

10 JUNE 2015

NEW FOREST DISTRICT COUNCIL

PLANNING DEVELOPMENT CONTROL COMMITTEE

Minutes of a meeting of the Planning Development Control Committee held in the Council Chamber, Appletree Court, Lyndhurst on Wednesday, 10 June 2015

- * Cllr Mrs D E Andrews (Chairman)
- * Cllr Mrs C V Ward (Vice-Chairman)

Councillors:

- * P J Armstrong
- * Mrs S M Bennison
- * Mrs F Carpenter
- * A H G Davis
- * R L Frampton
- * L E Harris
- * D Harrison
- * Mrs A Hoare
- * Mrs M D Holding

Councillors:

- * A K Penson
- * W S Rippon-Swaine
- * Mrs A M Rostand
- * Miss A Sevier
- M H Thierry
- R A Wappet
- * M L White
- * Mrs P A Wyeth

*Present

In attendance:

Councillors:

G C Beck
G R Blunden

Councillors:

E J Heron

Officers Attending:

T Barnett, Miss J Debnam, C Elliott, Mrs C Eyles, A Groom, D Groom, A Kinghorn, Miss G O'Rourke, Mrs E Beckett, W Lever, R Payne, A Harmer, M Mubukwanu, Mrs V Potter and S Clothier

Apologies:

Apologies for absence were received from Cllrs Thierry and Wappet.

4 MINUTES

RESOLVED:

That the minutes of the meetings held on 6 May and 18 May 2015 be signed by the Chairman as correct records.

5 DECLARATIONS OF INTEREST

Cllr Andrews disclosed an interest in application 15/10244 on the grounds that she knew the objector.

Cllr Armstrong disclosed a non-pecuniary interest in application 15/10241 as a member of Hythe and Dibden Parish Council which had commented on the application. He disclosed a further interest on the grounds that he knew the objector, who was a fellow parish councillor.

Cllr Beck disclosed a non-pecuniary interest in applications 15/10275 and 15/10369 as a member of New Milton Town Council which had commented on the applications. He was not present for the determination of the other applications in New Milton.

Cllr Davis disclosed a non-pecuniary interest in applications 15/10240, 15/10241 and 15/11568 as a member of Totton and Eling Town Council which had commented on the applications.

Cllr Frampton disclosed a non-pecuniary interest in application 14/11498 as a member of Bransgore Parish Council which had commented on the application.

Cllr Harris disclosed a non-pecuniary interest in applications 15/10240, 15/10241 and 15/11568 as a member of Totton and Eling Town Council which had commented on the applications.

Cllr Harrison disclosed a non-pecuniary interest in applications 15/10240, 15/10241 and 15/11568 as a member of Totton and Eling Town Council which had commented on the applications.

Cllr Holding disclosed an interest in application 15/10244 on the grounds that she knew the objector and in application 15/10297 on the grounds that she knew the applicant's representative.

Cllr Penson disclosed a non-pecuniary interest in applications 15/10274, 15/10297, 15/10339, 15/10348, 15/10392 and 15/10474 as a member of Lymington and Pennington Town Council which had commented on the applications. He disclosed a further interest in application 15/10297 on the grounds that he knew the applicant's representative.

Cllr Rostand disclosed a non-pecuniary interest in applications 15/10274, 15/10297, 15/10339, 15/10348, 15/10392 and 15/10474 as a member of Lymington and Pennington Town Council which had commented on the applications. She disclosed further interests in application 15/10297 on the grounds that she knew the applicant's representative and was a member of the St Barbe's Trust.

Cllr White disclosed a non-pecuniary interest in applications 15/10274, 15/10297, 15/10339, 15/10348, 15/10392 and 15/10474 as a member of Lymington and Pennington Town Council which had commented on the applications. He disclosed further interests in application 15/10297 on the grounds that he knew the applicant's representative and was a member of the St Barbe's Trust.

6 PLANNING APPLICATIONS FOR COMMITTEE DECISION

Planning applications 14/11568, 15/10240, 15/10241, 15/10339, 15/10392, 15/10397 and 15/10428 were determined after the adjournment for lunch. Cllrs Davis and Rostand were not present for the afternoon session.

a Bransgore Primary School, Ringwood Road, Bransgore (Application 14/11498)

Details: 2 all weather sports pitches; 3m high fence; seating area

Public Participants: None

Additional Representations: 1 additional letter of objection, in the same terms as set out in paragraph 10 of the report.

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

Decision: Planning consent

Conditions: As per report (Item 3(a))

b West Totton Community Centre, Hazel Farm Road, Totton (Application 14/11568)

Details: Single-storey extension; outside play area; brick wall and railings; drainage

Public Participants: None

Additional Representations: None

Comment: Cllrs Harris and Harrison disclosed non-pecuniary interests as members of Totton and Eling Town Council which had commented on the application. They each concluded that their previous involvement with this application could create the impression that they had a predetermined view. They consequently took no part in the debate and did not vote. Cllr Davis was not present for the determination of this item.

Decision: Planning consent

Conditions: As per report (Item 3(b))

c 59 Station Road, New Milton (Application 15/10032)

Details: Second and three-storey extensions to create flats; parking

Public Participants: Mr Tarzey – Applicant's Agent

Additional Representations:	None
Comment:	The officer's recommendation was amended to require the submission of further details of the spring loaded recessed plates to be installed on the Ashley Road entrance and also by revisions to the conditions.
Decision:	<p>Head of Planning and Transportation authorised to grant planning consent subject to:</p> <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 October 2015; (ii) The imposition of conditions; and (iii) the submission of further details of the spring loaded recessed plates proposed at the entrance to the site from Ashley Road to show the implications for the protected oak tree <p>Failing which, Head of Planning and Transportation authorised to refuse consent.</p>
Conditions/ Agreements/ Negotiations:	<p>As per report (Item 3(c)), with the following amendments:</p> <p>Revise condition Nos. 5 and 6 to read as follows:</p> <p>5. Prior to commencement of works (including site clearance and any other preparatory works) a scheme for the protection of trees in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' shall be submitted to the Local Planning Authority for approval. Once approved, the scheme shall be implemented and at least 3 working days notice shall be given to the Local Planning Authority that it has been installed.</p> <p>Information is required on the:</p> <ul style="list-style-type: none"> a) Location of site compound and mixing areas, b) Routes of underground services, c) Tree work specification, d) Position of tree protective fencing/ground protection. The protective fencing shall be as specified in Chapter 6 and detailed in figures 2 or 3 of BS5837:2012 unless otherwise agreed in writing with the Local Planning Authority. <p>Reason: To safeguard trees and natural features which are important to the</p>

visual amenities of the area, in accordance with policy CS2 of the Core Strategy for the New Forest outside the National Park.

6. In accordance with the submitted strategic landscape details on Drawing No 947/10 Rev 1, the following additional details shall be submitted to and approved by the Local Planning Authority:

- (a) a specification for new planting (species, size, spacing, location, tree pits, irrigation tubes, cellular systems and root barriers);
- (b) areas for hard surfacing and the materials to be used;
- (c) other means of enclosure, including the external free standing wall/grill structure which screens the undercroft parking area from Ashley Road;
- (d) a method and programme for its implementation and the means to provide for its future maintenance;

No development shall take place unless these details have been approved and all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the development takes place in an appropriate way and to prevent inappropriate car parking to comply with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

Additional Condition as follows:

8. Prior to commencement of work a trial trench shall be dug in the area proposed for the foundations of the brick piered wall, in order to establish the presence and direction of any significant tree roots. The trial trench shall be hand dug to a depth of no less than 600mm

without severing any roots of more than 20mm in diameter. The applicant shall give the Local Planning Authority notice of the completion of the trial trench and will allow reasonable access to the trench by the Council's Tree Officer for a period of 7 days following notification. Details of the design and construction of the foundations shall then be submitted to the Local Planning Authority having regard to the presence and orientation of any structural roots and development shall not proceed until the details have been approved by the Local Planning Authority. Work shall only take place in accordance with the approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with policy CS2 of the Core Strategy for the New Forest outside the National Park.

Reasons: As per report (Item 3(c))

d The Chapel, Fordingbridge Road, Whitsbury (Application 15/10198)

Details: Use as 1 residential unit (Use Class C3); associated external alterations

Public Participants: Mr Borchert – Applicant's Agent

Additional Representations: None

Comment: Cllr E J Heron addressed the Committee to support the application.

Decision: Refused

Reasons: As per report (Item 3(d))

e Elingfield House, 26 High Street, Totton (Application 15/10240)

Details: One and two-storey side extension; boundary wall; parking; ramp; barrier; landscaping; access

Public Participants: None.

Additional Representations: None.

Comment: Cllrs Harris and Harrison disclosed non-pecuniary interests as members of Totton and Eling Town Council which had commented on the application. As they could be considered to have a pre-

determined view on the application they took no part in the consideration and did not vote. Cllr Davis was not present for the determination of this item.

Decision: Planning consent.

Conditions: As per report (Item 3(e))

f Elingfield House, 26 High Street, Totton (Application 15/10241)

Details: One and two-storey side extension; boundary wall; parking; ramp; barrier; landscaping; access; form two openings to extension

Public Participants: None

Additional Representations: None.

Comment: Cllrs Harris and Harrison disclosed non-pecuniary interests as members of Totton and Eling Town Council which had commented on the application. As they could be considered to have a pre-determined view on the application they took no part in the consideration and did not vote. Cllr Davis was not present for the determination of this item.

Decision: Listed Building consent granted.

Conditions: As per report (Item 3(f))

g Strawberry Cottage, Butts Ash Lane, Hythe (Application 15/10244)

Details: Retention of extension to garage to form garden room; flue

Public Participants: Mr Davey – Objector.

Additional Representations: None.

Comment: Cllr Armstrong disclosed a non-pecuniary interest as a member of Hythe and Dibden Parish Council which had commented on the application. He disclosed a further interest on the grounds that the objector was also a parish councillor and known to him in that capacity. He concluded that there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Cllrs D E Andrews and Holding both disclosed interests on the grounds that they knew the objector. They each concluded that the degree of acquaintance was not sufficient to create any impression of bias and consequently there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.

The Committee noted that the installation of an alternative style of cowl to the flue had not reduced the smoke emissions that the neighbouring property owner reported. As that property was in the path of the prevailing westerly wind, this would not be an infrequent occurrence, consequently prejudicing that property owners' enjoyment of their house and garden. In addition, the Committee considered that the development was visually obtrusive when viewed from the neighbouring property.

Decision: Refused.

Reasons: By reason of its siting, height and design, the proposed flue is visually intrusive and given its position in relation to the prevailing westerly wind causes unacceptable smoke pollution to the detriment of the amenities of the occupiers of the adjoining property at 33 Heatherstone Avenue. For this reason, the development is contrary to policies CS2 and CS5 of the Core Strategy for the New Forest District outside the National Park

h 5 Mayflower Close, Lymington (Application 15/10274)

Details: One and two-storey side extension; boundary wall; parking; ramp; barrier; landscaping; access; form two openings to extension

Public Participants: Mr Newton – Objector.

Additional Representations: None

Comment: Cllrs Penson, Rostand and White disclosed non-pecuniary interests as members of Lymington and Pennington Town Council, which had commented on the application, with Cllrs Rostand and White both being members of their Planning Committee. They concluded that they could be considered to have a pre-determined view and consequently abstained from voting.

Decision: Planning consent.

Conditions: As per report (Item 3(h))

i 7 Fairfield Road, Barton-on-Sea, New Milton (Application 15/10275)

Details: Two-storey side extension

Public Participants: Mr Reeks – Supporter
Mr Worsfold – Applicant’s Agent.

Additional Representations: None

Comment: Cllr Beck disclosed a non-pecuniary interest as a member of New Milton Town Council which had commented on the application. He addressed the Committee to support the application, but did not have a vote.

The Committee considered that these revised proposals overcame the Inspector’s concerns with respect to a previous scheme, relating to the scale and bulk of the addition. Consequently the proposed extension would not be harmful to the street scene.

Decision: Planning consent.

Conditions: Subject to such conditions as the Head of Planning and Transportation deems appropriate.

j St Barbe Museum and Art Gallery, New Street, Lymington (Application 15/10297)

Details: Serpentine wall and outside seating area terrace to eastern facade; landscaping

Public Participants: Dr McKenzie – Applicant’s representative.
Mr Walbank – Objector.

Additional Representations: The Head of Leisure and Employment supported the refurbishment of the building.
1 additional letter of support from the Museum’s Director.
1 additional letter of support.

Comment: Cllrs Penson, Rostand and White disclosed non-pecuniary interests as members of Lymington and Pennington Town Council, which had commented on the application, with Cllrs Rostand and White both being members of their Planning Committee. Cllrs Penson and Rostand disclosed further

interests on the grounds that they knew the applicant's representative, but did not consider that the degree of acquaintance was sufficient to create the impression of bias. Cllrs Rostand and White disclosed further interests as members of the St Barbe's Trust. They concluded that they could be considered to have a pre-determined view and were potentially subject to bias. They consequently abstained from voting. It was noted that the Town Council had given a grant to the St Barbe Trust last year, but that this was a separate issue to that under consideration.

Cllr Holding disclosed an interest on the grounds that she knew the applicant's representative. She considered that that the degree of acquaintance was not sufficient to create an impression of bias and consequently there were no ground under common law to prevent her from taking part in the consideration or voting.

The Committee was aware that the Council's Conservation Officers that had advised on this proposal had very different views as to its merits and the acceptability of its treatment of the main entrance in New Street. It was therefore a subjective judgement about the aesthetics of the design. It was noted that opinions were very divergent. The majority of the Committee concluded that the use of a very modern, imaginative, design was exciting and aesthetically acceptable, particularly as the main façade to School Lane remained completely unaltered.

Decision: Planning consent.

Conditions: Subject to such conditions as the Head of Planning and Transportation deems appropriate.

k Denelea, 9 Duncan Road, Ashley, New Milton (Application 15/10339)

Details: Dormers in association with new first floor; roof lights; fenestration alterations; use of garage as ancillary accommodation

Public Participants: None

Additional Representations: None

Comment: None
Decision: Planning consent
Conditions: As per report (Item 3(k))

I 19 Daniells Walk, Lymington (Application 15/10348)

Details: Retention and alteration of approved landscaping details; raise ground level; front fence

Public Participants: Mrs Hemsley-Gills – Applicant.

Additional Representations: I additional letter of objection from a neighbour re-iterating previous concerns.

Comment: Cllrs Penson, Rostand and White disclosed non-pecuniary interests as members of Lymington and Pennington Town Council, which had commented on the application, with Cllrs Rostand and White both being members of their Planning Committee. They concluded that they could be considered to have a pre-determined view and consequently abstained from voting.

Decision: Planning consent.

Reasons: As per report (Item 3(l))

m 44 West Park Lane, Damerham (Application 15/10350)

Details: Two-storey side extension; single-storey front extension

Public Participants: Mr Eyres – Applicant.

Additional Representations: None

Comment: None

Decision: Refuse

Reasons: As per report (Item 3(m))

n Land rear of 46 Whitsbury Road, Fordingbridge (Application 15/10367)

Details: Single storey dwelling; access

Public Participants: Mr Hardy - Applicant

Additional None

Representations:**Comment:** None**Decision:** Refused**Reasons:** As per report (Item 3(n))**o Merrymore, 22 Barton Wood Road, Barton-on-Sea, New Milton (Application 15/10369)****Details:** Retention of ramp; smoking shelter; shed**Public Participants:** Cllr Beck – representing New Milton Town Council.**Additional Representations:** None**Comment:** Cllr Beck disclosed a non-pecuniary interest as a member of New Milton Town Council which had commented on the application. He concluded there were no grounds under common law to prevent him from addressing the committee. He did not have a vote. Cllr Beck opposed the application.**Decision:** Planning consent**Conditions:** As per report (Item 3(o))**p Plot G3, Ampress Lane, Lymington (Application 15/10392)****Details:** Variation of Condition 6 of Planning Permission 12/98611 to allow occupation without achieving a BREEAM “excellent” standard**Public Participants:** None**Additional Representations:** None**Comment:** Cllrs Penson and White disclosed non-pecuniary interests as members of Lymington and Pennington Town Council, which had commented on the application, with Cllr White also being a member of their Planning Committee. They concluded that they could be considered to have a pre-determined view and consequently abstained from voting. Cllr Rostand was not present for the determination of this item.

Decision: Planning consent.

Conditions: As per report (Item 3(p))

q 4 Pinewood Road, Hordle (Application 15/10397)

Details: First floor side and rear extension; front porch

Public Participants: None

Additional Representations: None

Comment: None

Decision: Planning consent.

Conditions: As per report (Item 3(q))

r 31 Malwood Road West, Hythe (Application 15/10428)

Details: Roof alterations and rooflights in association with new first floor; single-storey side and rear extension

Public Participants: None

Additional Representations: None

Comment: Cllr Armstrong 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 grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Decision: Planning consent

Conditions: As per report (Item 3(r))

s Land of 29 Tithe Barn, Lymington (Application 15/10474)

Details: Three-storey house; bin store; garden store; landscaping

Public Participants: Mr Dench – Applicant's Agent

Additional Representations: None

Comment: Cllrs Penson, Rostand and White disclosed non-

pecuniary interests as members of Lymington and Pennington Town Council which had commented on the application, with Cllrs Rostand and White both being members of their Planning Committee. They concluded that they could be considered to have a pre-determined view and consequently abstained from voting.

Reason 1 for refusal was amended by the insertion of the words “form of development” after the word “cramped”.

Decision: Refused

Reasons: As per report (Item 3(s)) with reason 1 for refusal amended by the insertion of the words “form of development” after the word “cramped”.

t Land at Bleak Hill, Somerley, Ellingham, Harbridge & Ibsley (Application 15/10539)

Details: Variation of Conditions 1, 10, 12 and 19 of Planning Permission 14/10309 to revise the working and restoration schemes at I and II Quarry, Somerley

Public Participants: None

Additional Representations: Ellingham, Harbridge and Ibsley Parish Council raised the following concerns:

- The approved restoration scheme is for agricultural use, the Parish is disappointed that the significant change with the creation of a further 7ha of Priority Habitat has not been adequately justified nor the necessity explained. Some elements of the scheme are welcomed but the Parish is disappointed that there was no opportunity to review the proposals with the applicant.
- The Parish agree that the current 5 year aftercare condition would be unlikely to be sufficient for the proposed planting schemes to be properly established and believe that there should be provision for at least a further 5 years with a review at the end of that period. Would have liked to have been able to consider a more thorough Maintenance schedule than that submitted.
- Detailed concerns about the planting and protection from deer browsing.

Comment: The Committee noted that the proposal did not increase the timescales for the completion of the development but only the detail of activity on the

site.

Decision:

That no objection be raised, but the Parish Council's concerns be brought to the attention of the County Council.

7 DELEGATION OF POWERS TO OFFICERS

The Committee was advised that, in addition to the proposed amendments to the scheme of delegation of powers, as set out in Appendix 1 to Report item 4, the Design Team leader should also be added to delegation PDC Auth 2

RESOLVED:

That the scheme of delegation of powers to the officers be updated as shown in Appendix 1 to Report item 4, with the Design Team leader also added to delegation PDC Auth 2.

Chairman