

10 MAY 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, 10 May 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
- * Ms K V Crisell
- A H G Davis
- * 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

In attendance:

Councillors:

W G Andrews
J E Binns
A T Glass

Councillors:

D M S Poole
D B Tipp

Officers Attending:

Miss J Debnam, Mrs V Baxter, J Bennett, S Clothier, C Elliott, Mrs J Garrity, D Groom, A Kinghorn, Miss G O'Rourke, I Rayner, D Willis and G Worsley

Apologies:

Apologies for absence were received from Cllrs Carpenter, Davis, Thierry and White.

51 MINUTES

RESOLVED:

That the minutes of the meeting held on 12 April 2017 be signed by the Chairman as a correct record.

52 DECLARATIONS OF INTEREST

Cllr Armstrong disclosed a non-pecuniary interest in applications 16/11638 and 16/11639 as a member of Hythe and Dibden Parish Council which had commented on the applications. He emphasised that he had been careful not to express any view or take part in any special or public meetings held in respect of application 16/11638.

Cllr Binns disclosed a non-pecuniary interest in applications 16/11638 and 16/11639 as a member of Hythe and Dibden Parish Council which had commented on the applications.

Cllr Penson disclosed a non-pecuniary interest in application 17/10244 as a member of Lymington and Pennington Town Council which had commented on the application.

Cllr Poole disclosed a non-pecuniary interest in applications 16/11638 and 16/11639 as a member of Hythe and Dibden Parish Council which had commented on the applications.

Cllr Rippon Swaine disclosed a non-pecuniary interest in application 17/10514 as a member of Ringwood Town Council which had commented on the application.

Cllr Rostand disclosed a non-pecuniary interest in application 17/10244 as a member of Lymington and Pennington Town Council which had commented on the application. She disclosed a further interest on the grounds that the neighbouring objector was a close personal friend.

Cllr Wappet disclosed a non-pecuniary interest in applications 16/11638 and 16/11639 as a former member of the working group which had looked at the future use of this area. He had however had no involvement in the current planning applications.

53 PLANNING APPLICATIONS FOR COMMITTEE DECISION**a St Johns Car Park, St Johns Street, Hythe (Application 16/11638)**

Details: Lidl foodstore (Use Class A1); parking; associated landscaping; access works; demolition of existing

Public Participants: Mr Mitchell – Applicant's Representative
Rev Elvidge – Objector
Parish Cllr Parkes – Hythe and Dibden Parish Council

Additional Representations: Cllr McEvoy raised no objection. 12 further letters of objection and 142 additional letters of support had been received. The Environmental Health Officer raised no objection, subject to the imposition of conditions and an informative note. The applicant had forwarded 14 e-mails of objection and 18 in support, together with a document in support with 4773 signatures,

partly dating from prior to the submission of the planning application.

The County Council had agreed a reduced Highway Contribution of £100,000.

The Highways Engineer had submitted additional comments.

Further details of these representations were set out in the update circulated prior to the meeting.

1 additional letter of objection from Tesco, on the grounds that their retail assessment concluded that the value of trade attracted by the new store would be of the order of £10 - 15 million per annum, not £5 million as stated as in the applicant's assessment. This was more in keeping with this Council's study which had concluded the diversion of trade would be £9.8 million.

Comment:

Cllrs Armstrong, Binns and Poole disclosed non-pecuniary interests as members of Hythe and Dibden Parish Council which had commented on the application. Cllr Armstrong also emphasised that he had been careful not to express any view or take part in any special or public meetings held in respect of this application and had not taken any action to suggest that he had a pre-determined view. They each concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak, and in the case of Cllr Armstrong, to vote. Cllrs Binns and Poole did not have a vote.

Cllr Wappet disclosed a non-pecuniary interest as he had been a member of the working group that had initially looked at options for the future of this site. He had not however had any involvement with the current planning application. He concluded that there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

The officer's recommendation was updated by the inclusion of the conditions and informative note requested by the Environmental Health Officer, as set out in the update circulated prior to the meeting.

Cllrs W Andrews, Binns and Poole addressed the Committee to support the principle of the redevelopment of the site for a supermarket, but to oppose the particular design proposed.

The Committee expressed their support for the principle of redeveloping this site for a budget supermarket and welcomed the offer made at the meeting for the period allowed for free parking on the site for customers to be extended to 2 hours, to allow patrons also to visit the town centre as part of the same visit.

Members were however very concerned about the poor quality of the design of the proposed building and noted that extensive discussions between the applicant and this Council's officers had produced a scheme that maintained the flexibility of the retail and associated space required by the business, but housed within a building of superior design, more in keeping with the site's proximity to the Hythe Conservation Area and Grade 2 Listed Buildings, including the adjacent Grade 2 listed church. Many of the comments that had been made in support of the application had been elicited when the better quality design had been the subject of consultation, rather than the poor quality design subsequently included in the application.

The Committee concluded that the design of the proposed building was of an unacceptably poor quality which did not respect the character and design needs of this part of Hythe, including the adjacent Conservation Area and Listed Buildings. It would therefore be harmful to the character and local distinctiveness of the area and also to the Conservation Area and Listed Buildings.

Decision:

Refused

Refusal Reasons:

The proposed development would pay no regard to the sensitive context of the site in regard to the setting of nearby Listed Buildings (in particular St John the Baptist Church and 13 and 17 St Johns Street) and the Hythe Conservation Area and would result in a building that would be neither a traditionally responsive building nor a well designed contemporary proposal. The development's adverse visual impact and contextually inappropriate design would be emphasised by the building's rather industrial, boxlike form, its poorly articulated and inelegant roof form, the blandness of

the significant north-west façade facing St John's Street, the assertive, monotonous character of the heavily glazed north-west elevation facing St John's Church, the use of non-traditional materials, the loss of two mature trees to accommodate the widened New Road access, and the development's rather austere car park setting. The development would fail to respond positively to the public realm into which it would be inserted and as a result it would be detrimental to local distinctiveness and the character and appearance of the 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), Hythe Conservation Area Appraisal and the National Planning Policy Framework.

b 2 South Street, Hythe (Application 16/11639)

| | |
|------------------------------------|--|
| Details: | 1 block of 36 sheltered apartments; communal facilities; access; parking and landscaping |
| Public Participants: | Mr Cater – Applicant's Agent Parish Cllr Parkes – Hythe and Dibden Parish Council |
| Additional Representations: | The Environmental Health Officer had commented further and requested the addition of an informative note to the decision notice. The Highways Authority had commented further. Details of these further representations were set out in the update circulated prior to the meeting. |
| Comment: | Cllrs Armstrong, Binns and Poole disclosed non-pecuniary interests as members of Hythe and Dibden Parish Council which had commented on the application. They each concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak, and in the case of Cllr Armstrong, to vote. Cllrs Binns and Poole did not have a vote. Cllr Wappet disclosed a non-pecuniary interest as he had been a member of the working group that had initially looked at options for the future of this site. He had not however had any involvement with the |

current planning application. He concluded that there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

The officer's recommendation was amended by the addition of the informative note requested by the Environmental Health Officer.

Decision: Planning consent

Conditions: As per report (Item 3(b)), with an additional informative note:

4. In complying with Condition No. 20 the applicant is advised that the 'Indoor ambient noise levels for dwellings' as stated in Table 4 on page 24 of British Standard BS8233:2014 (BS8233:2014 - Guidance on sound insulation and noise reduction for buildings) is the minimum standard that must be achieved.

c Druces Acres, Salisbury Road, Ellingham, Harbridge & Ibsley (Application 16/11717)

Details: 7 field shelters (retrospective)

Public Participants: Parish Cllr Burtenshaw – Ellingham, Harbridge and Ibsley Parish Council

Additional Representations: None

Comment: The Committee noted that this was a very open, rural landscape. The installation of concrete bases for the field shelters would consequently be harmful to the appearance of the area and a condition should therefore be imposed to prevent this happening. In addition, the Committee concluded that a 5 year temporary consent only should be granted to allow the site to be monitored.

Decision: Service Manager Planning and Building Control authorised to grant planning consent for a limited period of 5 years.

Conditions/ Agreements/ Negotiations: As per report (Item 3(c)) with the following additional conditions:

The buildings shall be removed from the site within 5 years of the date of this consent and the land restored to a condition which has first been agreed by the Local

Planning Authority, unless the prior written approval to retain the structures has been obtained from the Local Planning Authority.

Reason: In the interests of protecting the character and appearance of the countryside in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

No structure hereby approved shall be sited on a permanent hardstanding or footing.

Reason: In order to minimise the degree of permanence of the development, in light of the temporary approval and in the interests of safeguarding the character of the countryside, in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

| | | |
|----------|---|---|
| d | Phoenix Youth Centre, Culver Road, New Milton (Application 17/10160) | |
| | Details: | Use of existing building as school; two-storey teaching and admin block; landscaping; parking |
| | Public Participants: | Dr Horswell – Applicant’s representative. |
| | Additional Representations: | The Highway’s Engineer had commented further, as set out in the update circulated prior to the meeting. |
| | Comment: | None |
| | Decision: | Planning consent |
| | Conditions: | As per report (Item 3(d)). |

| | | |
|----------|--|--|
| e | Burleigh Court, 4 Southern Lane, Barton-on-Sea, New Milton (Application 17/10241) | |
| | Details: | Create 1 flat; roof alterations including alter pitch; 2 dormers; 5 rooflights; exterior alterations; remove cladding; window alterations; garage block; parking |
| | Public Participants: | Mr Serbatoio – Applicant Town Cllr Craze – New Milton Town Council |
| | Additional Representations: | None |

| | |
|--------------------|---|
| Comment: | Further information about the planning history of the site was set out in the update circulated prior to the meeting. |
| Decision: | Planning consent |
| Conditions: | As per report (Item 3(e)). |

| | |
|------------------------------------|---|
| f | 86 Queens Katherine Road, Lymington (Application 17/10244) |
| Details: | Two-storey side and rear extensions; single-storey rear extension |
| Public Participants: | Mr Bradford – Applicant’s Agent Ms Williams - Objector |
| Additional Representations: | None |
| Comment: | Cllrs Penson and Rostand disclosed non-pecuniary interests as members of Lymington and Pennington Town Council which had commented on the application. Cllr Rostand disclosed a further interest on the grounds that she knew the neighbouring objector well. She concluded that the degree of acquaintance was sufficient to create the impression of bias and consequently took no part in the consideration and did not vote. Cllr Penson concluded that there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote. Paragraph 12.1, line 6 was amended to refer to the rear of No 87, not 8 as stated. |
| Decision: | Refused |
| Refusal Reasons: | As per report (Item 3(f)). |

| | |
|------------------------------------|--|
| g | Valley Cottage, Little Brook, Lymore Lane, Milford-on-Sea (Application 17/10258) |
| Details: | Variation of Condition 3 of Planning Permission 03/78794 to extend occupancy from 4 weeks to 11 months of the year |
| Public Participants: | None |
| Additional Representations: | 2 additional e-mails of objection, as set out in the update circulated prior to the meeting. |

| | |
|-------------------------|----------------------------|
| Comment: | None |
| Decision: | Refused |
| Refusal Reasons: | As per report (Item 3(g)). |

h Courtwood Farm, Court Hill, Damerham (Application 17/10273)

| | |
|------------------------------------|--|
| Details: | Use as 2 bungalows; single-storey extension; alterations |
| Public Participants: | None |
| Additional Representations: | None |
| Comment: | None |
| Decision: | Planning consent |
| Conditions: | As per report (Item 3(h)). |

i Nonsuch, Mockbeggar Lane, Ellingham, Harbridge & Ibsley (Application 17/10346)

| | |
|------------------------------------|--|
| Details: | Removal of Condition 4 of Planning Permission 16/10786 to allow Permitted Development Rights |
| Public Participants: | Mr Robinson – Applicant Parish Cllr Burtenshaw – Ellingham, Harbridge and Ibsley Parish Council |
| Additional Representations: | 1 additional letter from the applicant in response to the officer's report. |
| Comment: | The officer's recommendation was changed to deferral to allow the publication of a statutory press notice. |
| Decision: | That consideration of this application be deferred. |

j Communications Site, Stallards Lane, Ringwood (Application 17/10514)

| | |
|------------------------------------|--|
| Details: | Installation of 1 16m telecoms monopole; equipment cabinet; remove existing (Prior Approval Application) |
| Public Participants: | None |
| Additional Representations: | Ringwood Town Council recommended that consent be granted. |

Comment:

Cllr Rippon-Swaine disclosed a non-pecuniary interest as a member of Ringwood 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:

Service Manager Planning and Building Control authorised to not require any further details subject to the receipt of no new material objections to the submitted applications on the 13 May 2017

54 MR C ELLIOTT

The Chairman reminded the Committee that this was the last meeting of the Planning Development Control Committee that Mr Elliott would be attending prior to his retirement later in the month. The Chairman and members of the Committee expressed their appreciation for the work that Mr Elliott had done on behalf of the Committee and the Council in the 29 years that he had worked for the Council.

Mr Elliott thanked the Committee for their comments and for their best wishes for the future.

CHAIRMAN