

14 DECEMBER 2016

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, 14 December 2016

- * 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 J Hoare
- * Mrs M D Holding

Councillors:

- * J M Olliff-Cooper
- * 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

Officers Attending:

T Barnett, Mrs V Baxter, Miss J Debnam, Mrs C Eyles, D Groom, A Kinghorn, and for part of the meeting, C Elliott, A Climpson, Ms L Fawkes, W Lever, R Payne and N Straw

Apologies:

None were received.

27 MINUTES

RESOLVED:

That the minutes of the meeting held on 9 November 2016 be signed by the Chairman as a correct record.

28 DECLARATIONS OF INTEREST

Cllr Armstrong disclosed a non-pecuniary interest in application 16/11237 as a member of Hythe and Dibden Parish Council which had commented on the application.

Cllr Carpenter disclosed a non-pecuniary interest in application 16/10886 on the grounds that her husband owned a property managed by the applicant company on a different site.

Cllr Olliff-Cooper disclosed an interest in application 16/11151 on the grounds that he may be perceived to be biased.

Cllr Penson disclosed a non-pecuniary interest in applications 16/10754, 16/10886, 16/11354 and 16/11361 as a member of Lymington and Pennington Town Council which had commented on the applications. Cllr Penson disclosed a further interest in application 16/10886 on the grounds that he could be perceived to have a pre-determined view.

Cllr Rostand disclosed a non-pecuniary interest in applications 16/10754, 16/10886, 16/11354 and 16/11361 as a member of Lymington and Pennington Town Council which had commented on the applications.

Cllr White disclosed a non-pecuniary interest in applications 16/10754, 16/10886, 16/11354 and 16/11361 as a member of Lymington and Pennington Town Council which had commented on the applications.

29 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a	Old Forge, Salisbury Road, Breamore (Application 16/10603)	
	Details:	Retention of ground floor partition work and first floor side window, blocking up of rear door; reversal of staircase; provision of steps to kitchen and utility area (retrospective) (Listed Building Consent)
	Public Participants:	Parish Cllr Harling – Breamore Parish Council
	Additional Representations:	Additional letter from Breamore Parish Council confirming the grounds of their objection.
	Comment:	None.
	Decision:	Listed Building Consent granted
	Conditions:	None, as per report (Item 3(a)).

b	Bus Station, 44 High Street, Lymington (Application 16/10754)	
	Details:	17 sheltered apartments for the elderly, retail unit; communal facilities; access; underground car parking; bin store; landscaping; demolition of existing (amended plans and description)
	Public Participants:	Mr MacFarland – Applicant's Agent Mr Simpson – Objector Town Cllr Sutherland – Lymington and Pennington Town Council
	Additional Representations:	Lymington and Pennington Town Council confirmed their objection. 1 further letter of objection on the same grounds as set out in the report.

The Highways Authority expanded their comments as set out in the update circulated prior to the meeting.

Comment:

Cllrs Penson, Rostand and White disclosed non-pecuniary interests as members of Lymington and Pennington 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 revised wording for the first 3 reasons for refusal, as set out in the update circulated prior to the meeting.

Decision:

Refused

Refusal Reasons:

As per report (Item 3(b)), with the first 3 reasons for refusal amended to read:

1. The proposed development would result in a combination of buildings that would be of an excessive size by virtue of their height, width, depth, overly large roof profiles, close proximity to the site boundaries and lack of meaningful green space in this area which would not respect local distinctiveness. The site lies within the Lymington Conservation Area close to many listed buildings and the proposals would fail to recognise this sensitive context and fail to preserve and enhance the character and appearance of the Conservation Area. As a result the proposals would fail to comply with policies CS1, CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park, policy DM1 of the Local Plan Part 2 (Sites and Development Management DPD), Lymington Local Distinctiveness SPD, Lymington Conservation Area Appraisal and the National Planning Policy Framework.
2. The proposed development would have an adverse impact on the setting of adjacent heritage assets in the form of a number of grade II listed buildings, in particular buildings at nos. 30, 31, 32, 33, 36 and 37 High Street, Londesborough House and the Nat West Bank High Street. These buildings would suffer direct harm to their setting from the rear and in views across to and from these buildings. As a result the development would fail to comply with policy CS3 of the

Core Strategy for the New Forest District outside the National Park, policy DM1 of the Local Plan Part 2 (Sites and Development Management DPD) and the National Planning Policy Framework.

3. Notwithstanding the applicant's commitment to make the required affordable housing contribution, in the absence of a mechanism to ensure the agreed contribution is paid, the proposed development would fail to make any contribution toward addressing the substantial need for affordable housing in the District. The proposal would therefore conflict with an objective of the Core Strategy for the New Forest District outside the National Park 2009 and with the terms of Policies CS15 and CS25 of the Core Strategy.

c Solent Works, North Close, Lymington (Application 16/10886)

Details: One two/three/four-storey block of 41 retirement flats including communal facilities; access; parking; landscaping; demolition of existing

Public Participants: Mr McCarthy – Applicant
Town Cllr Sutherland – Lymington and Pennington Town Council

Additional Representations: The Highways Authority expanded their comments as set out in the update circulated prior to the meeting.

Comment: Cllrs Penson, Rostand and White disclosed non-pecuniary interests as members of Lymington and Pennington Town Council which had commented on the application. Cllrs Rostand and White concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.

Cllr Penson disclosed a further interest on the grounds that he may be perceived to have a pre-determined view. He left the meeting for the consideration and voting.

The Committee concluded that this development, with the limited car parking provision proposed, would only be acceptable if the residents were restricted to the stated target market of being over 60. The officer's

recommendation was accordingly amended to authorise the Service Manager Planning and Building Control to enter into the appropriate legal agreement or impose conditions to secure this.

Decision:	Service Manager Planning and Building Control authorised to grant planning consent subject to the completion by 31 January 2017 of the requisite S106 agreement and with the imposition of conditions. If the Agreement has not been completed by that date, Service Manager Planning and Building Control authorised to refuse consent.
Conditions/ Agreements/ Negotiations:	As per report (Item 3(c)), with the additional authority to secure that the accommodation shall be for persons of 60 years or older.
Refusal reasons:	As per report (Item 3 (c))

d Land opposite Broadmead Trees Farmhouse, Broadmead, Sway, Hordle (Application 16/11151)

Details:	2 detached houses; detached garage; demolition of existing buildings
Public Participants:	None
Additional Representations:	An additional letter from the applicant on the current use of the site, as set out in the update circulated prior to the meeting.
Comment:	Cllr Olliff-Cooper disclosed an interest in application 16/11151 on the grounds that he lived in the vicinity and may be perceived to be biased.
Decision:	Planning Consent
Conditions:	As per report (Item 3d)).

e Land Adjacent Trident Business Park, Shore Road, Hythe (Application 16/11237)

Details:	6 industrial units in three blocks, parking, landscaping
Public Participants:	None
Additional Representations:	The Highways Authority had expanded their comments as set out in the update circulated prior to the meeting.

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(e)).

f 6 Castle Close, Milford-on-Sea (Application 16/11280)

Details:	Rear dormer; rooflights; Juliet balcony in association with new second floor
Public Participants:	Mr Swann – Applicant Mrs Hall - Objector
Additional Representations:	None
Comment:	The Committee concluded that the proposed alterations had an unacceptably poor design that was out of keeping with the surrounding area. There would be an unacceptable level of overlooking and an overbearing impact on neighbouring properties.
Decision:	Refused
Refusal reasons:	<p>1. By reason of its excessive size and harsh design, the proposed dormer would be out of keeping and visually intrusive to the detriment of the character and appearance of the existing building and local distinctiveness of the area. For this reason, the proposals are contrary to policy CS2 of the Core Strategy for the New Forest District outside the National Park.</p> <p>2. By reason of its elevated position, the proposed dormer would result in additional harmful overlooking of properties to the rear at Island View Close and No.1 The Bywaters, to the detriment of the amenities of the occupiers of those properties. For this reason, the proposals are contrary to policy CS2 of the Core Strategy for the New Forest District outside the National Park.</p>

g	Ashford House, Ashford Road, Fordingbridge (Application 16/11290)
Details:	Two-storey side extension; single-storey extensions; roof alterations; fenestration alterations
Public Participants:	Mr Mitchell – Applicant Mr Pike – Applicant’s Agent
Additional Representations:	None
Comment:	None
Decision:	Refused
Refusal Reasons:	As per report (Item 3(g)).

h	Chewton Glen Hotel, Christchurch Road, New Milton (Application 16/11333)
Details:	2 detached guest lodges; parking; landscaping
Public Participants:	Mr Stembridge – Applicant’s representative Town Cllr Reid – New Milton Town Council.
Additional Representations:	None
Comment:	The Committee was aware that the application was for development within the Green Belt and that, should they be minded to grant consent, they must be satisfied that certain criteria were met. As this was a world class hotel with an international reputation for excellence, Members were satisfied that this development could not take place on another site outside the Green Belt. The 2 guest lodges would be concealed amongst trees within the campus of the hotel and would not therefore have any discernible effect on perceptions of the openness of the Green Belt and would not cause any other harm to Green Belt purposes. The hotel was a significant local employer and that, together with the use of local suppliers meant that the hotel made a very significant contribution to the local economy. In addition, both through acting as a role model for excellence in hotel accommodation in the Forest and through its direct involvement in education, through apprenticeships and relationships with local education establishments, the Committee concluded that the hotel brought other significant benefits to the local community.

While there were some concerns that there would be continuing demand for further development on this site, Members considered that the exclusivity of the accommodation offered was one of its key marketing features and was not therefore vulnerable to further intensification without the danger of degrading this important characteristic.

Decision:	Service Manager Planning and Building Control authorised to grant planning consent
Conditions/ Agreements/ Negotiations:	Subject to such agreements and conditions as he deems appropriate.

i 16 Western Road, Lymington (Application 16/11354)

Details:	Use as 1 residential unit; fenestration alterations to ground floor rear and side elevations
Public Participants:	Mrs Kenningly – Applicant’s Agent
Additional Representations:	None
Comment:	<p>Cllrs Penson, Rostand and White disclosed non-pecuniary interests as members of Lymington and Pennington 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 was advised that the application had been re-advertised with the period for the receipt of comments expiring on 23 December 2016. The recommendation was amended to authorise the Service Manager Planning and Building Control to grant consent provided no additional substantive objections were received.</p>
Decision:	Service Manager, Planning and Building Control authorised to grant planning consent
Conditions/ Agreements/ Negotiations:	Provided no additional substantive objections are received by 23 December 2016 and with the imposition of the conditions set out in the report (Item 3i)).

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- j Land of Garden House, Private Road, Marsh Lane, Lymington (Application 16/11361)**
- Details:** House; access; parking
- Public Participants:** Mr Bradford – 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. 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 concluded that the plot was sufficient to accommodate the proposed dwelling without significant harm to the amenities of adjoining properties.
- Decision:** Planning consent
- Conditions:** Such conditions as the Service Manager Planning and Building Control deems appropriate.

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- k 45 Barton Court Avenue, Barton-on-Sea, New Milton (Application 16/11385)**
- Details:** Variation of Condition 2 of Planning Permission 16/10758 to vary plan numbers 8502/501 to allow attached garage and front dormer to unit 1 and remove window on south elevation, rooflight, cladding and fenestration alterations to rear of unit 2
- Public Participants:** Mr Bennett – Applicant’s representative.
- Additional Representations:** None
- Comment:** None
- Decision:** Grant Variation of Condition
- Conditions:** As per report (Item 3(k)).

l	The Fusion Inn, Queen Street, Lymington (Application 16/11391)	
	Details:	Bi-fold door; alter door; double glaze window to block side door; landscape front terrace and rear garden
		This application was withdrawn by the applicants by letter dates 9 December 2016.

m	The Fusion Inn, Queen Street, Lymington (Application 16/11392)	
	Details:	Bi-fold door; form entrance lobby; alter door; create door and stud walls; double glazed window to block side door; stud wall to create prep area; bar alterations; landscape front terrace and rear garden (Application for Listed Building Consent)
		This application was withdrawn by the applicants by letter dates 9 December 2016.

n	Pound Cottage, High Street, North End, Damerham (Application 16/11371)	
	Details:	Single-storey extensions; porch; bay window extension
	Public Participants:	None
	Additional Representations:	The applicant's agent had requested that consideration of this application be deferred to allow the applicant to attend to address the Committee.
	Comment:	None
	Decision:	Refused
	Refusal Reasons:	As per report (Item 3(n)).

o	Pound Cottage, High Street, North End, Damerham (Application 16/11372)	
	Details:	Single-storey extensions, porch; bay window extension (Application for Listed Building Consent)
	Public Participants:	The applicant's agent had requested that consideration of this application be deferred to allow the applicant to attend to address the Committee.
	Additional Representations:	None

Comment:	None
Decision:	Listed Building Consent Refused
Refusal Reasons:	As per report (Item 3(o)).

30 PROPOSED NEW FOREST DISTRICT COUNCIL REVISED 1APP (PLANNING APPLICATION) LOCAL REQUIREMENTS

The Committee recalled that at their meeting on 12 October 2016 (minute 22 refers) they had approved revisions to the 1 APP requirements, to form the basis of consultations. The responses received were set out in the report, together with the proposed amendments as a result.

Members' attention was drawn to the proposal to ask for further information on highways matters to allow either this Council or the Highways authority to assess applications at an earlier stage.

RESOLVED:

- (a) That the comments received be noted; and
- (b) That the District Council's Local 1 APP requirements be amended in response to the comments received, to include the additional requirement for the submission of highways information, and published on the Council's website in accordance with current guidelines.

CHAIRMAN