

**6 MAY 2015**

**NEW FOREST DISTRICT COUNCIL**

**PLANNING DEVELOPMENT CONTROL COMMITTEE**

Minutes of a meeting of the Planning Development Control Committee held in the the Council Chamber, Town Hall, Lymington on Wednesday, 6 May 2015

\* Cllr Mrs A Hoare (Chairman)

\* Cllr Mrs B M Woodfield (Vice-Chairman)

**Councillors:**

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

**Councillors:**

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

\*Present

**Officers Attending:**

S Clothier, C Elliott, Mrs C Eyles, Mrs J Garrity, D Groom, A Kinghorn and D Willis

**Apologies**

Apologies for absence were received from Cllrs C Harrison and C Ward.

**44 CHAIRMAN'S THANKS**

The Chairman thanked all her fellow Councillors for their hard work on the Committee over the last 4 years. She particularly thanked Cllrs Dart, Lewis, Penwarden, Swain, Woodfield and Woods who were not seeking re-election. Their experience on the Committee would be sorely missed. She particularly referred to Cllr Rice who had served on the District Council for over 40 years.

The Chairman also thanked all the officers, who provided an excellent level of service and support, working extremely hard to protect the future of the Forest.

Members of the Committee also thanked the Chairman for the skill and manner in which she presided over their meetings, and wished her well for her future Chairmanship of the Council.

**45 MINUTES**

**RESOLVED:**

That the minutes of the meeting held on 8 April 2015 be signed by the Chairman as a correct record.

**46 DECLARATIONS OF INTEREST**

Cllr Dart disclosed a non-pecuniary interest in application 15/10132 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Rice disclosed a non-pecuniary interest in application 15/10280 as a member of New Milton Town Council which had commented on the application.

Cllr Rippon-Swaine disclosed a non-pecuniary interest in application 15/10271 as a member of Ringwood Town Council which had commented on the application.

Cllr Thierry disclosed a non-pecuniary interest in application 15/10271 as a member of Ringwood Town Council which had commented on the application.

Cllr Rostand disclosed a non-pecuniary interest in applications 14/11785, 15/10222, 15/10137, 15/10249 and 15/10290 as a member of Lymington and Pennington Town Council which had commented on the applications.

Cllr Wappet disclosed a non-pecuniary interest in application 15/10262 on the grounds that he knew the applicant's agent.

Cllr Woodfield disclosed a non-pecuniary interest in application 15/10271 as a member of Ringwood Town Council which had commented on the application. She also disclosed a non-pecuniary interest in application 15/10137 on the grounds that she knew the applicant.

Cllr Woods disclosed a non-pecuniary interest in application 15/10280 as a member of New Milton Town Council which had commented on the application.

**47 PLANNING APPLICATIONS FOR COMMITTEE DECISION****a Solent House, 5 Bath Road, Lymington (Application 14/11785)**

**Details:** Use as 1 residential unit

**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:** Planning consent

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

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**b Golden Hill Cottages, Hare Lane, Hordle (Application 15/10064)**

**Details:** Variation of conditions 3 and 4 of Planning permission 13/11416 to allow revised access and landscaping details.

**Public Participants:** Parish Cllr Ironside – Hordle Parish Council.

**Additional Representations:** None

**Comment:** The Committee noted that, while at first sight the stretch of public footpath that it was proposed should be deleted from this proposal was isolated and not part of a joined up network, it formed an essential part of a footpath link that the parish council was promoting along Hare Lane, the majority of which would be constructed on land within the parish council's ownership. The parish council had accordingly donated land to this developer to allow the footpath to be complete. While issues of land ownership were not material planning considerations, the Committee was satisfied that allowing this stretch of footpath not to be provided would prejudice a proposal that would bring direct benefits for highway safety, with pedestrians no longer required to walk on the road. They were satisfied that the original plans demonstrated that there was sufficient space for the footpath to be provided within the development, as originally shown.

**Decision:** Refused.

**Reasons:** The development of this site with three dwellings, in the absence of a footpath along the frontage of the site, would be detrimental to the safety of pedestrians passing along this part of Hare Lane. The proposal therefore fails to comply with Policy CS24 of the Core Strategy for the New Forest District outside the National Park.

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**c Drove End Farm, Drove End, Martin (Application 15/10085)**

**Details:** House; detached garage; access; parking; landscaping; demolition of existing – amendments to planning permission 99534 to include the siting of detached garage and the addition of an orangery.

**Public Participants:** Parish Cllr Simpson – Martin Parish Council.

**Additional Representations:** None

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| <b>Comment:</b>    | The Committee was advised that the S106 agreement to secure the demolition of the existing dwelling had been completed and the recommendation was accordingly updated to the granting of planning consent subject to conditions. An additional condition was suggested to control the materials to be used.   |
| <b>Decision:</b>   | Planning consent.   |
| <b>Conditions:</b> | As per report (Item 3 (c)), with additional condition:<br><br>No works shall take place on the orangery hereby approved until the samples or exact details of the facing and roofing materials to be used for the orangery to be added on the side elevation of the dwelling have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.<br><br>Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park. |

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| <b>d</b>                           | <b>1 Malwood Road West, Hythe (Application 15/10262)</b>   |
| <b>Details:</b>                    | One and two-storey rear extension: single storey front extension.  |
| <b>Public Participants:</b>        | Mr Knight – Applicant’s Agent.   |
| <b>Additional Representations:</b> | 1 further letter of objection supporting the Parish Council’s views and raising concerns about additional traffic movements and consequent potential for vehicular accidents.  |
| <b>Comment:</b>                    | Cllr Wappet disclosed a non-pecuniary interest on the grounds that he knew the applicant’s agent, who had also done work for Fawley Parish Council, of which he was a member. Cllr Wappet did not consider that the degree of acquaintance was sufficient to amount to grounds under common law that would prevent him from taking part in the consideration or voting |
| <b>Decision:</b>                   | Planning consent   |
| <b>Conditions:</b>                 | As per report (item 3d))   |

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- e**     **10a The Parade, Ashley Road, Ashley, New Milton (Application 15/10280)**
- Details:**                     Use of building as office.
- Public Participants:**       Mr Holmes – Applicant’s Agent.
- Additional Representations:**     The Highways Engineer raised no objection.
- Comment:**                    Cllrs Rice 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.
- Decision:**                    Refused
- Reasons:**                    1 Notwithstanding the proposal to add an additional window in place of the garage door 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.
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- f**     **47 Parsonage Barn Lane, Ringwood (Application 15/10271)**
- Details:**                     Two-storey side and rear extension; single storey rear extension; front porch; pitched roof over garage
- Public Participants:**       Mr Mitchell - Applicant
- Additional Representations:**     1 additional letter from the applicant’s agent responding to the issues raised by Ringwood Town Council.
- 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:**                    Planning consent
- Conditions:**                 As per report (item 3(f))

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| <b>g</b>                           | <b>16 Linden Way, Pennington, Lymington (Application 15/10222)</b>  |
| <b>Details:</b>                    | Raise ridge height; two-storey front and rear extension; front and rear dormers; rooflights; single-storey side extension   |
| <b>Public Participants:</b>        | Miss Ritchie – Applicant’s Agent<br>Mrs Scarle - Objector   |
| <b>Additional Representations:</b> | One letter recorded as being in support should be considered as raising no objection to the proposal  |
| <b>Comment:</b>                    | 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. |
| <b>Decision:</b>                   | Refused   |
| <b>Reasons:</b>                    | As per report (Item 3(g))   |

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| <b>h</b>                           | <b>2 Daniells Close, Lymington (Application 15/10137)</b>   |
| <b>Details:</b>                    | Front dormers in association with new first floor; roof alterations; rear extension; front porch; fenestration alterations.   |
| <b>Public Participants:</b>        | Ms Tremain – Applicant’s Agent.   |
| <b>Additional Representations:</b> | 1 additional letter from the applicant, circulated directly to Members of the Committee, responding to the concerns raised in the Officer’s report.   |
| <b>Comment:</b>                    | 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.<br><br>Cllr Woodfield disclosed a non-pecuniary interest on the grounds that she was a personal acquaintance of the applicant. She concluded that the degree of acquaintance was sufficient to create an impression of bias and accordingly took no part in the consideration and did not vote. |
| <b>Decision:</b>                   | Refused   |
| <b>Reasons:</b>                    | As per report (Item 3(h))   |

- i 110 Calmore Road, Totton (Application 15/10132)**
- Details:** One and two-storey side extensions; first floor rear extension; front bay window with porch canopy; first floor side bay window.
- Public Participants:** Mr Hayward – Applicant’s Agent  
Mrs Baroni - Objector
- Additional Representations:** The Highways Authority had made no comment.
- Comment:** Cllr Dart disclosed a non-pecuniary interest as a member of Totton and Eling Town 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(i))
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- j South Lodge, 52 Church Lane, Lymington (Application 15/10249)**
- Details:** Single-storey rear extension; porch; detached double garage with store over.
- Public Participants:** Mr Marsh – Applicant’s Agent
- Additional Representations:** 1 additional letter of objection on the grounds that the garage would be overly dominant in the street scene.
- 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.
- Reasons:** As per report (Item 3(j))
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- k Stoney Stack, 17 Ashley Lane, Hordle (Application 15/10040)**
- Details:** Retention of single-storey extension
- Public Participants:** Mr Richardson – Applicant  
Dr Rothwell - Objector
- Additional Representations:** None

**Comment:** The history of the application had omitted the refusal of planning application 14/10368 on 20 May 2014.

**Decision:** Planning consent

**Conditions:** None, as per report (Item 3k))

**I Pinetops Nurseries, Ramley Road, Pennington, Lymington (Application 15/10290)**

**Details:** Development of 47 dwellings comprised: 1 terrace of 3 houses; 12 pairs of semi-detached houses; 1 terrace of 4 bungalows; 13 detached houses; 3 detached bungalows; single and double garages; associated parking; access roads; footpaths; open space; landscaping; demolition of existing

**Public Participants:** Mr Hirsh – Applicant’s Agent

**Additional Representations:** Lymington and Pennington Town Council recommended refusal.  
The Housing Development and Acquisitions Manager supported the application.  
Highways Authority – No objection subject to conditions.

**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 recommendation was amended by the revision of condition 8 and an additional condition to reflect the Highways Authority’s comments.

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

i) the completion, by 12th June 2015, of a planning obligation entered into by way of an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure appropriate provision towards public open space and affordable housing and to ensure the development’s impact on designated European sites is adequately mitigated.

ii) the receipt of no substantive new material objections to the scheme from third parties by 22nd May 2015.



iii) the imposition of conditions.

But in the event that the Agreement is not completed by 12th June 2015, the Head of Planning and Transportation authorised to refuse consent

**Conditions/  
Agreements/  
Negotiations:**

As per report (Item 3(I))

**Reasons:**

As per report (Item 3(I))

**48 LAND AT 4, 5 AND 7 HIVES WAY, LYMINGTON (EN/14/0762, EN/14/0531 AND EN/14/0533)**

Cllr Rostand disclosed a non-pecuniary interest as a member of Lyminster 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 Committee was addressed by Mr Wood, representing the owners of the 3 properties under consideration.

The Committee considered whether it would be expedient to take enforcement action in respect of the following:

- The removal of boundary fences from the rear gardens
- The erection of 1.8 metre high close boarded fences to the rear
- The enclosure of open space
- The change of use of land to residential garden
- The removal of tree screen and hedgerow.

The Committee concluded that, provided suitable landscaping was planted to obscure the close boarded fencing, the enclosure of the land within the residential curtilages of the host properties was acceptable and resolved problems with the maintenance of this land and also with fly tipping.

**RESOLVED:**

That subject to suitable landscaping being planted to obscure the close boarded fencing when viewed from Marsh Lane, it be determined that it is not expedient to take enforcement action.

Chairman