

Planning Committee meeting 12 October 2022

APPENDIX 6iv a)

From: Steph Bennett
Sent: 09 September 2022 14:37
To: James Gilfillan
Subject: RE: R/O 87-99 Long Lane 22/10346

Hi James

Thank you for your detailed response. In order to reconsider the committee response I will need to resubmit the application at their next meeting that is taking place on the 10th October, 2022 (we would normally be meeting on the 21st September)

This Council's view is that engaging with the parish council over the assessment of impact of even a development of this size would provide valuable input to the planning officers.

Perhaps you could provide the calculation/methodology for the S106 recommendation that I can take to the committee for consideration – that way they will be able to note how the assessment of impact was made?

Regards
Stephanie

From: James Gilfillan
Sent: 07 September 2022 10:01
To: Steph Bennett <stephanie.bennett@fawley-pc.gov.uk>
Cc: Alexa Carcas <Alexa.carcas@fawley-pc.gov.uk>
Subject: RE: R/O 87-99 Long Lane 22/10346

Steph, good morning.

Returning to the matter of the Parish Councils object to the above planning application and request that it is heard at the planning committee.

None of my colleagues have indicated they have presented parish councils with S.106 agreement information as part of their briefing notes.

In order to lawfully determine planning applications we can only secure contributions towards mitigating the identified impact of a particular development. In the case of this application harm has been identified to occur to the integrity of protected habitats in the New Forest and Solent, from the increased recreational activities associated with the development.

Due too its scale we do not have such evidence to demonstrate that harm would occur to other matters such as highway capacity, education capacity or impact on recreational facilities and Public Open space to justify securing mitigation. Policies of the local plan do allow us to consider the impact of larger schemes on those areas and secure contributions where appropriate, however this small scheme does not cross the thresholds for assessment.

Any contributions we seek must meet the prescribed tests:

- necessary to make the development acceptable in planning terms;

- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

In this case there are no other contributions necessary to make the scheme acceptable, that are directly related to the development, or reasonably related in scale.

I previously referenced the opportunity to Use the Community infrastructure Levy to improve and enhance facilities whereby cumulative funds received from many small schemes could be pooled to support identified projects.

[Community Infrastructure Levy - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Scroll down to 'Spending the Levy' para 144, to better understand what CIL is designed to contribute towards.

On the basis of the above and in the absence of any clearly articulated harm arising from this development, in your consultation response, that would require mitigation, I do not consider it to be good use of the planning committees time to consider this application, please could you re-visit your recommendation.

I hope this helps your understanding of this aspect of the development management process and I look forward to hearing from you.

Kind regards
James

James Gilfillan
Senior Development Management Officer

www.newforest.gov.uk

From: James Gilfillan
Sent: 31 August 2022 14:56
To: Steph Bennett <stephanie.bennett@fawley-pc.gov.uk>
Cc: Alexa Carcas <Alexa.carcas@fawley-pc.gov.uk>
Subject: RE: R/O 87-99 Long Lane 22/10346

Steph, thanks for replying.

I'm not aware that any other application is presented to Parish/town Councils with details of the legal agreement, prior to them being invited to comment and make a Parish recommendation.

If this was before the District Councils planning committee for a decision, then it would include details of the heads of terms of a legal agreement, but at the point of consulting with the parish councils that level of information is not provided nor confirmed.

I will happily stand corrected if my colleagues are sending parish briefing notes across with details of the S.106 obligations, but I have never been advised that that level of information should be included.

Regards
James

From: Steph Bennett <stephanie.bennett@fawley-pc.gov.uk>
Sent: 31 August 2022 14:38
To: James Gilfillan
Cc: Alexa Carcas <Alexa.carcas@fawley-pc.gov.uk>
Subject: RE: R/O 87-99 Long Lane 22/10346

Hi James

There was considerable concern at the Planning Committee about the application being sent through to us originally without the S106 agreement. Councillors felt that this was very wrong and also that they should have been consulted about the agreement alongside the application. This happens with other planning authorities.

Councillors wished this to go to the planning committee for the reasons stated on the comment. I am happy to attend the committee to make this point for this council.

Regards

Stephanie Bennett FSLCC

From: James Gilfillan
Sent: 31 August 2022 14:04
To: Steph Bennett <stephanie.bennett@fawley-pc.gov.uk>
Subject: R/O 87-99 Long Lane 22/10346

Steph, good afternoon.

I've just come across the attached representation from yourselves in response to the revisions to the proposals at the above site.

Did you mean to say this on this case, as these appear to correspond with your e-mail on the gang warily scheme. The answers I gave in respect of that larger scheme would apply here, contributions will be secured in accordance with adopted policies and CIL would be liable, which may be put towards more localised projects, that comply with the tests on use of CIL revenue.

Are you now requesting this application comes before the planning committee? Despite the original Par5 response?

Many thanks
James

James Gilfillan
Senior Development Management Officer