



# The Lymington Voice

The Newsletter of the Lymington Society Spring/Summer 2007

## Lymington and Pennington Community Forum Launched

Following the initial Town Health Check meeting which the new Town Clerk, Mr Andy Rimmer, initiated last year, the first major step has been taken.

The Lymington and Pennington Community Forum has been set up to create the town plan which will drive development for the next ten to fifteen years.

### Lymington Society Leadership

The Lymington Society's own Dr Donald Mackenzie is joint chair, with Miss Jacqueline England; and Dr Ivor Johnston is in the Transport Group.

See [www.lymandpen-forum.org](http://www.lymandpen-forum.org) for details of how to participate

Full Story page 8, Col. 1

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## Cannon Street School - Judicial Review

The Lymington Society has launched a judicial enquiry into the demolition of the Cannon St school, and its replacement with flats.

Sadly, in spite of the request for the judicial enquiry being lodged with the council within the 3 month period, demolition started on the school, and is now complete. However, the Society



decided to proceed with the enquiry, and work on the site is now at a standstill awaiting the result.

More on page 3 Col. 1

## Southampton Road Flats—Appeal Beaten

The Lymington Society welcomes the decision of the planning Inspector Mr Marshall to overwhelmingly reject the

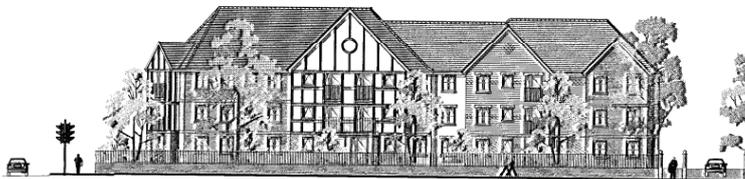
planned huge development of 53 flats in the centre of Lymington.

*Hopefully, the positive rejection of the development by the Inspector*

*as "out of keeping and detrimental to the appearance of the area" will deter other developers from bringing forward such huge and dominating developments in the future. The society will be vigilant in opposing any future similar developments which we feel would harm the character of the town.*

See page 3 Col. 3 for details

Full text of press release on website



*Proposed elevation from Avenue Road*

## Chairman's AGM Address - March 21st 2007



### Society Chairman Clive Sutton

Ladies and gentlemen can I welcome you all to this Annual General Meeting of the Lymington Society.

This year the meeting is not formally opened as in former years by our late President, Bill Hope Jones. He was our President for many years. Last year I announced that he was no longer attending Committee meetings nor the AGM.

Sadly, he died before Christmas. I am sorry that there has not been a greater

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public recognition of the benefits he brought to this Town, by his involvement in setting up the Community Centre and being a founder member of the Lymington Society.

Last year I also had to announce that my battle to retain Peter Chitty as an active member and Treasurer of the Committee had finally been lost and he had persuaded me to accept his resignation. I

## Social Programme Events

### Christmas Drinks

The pre-Christmas drinks at the Stanwell House Hotel were a big success for the second year running. Around 80 members were joined by the mayor and town councillors and district councillors. The event was primarily social, but many members took the opportunity to talk to the committee and the councillors about their concerns for Lymington.

### C13 Monasticism at Beaulieu

25 members were informed and entertained by a wonderful talk from Michael Lees, in full costume as a thirteenth century Cistercian monk. Estate agents will be amused that the site at Beaulieu was chosen for the monastery because no-one wanted it for anything else. The abbey was originally about the same size as Winchester Cathedral, and

was destroyed for its stone after the dissolution of the monasteries by Henry VIII. The stone was used to build, among others, Hurst Castle.

Michael promises other talks from other periods in the history of Beaulieu, each with its own costume, which we look forward to as future Social Programme events

Our thanks to Chawton House Surgery for providing the venue for this event.

### Hordle Walhampton School

David Hill, who finds time to look after the grounds at the school as well as teaching maths, led a group of over 100 Lymington Society members around the grounds on a glorious May evening. We stopped several times to hear about the history of the grounds, and of the people

### Visit [www.lymsoc.co.uk](http://www.lymsoc.co.uk)

who made them. The evening was rounded off with a slide show about the architecture of the house itself. Thank you David for such an informative and enjoyable evening.



David Hill and Society members in front of the Mercury Statue

## Upcoming Events for your Diary

### Summer Garden Party at East Grove on June 7th at 6pm

Sir Robin and Lady Georgina Craufurd are once again hosting the Society's Summer Garden Party in their wonderful garden in the heart of Lymington.

Take the opportunity to enjoy wine and nibbles in this delightful setting, before exploring the garden in earnest.

Georgina will be there to tell us about the history of the garden, and to point

out the plants of particular interest.



Last Year's Garden Party

### AGM

March 19 2008

The Speaker will be Joanna Close-Brooks, talking about Buckland Rings, our own local Iron Age hill fort, followed by:

**Buckland Rings Picnic**  
May 11 2008

**Summer Garden Party 2008**  
Buckland Manor Date TBA

Next year's summer garden party is an "at home" with Clive and Jenny Sutton at Buckland Manor.

### New Forest Art

St Barbe Museum Sept 20th 6pm

A major exhibition of art inspired by the



Beaulieu Road, 1900  
Frederick Golden Short

New Forest over the last 200 years. The exhibition will look at how artists have

attempted to capture the Forest's many moods across the changing seasons.

**Green Marine**  
Nov 8th

The story of a highly successful Lymington company.

Geoff Stock, who heads up design at the company, will tell us just what it takes to make a high-tech boat, whether it's a lifeboat or a world beating racing yacht.

**Christmas Drinks at Stanwell  
House Hotel on Dec 12th at 6pm**

Join the Committee, the Mayor, and town and district councillors to start the Christmas festivities in style.

**For Details on how to obtain  
Tickets for these Events**

**Contact:**

**The Social Secretary**

**Nigel Seth-Smith**

**on 01590 678210**

**nigel@gennum.co.uk or**

**21 Waterford Lane, Lymington.  
SO41 3PT**

**Or Purchase direct from Solent  
House Dental Surgery, Cannon  
Street, Lymington**

## Planning Report

### Nic King Planning Sec.

In our last newsletter we reported that as a result of our open meeting on 21<sup>st</sup> June 2006 and the petition which more than 1700 of you signed, Mel Kendal, leader of NFDC, invited us to a Council meeting in October to present the petition formally.

The meeting passed a resolution that reads: "Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted."

We are beginning to see this having a direct influence on Officers' recommendations and Council Members' decisions by relieving the pressure to build high-density developments in residential areas in Lymington.

However, by the time one of the green planning notices goes up, the odds are still in favour of the developers and we're only able to tackle a tiny proportion of the hundreds of planning applications. We focus our efforts on over-development or replacement of houses with flats that threaten the distinctive character of our town. We're desperately in need of additional help, especially expert advice on planning - if you think you have the expertise and can give a few hours from time to time, we'd love to hear from you.

### **Old School, Cannon Street**

We ran a high profile campaign to prevent the loss of another part of Lymington's character - this much loved building and the nearby public space at the corner of the old school and the public library. But the NFDC granted approval for its demolition and permission for Swaythling Housing Association to build a single block of 22 affordable flats. Dr Mackenzie led the campaign and made our representations to the Council at the meeting in December 2006. Together with our Town Councillors he almost managed to turn the tide, but the committee voted to grant permission by a narrow margin.

We were distinctly dissatisfied with the outcome of that meeting and we have challenged the process which led to this

flawed decision. At the time of writing all work has stopped at Cannon Street and we hope that Swaythling might rethink their plans and build to the scale of the old school.

### **M&S - former Waitrose**

We have objected to an application to display an illuminated fascia sign, which is not consistent with Conservation Area policy.

### **Waterford Close**

NFDC refused a previous outline application to demolish Roland House & Springmead and build 10 houses mainly because the access road has a substandard junction with Waterford Lane. The developer is proposing a reduction to 9 houses, and the provision of pavements on Waterford Lane to improve the junction. These will, of course, narrow Waterford Lane dangerously.

### **Linden House, New Road**

We have had a number of phone calls expressing concern at the proposed closing of Linden House, which houses almost half the local authority beds for the elderly in Lymington (34 out of a total of 70). The residents, staff and local GPs all hold it in high regard. We have written to the NFDC to ask what decisions have been taken and what plans are being considered.

### **Webbs site, Bridge Road**

We objected to an appeal by Paxton, the developer, against NFDC's refusal of permission for them to replace the hotel originally proposed for this landmark site with a care home, which we believed could go elsewhere. What we've been working for all along is a less dense and more imaginative scheme that links this unique site into the life of the town, not an isolated dormitory. Mr King, Dr Mackenzie and Mr Sutton attended the appeal hearing. Dr Mackenzie and three of our Town Councillors all gave evidence against the appeal.

However, NFDC lost the appeal with costs awarded against them. Their counsel had to manage without the presence of the case officer or tourism officer. The Inspector ruled that the change would make little difference in terms of land use and that a care home could generate more employment

opportunities. The appeal replaces the hotel with a C2 use. It does not exclude a developer from relying on the previous permission for a hotel.

### **46,46a, 48 Southampton Road & 1 Avenue Road**

The Council asked for our cooperation and support in opposing this appeal against the NFDC's decision to refuse a development of 53 assisted living flats with staff accommodation, communal facilities, parking and landscaping. Mr Sutton, Dr Mackenzie and Dr Johnston participated. They gave evidence on various factors such as the impact on infrastructure and traffic problems; the overall character of the area and the impact of so many additional elderly people on the medical services in the town. In a landmark decision, the Inspector rejected the appeal. He made it quite clear that the scale of the buildings proposed was totally out of proportion with the character of the surrounding area and that the harm caused to the town did not outweigh any benefits that might come from provision of more sheltered accommodation

### **Bath Lodge, Kings Saltern Road**

The developers appealed against NFDC's decision to refuse their application for a terrace of ten dwellings. We objected to the appeal on the grounds of its overbearing impact on Kings Saltern Road. Rose Tainsh and other local residents led a spirited campaign. The hearing was so well attended the Inspector commented on it; he rejected the developer's appeal.

### **Local democracy?**

The volume of protest against the tide of development that's taking place in our town is growing louder. People are increasingly dissatisfied with the way the planning system fails to listen properly to their views.

With your support we'll continue to lead the fight for fairer participation in the planning process. One recent outcome of our efforts is that the NFDC has given us their commitment to review the arrangements for individuals to voice their opinions during planning meetings.

Currently the process favours developers and restricts speaking time for objectors

**Continued on Page 8**

## Society Finances

### Should Fees be Increased?

It quickly became apparent at the AGM that the Society could be heading for some significant expenses. If we are to take on the developers who have targeted our town, we must be prepared to incur legal costs.

Dr Tom McEwen proposed that the annual

subscription be raised to £10, and the agreement in the hall was practically unanimous.

However, the Chairman, Clive Sutton, felt that such an increase required a proper period of notice to be fair to those members who could not attend the meeting, and it was agreed that the current £5 subscription would be retained as a

minimum, with members encouraged to contribute more if they feel able to.

The meeting agreed with this approach, and indeed it has been supported by new members, several of whom have voluntarily contributed more than the minimum.

We will address the level of subscription again at the next AGM

Financial Statement Treasurer: Derek Sheffer			Balance Sheet As at 31 December 2006		
INCOME	2006	2005	ASSETS	2006	2005
Subscriptions	1777	877	Nationwide Building Society	6410.29	6305.56
Gifts	70	100	Lloyds TSB Current Account	(180.89)	1176.97
Interest: Nationwide	105	109		<b>6229</b>	<b>7842</b>
	<b>1952</b>	<b>1086</b>	<b>CAPITAL AND RESERVES</b>		
<b>EXPENDITURE</b>			General Funds as at 1 Jan 2006	<b>7482</b>	
Advertising	1174	66	General Funds as at 1 Jan 2005		<b>6850</b>
Meeting Expenses/Room Hire	170	90	Less Deficit for the Year 2006	<b>(1253)</b>	
Hon. Secretary's Expenses	125	81	Add Surplus for the Year 2005		<b>632</b>
Hon. Treasurer's Expenses	-	82		<b>6229</b>	<b>7482</b>
Printing/ Newsletters	1119	90			
Subscription/Affiliation Fees	25	45			
Deficit on Social Events	118	-			
Gifts	474	-			
	<b>3205</b>	<b>454</b>			
<b>Deficit for the Year 2006</b>	<b>1253</b>				
<b>Surplus for the Year 2005</b>		<b>632</b>			

### Are You Still only Paying £3?

Many members have not yet updated their standing orders from £3 to £5 per annum. Please check that you are paying the full subscription and amend your standing order if necessary. Now, more than ever, every pound counts.

### Membership Details

New Members are always welcome to join the Lymington Society and existing Members are urged to encourage friends to join.

As well as receiving the Newsletter, Members will be welcome to attend regular social events arranged by the Social Committee.

Membership costs £5.00 per member. Application forms available to print from our Web Site ([www.lymsoc.co.uk](http://www.lymsoc.co.uk)) or from Derek Sheffer at the address below.

Please send Completed Membership to:

Derek Sheffer

Lymington Soc. Membership Sec. Lorne Cottage, Navarino Court, Lymington, SO41 9AE

### Society Website Are you online?

If so, take a look at [www.lymsoc.co.uk](http://www.lymsoc.co.uk)

- Download the latest Newsletter
- Keep up to date with the latest local issues
- See a transcript of the AGM
- See the latest status for planning applications that we are involved in
- See the latest Social Meetings Diary of Events
- Download Membership forms for your friends

Let us know your email address so we can keep you in touch.

Send your email address to:

[donald@donald-mackenzie.co.uk](mailto:donald@donald-mackenzie.co.uk)

or [nigel@gennum.co.uk](mailto:nigel@gennum.co.uk)

## Planning Objection—A Case Study

By Rose Tainsh—Committee Member

In December 2005, three weeks before Christmas, a number of the residents of Kings Saltern Road, received notification from the New Forest District Council that Bayview Development had applied for Planning Permission to erect a terrace of seven houses and three “apartments” (each with three levels and their own roof, so to all intents and purposes a terrace of ten houses of equal height) in the grounds of “Bath Lodge” after demolishing the present house and its annex. “Bath Lodge” is situated on the corner of Bath Road, and overlooks the Royal Lymington Yacht Club and the Lymington Town Sailing Club. Fortunately for those who were against the development (over 130 local residents), the New Forest District Council Planning Department was particularly busy and posted the Green Notice informing the public about a week later. This postponed the **three-week deadline** allowed to respond to the Application until after Christmas. The NFDC turned down the Application the following February. However, Bayview **appealed** in the summer towards the end of the **six-month period** allowed. Residents were notified that an “Informal Hearing” (an informal version of a Public Inquiry) would take place and were once more given a deadline to send their written reactions, this time to **Bristol** rather than Lyndhurst.

The Hearing was duly held on 24th October 2006 at the Lymington Town Hall. Three dozen local residents attended the Informal Hearing, including two Members of the Lymington Society: Clive Sutton, Chairman and Don Mackenzie, Press Officer. Dr Mackenzie spoke most eloquently about the unsuitability of such a development in this popular, waterside Conservation Area. The Inspector, Mr Chris Anscombe, noted the level of local interest and seemed impressed by the number of residents attending. Mr Anscombe was very fair and gave both sides the opportunity to present their points of view. The fact that the Hearing was “informal” simply meant that the residents were permitted to express their views informally making it unnecessary for example to appoint a Town Planning Consultant to speak on the residents’ behalf.

The Hearing lasted over four hours and was followed by a 45 minute Site Visit. The Inspector was accompanied by representatives of the developers, of the NFDC and also by some of the local residents. Once again, the Inspector took great pains to hear both sides of the story and visited two local houses to gain a better view of the site.

### THE INSPECTOR’S REPORT IN WHICH HE DISMISSED THE APPEAL

The twelve-page report prepared by the Inspector was received on 18<sup>th</sup> November 2006. A summary follows. Mr Anscombe’s comments are indicated in each case (in brackets) *in italics*.

i) Character and appearance of this Conservation Area: effect of proposed development, in particular in relation to scale, height and massing. The area had been named a Conservation Area three years earlier. (*It would be contrary to Policies DW-E1, and DW-E23 of the Local Plan*)

ii) Visual impact, privacy and day-lighting: effect on the adjoining occupiers. (*It was concluded that the living conditions of adjoining occupiers would be harmed BUT that day-lighting would NOT be unduly affected (Policy DW-E1 of the Local Plan)*)

iii) Highway safety: access not being permitted from the Bath Road Car Park, it needed to be from the stretch of Kings Saltern Road between the end of Bath Road and the Mayflower Pub. (*The proposal would be contrary to Policy DW-T8 of the Local Plan with reference to the visibility available to drivers of emerging vehicles*)

iv) Satisfactory living conditions for future occupiers: effect of the adjoining Mayflower Pub Beer Garden. (*The proposal would be contrary to Policy DW-E1*)

v) Level of car parking: (*Level of parking would exceed the maximum set out under Policy DW-T9 but if adjusted would secure compliance*)

vi) The cedar tree adjacent to the road and pub: the effect on its future health (*The indicated works (subject to the approval of details) would need to comply with Policy DW-E8 of the Local Plan and if so, would NOT endanger the future health of the tree*)

vii) Health and safety of future occupiers with regard to flood risk The site falls within Flood Zone 3a in Table 1 of Planning Policy Guidance Note 25 (PPG25). (*The proposed development would NOT conflict with Policy DW-E49 of the Local Plan or the advice in PPG25*)

### NEW FOREST DISTRICT COUNCIL PLANNING CONTROL

The Case Officer was often too busy or not available to take the call but other members of the Planning Control Department were extremely helpful in answering questions, although were unable to offer advice as they needed to remain impartial.

It was useful to view the Planning Application file in order to have an idea of how many letters had been received both for and against. This was relatively easy to do though it was important to check first by telephone that the file would be available.



Bath Lodge

### THE “CAMPAIGN”

We provided *instructions* on how to access the info on the *NFDC website*. However, the site required a certain familiarity with the internet and **NOT everyone** who had a PC knew, for example, how to **enlarge the (very small) “Elevations”** which gave details of height and mass.

Few residents seemed to have time to go to view the Plans for **themselves** and as the Town Hall is shut at the weekend, this was a problem for second homers. *A copy of the developers’ plans was therefore obtained from the Town Council*. It was noted that the A4 size copies – i.e. roughly 8 x 12 inches – (usually only the birds-eye views) were free. However, Plans of the “Elevations” were all presented on a single large sheet the size of 12 or 16 A4 pages (size of a tablecloth) at a cost of £24 per sheet.

We provided *all relevant details, photocopied and delivered individually* (to over two hundred local residents). We also **displayed the details in the window** of a neighbouring house to attract the notice of passers-by.

a) *a photocopy of the Elevations and a map of the location!*

b) *All effective arguments* were listed and each person was advised to choose two or three. These were found on the internet under **NFDC Local Plan**. We had learned that it would be essential to use **Policy numbers** rather than subjective views as arguments.

c) *The date of the deadline* was emphasised.

d) *The address (and opening hours) of the New Forest District Council* was given.

e) *Specific guidelines* e.g. “Letters must be very clear, **concise** and well argued (NOT more than one or two pages **maximum** in length)”, and “**MUST** be easy to read”. “EITHER use **legible handwriting** (in BLACK ink – they may well be photocopied and blue ink does NOT copy well) OR if possible **type**.”

f) It was agreed that **EMAILS tended to make less impact than a letter**. (The print is *small, grey and not easy to read. Underlining, italics, bold print etc are not available. Case Officers may have over one hundred letters to read as may the Council Members; at a later date, if there is an*

Contd. page 8 Col. 3

## Chairman's AGM Address Cont'd

am pleased to say that we have secured his services in another guise and he has kindly agreed to be our new President. The Secretary has guided us through the appropriate election procedures during the formalities.

Well what a year it has been! Having been through the usual subject including the Webbs Site, in my last annual report for the 4<sup>th</sup> April 2006 Annual General Meeting I never dreamt so much would have happened before the next Annual General Meeting.

### Public Meeting

Very soon after the last meeting there was enormous dissatisfaction over the manner in which the Waterford Lane planning application was passed and at the same moment McCarthy and Stone decided to make an application for a monstrous building on the corner of Avenue Road and Southampton Road.

I will remember the pressure under which I was placed to do something over the Waterford Lane application, and at the same time I saw on the NFDC website the size of the proposed building at the junction of Avenue Road in Southampton Road.

Another public meeting was clearly in order to obtain our members and the Town's views on these important planning issues following on from the precedent of our extremely successful public meeting over the Webbs Site a couple of years earlier.

The meeting took place on 21<sup>st</sup> June last and whilst I had expected to have one or two Councillors, we were all impressed by the fact that many members from the NFDC turned up and more would have come from the Town Council, if it had not clashed with a planning meeting.

I and Don Mackenzie opened the meeting and after several questions from the floor Mel Kendal, the Leader of the Council, took the floor to explain the Council's position.

One of the things they made very clear was that money was not an issue in relation to the opposition to unwarranted planning applications and that they were prepared to take on appeals when necessary. Chris Elliott, the Chief Planning Officer, followed that with an explanation of the difficulties faced by the Planning Officers.

There were more questions and the meeting went on well beyond when most of the members of the audience should have been in bed. The meeting was well publicised and Don Mackenzie had a spot on in local television and I think rumours of our meeting even got as far as Government Departments. It filled three rooms in the Community Centre.

### Petition leads to Society Involvement

As a result of that meeting and the petition which was circulated at the meeting and afterwards amounting to 1700 signatures Mel Kendal invited us to a Council meeting in October to present the petition formally to the Council.

The resolution passed at that meeting reads as follows:

"Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted."

And I hope this is having a direct influence on Officers' recommendations and the Council members' decisions by relieving the pressure to build high-density developments in residential areas in Lymington.

### Southampton Road

At this very moment the Site which was so much in our minds that evening has now been refused by the NFDC and has gone for an Appeal, which is being heard at a Public Inquiry today and tomorrow. Your Committee Members have spent some time putting together their proofs of evidence in relation to this Appeal. It is a landmark Appeal. We have the disadvantage that the Council, without allowing any real input from the townspeople allowed two big developments in Avenue Road which are now built.

I think it is accepted that those approvals were a mistake. I hope and believe the Council has learnt from its mistake. However, those developments are there and we have to persuade the Inspector that those developments should not have an affect on the current application. The current Application is so gross in its size, that I hope the Inspector will dismiss it.

In preparing for this Appeal I can say that the Council have now started to ask for our cooperation and support in opposing this Appeal.

The appeal is under way at the moment and Don Mackenzie gave very good evidence this afternoon on the impact of the site on various factors such as need, the effect on the age balance in the community, the impact on the infrastructure, traffic problems and diversity.

I will give evidence tomorrow on the impact of the application on the overall character of the area and Ivor Johnston will talk about the impact of so many additional elderly people on the medical services in the town.

I can say that the way in which the developers have approached this Appeal already is to hammer home the fact of the precedents of the two new developments on either side of Avenue Road allowed by the Council without any input from local residents. The Council are on the back foot and say that these were allowed prior to the current design standards being introduced. We however can roundly criticise the Council, as we have in the past, for allowing these buildings to be built, which we knew would give rise to this sort of application for bigger and bigger developments

One of the benefits of an independent body such as ours is that we can say things which may not be quite so politically correct as the statements that need to be made by the Council, and in doing so we can possibly more accurately reflect the real feelings of the people of Lymington. They are having to watch the character of the Town slowly but surely change from a small market town to a suburban Town into which all the modern features of urban living, including national chain stores and coffee shops, which are being drawn in by the increased population.

Whilst the Lymington Society cannot stand in the way of economic change it can try to ensure that the physical expression of that change is as much in keeping with the existing character of Lymington as possible by retaining its streetscapes. That character is retained in the Conservation Area by virtue of the Conservation Area policies, these do not apply in the surrounding urban areas. We have to be vigilant. There are other developments on the horizon which are a

## Chairman's AGM Address Cont'd

natural result of improvements to the Town. We now have a splendid new hospital, which has resulted in land being available for further development. That development must be in keeping with its surroundings.

### Cannon St School

Whilst we are co-operating as much as possible with the Council in encouraging them to reduce density, I have to say that one local difficulty has emerged. You are all no doubt aware of the Cannon Street School Site. This was described in the Conservation Area as allowing views across to Walhampton. The Old School Building gave character to that part of Lymington and sat well with the new library which is now complemented by the new Community Hall. However, to lose the school to another block of the modern style and dormer roof flats was to lose another part of Lymington's character. Donald Mackenzie made our representations to the Council and attended the planning meeting in December.

We were distinctly dissatisfied with the outcome of that meeting and the way in which the decision was made for various reasons. These include the obvious interest the NFDC had in the sale price through its sister local authority the Hampshire County Council which was selling to the Swaythling Housing Association at a price based on the number of units granted.

The Planning Meeting seemed to make the decision on the number of units in the scheme itself. Permission for the demolition of the School, which was a separate application, seemed to follow without any further discussion. There has been no serious attempt to see whether the School can be retained either for community uses, as actually intended in a previous local authority document, or incorporated into a new development.

The upshot of this was that as the contractors moved in we received a barrister's advice that there were grounds to say that the Council's decision should be objected to under the Judicial Review process. I can say therefore that as from last Monday you as members of our society are litigants with the New Forest District Council in the High Court.

However, before you are horrified at the prospect, can I say that we are able to continue a dialogue with the Chief Planning Officer and now the Council's legal representative which will lead us to further meetings our respective legal advisors so that we can decide whether the Council can satisfy our legal concerns about this decision, and if not we will obviously revert to the members for a decision as to what further action we take.

At this stage the stop press news that, of course, during the course of today the school has disappeared. The council had been aware of our position for weeks and has taken no steps to prevent the contractors demolishing it. We had assumed that they would have made some representations to the contractors but possibly they're in no position to do so. We are in no position to obtain injunction because injunction requires an undertaking to pay damages if we are wrong and we do not have the resources to pay the sort of damages that might arise from delaying a development of this nature whilst a judicial review goes through.

### Legal Action

I intend that our barrister and the council's barrister will meet to see whether we are satisfied whether our barrister continues to advise us that the Council's procedures in this application were flawed. If so we will consider what other avenues are open to us.

Whilst this has been a difficult decision for the Committee to take, the Committee has been unanimous in deciding that if we do have expert planning advice to the effect that the decision is flawed, it is our duty on behalf of our members and the population of Lymington to try to take action if a significant building in the conservation area is threatened.

### Webb's Site

Every year I mention the Webb's Site but this year it has been relatively dormant while Appeal goes through over the question of the change of use from the hotel to a care home. That Appeal is now fixed for 21<sup>st</sup> April and we will make representations on the basis that the area should not become a dormitory for old people and should have some vitality. However, our position on the

Webb Site has been that we feel that the Council were going to agree to excessive density and the lack of mixed uses on the Site and that if there was an opportunity to go back to the drawing board, that would be no bad thing.

Last year I was also able to announce the start of the regular social programme having held a couple of social meetings by the time of the last AGM.

Since the last AGM we have had a full social programme which has been well supported and will be reported on by Nigel Seth-Smith our Social Secretary.

For those of you who missed the social events or did not come to as many events as you would have liked, I hope you will attend more this year. They are extremely good value. They enable the Committee to meet the members and to gauge their feelings and to enable the members to liaise with the Committee. Our thanks go to Nigel Seth-Smith and his Committee and to those who hosted some of the events.

### New Committee Member

Last year I probably caused sufficient embarrassment by naming and shaming the other members of the Committee and I will not do so again but I will repeat that this year has been an extremely active year and has been very demanding for the Committee. We have a new member, Rose Tainsh, who was very instrumental on her own behalf, and as a Society Member, in coordinating local opposition to the Bath Road Planning Application which was rightly refused on Appeal by a Planning Inspector during the course of last year.

(See page 5 for a case study by Rose - Ed)

### Speaker

Finally, I am very pleased to welcome Tim Kermode as our speaker tonight. Here is another topical subject on the question of climate change and how it will affect Lymington particularly so far as rising sea levels are concerned.

Tim is the Environment Agency Area Flood Risk Manager and I shall introduce him more fully in due course.

Ladies and gentlemen, thank you.



# Lymington and Pennington Community Forum Kicks Off

## LYMINGTON AND PENNINGTON COMMUNITY FORUM

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Modelled on the Market Town Health Check Initiative set up by the Countryside Agency some years ago, the process involves the creation of a Town Plan covering every important aspect of the future development of the town for the next 10 to 15 years.

The Forum has the active support of all the local councils, and has been promised £5,000 by the Lymington and Pennington Town Council to cover the initial phase of setting up the forum and doing the necessary on which the plan will be based. Community Planning Officers from the New Forest District Council and from Hampshire County Council are providing technical advice from their wide experience helping other villages and towns set up their own Town Plans.

An audit will then be carried out of the Town. This will not however just involve the physical development of the town, but includes the development of the local economy, the social welfare of the inhabitants including leisure opportunities, transport links, parking, health care provision or any aspect of the development of the town that the local population or the members of the Forum feels it would like improved.

Following completion of the research, which hopefully will take approximately 12-18 months to complete, a plan "Delivering a Future Vision for

### Planning Report Contd. from Page 3

to a maximum of 3 minutes, without any right of reply – no matter how important the proposal might be to our town. We expect the results of their review within the next few months.

On a positive note, the recent local elections returned Elizabeth Lewis and Tony Swain, previously town councillors, to the NFDC; and also Anna Rostand. We understand they all will be on the new Planning and Development Control Committee, so we can look forward to better decisions from people who know Lymington and Pennington.

As a result of our efforts, the NFDC is considering a re-organisation whereby

Lymington & Pennington" will be presented to local Councils and the more important issues identified will be incorporated into an initial Action Plan.

Other Towns have received considerable funds from bodies such as SEEDA (the South East of England Development Agency) and Hampshire County Council for community projects, once the correct research has been carried out. Completion of the research phase will provide evidence of community need and support which is necessary when applying for grants or funding. The Forum will then plan to start to implement the Action Plan using these funds to either lobby for change or actually carry out the identified priorities directly itself if possible.

### The Aims of the Forum

The Forum represents a wide range of community bodies in the town, including The Town Council, the Lymington Society, The Lymington Community Association, The Citizens Advice Bureau, the Women's Institute, and many other bodies and individuals. Its main aim is to examine the future for Lymington & Pennington, and to produce an exciting vision and Action Plan for the future of the town.

However, as well as this, an important aim for the forum is to create and strengthen a feeling of 'community spirit' in the town to enable people with

councillors would make decisions for their own locality so that Lymington Councillors would decide Lymington applications and Totton, theirs. In the past, some unfortunate decisions have been made by councillors who might have looked at the plans but do not know the sites in question - so this might avoid unpopular mistakes.

Unlike the House of Commons, the individual voting record of local councillors is not routinely recorded so that we do not know how each voted on a particular decision. We would like to know so that voters can make up their own minds when we get the chance to vote for our local representatives next time.

viewpoints from different backgrounds and organisations to come together with the common aim of improving the lot of everyone living in the town.

Committees will be set up to examine important issues facing the town including the economy, health provision, transport, the environment, leisure, as well as other issues such as provision for parents and children and the youth of the area. The information gathered will be used to produce an Action Plan for projects that will benefit the Town.

See [www.lymandpen-forum.org](http://www.lymandpen-forum.org) for further details

### Bath Lodge Contd. from page 5

Appeal, so will the Inspector who presides over the Hearing/Public Inquiry.)

g) We had been advised **against a petition** for a particular Planning Application, individual letters being apparently much more effective.

### LESSONS LEARNT

**Study the local plan** and know the relevant **policy numbers**. These are the basis of all planning decisions. Available from:

NFDC, Appletree Court, Lyndhurst, Hampshire SO43 7PA Tel: 023 8028 5000

Online from the NFDC website at:

[www.nfdc.gov.uk/index.cfm?articleid=952](http://www.nfdc.gov.uk/index.cfm?articleid=952)

## STOP PRESS

### Move to Close Lymington Branch Line

We have heard of a proposal to close the branch line from Brockenhurst and replace it with a bus

### Webb's Site: Paxtons replace Hotel with Care Home

The hotel which we had hoped would bring a public amenity to the centre of the new development has been replaced in the plans by a care home.

### Larger Ferries to Yarmouth

The WightLink ferries are to be replaced with new craft with almost double the displacement.

### Linden House Closure Threat

Linden House Care home, much appreciated by residents and doctors, is under threat of closure as it is too expensive to upgrade it to modern standards.