

8 MARCH 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, 8 March 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
- * L E Harris
- * D Harrison
- * Mrs A J Hoare
- * Mrs M D Holding
- * J M Olliff-Cooper

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:

Ms L C Ford (for applications 13/11450 and 16/11520)

Councillors:

J D Heron (for application 16/11520)

Officers Attending:

S Clothier, Miss J Debnam, C Elliott, Mrs J Garrity, D Groom, A Kinghorn, and for part of the meeting J Bennett, Ms J Colclough, Mrs R Higgins, Miss G O'Rourke, N Straw, N Whittington and G Worsley

Apologies:

Apologies for absence were received from Cllrs Bennison, Penson and Rostand.

41 MINUTES

RESOLVED:

That the minutes of the meeting held on 8 February 2017 be signed by the Chairman as a correct record.

42 DECLARATIONS OF INTEREST

Cllr Armstrong disclosed a non-pecuniary interest in application 16/11569 as a member of Hythe and Dibden Parish Council which had commented on the application.

Cllr Davis disclosed a non-pecuniary interest in application 15/11797 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Ford disclosed a non-pecuniary interest in applications 13/11450 and 16/11520 as a member of Ringwood Town Council which had commented on the applications.

Cllr L Harris disclosed a non-pecuniary interest in application 15/11797 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Harrison disclosed a non-pecuniary interest in application 15/11797 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Hoare disclosed a non-pecuniary interest in applications 16/11407 and 16/11408 as a member of Marchwood Parish Council which had commented on the applications.

Cllr Rippon-Swaine disclosed a non-pecuniary interest in applications 13/11450 and 16/11520 as a member of Ringwood Town Council which had commented on the applications.

Cllr Thierry disclosed a non-pecuniary interest in applications 13/11450 and 16/11520 as a member of Ringwood Town Council which had commented on the applications.

Cllr White disclosed a non-pecuniary interest in application 16/11737 as a member of Lymington and Pennington Town Council which had commented on the application.

43 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a Land at Crow Arch Lane and Crow Lane, Crow, Ringwood (Application 13/11450)

Details:

Proposed amendments to the Section 106 Agreement to facilitate a phased approach to the site's development, to delete references to the Code for Sustainable Homes and to offer scope to provide 'Starter Homes' within the scheme in addition to the affordable tenures already included.

Mixed development of up to 175 dwellings (Use Class C3); up to 1.5 hectares of small employment (Use Classes B1 and B2); nursing home (Use Class C2); child nursery (Use Class D1); hotel / pub / restaurant (Use Class C1); fitness centre (Use Class D2); retail / professional services / restaurant (Use Class A1 /A2 /A3); open space areas; allotments; accesses on to Crow Lane and Crow Arch Lane; estate roads; footpaths; cycle ways; foul and surface water infrastructure (Outline Application with details only of access)

Public Participants:

Mr Pugsley – Applicant's Representative.

Additional Representations:

None

- Comment:** Cllrs Ford, Rippon-Swaine and Thierry 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 in the case of Cllrs Rippon-Swaine and Thierry to vote. Cllr Ford did not have a vote.
- The wording of the officer's recommendation was amended as set out in the update circulated prior to the meeting.
- Decision:** That the Section 106 agreement be varied solely in accordance with the details set out in Report Item 3 (a) considered by the Committee, subject to further negotiation between Council Officers and the applicant, but otherwise remain unchanged.

b Land at Crow Arch Lane and Crow Lane, Crow, Ringwood (Application 16/11520)

Details: Phase 1: development of 62 dwellings comprised: 15 houses; 9 pairs of semi-detached houses; 3 terrace of 3 houses; 3 terrace of 4 houses; 8 flats; garages; public open space; SANG; ancillary infrastructure; allotment land (Details of appearance, landscaping, layout and scale development granted by Outline Permission 13/11450)

Public Participants: Mr Pugsley – Applicant's Representative
Mr Graham - on Behalf on Better Ringwood
Town Cllr Treleaven – Ringwood Town Council.

Additional Representations: Hampshire County Council's Highways Engineer - a footpath could be provided on highway land and this could be progressed further through the existing Section 106 Agreement.
Natural England raised no objection to the proposals.

Comment: Cllrs Ford, Rippon-Swaine and Thierry 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 in the case of Cllrs Rippon-Swaine and Thierry to vote. Cllr Ford did not have a vote.

The officer's recommendation was amended as set out in the update circulated prior to the meeting. It was noted that proposed revised condition 9 had been duplicated, and the duplicate (no 10) should be deleted.

- Decision:** Service Manager Planning and Building Control authorised to grant planning consent subject to the revision of condition no. 1 to ensure that all plans and documents are included and the following conditions:
- Conditions/
Agreements/
Negotiations:**
1. As amended
 2. Prior to development above slab level on any plot hereby approved, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

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.
 3. Prior to the occupation of each plot provision for parking for that plot shall have been constructed and made available in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate on-site car parking provision for the approved development in accordance with Policy CS24 (of the Core Strategy for the New Forest District outside the National Park).
 4. Prior to the occupation of each plot provisions for cycle storage shall be provided in accordance with a scheme to have been submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained.

Reason: To ensure adequate provision for cycle storage for dwellings within the phase in accordance with Policy CS24 of the Core Strategy for the New Forest District outside the National Park.
 5. Before use of the development is commenced provision for turning to enable vehicles to enter and leave in a forward gear shall have been provided within the site in accordance with the approved plans and shall be retained thereafter in accordance with Policy CS24 (of the Core Strategy for the New Forest District outside the National

Park).

Reason: In the interests of highway safety in accordance with Policy CS24 of the Core Strategy for the New Forest District outside the National Park.

6. Prior to the commencement of development full details of both hard and soft landscape proposals shall have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

- Proposed finished levels or contours
- Means of enclosure
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting)
- Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports, etc.), to demonstrate their relationship to new planting and that the services will not encumber the use, by way of physical constraints, wayleaves or easements, and value of public open spaces)
- Retained historic landscape features and proposals for restoration, where relevant.

Soft landscape details shall include

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers and / or densities
- Implementation timetables.

Reason: To ensure the achievement and long term retention of an appropriate quality of landscaping, in accordance with Policy CS3 (of the Core Strategy for the New Forest District outside the National Park).

7. All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the achievement and long term retention of an appropriate quality of landscaping, in accordance with Policy CS3 (of the Core Strategy for the New Forest District outside the National Park).

8. The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the recommendations as set out in BS5837:2012 and in accordance with an Arboricultural Method Statement for Phase 1, which shall be submitted to and be approved in writing by the Local Planning Authority prior to commencement of work on site.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policy CS3 of the Core Strategy for the New Forest District outside the National Park.

9. The slab levels of all dwellings within Phase 1 shall be as set out on the approved drawing "RPS Conceptual Levels and Drainage Strategy SK1 rev B" unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Local Plan for the New Forest District outside the

National Park (Core Strategy) and the Ringwood Local Distinctiveness Document.

10. Notwithstanding the submitted plans and landscaping details hereby approved, prior to the construction of any dwelling above slab level, detailed drawings which shall include sections, showing existing and proposed ground levels and contours, to be used in the design of the SANG area shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place in accordance with those details which have been approved.

Reason: To retain control over the finished landscape design of the SANGS in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

c Unit 2C (N), North Road, Marchwood Industrial Park, Marchwood (Application 16/11407)

Details: Biodiesel fuelled Flexible Generation Facility (Facility A); associated infrastructure and alterations

Public Participants: Mr Stephens – Applicant's Representative
Mrs Wathen – Marchwood Parish Council

Additional Representations: Detailed comments from the Environmental Health Officer were attached to the update circulated prior to the meeting.

Comment: Cllr Hoare disclosed a non-pecuniary interest as a member of Marchwood Parish 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 to require the prior approval of the requirements under conditions 7, 8, 10 and 11 before consent could be granted.

A statement from Cllr Bennison opposing the application was submitted to the meeting.

The Committee concluded that the application was not supported by sufficient information to demonstrate that this power generation plant, together with Unit B (to be considered separately under reference 16/11408) could be operated without causing noise and vibration that would constitute a nuisance to nearby residents and

businesses; or causing a deterioration in air quality, in particular with respect to nitrogen dioxide and particulate concentrations in the air. In addition to the proposals' close proximity to residential properties, the prevailing winds would take emissions across Southampton Water and into the area where proposals were under development for the declaration of a Clean Air Zone, specifically to address nitrogen dioxide and particulate levels. The Committee noted that technology was available to significantly reduce the emissions of nitrogen dioxide, but the applicant had not chosen to include such measures. The Committee also noted that the Government was currently consulting on Guidance to control emissions from stand-by generation plants of this type, as the current air quality standards, which were based on longer term operations, were not adequate.

A majority of members indicated that they wished to determine this application with a recorded vote.

On the motion that the application be refused Cllrs Armstrong L Harris, Harrison, Hoare, Holding and Thierry voted in favour; Cllrs D Andrews, Carpenter, Davis, Olliff-Cooper, Rippon-Swaine, Sevier, Wappet, C Ward and White voted against, with Cllr Wyeth abstaining. The motion was declared lost.

On the motion that consideration of this application be deferred to allow further negotiations and the submission of additional information Cllrs D Andrews, Armstrong, Carpenter, Davis, L Harris, Holding, Olliff-Cooper, Ripon-Swaine, Sevier, Thierry, Wappet, C Ward, White and Wyeth voted in favour and Cllrs Harrison and Hoare voted against. The motion was declared carried.

Decision: That consideration of this application be deferred to allow further negotiations and the submission of additional information.

d	Unit 2C (N), North Road, Marchwood Industrial Park, Marchwood (Application 16/11408)
Details:	Biodiesel fuelled Flexible Generation Facility (Facility B); associated infrastructure and alterations
Public Participants:	Mr Stephens – Applicant's Representative Mrs Wathen – Marchwood Parish Council
Additional Representations:	Detailed comments from the Environmental Health Officer were attached to the update circulated prior to the meeting.

Comment: Cllr Hoare disclosed a non-pecuniary interest as a member of Marchwood Parish 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 to require the prior approval of the requirements under conditions 7, 8, 10 and 11 before consent could be granted.

A statement from Cllr Bennison opposing the application was submitted to the meeting.

The Committee concluded that the application was not supported by sufficient information to demonstrate that this power generation plant, together with Unit A (to be considered separately under reference 16/11407) could be operated without causing noise and vibration that would constitute a nuisance to nearby residents and businesses; or causing a deterioration in air quality, in particular with respect to nitrogen dioxide and particulate concentrations in the air. In addition to the proposals' close proximity to residential properties, the prevailing winds would take emissions across Southampton Water and into the area where proposals were under development for the declaration of a Clean Air Zone, specifically to address nitrogen dioxide and particulate levels. The Committee noted that technology was available to significantly reduce the emissions of nitrogen dioxide, but the applicant had not chosen to include such measures. The Committee also noted that the Government was currently consulting on Guidance to control emissions from stand-by generation plants of this type, as the current air quality standards, which were based on longer term operations, were not adequate. The Committee concluded that it was unable to determine the application without this further information.

Decision: That consideration of this application be deferred to allow further negotiations and the submission of additional information.

e Land adjacent to Autumn Lodge, North Road, Dibden Purlieu, Hythe (Application 16/11569)

Details: Two houses; access; parking; landscaping

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(e)).

f 18 Fairfield Road, Barton-on-Sea, New Milton (Application 16/11649)

Details: Two-storey side extension; porch

Public Participants: Mr Sgambaro – Applicant
Mr Thacker - Objector

Additional Representations: None

Comment: None

Decision: Planning consent

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

g 4 Tucks Close, Bransgore (Application 16/11665)

Details: Single-storey front, side and rear extensions; use of garage as living accommodation

Public Participants: Miss Perry - Objector

Additional Representations: None

Comment: None

Decision: Planning consent.

Conditions: As per report (Item 3(g)).

h 16 Eldon Avenue, Barton-on-Sea, New Milton (Application 16/11698)

Details: Roof alterations in association with new first floor; dormer; rooflights; side and rear extension; porch

Public Participants: Mr Whild – Applicant's Agent

Additional Representations: None

Comment: None

Decision: Planning consent

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

i The Wilderness, West Road, Milford-on-Sea (Application 16/11722)

Details: Two-storey house with balcony; demolition of existing; detached garage with workshop; access alterations

Public Participants: Dr Waller - Applicant

Additional Representations: None

Comment: The Committee considered that the design of the proposed replacement dwelling was acceptable and the new dwelling would preserve the openness of the Green Belt.

Decision: Planning consent

Conditions: Such conditions as the Service Manager Planning and Building Control deems appropriate.

j 3 Filton Road, Lymington (Application 16/11737)

Details: Two-storey side extension; single-storey front extension; one and two-storey rear extension; one front and two rear rooflights in association with new second floor

Public Participants: Mr Grant – Applicant's Agent.

Additional Representations: One additional letter from the applicant's agent.

Comment: The Committee considered that the design of the proposed extension was in keeping with the character of the road and other extensions that had already been constructed at nearby properties.

Decision: Planning consent

Conditions: Such conditions as the Service Manager Planning and Building Control deems appropriate.

k	9 Hurst Road, Milford-on-Sea (Application 16/11748)
Details:	Variation of Condition 2 of Planning Permission 16/10621 to allow amended plans 1049.100;101;102a;103a;104a;105a;106a;107a to allow privacy screens to all balconies; single-storey extension to rear of all dwellings
Public Participants:	Mr Compton - Objector
Additional Representations:	None
Comment:	None
Decision:	Service Manager Planning and Building Control be authorised to grant the variation of condition
Conditions/Agreements/Negotiations:	Subject to no further substantive comments being received by 9 March 2017 and the conditions as set out in the report.

l	Kings Farm, Kings Farm Lane, Hordle (Application 17/10110)
Details:	21m high lattice tower; 3 antennas; 2 microwave dishes; 2 equipment cabinets; ancillary development (Prior Notification to carry out Telecommunications Development)
Public Participants:	None
Additional Representations:	Aerodrome Safeguarding – no objection
Comment:	None
Decision:	Details not required to be approved.
Conditions:	None, as per report (Item 3(l)).

44 EXCLUSION OF THE PUBLIC AND THE PRESS

RESOLVED:

That, under Section 100(A)(4) of the Local Government Act 1972, the public and the Press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 5 of Part I of Schedule 12A of the Act and the public interest in maintaining the exception outweighs the public interest in disclosing it.

**45 PLANNING APPEAL - LAND AT LOPERWOOD LANE, CALMORE, TOTTON
(APPLICATION 15/11797)**

Cllrs Davis, L Harris and Harrison 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 remaining in the meeting to speak. They abstained from voting.

In the light of changes in Government policy and priorities, Counsel's opinion had been sought in respect of the forthcoming planning appeal for the development of this site. The Committee considered the implications of this advice.

RESOLVED:

That no evidence be submitted in support of its reasons for refusal in respect of proposed development at Loperwood Lane, Calmore, Totton.

CHAIRMAN