

11 JANUARY 2017

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, 11 January 2017

- * 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:

S Clothier, Miss J Debnam, C Elliott, Mrs C Eyles, D Groom, A Kinghorn, E Vandyck and Mrs J Garrity

Apologies:

Apologies for absence were received from Cllrs Rippon-Swaine and Rostand.

31 MINUTES

RESOLVED:

That the minutes of the meeting held on 14 December 2016 be signed by the Chairman as a correct record.

32 DECLARATIONS OF INTEREST

Cllr Penson disclosed a non-pecuniary interest in applications 11/97849, 16/11464 and 16/11548 as a member of Lyminster and Pennington Town Council which had commented on the applications.

Cllr C Ward disclosed a personal interest in application 16/11467 on the grounds that she may be perceived to have a pre-determined view.

Cllr White disclosed a non-pecuniary interest in applications 11/97849, 16/11464 and 16/11548 as a member of Lyminster and Pennington Town Council which had commented on the applications.

33 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a Former Webbs Factory Site, Bridge Road, Lymington (Application 11/97849)

Details: Application for the modification of a Section 106 Obligation in respect of planning permission 11/97849 for mixed use development comprised: 168 dwellings; restaurant; retail/commercial space (Use Class A1 and A2) boat club; art gallery (Use Class D1); jetty with pontoon; access alterations; pedestrian bridge over railway; riverside walkway; car parking; landscaping; drainage

Public Participants: Mr Nicholas – Applicant’s Representative.

Additional Representations: 4 letters raising concerns about the proposal, as set out in the update circulated prior to the meeting.

Comment: Cllrs Penson 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 was satisfied that the Company was making every effort to secure the necessary legal agreements that would allow the construction of the footbridge over the railway. In answer to questions they were advised that the current impasse arose from South West Trains being under a legal requirement, as part of their franchise agreement, to maintain the 18 car parking spaces currently provided at the front of the railway station. South West Trains were insisting that any replacement spaces provided to compensate for spaces lost to the landing of the footbridge and the installation of the pedestrian walk way to Waterloo Road, should comply with their current width standard of 2.4 metres. The current spaces at the station were 2.1 metres wide. The applicant company had demonstrated that they could provide 18 spaces at 2.3 metre width but South West Trains were refusing to compromise. This Council’s officers had been party to the negotiations.

The Committee considered that, as negotiations with South West Trains appeared to be unable to progress, additional pressure should be brought to bear on them to encourage them to take a more flexible approach. Representations should therefore be made both to the local Members of Parliament and to the Railways Regulator to enlist their assistance. It was essential that new developments, particularly those that included social housing as was the case here, were not unreasonably delayed, in order to meet the Government's aspirations for the provision of additional new homes.

Decision:

- (a) That the Section 106 Affordable Housing Obligation be varied to allow the provision of the footbridge before occupation of the 125th open market dwelling
- (b) That representations be made both to the local Members of Parliament and to the Railways Regulator to enlist their assistance in encouraging South West Trains to adopt a more flexible approach that will allow a negotiated solution to be found to allow the construction of the footbridge.

b Land Adjacent to Clayhill Cottage, Poplar Lane, Bransgore (Application 16/11406)

Details:	1 pair of semi-detached houses; access; parking
Public Participants:	None
Additional Representations:	None
Comment:	The first paragraph of Section 12 of the report was revised as set out in the update circulated prior to the meeting.
Decision:	Planning consent
Conditions:	As per report (Item 3(b))

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- c Goblins Green, Salisbury Road, Blashford, Ellingham Harbridge & Ibsley (Application 16/11425)**
- Details:** Two-storey side extension
- Public Participants:** Mr Dimmer - Applicant
- Additional Representations:** 1 additional letter of support.
Additional views of Ellingham Harbridge and Ibsley Parish Council
As set out in the update circulated prior to the meeting.
- Comment:** The Committee noted that the proposed extension was smaller than the 30% increase that was permitted by policy and that there were no potential adverse effects on neighbouring properties because of this property's isolated situation. There were no objections from the neighbours, who had indeed indicated their support for the proposal. The issue before them was therefore the subjective consideration of the design. Members concluded that the proposed design was acceptable.
- Decision:** Planning consent
- Conditions:** Such conditions as the Service Manager Planning and Building Control deems appropriate.
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- d Land of 11 and 15 Uplands Avenue, Barton-on-Sea, New Milton (Application 16/11527)**
- Details:** 2 bungalows; parking; access; associated works
- Public Participants:** Mr Meill – Applicant's Agent
Mr Gregory – Objector
Town Cllr Hawkins – New Milton Town Council
- Additional Representations:** One further letter of objection which raised concerns already referred to in paragraph 10.1 of the report.
- Comment:** The first paragraph of Section 12 of the report was revised as set out in the update circulated prior to the meeting.

The Committee noted that when they had previously considered the application for outline permission for this proposal they had refused consent but that an Inspector had approved it on appeal (Application 16/10142). This was a material consideration in the determination of the current application. In the light of the concerns being expressed by the Town Council and local objectors, the Committee examined the Inspector's decision in detail to assure themselves that he had given proper consideration to the relevant issues and policies. They concluded that the Inspector had not taken into consideration key advice set out in the New Milton Local Distinctiveness Supplementary Planning Document, as set out in more detail in paragraphs 14.6 and 14.7 of Report Item 3 (i) considered by the Committee. In addition, as a consequence of the resultant loss of the wooded area at the rear of the gardens, the proposed development would sever an essential wildlife corridor. Such corridors and green oases were recognised at a national level as providing essential habitat to allow wildlife to move around an urban area, to maintain the quality of that environment.

Such a development would be highly damaging to the character of the area. The Inspector's decision in respect of application 16/10142 was demonstrably flawed. While the outline consent granted on Appeal was a material consideration, because of the flawed nature of the Inspector's decision, Members concluded that this was outweighed by their continuing concerns about this proposal, which should therefore be refused.

Decision: Refused

Refusal Reasons: The proposed development would be inappropriate to its context and would be detrimental to local distinctiveness because it would constitute an uncharacteristic backland development that would erode and fragment the tranquil group of rear gardens which currently combine with the application site to form a strong landscape structure and which provides a positive contribution to the area's local distinctiveness. The development would be materially out of keeping with the typical pattern and form of other development in Uplands Avenue.

As such, the proposal would be contrary to Policy CS2 of the Core Strategy for New Forest District outside of the National Park, as well as conflicting with the New Milton Local Distinctiveness Supplementary Planning Document.

e	HS Butyl International, Gordleton Industrial Park, Hannah Way, Pennington, Lymington (Application 16/11464)
Details:	Warehouse; alter parking; access
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. They concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.
Decision:	That the Service Manager Planning and Building Control be authorised to grant consent
Conditions/Agreements/Negotiations:	As per report (Item 3(e))

f	21 The Fallows, Ashley, New Milton (Application 16/11467)
Details:	Roof alterations and raise ridge height in association with new first floor; chimney
Public Participants:	Mr Curtis – Applicant Mr Howell – Objector Town Cllr Dagnall – New Milton Town Council
Additional Representations:	None
Comment:	Cllr C Ward disclosed an interest on the grounds that she had already expressed support for the application and could therefore be perceived to have a pre-determined view. She made a statement, but did not vote on this application.

Decision: Refused
Refusal Reasons: As per report (Item 3(f))

- g Ringwood and Fordingbridge Skip Hire, Courtwood Farm, Court Hill, Damerham (Application 16/11544)**
- Details:** Erection of a building on site to house a biomass boiler and ancillary equipment along with 3 x 50m² drying bays for material storage
- Public Participants:** Parish Cllr Stockton – Sandleheath Parish Council
- Additional Representations:** Damerham Parish Council expressed a number of concerns, as set out in the update circulated prior to the meeting.
- Comment:** The Committee expressed their strong concerns that the issues identified in the report had the potential to cause considerable disruption and nuisance to the residents of Sandleheath village, and perhaps beyond. They considered that the suggested objection should be amplified to be explicit about all the concerns set out in the report
- Decision:** That a strong objection be raised to the granting of consent.
- Reasons:** As set out in the report (Item 3(g))

- h Pyrford Gardens, Belmore Lane, Lymington (Application 16/11548)**
- Details:** Single-storey extension
- Public Participants:** Mr Farrow – Objector's representative
- Additional Representations:** The Applicant had submitted a letter of explanation in response to the objections received, as set out in the update circulated prior to the meeting.
- Comment:** Cllrs Penson 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 considered that they needed further clarification about the future use of the proposed extension and in addition further information about the current availability and use of the doorway that would be lost and whether sufficient access for persons with mobility problems and fire exits would be retained.

Decision: That consideration of this application be deferred for further information to be sought.

i Land South of Gore Road, New Milton (Application 16/10994)

Details: Development comprised: 4 pairs of link attached, semi-detached houses; 2 detached houses; one pair of semi-detached houses; two terraces of 3 houses; one terrace of 4 houses; garage block with flat over; one terrace of 4 houses, 3 garages and flat over; detached garages; carports; shed/cycle stores; roads; parking; landscaping; public open space.

Public Participants: None

Additional Representations: None

Comment: The Committee was advised that the requisite S106 Agreement had been completed on 9 January 2017. As a result the recommendation was changed to the granting of consent, subject to the conditions set out in the report.

The first paragraph of Section 12 of the report was revised as set out in the update circulated prior to the meeting.

Decision: Planning consent

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

34 FEES AND CHARGES 2017-18

Members noted that the majority of fees and charges under the Committee's purview were statutory, and set by central government. Other fees and charges had been set on the basis of cost recovery and it was therefore intended to increase these by the rate of inflation. Additional fees, such as those for pre-application advice, had been introduced a few years previously following the recommendations of a task and finish group.

Members considered that the Committee's non-statutory fees and charges should be evaluated by a further task and finish group. There may be scope for the introduction of fees for additional non-statutory functions and, in addition, existing fees should reflect the value of the service provided.

RESOLVED:

- (a) That the proposed fees and charges, as set out in Appendix 1 to Report Item 4, be approved; and
- (b) That the Environment Overview and Scrutiny Panel be requested to establish a task and finish group to examine the non-statutory fees and charges.

35 MEDIUM TERM FINANCIAL PLAN AND ANNUAL BUDGET 2017/18

The Committee's attention was drawn to the revised base budget figures that had been circulated in the update prior to the meeting. The base budget was now £1,003,840, a saving of £110,320 against the 2016/17 budget.

While welcoming the savings being made and recognising that the Council must exercise rigorous financial controls in order to achieve a balanced budget in the context of continuously reducing funding from government, the Committee was nonetheless concerned about the level of service that was available in 2 areas of work. Members considered that the lack of direct access to highway advice at their meetings made the determination of some applications problematic; while public perceptions were that insufficient resource was now directed towards enforcement activities.

RESOLVED:

That the Cabinet be advised that while this Committee raises no specific concerns about the budgets for 2017/18, they would ask that at some future date consideration be given to their concerns about the lack of professional highway advice at their meetings and for the need for effective enforcement activity.

CHAIRMAN