.

### **PT18/135. Transport Representative's Report**

Cllr Warden had little to report as numbers are static, he urged those present to keep encouraging the use of the Cango bus.

### **PT18/136. Tree Representative's Report**

In the absence of Karen Marshall, the Clerk read the Tree Report which is attached as Appendix A.

### **PT18/137. Roads, Hedges and Ditches**

#### **a) Pitmore Lane Closure**

Cllr Marchant recused himself from the Chair, as a resident of Pauls Lane. The Vice Chair, Cllr Seacombe led the discussion.

Cllr Marchant read his report on the first week of the Pitmore Lane closure (attached as Appendix B).

He further noted that SGN had reported earlier the same day that they had identified further small leaks on the section they were replacing, but the job was progressing well despite this. At the time of writing, they had decommissioned 360m of steel gas main without any impact on the surrounding neighbourhood (this was their biggest concern). They were just about to start inserting the new main and getting those few properties at the top end of the lane back on gas.

He finally wanted to record his sincere thanks to SGN for putting so much work and effort into ensuring that this project is carried out with the safety of Sway residents and the SGN workers as a key consideration, and with as little disruption as possible to the local community. It was noted that signage costs alone had begun at £21k, but had mushroomed to £30k largely due to the selfishness and lawlessness of a very small number of individuals, which was disappointing.

The Vice Chair gave thanks to Cllr Marchant for all the work putting the report together and also to other members for attending site visits and being involved. She invited discussion from the members and Cllr Tarling noted that during his monitoring of the various diversions, he felt there was poor signage at the roundabout at Vaggs Lane and Silver Street. He noted that SGN would review the next day and resolve. It was also noted that the VMS was pointing the wrong way at Brockenhurst end of Sway Road.



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The Vice Chair then invited comments from MotPs. There was some discussion about the placement of the concrete bollards at the end of Pauls Lane, which residents felt were unnecessary. The reasoning provided by SGN was debated, and residents were encouraged to contact SGN directly with their concerns since the Parish Council had no remit in the decisions made. The members had worked hard with SGN and there had been a public consultation prior to the road closures to debate and discuss just these types of questions and it was felt that SGN had done what they could, given that the project had to happen. SGN telephone number is 0800 912 1700. Cllr Marchant resumed as Chair.

### b) Disabled Parking in Station Road

Cllr Tarling reported that he had not heard back at this time and so there was no update.

### PT18/138. New Planning Applications

<b>1no new dwelling; car port; 2no semi-detached dwellings; car port; 3no sheds; new access</b> BEVERLEY, BRIGHTON ROAD, SWAY, LYMINGTON, SO41 6EA Ref. No: 18/00493   Validated: Thu 28 Jun 2018   Status: Registered	(ext to 12 <sup>th</sup> Aug)
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A number of MotPs spoke to object to the application. It was noted that there was very little difference between this application and the previous one (18/00089) in that the new planning application for this site did not offer any mitigation for most of the serious issues raised against the first application, and there are still many of the same errors and omissions in the application. Discussion continued around those issues, with members noting that almost all of the original reasons for refusal still applied. Members expressed their disappointment that the developer was not taking on board the comments made and still making mistakes in the submission.

**DECISION: 4. We recommend REFUSAL for the reasons listed below (unanimous)**

#### Over development of the site

Still vastly overcrowded for the site, against DP1(a), CP8, DP9, DP6(c), and Sway Village Design Statement (p18) first, third and fifth guidelines.

#### Flood Risk

Despite Sway's previous concerns regarding the lack of acknowledgement of two adjacent water courses, this new application still maintains that there are none within 20m. This is completely incorrect and the lack of attention to, and mitigation is very concerning. Issues exist currently with sewerage backing up at times and surface water disposal is already compromised. The low elevation in the middle of the plot remains a concern for even three soakaways, and the culvert across the middle of the plot is unlikely to withstand heavy loads crossing without risk of collapse. The Paving details are unchanged from 18/00089 and hence still say "camber to drain to perimeter" i.e. surface water will be displaced to flood neighbours or Brighton Road – this is not acceptable. Contravenes DP2 and DP4.

#### Biodiversity

The Ecology Report has not been updated, and remains inaccurate on a number of matters. Residents report a number of species sighted in the immediate area. As we mentioned before for 18/00089, Hollow Wood (at 2,400m) is not the nearest SINC (as it says on page 2) – that's Switchells Wood (at 1,060m). It says (page 2) there is no watercourse within 100m when there is one running through the middle of the plot and one at the side! It says there are no old or veteran trees or trees with holes, cracks etc. or trees with a girth greater than 1m dbh on adjacent land when we suspect



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there may be. There are adjacent trees and hedges that would be affected by this proposal. The study checked ecology in February only – and so we are not surprised that they detected no reptiles and no nesting birds! At other times of the year we have seen slow worms, bats and breeding birds in that area. They did not check bats at dawn or dusk (or use a meter to detect bats during darkness). The mitigation (page 10) is not mitigation at all – it seeks to utterly eliminate wildlife by cutting grass to deter reptiles and felling trees to prevent nesting – and that's inside the New Forest National Park!

### Parking and Access

There is still insufficient parking on the plot. Lack of visitor space will mean the visibility splay will inevitably be blocked by parked cars. Vehicle turning space is insufficient within the plot. Access for emergency/refuse and other large vehicles is prohibitive. With no garages or permeable hardstanding, it is incomprehensible that such a large number of vehicles could park on the road. Contravenes DP1 and DP6. As mentioned previously in our response to 18/00089 previously, Sway would add that as Brighton Road has no footways and Sway Community SpeedWatch often record speeding vehicles on this stretch of road, there are significant road safety concerns. Furthermore, these would be compounded by the woeful lack of off-road parking in this application, which would surely lead to more cars parking on Brighton Road further adding to the dangers. Although the applicant's own site and roof plan now shows 6 cars for 9 bedrooms, this is still insufficient. There are already too many developments off Brighton Road adding to the parking problems and highway safety issues.

### Inaccuracies in the application

Sway are particularly concerned that despite documenting a number of clear errors and omissions in the first planning application, the second application has done little to correct them. Particular note was made this time of the inclusion of a chimney stack serving plots 1&2 however there are no fireplaces nor any obvious way of routing any flue that would not impact bedrooms 3 in each of those plots. This and all other anomalies in the plans will need to be fully rectified before any other recommendation could be reached.

#### **Stables /Tack room**

LAND AT CLAYWOOD HOUSE, ARNEWOOD BRIDGE ROAD, SWAY, LYMINGTON,  
SO41 6DA  
Ref. No: 18/00441 | Validated: Mon 25 Jun 2018 | Status: Registered

(ext to 10<sup>th</sup>  
Aug)

A site visit took place on Wednesday 1<sup>st</sup> August, attended by Cllrs Tarling, Fleat and Marchant. Members were reassured having visited the site and met with the landowner. The plans were discussed and the recognised errors noted.

**DECISION: 5. We are happy to accept the decision reached by the National Park Authority's Officers under their delegated powers (unanimous)**

Sway would draw attention to:

- the inaccuracies in the plans which should be fully corrected prior to any decision;
- the remote position of the stable block from the dwelling in consideration of DP22 which states that stables should be close to existing buildings;
- the recommendation to include a condition to stipulate private use only;
- the inclusion of all facing and roofing materials as shown on the drawings.



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<b>Garage; render to bungalow; replacement roof tiles (demolition of existing garage)</b> RUSHVILLE, MANCHESTER ROAD, SWAY, LYMINGTON, SO41 6AS Ref. No: 18/00524   Validated: Wed 04 Jul 2018   Status: Registered	(ext to 10 <sup>th</sup> Aug)
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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)**

- Sway notes that the roofing materials are listed as 'grey' tiles and recommends that – as per the Sway Village Design Statement p18 – these should be slate
- The neighbour's objection to moving the garage is noted. Sway recommends considering replacing with a 6' fence to preserve the boundary and privacy for the neighbour.

<b>Application to vary Condition 2 of Planning Permission 17/00384 for 2 No. new dwellings; new access...</b> BONHAM, CHURCH LANE, SWAY, LYMINGTON, SO41 6AD Ref. No: 18/00554   Validated: Thu 12 Jul 2018   Status: Registered	16 <sup>th</sup> August
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The Clerk noted that a neighbour to this property had raised issues with the lack of clarity in the amendments to the plans and also drew attention to the apparent changes to the original documents available on the planning portal under 17/00384 which meant that some of the original drawings were no longer available for comparison.

**DECISION: 5. We are happy to accept the decision reached by the National Park Authority's Officers under their delegated powers (unanimous)**

Sway notes that whilst the changes appear to be relatively minor, it was very unclear exactly what they were and some confusion between versions of the drawings made it difficult to identify the precise differences.

<b>New dwelling; shed; alterations to access</b> LAND REAR OF 1 & 2 SHELLLEYS COTTAGES, MANCHESTER ROAD, SWAY, SO41 6AS Ref. No: 18/00548   Validated: Thu 12 Jul 2018   Status: Registered	16 <sup>th</sup> August
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A number of MotPs were present to object to this application.

Cllr Seacombe reported back on a site visit which had taken place on 8<sup>th</sup> August, where the agent and the planning officer were also present. Members looked at the site from neighbouring properties' perspectives. In discussion with the land owner it was suggested that a sensible compromise might be to give more land to the plot to allow more parking.

**DECISION: 4. We recommend REFUSAL for the reasons listed below (unanimous)**

- Setting a precedent – Sway has serious concerns about the site being well inside the 400m zone (just 150m from the SPA) and in an open and environmentally sensitive area. Setting any kind of precedent would be of grave concern.
- Dark skies – the potential for light pollution given the raised elevation of the plot, and windows facing into the existing neighbouring properties.
- SVDS – in clear contravention of the Sway Village Design Statement P18 which requires that *"The design of new development within the defined village roughly between Manchester Road, Brighton/Station Road and Church Lane and especially those houses which presently have large gardens should respect the spacious character of the locality and not lead to*



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*inappropriate high density development.*” It also states that “Any new developments should consider the need to maintain generous plot sizes”.

- Biodiversity – the ecology report is unconvincing; both slow worms and bats have been seen on land surrounding the site this summer.
- Drainage – there is some concern that even additional soakaways would not remove the risk of flooding from surface water which is already an issue in this sensitive area, and are likely to be ineffective due to the high water table in any case. Indeed, one of the neighbours’ objections provides graphic images of the existing problems experienced due to surface water draining down the access track and out onto Manchester Road.
- Car Parking and Access – there is very little space for parking and turning at the site itself and Manchester Road is unsuitable whenever extra parking is required. The access is very restricted and visibility splays onto Manchester Road are inadequate and can be further compromised by parked cars.

There are a range of serious issues in contravention of various policies including:

### NFNPA Core Policies:

DP1a: inappropriate in terms of siting as being in an unacceptable sensitive greenfield site adjacent to the SPA.

DP1b: not respecting the natural and landscape characters, or biodiversity being and in an unacceptable sensitive greenfield site adjacent to the SPA.

DP1d: visual intrusion and overlooking issues.

DP1e: significant adverse impact on pollution – especially noise and traffic and also light pollution.

DP6a: being an adverse addition to the built heritage of the New Forest – mainly due to the position

DP6c: being 75 yards from the road, up a small gravel driveway it is not accessible.

CP7: Clearly does not protect, maintain or enhance locally and nationally important sites and landscape – being well beyond the back of adjacent buildings in an ecologically sensitive area.

CP8: a worrying precedent contributing to both the erosion of the Park’s local character and resulting in a gradual suburbanising effect.

CP9: does not conform with other policies in the core strategy.

CP12a: this does not conform with CP9.

CP12b: not a replacement dwelling.

CP12c: not an extension to an existing dwelling.

CP12d: not an agricultural or forestry workers dwelling.

CP12e: not affordable housing for local needs.

DP9: not a spacious residential plot and compromises the character of the local area.

CP19: makes tracks and roads more dangerous.

CP1: there are alternative locations for a new dwelling and this cannot adequately mitigate adverse effects within the 400m zone.

### Sway VDS Guidelines:

Page 18: does not maintain generous plot sizes.

Page 18 does not blend with the local area.

Page 21: Existing boundary native hedge should be retained.

Page 21: Does not effectively manage surface and foul water drainage.



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Page 22: does not blend with local style.

### Design Guide SPD:

Page 8: Detracts from rural character.

Page 11 on: does not avoid suburbanisation.

Page 25 on: inappropriate development within the broader landscape.

<b>Single storey extension</b> FOREST LEA, ANNEXE, BRIGHTON ROAD, SWAY, LYMINGTON, SO41 6EB Ref. No: 18/00513   Validated: Wed 11 Jul 2018   Status: Registered	15 <sup>th</sup> August
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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**

Sway recommends the use of down lighters to reduce light pollution.

<b>Application for a Certificate of Lawful development for proposed single storey rear extension;</b> 9 ROWAN CLOSE, SWAY, LYMINGTON, SO41 6AZ Ref. No: 18/00527   Validated: Wed 11 Jul 2018   Status: Awaiting decision	For info only
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Cllr Tarling left the room for the consideration of this application, due to a personal interest. It was noted that CLD applications are not usually given any recommendation by Sway.

**DECISION:**      **No comment**

Cllr Tarling returned to the meeting.

### **PT18/139. Outcome of planning applications**

A number of applications were decided over the past month:

- Hawthorn Cottage, 18/00474 was granted with conditions
- Hazelhurst Farm, 18/00446 was deemed lawful
- Part Parcel O.S 0054 Great break field (Sway Bowmen), 18/00422 was granted with strong conditions

### **PT18/140. Planning Enforcement**

Latest enforcements were summarised by Cllr Marchant, where three had been closed this month:

- Case Number: EN/17/0225, Field known as Woodlea - S215 Untidy Site Notice Issued
- Case Number: QU/17/0153, Land off North Common Lane - Retrospective Application Received
- Case Number: QU/17/0044, Land opposite former Arnewood Turkey Farm - Retrospective Application Received

### **PT18/141. Planning Inspectorate and Enforcement Appeals**

17/00876 Hatch Motors – ongoing, but no further update at this time.

18/00089 Beverley – the consultation period is open until 12<sup>th</sup> September for written representations to be submitted. Members agreed that a draft should be prepared in time for the Council's meeting on Thursday 23<sup>rd</sup> August, so that it could be considered and approved. The Chair recommended that residents submit their representations in response to the appellant's case



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documentation.

**ACTION:** Cllr Marchant to draft the response to the Beverley 18/00089 appeal

**ACTION:** Clerk to add the approval of the response to the full Council agenda for 23<sup>rd</sup> August

### **PT18/142. NFNPA Recreation Management Strategy Consultation**

Cllr Tarling circulated a draft note in regard to the lack of mention of cycling events in the draft strategy. After a brief discussion it was agreed that this would be submitted on behalf of Sway.

**DECISION:** To submit the note as drafted, by unanimous approval.

**ACTION:** The Clerk to submit by 12<sup>th</sup> August.

### **PT18/143. NFDC Local Plan Consultation**

Concerns for Sway are mainly around the traffic effect on our parish because of the development immediately outside the forest at New Milton, Hordle and Milford On Sea. Members had worked on a draft submission prior to the meeting and it was agreed that this would be submitted from Sway.

**ACTION:** Clerk to submit the final draft submission on 10<sup>th</sup> August.

### **PT18/144. NFNPA Planning Committee**

The next meeting would be held on Tuesday 21<sup>st</sup> August. No agenda was published as yet. Cllr Tarling had previously circulated a report from the last meeting.

### **PT18/145. Community Speedwatch (CSW)**

With Pitmore Lane closed, CSW had instead scheduled a session at Manchester Rd – the first since Sept 2016 which confirmed their previous findings that while too many vehicles are driven too fast for the conditions, very few actually exceed the 30mph speed limit in that location. Arnewood Bridge had – as usual – yielded many, although on Wednesday afternoon the police came to help and during the time they were parked in the layby opposite, no speeding vehicles were recorded! Report and all information available at <http://www.sway-pc.gov.uk/csw> )

### **PT18/146. Next Steps on Flashing Speed Limit Reminder**

Cllr Marchant confirmed that there was no progress to report, due to lack of time.

**ACTION:** to be progressed for next meeting

### **PT18/147. Other items for discussion**

None were raised by members or MotPs.

### **PT18/148. Agenda items for the next meeting**

Cllr Warden – requested that the NFDC Strategic Sites Master Plan consultation (running until 29<sup>th</sup> September) be added

### **PT18/149. Date of Next Meeting**

The next meeting would take place at 7:30pm on Thursday 13<sup>th</sup> September 2018 at the Jubilee Field Pavilion hall.

With all business concluded, the meeting closed at 21:32 pm.



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

DRAFT