

11 FEBRUARY 2015

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 February 2015.

- 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
- ap 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
- p R A Wappet
- p Mrs C V Ward
- p P R Woods
- p Mrs P A Wyeth

In Attendance:

Councillor:

A N G Kilgour

Officers Attending:

T Barnett, S Clothier, Miss J Dawe, Miss J Debnam, C Elliott, Mrs C Eyles, D Groom, A Kinghorn, N Straw, G Williams (Hampshire County Council), and for part of the morning session W Lever, M Robinson and D Willis

33. MINUTES.

RESOLVED:

That the minutes of the meeting held on 14 January 2015 be signed by the Chairman as a correct record.

34. DECLARATIONS OF INTEREST.

Cllr Dart disclosed a non-pecuniary interest in application 14/11588 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Lagdon disclosed a non-pecuniary interest in application 14/11588 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Rice disclosed a non-pecuniary interest in applications 14/11315, 14/11580 and 14/11376 as a member of New Milton Town Council which had commented on the applications.

Cllr Rostand disclosed a non-pecuniary interest in applications 14/10306, 14/10583, 14/11305, 14/11515, 14/11516, 14/11563, 14/11638 and 14/11735 as a member of Lymington and Pennington Town Council which had commented on the applications. She also disclosed a disclosable pecuniary interest in application 14/11575 as a member of Lymington and Pennington Town Council which was the applicant.

Cllr Thierry disclosed a non-pecuniary interest in applications 14/11199, 14/11466 and 14/11594 as a member of Ringwood Town Council which had commented on the applications.

Cllr C Ward disclosed a non-pecuniary interest in applications 14/11315, 14/11580 and 14/11376 as a member of New Milton Town Council which had commented on the applications.

Cllr Woodfield disclosed a non-pecuniary interest in applications 14/11199, 14/11466 and 14/11594 as a member of Ringwood Town Council which had commented on the applications. She disclosed a further interest in application 14/11199 on the grounds that she knew the applicant. She also disclosed an interest in application 14/11156 on the grounds that she knew the applicant.

Cllr Woods disclosed a non-pecuniary interest in applications 14/11315, 14/11580 and 14/11376 as a member of New Milton Town Council which had commented on the applications.

35. **PLANNING APPLICATIONS FOR COMMITTEE DECISION (REPORT A).**

Planning application 14/11580 (Merrymore, 22 Barton Wood Road, Barton on Sea, New Milton – Retention of ramp; smoking shelter; shed) had been withdrawn by the applicant by an e-mail dated 10 February 2015.

Applications 14/11515, 14/11516, 14/11563, 14/11638, 14/11681 and 14/11784 were determined after the adjournment for lunch.

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:	14/10306
Details:	132 High Street, Lymington – 1.1 metre high boundary wall (Application for Listed Building Consent)
Public Participants:	Mr Tanner – Applicant's Agent
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.

The Officer's recommendation was amended by the inclusion of an additional condition to protect the fabric of existing structures.

Decision: Listed Building consent granted

Conditions: As per report (Item A01) with additional condition:

5. Before development commences, details of the steps to be taken during the progress of the works hereby approved to secure the safety and stability of the existing retained vaults/cellar, shall be submitted to and approved by the Local Planning Authority. Such steps and works shall where necessary include, in relation to any part of the building to be retained, the following measures:

- a) to strengthen any wall or vertical surface
- b) provide a watching brief relating to the digging of any foundations above or adjacent to the vaults/cellar
- c) to support any floor, roof and horizontal surface; and
- d) provide protection for the building against the weather during the period of operations/works

The development shall only be undertaken in accordance with the approved details/measures unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure the protection and retention of features of a listed building and archaeological importance during the development procedures in accordance with Policy CS3 of the Core Strategy for the New Forest District outside the National Park.

Action:	Trevor Barnett and Martine Parkes
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Application:	14/10583
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Details:	132 High Street, Lymington – 1.1 metre high boundary wall
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Public Participants:	Mr Tanner – Applicant's Agent.
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Additional Representations:	None
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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 A02).

Action: Martine Parkes

Application: 14/11156

Details: Fordingbridge Hospital, Bartons Road, Fordingbridge – Convert to create 15 flats; single-storey extension; extension to create bin store; cycle store, parking; landscaping

Public Participants: Mr Holdcroft – Applicant’s Agent

Additional Representations: None

Comment: Cllr Woodfield disclosed a disclosable pecuniary interest on the grounds that she knew one of the applicants both personally and professionally. She took no part in the consideration and did not vote.

The Committee was advised that agreement had been reached with the applicant that they would pay an affordable housing contribution of £20,000 in respect of this development. The Council’s Valuer was satisfied that the viability appraisal submitted by the applicants justified a reduced level of contribution.

Decision: Head of Planning and Transportation authorised to grant planning consent subject to:

- (i) The completion of the requisite Agreement pursuant to S106 of the Town and Country Planning Act 1990 by 31 March 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 A03).

Refusal Reasons: As per report (Item A03).

Action: Jim Bennett

Application:	14/11199
Details:	Brookside, Quomp, Ringwood – House; demolition of existing
Public Participants:	Mr Arnold – Applicant.
Additional Representations:	None
Comment:	Cllrs Thierry and Woodfield disclosed non-pecuniary interests as members of Ringwood Town Council which had commented on the application. Cllr Thierry concluded that there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote. Cllr Woodfield disclosed a further interest on the grounds that she knew the applicant personally. She concluded that the degree of acquaintance was sufficient to create an impression of pre-disposition and consequently took no part in the consideration and did not vote.
Decision:	Planning consent
Conditions:	As per report (Item A04).
Action:	Martine Parkes

Application:	14/11305
Details:	9A Captains Row, Lymington – Replacement single-storey rear extension
Public Participants:	Prof Perry - 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 A05).
Action:	Martine Parkes

Application:	14/11315
Details:	Merrymore, 22 Barton Wood Road, Barton-on-Sea, New Milton – Flue and partial enclosure
Public Participants:	Town Cllr Humphries – New Milton Town Council
Additional Representations:	None
Comment:	<p>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 grounds under common law to prevent them from remaining in the meeting to speak and to vote.</p> <p>The Committee concluded that the flue, even when partially enclosed, would be very unsightly and have a significantly detrimental effect on the character of the area in general and particularly on the outlook of the occupiers of the neighbouring property at 10 Channel Court.</p>
Decision:	Refused
Refusal Reasons:	The flue, with the proposed partial enclosure and painting, would result in a form of development that would be of an excessive size and industrial appearance that would be unsightly and out of character with this residential area. In addition the flue would adversely impact on the visual amenities of the occupants of 10 Channel Court by reason of its size, design and close proximity. The development therefore fails to comply with policy CS2 of the Core Strategy for the New Forest District outside the National Park.
Action:	Steve Clothier and Martine Parkes

Application:	14/11376
Details:	10A The Parade, Ashley Road, Ashley, New Milton – Use of building as office (Class B1a)
Public Participants:	Town Cllr Hawkins – 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 grounds under common law to prevent them from remaining in the meeting to speak and to vote.

The Officer's recommendation was amended by the inclusion of an informative note reminding that applicant that the building would not enjoy permitted development rights for conversion to residential use.

The Committee concluded that the design of the building and its location made it inappropriate for use as an office, and that it would provide inadequate conditions for the users of the building.

Decision: Refused

Refusal Reasons: The use of this building as an office would give rise to a substandard working environment of a poor design in an inappropriate location. As a result the proposed change of use would be contrary to policy CS2 of the Core Strategy for the New Forest District outside the National Park.

Action: Steve Clothier and Martine Parkes

Application: 14/11420

Details: 2 Meadow Avenue, Fordingbridge – Retention of boundary fencing

Public Participants: Mr Hammond – Applicant
Mr Lacey – Applicant's Agent.

Additional Representations: None

Comment: The Committee considered that the principle of enclosure with such fences had already been established elsewhere within this estate and the current proposal did not harm the street scene or character of the area.

Decision: Planning consent

Conditions: Such conditions as the Head of Planning and Transportation deems appropriate.

Action: Trevor Barnett and Martine Parkes

Application: 14/11466

Details: Land of 117 Christchurch Road, Ringwood - House

Public Participants: Ms McNulty – Applicant's Agent.

Additional Representations: None

Comment: Cllrs 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: Refused

Refusal Reasons: As per report (Item A10).

Action: Martine Parkes

Application: 14/11515

Details: 37 St Thomas Street, Lymington – Display 1 non-illuminated projecting sign; 1 non-illuminated fascia sign; 1 wall mounted sign

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: Advertisement consent granted

Conditions: As per report (Item A11).

Action: Martine Parkes

Application: 14/11516

Details: 37 St Thomas Street, Lymington – Electrical wiring; suspended ceiling; enlarge cupboard; create stud walls; block up doorway with fixed door; block doorway with stud work; remove stud work wall; raise door opening; alter glazed door to create top window and fire escape; main entrance door; non-illuminated wall mounted sign; non-illuminated projecting sign

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: Listed Building consent granted

Conditions: As per report (Item A12).

Action: Martine Parkes

Application: 14/11563

Details: Black Salt Farm, Lower Pennington Lane, Pennington, Lymington – Use as 1 residential unit; associated alterations including roof lights and fenestration alterations; log cabin for use as cycle store; demolition of dairy 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.

Decision: Head of Planning and Transportation authorised to grant planning consent subject to:

- (i) The completion of the requisite Agreement pursuant to S106 of the Town and Country Planning Act 1990 by 31 March 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 A13).

Refusal Reasons: As per report (Item A13).

Action: Ian Rayner

Application:	14/11575
Details:	Woodside Sports Pavilion, Woodside Park, Ridgeway Lane, Lymington – Single-storey extensions; external alterations; porch
Public Participants:	Mr Draycott – Applicant’s Agent Mr Carruthers - Objector
Additional Representations:	Cllr Lewis had asked for this application to be determined by the Committee in order that local residents’ concerns could be considered. One additional letter of objection on the grounds of the effect on local roads and insufficient car parking being provided.
Comment:	Cllr Rostand disclosed an interest on the grounds that she was a member of Lymington and Pennington Town Council which was the applicant. The Monitoring Officer had granted her a dispensation to speak but not to vote. Accordingly, Cllr Rostand took part in the debate but did not vote. The Committee considered that an additional condition should be imposed to control any external lighting to avoid harm to local wildlife.
Decision:	Planning consent
Conditions:	As per report (Item A14), with additional condition: 7. No external lighting shall be installed without details having first being submitted to, and agreed in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the approved details. Reason: In the interests of the visual amenities of the area and to protect ecological interest in accordance with policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park.
Action:	Steve Clothier and Martine Parkes

Application:	14/11588
Details:	46-50 Water Lane, Totton – 1 terrace of 3 dwellings; associated parking; 1 detached bungalow; demolition of existing
Public Participants:	Ms McNulty – Applicant’s Agent
Additional Representations:	None

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 taking part in the consideration and voting.

Decision: Refused

Refusal Reasons: As per report (Item A15).

Action: Martine Parkes

Application: 14/11594

Details: 54 and 56 Southampton Road, Ringwood – Variation of Condition 16 of Planning Permission 13/10532 to allow amended design details

Public Participants: None

Additional Representations: None

Comment: Cllrs 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: Planning consent

Conditions: As per report (Item A16).

Action: Martine Parkes

Application: 14/11638

Details: 10 North Street, Pennington, Lymington – Two-storey rear and side extension; fenestration alteration

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 A17).

Action: Martine Parkes

Application: 14/11681
Details: Springfields, 68 Stopples Lane, Hordle – First-floor rear extension

Public Participants: None

Additional Representations: None

Comment: None

Decision: Planning consent

Conditions: As per report (Item A18).

Action: Martine Parkes

Application: 14/11709
Details: Units 1 to 2 Newbank Court, Sandleheath Industrial Estate, Old Brickyard Road, Sandleheath – Side extension

Public Participants: Mr Gower - Applicant

Additional Representations: None

Comment: Members considered that the appearance of the proposed extension could be improved by the use of alternative materials and such amendment could be secured by way of a condition. Subject to the improvement of the appearance of the extension, the Committee concluded that the operational needs of the business outweighed the residual concerns about its visual impact, particularly bearing in mind that the site was at the far end of an industrial estate, with no through traffic.

Decision: Planning consent

Conditions: Such conditions as the Head of Planning and Transportation deems appropriate.

Action: Steve Clothier and Martine Parkes

Application:	14/11735
Details:	Site of Wood Lawn, Lower Pennington Lane, Pennington, Lymington - House
Public Participants:	Mr Jones – Applicant’s Agent.
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 A20).
Action:	Martine Parkes

Application:	14/11784
Details:	Blashford Quarry, Salisbury Road, Blashford, Ellingham, Harbridge and Ibsley – Extension of time of Planning Permission 09/94701 to secure an additional 5 years of operational activity for the continuation of the extraction of permitted reserves and to secure the details of an alternative restoration scheme
Public Participants:	None
Additional Representations:	Ellingham, Harbridge and Ibsley Parish Council recommended the granting of consent. They had made a number of detailed comments that would be passed on to the County Council which was determining the application.
Comment:	None
Decision:	That no objection be raised.
Action:	Vivienne Baxter

36. ADJOURNMENT AND RESUMPTION OF MEETING.

The Committee adjourned for lunch at 13:00.hrs and resumed at 13:30 hrs.

- 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
- ap 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
- R A Wappet
- p Mrs C V Ward
- P R Woods
- p Mrs P A Wyeth

Officers Attending:

T Barnett, S Clothier, Miss J Debnam, C Elliott, D Groom, A Kinghorn, N Straw and G Williams (Hampshire County Council)

37. NAVITUS BAY WIND FARM PROPOSALS – SECTION 106 AGREEMENT (REPORT B).

Members noted that this item had been added to the agenda as a late item in order that the Council could consider entering into legal agreements within the time scales set by the Planning Inspectorate in respect of the Navitus Bay Wind Farm hearing.

The Committee considered the outcome of negotiations to secure payments for the mitigation of various effects of the installation of the proposed wind farm and associated cable laying at Navitus Bay. Members were reassured that the immediate repair and replacement work necessary in this District following the laying of the cable would be undertaken by the Company, secured by conditions attached to the consent, and would not be a charge against these additional funds now being identified for landscape, biodiversity, skills, supply chain and tourism work.

RESOLVED:

- (a) That the Head of Legal and Democratic Services be authorised to enter into the required Section 106 Agreements with regard to the Navitus Bay Development Proposal;
- (b) That the Head of Planning and Transportation be authorised to enter into a Planning Performance Agreement with regard to the Navitus Bay Development Proposal; and

- (c) That any significant variations to the terms set out within the report shall be agreed by the Chief Executive prior to the said agreements in (a) and (b) above being entered into.

Action: Andrew Kinghorn/David Groom

CHAIRMAN

(PDCC110215)