

COPYTHORNE PARISH COUNCIL MEETING – TUESDAY MAY 14TH 2024

Item 11 - Discussion regarding a response to a letter from residents to the NFNPA relating to planning application 22/00498; along with consideration of potential issues for future planning applications

BACKGROUND

At the Parish Council meeting on 9th April 2024 a copy of a letter dated 31st March 2024, signed by a number of residents and sent to the New Forest National Park Authority (“NFNPA”), was handed over. A copy of the letter, previously shared with all councillors, is attached to this report (with signatures redacted).

The letter listed the resident’s complaints regarding the way the NFNPA dealt with planning application 22/00498. The resident handing over the copy letter expressed their concerns and requested that the Parish Council consider writing a letter of complaint to the Planning Authority.

As the temporary chair of the meeting I, in responding to the resident, advised that a decision on the request could not be made at the meeting and that I would ask that an item be added to the agenda for the next meeting to discuss the matter.

ACTIONS REQUIRED

1. Discuss the residents request and agree a course of action
2. Consider the issues arising from the concerns raised within the letter on how the Parish Council deals with future planning applications.

Councillor Jackie Rhodes
30th April 2024

For Names and Addresses
please see below

31st March 2024

The Information and Data Protection Officer,
New Forest National Park Authority,
Lymington Town Hall,
Avenue Road,
Lymington.
SO41 9ZG

Dear Information and Data Protection Officer,

We the undersigned are writing to formally complain about the way the New Forest National Park Authority Planning Department (NFNPA) has dealt with Planning Application 22/00498. We believe that the way the whole matter of 22/00498 has been handled, falls far short of what is expected of the NFNPA's usual high standards and amounts to maladministration.

We submit that the NFNPA failed to provide the Planning Committee with all the relevant information that was available, or inform them that critical information was still missing from key consultees. Furthermore, by using out of date information, making misleading statements in the Case Officer's reports and by not allowing sufficient time for emerging errors/mistakes to be properly considered by the Planning Committee members and local residents, the NFNPA deliberately distorted the picture in favour of the applicant. Evidence of these major shortfalls can be found by referring to letters from consultees, actions by the NFNPA and by looking at the Case Officer's reports given to Planning Committee members before the Planning Committee meetings on 26th September 2023 and 16th January 2024, respectively. To support this, included but not limited to, are the following examples.

Firstly, we refer to correspondence from key consultees.

We are aware that Natural England asked for additional information from the English Rural Housing Association, hereafter, the developer, to be provided in their letter dated 16th August 2022. We cannot find any evidence that this information was ever provided. Natural England also suggested that the Landscape Officer be consulted, we believe this did not take place. The NFNPA Case Officer said that a report from Natural England would be presented to the Planning Committee on 26th September 2023, this also did not happen.

The NFNPA Trees Officer, in their letter dated 12th September 2022, asked for additional information from the developer on the effect that the proposed new roadway and associated pathway would have on a protected tree in New Inn Road, before making a decision on supporting or objecting to the application. We cannot find any evidence that this additional information was ever provided.

The New Forest District Council Housing Officer, in their letter dated 26th August 2022, said that consideration should be given by the NFNPA to confirm if any of the applicants on the housing list

could actually afford to pay the affordable housing rent, in what is known to be a high rentable area. We do not believe that this was ever done.

A rebuttal letter from the developer's flooding advisor (GRA), dated 26th September 2023, was circulated, by hand, to Committee Members by the NFNPA just before the commencement of the debate on 22/00498 at the 26th September 2023 Planning Meeting. When questioned at the time by Cllr. Johnson of Copythorne Parish Council about its content and whether copies were to be provided to her and Cllr. Tripp of New Forest District Council, the NFNPA stated that its contents were not pertinent to the debate. Having subsequently seen a copy of the letter, this clearly was not true. It raises several procedural questions and also raises issues about how information is provided by the Planning Department to Planning Committee members, District Councillors, the Parish Council and members of the local community.

We refer to your e-mail to Copythorne Parish Council, dated 11th January 2024. It is clear that the three Drainage Strategy drawings referred to in your e-mail are substantially different. There are two P6 versions dated 26th September 2023 and 8th January 2024 and subsequently a P7 version dated 11th January 2024. All of which clearly show differences in the proposed drainage scheme. Before they responded to your Case Officer, it remains unclear which of the two P6 drawings were commented on by Hampshire County Council Flood and Water Management Team in their December 2023 letter. They do not appear to have ever had the opportunity to comment on version P7. In any case, it is completely unacceptable to post the latest P7 revision drawing 3-working-days before the Planning Committee was due to sit. Your assertion in your e-mail that the NFNPA had all the information it needed to make a determination, is clearly not true.

We now refer to the Case Officer's report to the Planning Committee members before the 26th September 2023 meeting.

Paragraph 8.9 – when attempting to make the case for meeting Policy SP28 (Rural exception sites) mentions the findings of a "Housing Needs Survey". This survey was conducted 10 years ago, in 2014 and is, therefore, completely out of date. It was not mentioned that the survey was done on behalf of Hampshire Alliance for Rural Affordable Housing by Action Hampshire, so it cannot be judged as an independent report. The Case Officer, in the same paragraph, also mentions the site not having a detrimental impact on existing adjoining residential housing, without offering any evidence for this statement.

Paragraph 8.10 – attempts to make the case for affordable housing in Copythorne, by saying that the planned affordable housing in adjoining parishes would give priority to people with a local connection in that parish, in the first instance, followed by Copythorne. Conversely, paragraph 8.12 says priority would be given to people with a local connection to Copythorne, followed by adjoining parishes. It is clear that adjoining parishes been included in the numbers used to make the case for affordable housing in Copythorne at the same time, without referring to the fact that the Copythorne affordable housing numbers have already been included in making the case for the already approved Wharton Lane, Ashurst development. A clear case of "double accounting".

Paragraph 8.15 states that the proposal is considered to satisfy all the requirements of Policy SP28 (Rural exception sites), whereas as we have demonstrated previously, this is clearly not true.

Paragraph 8.16 states that the proposed development is not significantly different from the houses in the surrounding roads and would not appear incongruous. There are no blocks of flats in any of the surrounding roads in Bartley, so how this development could not be considered to be incongruous is not understood.

We turn to the Case Officer's report to the Planning Committee members before the 16th January 2024 planning meeting.

In paragraph 8.4, the drainage ditch referred to in the Case Officer's Report, does not, as stated, fall within the application site. The site drawing clearly shows it is outside the site boundary and is located in the next field.

The above examples of relevant information pertaining to the application being omitted, along with inaccurate and misleading information provided by the NFNPA, demonstrate conclusively that the Planning Committee members were not made aware of all the facts, when they were asked to deliberate on 22/00498 on 26th September 2023 and on 16th January 2024. Accordingly, we request that the Case Officer, having obtained the missing information, removes the inaccuracies and misleading statements, re-submits the reports to Planning Committee members and then with members in possession of all the facts, that 22/00498 is brought back before the Planning Committee to allow it to reconsider its previous decision.

Yours sincerely,

Signed:-
