

# ONLINE NEIGHBOUR COMMENT ON PLANNING APPLICATION 22/00008

From: Home Farm  
Stanford on Avon  
Northampton  
NN6 6JR

Location THE RAMBLERS, EXBURY, SOUTHAMPTON,  
SO45 1AH

Received Date 09 January 2022

Comment

Comment: I believe it is in the public interest to provide comment upon this retrospective planning application as follows:

I have received a letter dated 7 January 2022 by email on 8 January 2022 from the New Forest National Park Authority's Planning Enforcement Manager inviting my comment on this planning application 22/00008 at The Ramblers due to my previous interest in this matter.

Contravention of the Town and Country Planning Act 1990, Planning (Listed Building and Conservation Areas) Act 1990 and the Highways Act 1980

The retrospective planning application is being submitted to rectify a new vehicular access and gates (the gates are higher than 1 metre and require permission on a highway in a Conservation Area) and fence which were installed and sold with the property by a developer without planning permission within a Conservation Area and a National Park.

The Ramblers does not appear to have a licence from the Highways Authority (Hampshire County Council) for vehicles to access the public highway, now used for about 18 months and required by law under the Highways Act 1980. In order to receive a licence to cross a verge, planning permission must first be granted for a vehicle access on land owned by the applicant.

## Planning Enforcement Case

The NFNPA has an ongoing live planning enforcement case covering The Ramblers since April 2019 for approximately 33 months. The case has not been closed. The new vehicular access, gates and replacement fence were installed by a developer during the open enforcement case whilst monitored by the NFNPA.

The applicant's agent has stated on the covering letter dated 12 October 2021 - not including the fence in the new planning application title (the application has been resubmitted in January 2022 and validated on 6 January 2022) - that the applicant was not aware of the new vehicular access and gates requiring planning permission when buying the property. However, the NFNPA was aware of the new vehicular access and gates and replacement fence which were built in 2020 when The Ramblers was sold (not started on 1 September 2019 and completed on 8 September 2019 as stated by the agent at the commencement of the development

extension works in this planning application form). I have attached a photograph taken on my mobile phone dated 9 January 2020 which shows the gates were not installed in 2019. This is very important because the NFNPA's Planning Enforcement Manager has written to myself on 2 October 2020 stating that the site was monitored throughout the year and works were observed to the properties with the extensions. A comment was also made that the properties were about to be sold or had already been sold. The new vehicular access, gates and fence were not observed as a material change but are clearly visible fronting the public highway and situated in the centre of Exbury village, opposite the Parish Council notice board.

Hampshire County Council owns the Verge (Land in the Planning Application for Works)

Hampshire County Council (the landowner referred to in Certificate B) owns the verge which appears to be offered as the main land area of the planning application for works marked in red, outside the ownership of The Ramblers. The driveway requires the Council owned land area for vehicles to leave the property safely (and the gate posts are built into this land area). It does not seem correct that the verge, owned by the Council, can be granted planning permission for The Ramblers to use when the original vehicle access to the property exists nearby. It does not seem correct that a precedent for others might be set in the New Forest, and further afield, to create an access to a property using Council owned land, and make changes to a property frontage without the correct permissions being sought.

None of these points were mentioned in the withdrawn application by the NFNPA's planning case officer (Parish and Town Consultation Briefing Note published on 12 November 2021), the Parish Council (Parish Response published on 16 November 2021) or Hampshire County Council (Consultee Response - HCC Highways published on 19 November 2021) in their comments. The planning application 21/00984 appears to have been withdrawn on 8 December 2021 because the agent incorrectly included The Laurels (a semi-detached property) within the ownership of The Ramblers and the NFNPA incorrectly validated the ownership detail (now only The Ramblers is marked in blue on the location and block plans in this resubmitted planning application 22/00008).

It is unclear if Hampshire County Council has agreed for the inclusion of Council owned land for this development work and the public needs to be properly informed before a fair decision can be reached.



**The Ramblers, Exbury**

The photograph shows that the original fence has been removed

There is no vehicular access driveway and there are no gates