

11 JUNE 2014

NEW FOREST DISTRICT COUNCIL

PLANNING DEVELOPMENT CONTROL COMMITTEE

Minutes of a meeting of the Planning Development Control Committee held at Appletree Court, Lyndhurst on Wednesday, 11 June 2014.

- p Cllr Mrs A J Hoare (Chairman)
- p Cllr Mrs B M Woodfield (Vice-Chairman)

Councillors:

- p Mrs D E Andrews
- p Mrs S M Bennison
- p G F Dart
- p C J Harrison
- p C Lagdon
- p Mrs M E Lewis
- p J Penwarden
- p A W Rice
- p W S Rippon-Swaine

Councillors:

- p Mrs A M Rostand
- p Miss A Sevier
- p M D Southgate
- p A J Swain
- ap M H Thierry
- ap R A Wappet
- p Mrs C V Ward
- p P R Woods
- p Mrs P A Wyeth

In Attendance:

Councillor:

D Harrison (For application 13/11614)

Officers Attending:

T Barnett, S Clothier, Miss J Debnam, C Elliott, D Groom, G Williams (Hampshire County Council), and for part of the meeting D Gruber (New Forest National Park Authority), A Kinghorn, Miss G O'Rourke, R Payne, Mrs V Potter, S Williams, N Williamson, D Willis, Mrs A Wilson and G Worsley

3. MINUTES.

RESOLVED:

That the minutes of the meetings held on 14 May and 19 May 2014 be signed by the Chairman as correct records.

4. DECLARATIONS OF INTEREST.

Cllr Dart disclosed a non-pecuniary interest in application 13/11614 as a member of Totton and Eling Town Council which had commented on the application.

Cllr C Harrison disclosed a non-pecuniary interest in application 14/10314 as a member of Hythe and Dibden Parish Council which had commented on the application.

Cllr D Harrison disclosed a non-pecuniary interest in application 13/11614 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Lagdon disclosed a non-pecuniary interest in application 13/11614 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Rice disclosed a non-pecuniary interest in applications 14/10301, 14/10334 and 14/10446 as a member of New Milton Town Council which had commented on the applications.

Cllr Rostand disclosed a non-pecuniary interest in application 14/10574 as a member of Lymington and Pennington Town Council which had commented on the application.

Cllr C Ward disclosed a non-pecuniary interest in applications 14/10301, 14/10334 and 14/10446 as a member of New Milton Town Council which had commented on the applications.

Cllr Woods disclosed a non-pecuniary interest in applications 14/10301, 14/10334 and 14/10446 as a member of New Milton Town Council which had commented on the applications.

5. PLANNING APPLICATIONS FOR COMMITTEE DECISION (REPORT A).

RESOLVED:

That the planning applications listed below be determined as shown in respect of each application and, in accordance with the Council's policies and procedures, formal notice of the decisions be sent to the applicants forthwith.

Application:	13/11614
Details:	Ridgeway Cars, Spicers Hill, Totton – Two units to be used as two drive through restaurants; (Use Class A3 and A5); one retail unit (Use Class A1, A3 and A5); access alterations; parking; landscaping; demolition of existing
Public Participants:	Mr Ramsay – Applicant's Agent Ms Bailey – Objector Mr Pope - Objector
Additional Representations:	Totton and Eling Town Council confirmed their objection in respect of the amended plans 16 additional letters of objection
Comment:	Cllrs Dart, D Harrison and Lagdon disclosed non-pecuniary interests as members of Totton and Eling Town Council which had commented on the application. They concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak, and in the cases of Cllr Dart and Lagdon to vote. Cllr D Harrison did not have a vote.

The Committee was advised that condition 2 would need to be amended to take account of amended plans. They were also advised that the word “not” should be deleted from the 6th sentence of paragraph 14.33.

Cllr D Harrison addressed the Committee to oppose the application.

The Committee noted that the entrance to and egress from this site were close to the busy Rushington roundabout on the A35, and that traffic leaving the site must, within a very short distance, cross 2 lanes of traffic in order to return towards Southampton. The plans showed only one lorry unloading bay to service the proposed 3 units. This was below the normal standards required by policy. In this location the Committee considered that it was particularly important that the parking and servicing arrangements were sufficient. There was a strong likelihood that, should more than one delivery vehicle be present on site, the vehicles of people wishing to use the drive-through restaurants or the store would be displaced onto the surrounding highway, causing congestion, obstruction and a danger to other users. It was noted that this site was on one of the key routes for pupils at Hounslow School and consequently there was an unusually large number of pedestrians and cyclists using this junction and the associated pedestrian crossings. The needs of this vulnerable group warranted particular care. In addition, the type of traffic using the roundabout already included an unusually high proportion of HGVs as they were routed past both the entrance to and exit from the site as the lorries travelled from Southampton Port to their designated parking at Marchwood. The Committee was satisfied that the special characteristics of the volume and type of vehicles, cyclists and pedestrians using this area distinguished this site from others, elsewhere in the County, from which modelling had suggested this proposal would not cause problems outside the site.

The Committee concluded that the practicalities of co-ordinating deliveries between 3 separate businesses, together with the behaviour reasonably expected from drivers using both the drive-through restaurants and the convenience store, meant that the proposed delivery plan did not provide an adequate mechanism to control this aspect of the development.

The Committee noted that the application was supported by a litter control plan that proposed that litter would be picked up 4 times daily from the site and surrounding roads. Notwithstanding the stated intentions, the businesses would not, for safety reasons, be able to send their employees onto the A35 or A326. Litter along these main roads could not, therefore, be addressed by the businesses. In addition, the site was adjacent to Bartley Water and its reed beds, which were sensitive habitats. Bartley Water was vulnerable to the effects of litter which, once it reached the river and reed beds, would be impossible for the on-site businesses to remove. The litter

picking regime would not be adequate, in adverse weather conditions, to prevent the pollution of, and damage to, these important habitats. In addition, Bartley Water was within a Conservation area and the trapped litter would be unsightly and harmful to the visual appearance of the conservation area.

Decision: Refused

- Refusal Reasons:**
1. The proposed development would give rise to highway danger, in particular, as a result of traffic exiting the site, wishing to travel eastwards towards Southampton, having to cross two lanes of traffic to undertake a right turn at the Rushington Roundabout. The proposals would therefore fail to comply with Policy CS24 of the Core Strategy for the New Forest District outside the National Park.
 2. The proposals would make inadequate provision for delivery vehicles to the three units which would result in conflict within the site between car parking/manoeuvring and HGV's which could give rise to HGV's and other vehicles blocking the public highway. As a result the proposals would fail to comply with Policy CS24 of the Core Strategy for the New Forest District outside the National Park.
 3. The development of the site as proposed, which includes takeaway uses, would be likely to give rise to litter problems both on the public highway and around Bartley Water which would result in pollution to the detriment of the visual amenities of the area. As a result the proposals would fail to comply with Policies CS2 and CS5 of the Core Strategy for the New Forest District outside the National Park.
 4. The proposed development is likely to impose an additional burden on the existing transport network which would require improvements in order to mitigate the impact of the development. In the absence of any contribution towards the costs of the necessary improvements to enable the additional travel needs to be satisfactorily and sustainably accommodated, the development conflicts with an objective of the Core Strategy for the New Forest District outside the National Park 2009 and with the terms of Policies CS24 and CS25 of the Core Strategy.

Action: Martine Parkes

Application:	14/10290
Details:	Sequoia Farm, Puddleslosh Lane, Tinkers Cross, Fordingbridge – Continued siting of mobile home for temporary period of 3 years for an agricultural worker
Public Participants:	Mr Tutton – Applicant's Agent Mrs Browne - Objector
Additional Representations:	The Council's Tree Officer, the County Council's Rights of Way Officer and County Highways Authority raised no objection. 1 additional letter concerning a refrigerated container that had been taken onto site on 9 June. Additional representations from the Applicant's Agent regarding the need for mitigation, responding to the concerns of the Council's Agricultural Consultant and questioning the applicability of the "financial" test to the assessment of the application.
Comment:	The Committee was advised of typographical errors to be corrected in the report and that, following consultations with Natural England, it had been concluded that a contribution towards mitigation should not be required at this stage. Members concluded that this application, and related application (Item A3), should not be determined until the Council's Agricultural Consultant had assessed the further representations recently submitted by the Applicant's Agent, and until further advice had been obtained on the applicability of a financial viability test in assessing this application. In the meantime, it was noted that the presence of, now 2, containers on the site would be investigated to establish whether these required planning consent.
Decision:	That consideration of this application be deferred for further investigation and evaluation.

Action:	Steve Williams
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Application:	14/10589
Details:	Sequoia Farm, Puddleslosh Lane, Tinkers Cross, Fordingbridge – Retention of access; hardstanding and turning area
Public Participants:	None
Additional Representations:	None

Comment: The Committee, in deferring consideration of the related application at Item A02, concluded that this application should also be deferred pending further investigation and evaluation.

Decision: That consideration of this application be deferred.

Action: Steve Williams

Application: 14/10301

Details: Fairways, Sway Road, New Milton – Attached double garage

Public Participants: Town Cllr Schooling – New Milton Town Council

Additional Representations: None

Comment: Cllrs Rice, C Ward and Woods disclosed non-pecuniary interests as members of New Milton Town Council which had commented on the application. They concluded that there were no issues under common law to prevent them from remaining in the meeting to speak and to vote.

Decision: Planning consent

Conditions: As per report (Item A04).

Action: Martine Parkes

Application: 14/10314

Details: 16 Marlborough Court, Dibden Purlieu, Hythe – Retention of boundary fence and wooden lean-to

Public Participants: None

Additional Representations: None

Comment: Cllr C Harrison disclosed a non-pecuniary interest as a member of Hythe and Dibden Parish Council which had commented on the application. He concluded that there were no issues under common law to prevent him from remaining in the meeting to speak and to vote.

Decision: Planning consent

Conditions: As per report (Item A05).

Action: Martine Parkes

Application:	14/10326
Details:	Land of 27 Firmount Close, Everton, Hordle – House; shed; parking
Public Participants:	None
Additional Representations:	None
Comment:	None
Decision:	Head of Planning and Transportation authorised to grant planning consent until 31 July 2014 and, if consent has not been granted by that time, Head of Planning and Transportation authorised to refuse consent.
Conditions/Agreements/Negotiations:	As per report (Item A06).
Refusal Reasons:	As per report (Item A06).

Action:	Jim Bennett
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Application:	14/10334
Details:	9 Vectis Road, Barton-on-Sea, New Milton – Raise roof height; dormers and rooflight in association with new first floor; two-storey side and rear extensions; front porch
Public Participants:	Mr Stockwell – Applicant's Agent Town Cllr Schooling – New Milton Town Council
Additional Representations:	None
Comment:	Cllrs Rice, C Ward and Woods disclosed non-pecuniary interests as members of New Milton Town Council which had commented on the application. They concluded that there were no issues under common law to prevent them from remaining in the meeting to speak and to vote.
Decision:	Planning consent
Conditions:	As per report (Item A07).

Action:	Martine Parkes
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Application:	14/10391
Details:	Unit 7 Dell Buildings, Milford Road, Everton, Hordle – Continued use of site for storage of scaffolding; retention of cabin
Public Participants:	Mr Jones – Applicant Mr Hull – Applicant’s Agent
Additional Representations:	None
Comment:	<p>The Committee was advised that Reason for Refusal 2 should refer to policy CS21.</p> <p>Members noted that, since an enforcement notice relating to the use of this site had been upheld on appeal, an adjacent site had been granted consent for the storage of RIBS, in the light of the special circumstances put forwards by that business in support of their application. In addition, unlike the previous appeal, this applicant had now put forwards a case setting out the special circumstances that they suggested should also warrant an exception being made to normal green belt policies in this case.</p> <p>The Committee was aware that this site had, historically, been used for the storage of tractors and other equipment in support of the Horticultural Research Station. This was not, therefore, an open green site, but could reasonably be expected to remain in some form of industrial use. The site was remote and set against woodland that provided partial visual screening. Provided the materials stored on the site were at a low level, and additional landscaping was used to further screen the site, its impact could be made acceptable. In addition, restrictions on the hours of use of the site could ensure that vehicular movements to and from the site did not cause undue disturbance, at unsocial hours, to the occupiers of the cottages at the entrance to this campus. This was a successful local business and the protection of employment opportunities was a consideration, particularly as the business had demonstrated that it had been actively seeking alternative sites without success.</p>
Decision:	Head of Planning and Transportation authorised to grant planning consent
Conditions:	Subject to such conditions as the Head of Planning and Transportation considers appropriate, to include the consent being personal to the business, landscaping conditions and, if consistent with adjacent uses, a restriction on the hours of use.
Action:	Peter Burridge

Application:	14/10425
Details:	Hawthorns, Ringwood Road, Bransgore – First – floor side extension, extend rear dormer; single-storey front extension with roof light; side extension to create car port; front porch
Public Participants:	None
Additional Representations:	None
Comment:	None
Decision:	Planning consent
Conditions:	As per report (Item A09).
Action:	Martine Parkes

Application:	14/10446
Details:	11 Fir Avenue, New Milton – Two-storey rear extension; roof alterations; four dormers and three rooflights in association with new first floor
Public Participants:	Mr and Vaughan – Applicants Town Cllr Schooling – New Milton Town Council
Additional Representations:	None
Comment:	Cllrs Rice, C Ward and Woods disclosed non-pecuniary interests as members of New Milton Town Council which had commented on the application. They concluded that there were no issues under common law to prevent them from remaining in the meeting to speak and to vote.
Decision:	Planning consent
Conditions:	As per report (Item A10).
Action:	Martine Parkes

Application:	14/10503
Details:	Woodlands House, Main Road, Sandleheath – 3 houses; 1 bungalow; 3 detached garages; access roads; parking; landscaping; demolition of existing care home
Public Participants:	None
Additional Representations:	None

Comment: None

Decision: Head of Planning and Transportation authorised to grant planning consent until 31 July 2014 and, if consent has not been granted by that time, Head of Planning and Transportation authorised to refuse consent.

**Conditions/
Agreements/
Negotiations:** As per report (Item A11).

Refusal Reasons: As per report (Item A11).

Action: Ian Rayner

Application: 14/10566

Details: Hordle Cliff, Milford-on-Sea – 20 replacement beach huts (Outline application with details only of layout and scale)

Public Participants: None

Additional Representations: None

Comment: None

Decision: Planning consent

Conditions: As per report (Item A12).

Action: Martine Parkes

Application: 14/10574

Details: 8 Conference Place, Lymington – Single-storey side extension

Public Participants: Mr Peters - Applicant's Agent
Dr Hill - Objector

Additional Representations: None

Comment: Cllr Rostand disclosed a non-pecuniary interest as a member of Lymington and Pennington Town Council which had commented on the application. She concluded that there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

Decision: Planning consent
Conditions: As per report (Item A13).
Action: Martine Parkes

Application: 14/10585
Details: The Old Church, Mockbeggar Lane, Ellingham, Harbridge and Ibsley – Use as residential dwelling
Public Participants: Mrs McNulty – Applicant’s Agent
Additional Representations: None
Comment: The Committee was advised that Section 3 of the report should refer to Local Plan Part 2, Policy DM3; and that in paragraph 14.16 reference to policy LYM2 should be replaced with policy DM3.
Decision: Head of Planning and Transportation authorised to grant planning consent until 30 September 2014 and, if consent has not been granted by that time, Head of Planning and Transportation authorised to refuse planning consent.
Conditions/Agreements/Negotiations: As per report (Item A14).
Refusal Reasons: As per report (Item A14).

Action: Richard Natt

CHAIRMAN