

12 NOVEMBER 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, 12 November 2014.

ap Cllr Mrs A J Hoare (Chairman)
p Cllr Mrs B M Woodfield (Vice-Chairman – in the Chair)

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
p M H Thierry
ap R A Wappet
p Mrs C V Ward
ap P R Woods
p Mrs P A Wyeth

Officers Attending:

S Clothier, Mrs J Dawe, Miss J Debnam, C Elliott, Mrs C Eyles, Mrs J Garrity, D Groom, N Straw, and for part of the meeting Mrs E Beckett (New Forest National Park Authority), Mrs C Cluett, A Kinghorn, Miss K Little, R Payne, M Robinson, S Williams, D Willis and Mrs A Wilson.

21. MINUTES.

RESOLVED:

That the minutes of the meeting held on 8 October 2014 be signed by the Chairman as a correct record.

22. DECLARATIONS OF INTEREST.

Cllr Dart disclosed a non-pecuniary interest in application 14/10857 as a member of Totton and Eling Town Council which had commented on the application.

Cllr C Harrison disclosed a non-pecuniary interest in Report B as a member of Hythe and Dibden Parish Council which had commented on the application when it was first considered.

Cllr Lagdon disclosed a non-pecuniary interest in application 14/10857 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Rice disclosed a non-pecuniary interest in applications 14/11107 and 14/11221 as a member of New Milton Town Council which had commented on the applications.

Cllr Rippon Swaine disclosed a non-pecuniary interest in applications 14/11188 and 14/11228 as a member of Ringwood Town Council which had commented on the applications.

Cllr Rostand disclosed a non-pecuniary interest in applications 14/10749 and 14/11104 as a member of Lymington and Pennington Town Council which had commented on the applications.

Cllr Thierry disclosed a non-pecuniary interest in applications 14/11188 and 14/11228 as a member of Ringwood Town Council which had commented on the applications.

Cllr C Ward disclosed a non-pecuniary interest in applications 14/11107 and 14/11221 as a member of New Milton Town Council which had commented on the applications.

Cllr Woodfield disclosed a non-pecuniary interest in applications 14/11188 and 14/11228 as a member of Ringwood Town Council which had commented on the applications.

23. 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.

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| Application: | 14/10075 |
| Details: | 54 Everton Road, Hordle, Lymington – Two-storey rear extension; single-storey side extension |
| Public Participants: | Mr Stevens – Applicant's Agent |
| Additional Representations: | None |
| Comment: | None |
| Decision: | Head of Planning and Transportation authorised to grant planning consent subject to: <ul style="list-style-type: none"> (i) The completion of the requisite Agreement pursuant to S106 of the Town and Country Planning Act 1990 by 31 December 2014; and (ii) The imposition of conditions <p>Failing which, Head of Planning and Transportation authorised to refuse consent.</p> |

**Conditions/
Agreements/
Negotiations:** As per report (Item A01).

Refusal Reasons: As per report (Item A01).

Action: Vivienne Baxter

Application: 14/10749

Details: Travis Perkins, Grove Road, Lymington – Variation of Condition 2 of Planning Permission 13/10710 to allow amended plans to form modifications to affordable housing units

**Public
Participants:** None

**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.

Cllr Rostand asked that it be recorded that she voted against the decision in respect of this application.

Decision: Planning consent

Conditions: As per report (Item A02).

Action: Martine Parkes

Application: 14/10857

Details: Land of Loperwood Farm, Loperwood, Tatchbury Mount, Calmore, Totton – Development of 24 dwellings comprised 8 detached houses; 4 pairs semi-detached houses; 1 terrace of 3 houses; 1 block of 5 flats; detached garages; bin and cycle store; substation; access; open space and landscaping

**Public
Participants:** Mrs Gould – Applicant's Agent
Mr Sims - Objector

**Additional
Representations:** 2 additional letters of objection in the same terms as set out in the report.

Comment: Cllrs Dart 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 to vote.

The Committee was advised of amendments to the wording of conditions 2 and 9, as had been circulated in the update prior to the meeting.

Decision: Planning consent

Conditions: As per report (Item A03), with the following amendments to conditions:

2. The development permitted shall be carried out in accordance with the following approved plans: HT.Ched-B.pe (Plots 17 & 18), HT.Ched-C.pe (Plot 24), HT.Ched.pe rev C (Plots 19 & 20), HT.CHED-A.pe (Plot 23), HT.Clay-A.pe, P.6-7.e rev A, P.8-10.e rev B, P.8-10.p rev A, P.14-15.pe rev A, AHL.01 rev G, BML.01 rev G, DML.01 rev G, SL.01 rev H, CSa/2429/100 rev B, SE.01 rev F, LP.01, HT.Clay.pe rev A, P.6-7.p Rev A, P.11-12.e, P.11-12.pe, SS.01pe rev A, GAR.01.pe rev B, GAR.03.pe rev A, BCS.01.pe, P1-5.e rev A, P1-5.p rev A, GTS553.01A.

Reason: To ensure satisfactory provision of the development.

9. Before the commencement of development (including ground clearance works), details of the biodiversity mitigation and enhancement measures that are to be implemented, based on the recommendations of the Extended Phase 1 Habitat Survey dated 15th April 2013 and further Survey dated November 2013, shall be submitted to and approved by the Local Planning Authority. Development shall proceed only in accordance with the approved details.

Reason: To safeguard ecological interests and to comply with Policy CS3 of the Core Strategy for New Forest District outside of the National Park.

Action: Martine Parkes

Application: 14/10913

Details: 25 Church Lane, Fawley – Dropped kerb; hardstanding

Public Participants: None

Additional Representations: None

Comment: None

Decision: Refused
Refusal Reasons: As per report (Item A04).

Action: Martine Parkes

Application: 14/11104

Details: 30 Pennington Oval, Pennington, Lymington – two-storey side extension; detached double garage; rooflights

Public Participants: None

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: Refused

Refusal Reasons: As per report (Item A05).

Action: Martine Parkes

Application: 14/11107

Details: 34 Hengistbury Road, Barton-on-Sea, New Milton – Variation of Condition 1 of Planning Permission 11/97641 to allow one opening window to the east elevation

Public Participants: Mr Durrant – Applicant
Town Cllr Humphries – New Milton Town Council

Additional Representations: None

Comment: Cllrs Rice and C Ward disclosed non-pecuniary interests as members of New Milton 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 to vote.

Decision: Refused

Refusal Reasons: As per report (Item A06).

Action: Martine Parkes

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| Application: | 14/11111 |
| Details: | Land rear of Compass Public House, High Street, East End, Damerham – Conversion and use of agricultural barn as 1 live/work unit |
| Public Participants: | Mr Burton – Applicant Parish Cllr Tandy – Damerham Parish Council |
| Additional Representations: | None |
| Comment: | Members' attention was drawn to the revised wording for condition 8 which had been circulated in the update prior to the meeting. |
| Decision: | Planning consent |
| Conditions: | As per report (Item A07), with condition 8 amended to read: <p>8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order, or domestic microgeneration equipment otherwise approved by Part 40 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.</p> <p>Reason: In view of the site's location, the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the Conservation Area in accordance with Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park and policy DM1 of Local Plan Part 2 Sites and Development Management Document.</p> |
| Action: | Martine Parkes |

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| Application: | 14/11188 |
| Details: | 1 Embankment Way, Ringwood – Display 5 flagpole signs; 5 post mounted signs (Application for Advertisement Consent) |
| Public Participants: | None |
| Additional Representations: | None |

Comment: Cllrs Rippon-Swaine, Thierry and Woodfield disclosed non-pecuniary interests as members of Ringwood 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 to vote.

While agreeing that this current application, relating to a large site on a modern industrial estate, was acceptable, members considered that there would be merit in examining the Council's policies to ensure that advertisements of this nature did not have an unduly detrimental effect on the quality of the environment.

Decision: (a) That advertisement consent be granted; and
(b) That the Environment Overview and Scrutiny Panel be requested to consider establishing a task and finish working group to examine the Council's policies on advertisements.

Conditions: As per report (Item A08).

Action: (a) Martine Parkes (b) Jan Debnam

Application: 14/11221

Details: 30 Barton Court Avenue, Barton-on-Sea, New Milton – Roof alterations in association with new first floor; side dormer; Juliette balcony; rooflights; front porch

Public Participants: Mr McKeon – Applicant's Agent
Mrs Burgess – Objector
Town Cllr Humphries – New Milton Town Council

Additional Representations: 1 additional letter of objection, as circulated in the update prior to the meeting.

Comment: Cllrs Rice and C Ward disclosed non-pecuniary interests as members of New Milton 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 to vote.

Decision: Planning consent

Conditions: As per report (Item A09).

Action: Martine Parkes

Application: 14/11228

Details: Land of 5 Old Barn Close, Ringwood – House; parking; access; demolition of existing garages

Public Participants: Mr McKeon – Applicant's Agent

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| Additional Representations: | None |
| Comment: | Cllrs Rippon-Swaine, Thierry and Woodfield disclosed non-pecuniary interests as members of Ringwood 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 to vote. |
| Decision: | Head of Planning and Transportation authorised to grant planning consent subject to: <ul style="list-style-type: none"> (i) The completion of the requisite Agreement pursuant to S106 of the Town and Country Planning Act 1990 by 30 May 2015; and (ii) The imposition of conditions Failing which, Head of Planning and Transportation authorised to refuse consent. |
| Conditions/Agreements/Negotiations: | As per report (Item A10). |
| Refusal Reasons: | As per report (Item A10). |
| Action: | Richard Natt |

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| Application: | 14/11262 |
| Details: | Sequoia Farm, Puddleslosh Lane, Tinkers Cross, Fordingbridge – Retention of quail house |
| Public Participants: | Mr Percy – Objector Parish Cllr Fulford – Fordingbridge Town Council |
| Additional Representations: | Hampshire County Council's Rights of Way Officer had withdrawn their objection following receipt of additional information from the applicant. The Land Drainage Engineer raised no objection to revised proposals using water butts. The Applicant's agent had confirmed the amount of waste that would be produced and the proposed method of disposal. Fordingbridge Town Council – an additional comment in support of their recommendation of refusal. 10 further letters of objection and a briefing note of objection, details of which were given in the update that had been circulated prior to the meeting. Two requests for information under the Environmental Information Regulations had been declined as the requested information did not exist. There was no requirement that the applicants should submit such information in association with this application. |

Comment:

The Committee noted that the wider area that included this site was designated within this Council's policies to be used for walking routes and to enhance open space. Consequently, it had an important role to play in maintaining the quality of life of local residents. The historic character of this area, typified by open, uncluttered pasture land, was recognised as having important local distinctiveness that should be protected. Any agricultural development that required planning consent must not therefore prejudice the Council's policy objective of maintaining the quality of this important landscape. The degree of local concern demonstrated that this landscape was perceived as being sensitive and important.

The Committee was aware of the wide range of objections being raised by the local community, which included the potential for the waste produced by animals on the site to pollute the watercourse feeding into Sweatfords Water; and damage to, and the lack of right of access over, Puddleslosh Lane. They took account of advice that these issues were controlled by separate legislation, by other authorities, and should not form part of the consideration of the planning merits of this current application. Concerns about other unauthorised development on the site must also be discounted.

Members considered the effect of the proposed development within the context of their policy objectives as set out in Policies CS2 and CS21 of the Core Strategy for the New Forest District outside the National Park; and the need to protect the special character of this area.

The Committee concluded that the quail house, which had now been constructed, did not respect the character and needs of the site. Further, it would generate unreasonable additional clutter on the site, to the detriment of the special character and appearance of this part of a wider landscape which the Council was seeking to protect. They considered that, while there were local and national policies that supported agricultural development, the economic benefits from this development were not sufficient to outweigh the harm that it generated.

Decision:

Refused

Refusal Reasons:

The building, which has already been constructed, does not respect the character, identity and context of this area of open countryside. By reason of its relationship to the local landscape, the building is not sympathetic to its setting on the fringe of Fordingbridge as required by Policy CS2 of the Core Strategy. It does not contribute positively to the sense of place and this is exacerbated by the cluttered appearance of the agricultural holding resulting in significant visual intrusion in this accessible area of open countryside which otherwise provides an attractive setting to the town of Fordingbridge. Moreover, the development does not accord with the objectives of Policy CS21 of the

Core Strategy as it serves an agricultural enterprise which does not maintain, protect or enhance the environment or contribute to local distinctiveness. Overall, the development brings little economic benefit and this is significantly outweighed by the harm to the environment.

Action: Steve Williams and Martine Parkes

24. APPEAL BY MCCARTHY AND STONE RETIREMENT LIFESTYLES LTD (APPLICATION 14/10659) (REPORT B).

Cllr C Harrison disclosed a non-pecuniary interest as a member of Hythe and Dibden Parish Council which had commented on the application when originally considered. He concluded that there were no issues under common law to prevent him from taking part in the consideration and voting.

Members welcomed the improved level of financial contributions that had been agreed through negotiations in advance of the forthcoming appeal against this Council's decision to refuse consent in respect of this application.

RESOLVED:

That the Planning Inspector be advised that this Council is satisfied that the submission of an unilateral undertaking which secures the contributions set out below will overcome the reasons for refusal numbered 3, 4, 5 & 6 on decision notice reference 14/10659 dated 14 August 2014.

- i) Affordable housing contribution: £190,096
- ii) Public open space contribution: £46,732
- iii) Transport infrastructure contribution: £23,230
- iv) Habitat mitigation contribution: £72,700

Action: Nick Straw

CHAIRMAN

(PDCC121114)