

**13 JUNE 2018**

**NEW FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held in the Council Chamber, Appletree Court, Lyndhurst on Wednesday, 13 June 2018

- \* Cllr W G Andrews (Chairman)
- \* Cllr P J Armstrong (Vice-Chairman)

**Councillors:**

- \* Mrs S M Bennison
- \* Mrs F Carpenter
- \* Ms K V Crisell
- \* A H G Davis
- \* R L Frampton
- \* A T Glass
- \* L E Harris
- \* D Harrison
- \* Mrs M D Holding

**Councillors:**

- Mrs C Hopkins
- J M Olliff-Cooper
- \* A K Penson
- \* Miss A Sevier
- \* Mrs B J Thorne
- Mrs C V Ward
- \* M L White
- \* Mrs P A Wyeth

\*Present

**In attendance:**

**Councillors:**

- G C Beck (for application 18/10060)
- S J Clarke (for application 18/10416)

**Councillor:**

- Mrs A M Rostand (for application 18/10277)

**Officers Attending:**

Mrs V Baxter, S Clothier, Ms J Dawe, Miss J Debnam, Mrs J Garrity, D Groom, Mrs K Wardle, Mrs A Wilson, and for part of the morning session Ms L Fawkes (New Forest National Park Authority), A Johnson, J Palmer (New Forest National Park Authority), Mrs V Potter, N Straw and Mrs N Whitehead

**Apologies:**

Apologies for absence were received from Cllrs Hopkins, Olliff-Cooper and C Ward.

**4 MINUTES**

**RESOLVED:**

That the minutes of the meetings held on 9 May and 14 May 2018 be signed by the Chairman as correct records.

**5 DECLARATIONS OF INTEREST**

Cllr Beck disclosed a non-pecuniary interest in application 18/10060 as a member of New Milton Town Council which had commented on the application.

Cllr Clarke disclosed a non-pecuniary interest in application 18/10416 as a member of New Milton Town Council which had commented on the application, and on whose behalf he was speaking.

Cllr Frampton disclosed a disclosable pecuniary interest in application 18/10240 as the adjoining land owner.

Cllr Glass disclosed a non-pecuniary interest in application 18/10176 as a member of Fawley Parish Council which had commented on the application.

Cllr Penson disclosed a non-pecuniary interest in applications 17/11702, 18/10101, 18/10403, 18/10277 and 18/10386 as a member of Lymington and Pennington Town Council which had commented on the applications.

Cllr Rostand disclosed a non-pecuniary interest in application 18/10277 as a member of Lymington and Pennington Town Council which had commented on the application.

Cllr Thorne disclosed a non-pecuniary interest in application 18/10176 as a member of Fawley Parish Council which had commented on the application.

Cllr White disclosed a non-pecuniary interest in applications 17/11702, 18/10101, 18/10403, 18/10277 and 18/10386 as a member of Lymington and Pennington Town Council which had commented on the applications.

## 6 PLANNING APPLICATIONS FOR COMMITTEE DECISION

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<b>a</b>	<b>3 Strides Lane, Ringwood (Application 17/11246)</b>	
	<b>Details:</b>	Change of use from residential; dormer; rooflight
	<b>Public Participants:</b>	Mr Hayward - Applicant
	<b>Additional Representations:</b>	None
	<b>Comment:</b>	The officer's recommendation was amended by the inclusion of an additional condition, as set out in the update circulated prior to the meeting.
	<b>Decision:</b>	Permission
	<b>Conditions:</b>	As per report (Item 3(a)), with the following additional condition:  7. The installation of fittings and fixed appliances in the dwelling(s) hereby approved shall be designed to limit the consumption of wholesome water to 110 litres per person per day in accordance with Regulation 36(2)(b) of Part G of the Building Regulations 2010 as amended.

Reason: The higher optional standard for water efficiency under Part G of the Building Regulations is required in order to reduce waste water discharge that may adversely affect the River Avon Special Area of Conservation by increasing phosphorous levels or concentrations and thereby contribute to the mitigation of any likely adverse impacts on a nationally recognised nature conservation interest.

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**b 54 Belmore Lane, Lymington (Application 17/11702)**

**Details:** 2 detached two storey houses; 3 garages; landscaping; new access

**Public Participants:** Mr Davies – Applicant’s Agent  
Mr Lavender – Objector  
Mr Smith - Objector

**Additional Representations:** 7 additional letters of objection, in the same terms as set out in the report.  
The Tree Officer raised no objection subject to the imposition of an additional condition, as set out in the update circulated prior to the meeting.  
The applicant had submitted amended plans to remove the eaves overhang from the buildings so the dimensions of the dwellings matched the existing floor plan.

**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 officer’s recommendation was amended by the addition of a condition, and revised wording to condition 2, as set out in the update circulated prior to the meeting.

The Committee noted, with concern, that further inaccuracies in the plans had been corrected by the submission of amended details late the previous evening and considered whether the application should be deferred to allow proper assessment of the effect of those amendments. They

noted with additional concern that the objector speaking at the meeting had drawn their attention to further inaccuracies, including incorrectly showing the site to be level, instead of sloping as was obvious in the photographs of the site. This would affect the relationship with the properties in Old Farm Walk.

The Committee considered that the proposed development with 2 large detached properties represented an over development of the site. The narrowness of the gap between the two proposed houses, and between those houses and No 19 Old Farm Walk, was out of character with the area, as set out in the Lymington Local Distinctiveness document. This was compounded by the excessive height and bulk of the proposed properties. The proximity of one of the houses to No 19 Old Farm Walk would inevitably lead to the loss of the vegetation screen along that boundary and, with no room for alternative planting to provide screening, together with the sloping site increasing the height of the patio proposed for that property, would lead to an unacceptable degree of overlooking and loss of privacy to that neighbouring property. The siting of the bin store was also cause for concern.

**Decision:**

Refused

**Refusal reasons:**

1. The proposed development would result in overdevelopment of the site with buildings of excessive bulk, scale and height in close proximity to each other which would be out of character with the surrounding more spacious pattern of development which is mainly characterised by lower buildings in a more spacious setting. As a result the proposals would be contrary to Policy CS 2 of the Core Strategy for the New Forest District outside the National Park and the Lymington Local Distinctiveness Supplementary Planning Document.
2. The relationship of the proposed house on Plot 2 to the neighbour at No. 19 Old Farm Walk would give rise to an unneighbourly impact by reason of the height of the proposed dwelling and its

proximity to the site boundary. In addition the location of the proposed bin store in relation to the dwelling at No. 6 Oakfield would be unneighbourly by reason of its use and close proximity to this property. As a result the proposals would be contrary to Policy CS 2 of the Core Strategy for the New Forest District outside the National Park.

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**c The Dome, 121 Barton Court Avenue, Barton-on-Sea, New Milton (Application 18/10060)**

**Details:** Roof alterations in association with extension to two existing flats; creation of first-floor roof terrace; replace conservatory with single-storey front extension; fenestration alterations

**Public Participants:** Mr Glenister - Objector

**Additional Representations:** 2 additional letters from 1 objector  
1 additional letter of explanation from the applicant.  
The Highway Authority had expanded their comments, as set out in the update circulated prior to the meeting

**Comment:** Cllr Beck disclosed a non-pecuniary interest as a member of New Milton 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. He did not have a vote.

Cllr Beck addressed the Committee to oppose the application.

Members noted that there was evidence that parking spaces on the site were being allocated to the flats being sold, which was contrary to the planning requirements for the site and the undertakings being given by the applicant. The Committee considered that the provision of a proper bin store was essential to prevent refuse sacks being damaged, allowing domestic waste to be released onto the site. They also sought clarification about the provision of storage for bicycles and mobility scooters; the degree to which the site was affected by policies restricting development in an area of coastal change; and the exact terms of the lawful uses on the site.

**Decision:** That consideration of this application be deferred for the further information set out above to be provided.

- d Site of Solent Works, North Close, Lymington (Application 18/10101)**
- Details:** Variation of Condition 3 of Planning Permission 16/10886 to allow amended plans RF08 Rev D and RF10 Rev D, RF09 Rev C, RF07 Rev C to allow retention of external material changes to front and side elevations (amended plans)
- Public Participants:** Ms Baker – Applicant’s Agent
- Additional Representations:** The Environmental Health Officer raised no objections, subject to the imposition of the conditions already included in the recommendation.
- 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.
- Members were advised of a change to the description of the development, as set out in the update circulated prior to the meeting.
- Decision:** Service Manager Planning Development Control authorised to grant planning permission
- Conditions/ agreements/ negotiations:** As per report (Item 3(d)).

- e Beach Hut 319, Cliff Road, Milford-on-Sea (Application 18/10111)**
- Details:** Two solar panels to beach hut
- Public Participants:** Dr Pruss – Applicant  
Miss England – Applicant’s Supporter

<b>Additional Representations:</b>	None
<b>Comment:</b>	The Committee supported the suggestion that a policy on solar panels on beach huts should be developed for inclusion in Part 2 of the Local Plan.
<b>Decision:</b>	Permission
<b>Conditions:</b>	As per report (Item 3(e)).

<b>f</b>	<b>Amberwood, 91 Milford Road, Pennington, Lymington (Application 18/10403)</b>
<b>Details:</b>	Detached double garage and storeroom
<b>Public Participants:</b>	None
<b>Additional Representations:</b>	None
<b>Comment:</b>	<p>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.</p> <p>The Committee was advised of revised wording to condition 3, as set out in the update circulated prior to the meeting.</p>
<b>Decision:</b>	Permission
<b>Conditions:</b>	<p>As per report (Item 3(f)), with condition 3 amended as follows:</p> <p>3. The existing hedge trees and plants on the north (front) boundary of the site with Milford Road shall be retained and maintained. Any trees or plants within this hedge which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.</p>

Reason: To minimise the visual impact of the proposed development within the street scene and to comply with Policy CS2 of the Local Plan for New Forest District outside the National Park (Core Strategy)

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<b>g</b>	<b>Oak Nursery School, 11 Long Lane, Holbury, Fawley (Application 18/10176)</b>	
	<b>Details:</b>	Use as residential
	<b>Public Participants:</b>	Mrs Lohur - Applicant
	<b>Additional Representations:</b>	The applicant had submitted details of the marketing exercise undertaken and the responses received, as set out in the update circulated prior to the meeting
	<b>Comment:</b>	Cllrs Glass and Thorne disclosed non-pecuniary interests as members of Fawley Parish Council which had commented on the application. The concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.
	<b>Decision:</b>	Permission
	<b>Conditions:</b>	As per report (Item 3(g)).

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<b>h</b>	<b>21 Kennard Road, New Milton (Application 18/10198)</b>	
	<b>Details:</b>	1 block of 9 flats and 1 maisonette; cycle and bin store; parking
	<b>Public Participants:</b>	None
	<b>Additional Representations:</b>	The Highway Authority had expanded their comments, as set out in the update circulated prior to the meeting.
	<b>Comment:</b>	Members were advised that essential plans were missing from the information available at the meeting. Consequently the officer's recommendation was amended to defer consideration of this application.
	<b>Decision:</b>	That consideration of this application be deferred to allow the Committee to have access to all the relevant plans



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<b>i</b>	<b>Jaluch House, 5 Deweys Lane, Ringwood (Application 18/10231)</b>	
	<b>Details:</b>	Change of use from office to use as two flats and parking
	<b>Public Participants:</b>	None
	<b>Additional Representations:</b>	None
	<b>Comment:</b>	The officer's recommendation was amended by the inclusion of an additional condition, as set out in the update circulated prior to the meeting.
	<b>Decision:</b>	Permission
	<b>Conditions:</b>	As per report (Item 3(i)), with the following additional condition:  7. The installation of fittings and fixed appliances in the dwelling(s) hereby approved shall be designed to limit the consumption of wholesome water to 110 litres per person per day in accordance with Regulation 36(2)b of Part G of the Building Regulations 2010 as amended.  Reason: The higher optional standard for water efficiency under Part G of the Building Regulations is required in order to reduce waste water discharge that may adversely affect the River Avon Special Area of Conservation by increasing phosphorous levels or concentrations and thereby contribute to the mitigation of any likely adverse impacts on a nationally recognised nature conservation interest.

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<b>j</b>	<b>Land adjacent Godwins Mede, Poplar Lane, Bransgore (Application 18/10240)</b>	
	<b>Details:</b>	Development of 8 dwellings comprised; 1 pair semi detached houses; 6 detached houses; 3 detached garages; 1 car port and 1 four bay car port, landscaping; parking (details of appearance and landscaping, development granted by Outline Permission 17/11414)
	<b>Public Participants:</b>	Ms Glover – Applicant's Agent

<b>Additional Representations:</b>	None
<b>Comment:</b>	<p>Cllr Frampton disclosed a disclosable pecuniary interest as he owned neighbouring land. Having left the meeting he took no part in the consideration and voting.</p> <p>The officer's recommendation was amended by the inclusion of an additional condition, as set out in the update circulated prior to the meeting. In addition, members were reassured that the conditions would ensure that there was clarity that the treatment of the front boundary would be a hedge together with a post and rail fence.</p>
<b>Decision:</b>	Permission
<b>Conditions:</b>	<p>As per report (Item 3(j)), with additional condition:</p> <p>6. The installation of fittings and fixed appliances in the dwelling(s) hereby approved shall be designed to limit the consumption of wholesome water to 110 litres per person per day in accordance with Regulation 36(2)b of Part G of the Building Regulations 2010 as amended.</p> <p>Reason: The higher optional standard for water efficiency under Part G of the Building Regulations is required in order to reduce waste water discharge that may adversely affect the River Avon Special Area of Conservation by increasing phosphorous levels or concentrations and thereby contribute to the mitigation of any likely adverse impacts on a nationally recognised nature conservation interest.</p> <p>Together with such other amendments to the conditions as may be necessary to secure the front boundary treatment.</p>

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<b>k</b>	<b>Lake House, Woolmer Lane, Blashford, Ringwood (Application 18/10274)</b>
<b>Details:</b>	House; parking and landscaping; ecological enhancements; demolition of existing

<b>Public Participants:</b>	Mr Packman – Applicant’s Agent
<b>Additional Representations:</b>	Further letter from the applicant, as set out in the update circulated prior to the meeting.
<b>Comment:</b>	Members were advised of a minor amendment to paragraph 14.3.2 of the report, as set out in the update circulated prior to the meeting.
<b>Decision:</b>	Refused
<b>Refusal reasons:</b>	As per report (Item 3(k)).

**I 27B St Thomas Street, Lymington (Application 18/10277)**

<b>Details:</b>	Use of first-floor and new second floor as two maisonettes, entrance lobby and cycle/bin store on ground floor; roof alterations; ground floor front extension; front dormers; rooflights; fenestration alterations; access deck; railings (amended plans)
<b>Public Participants:</b>	None
<b>Additional Representations:</b>	2 further letters of support. Additional comments from the Conservation Officer. Revised comments from Lymington and Pennington Town Council A further letter of support from the applicants Further details of all of these representations were set out in the update circulated prior to the meeting.
<b>Comment:</b>	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 in the case of Cllr Penson and White, to vote. Cllr Rostand did not have a vote.  Cllr Rostand addressed the Committee in support of the application.  The Committee concluded that the proposed development was acceptable to achieve the provision of much needed

accommodation in the town centre. They concluded that the proposed infill between the 2 roof slopes would not be visually intrusive when viewed from the street.

**Decision:** Permission

**Conditions:** Such conditions as the Service Manager Planning Development Control deems appropriate.

**m 3 Lyme fields, Milford-on-Sea (Application 18/10477)**

**Details:** Roof alterations in association with new first floor; two-storey rear extension; balcony; single-storey front, rear and side extensions; porch; fenestration alterations

**Public Participants:** Miss Skeat – Applicant’s Agent  
Mr Hallows – Objector  
Parish Cllr Taylor – Milford on Sea Parish Council

**Additional Representations:** A supporting statement from the Applicant’s Agent had been sent directly to all members of the Committee.

**Comment:** The Committee was advised of revisions to conditions, as set out in the update circulated prior to the meeting.

Members concluded that the proposed development would be out of character within the bungalows in Lyme fields which had a distinct and uniform design.

**Decision:** Refused

**Refusal reasons:** The proposed development, by reason of its scale, height, bulk and materials would appear as an incongruous and intrusive feature within the street scene, totally out of character with the distinctive low key bungalows of which it forms a part. As such it would be contrary to Policy CS2 of the Core Strategy for the New Forest (outside of the National Park)

**n Dell Cottage, Buckland Dene, Lymington (18/10386)**

**Details:** Outbuilding

**Public Participants:** None

**Additional** None

**Representations:****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 advised of revisions to the conditions, as set out in the update circulated prior to the meeting.

The Committee concluded that the proposed outbuilding, placed in front of the property, would be unduly intrusive within the street scene, contrary to the provisions of the Lymington Local Distinctiveness document

**Decision:**

Refused

**Refusal reasons:**

The proposed outbuilding by reason of its forward location relative to the dwelling would result in an intrusive feature within the street scene detrimental to the prevailing character of the area and contrary to Policy CS2 of the Core Strategy for the New Forest (outside of the National Park) and the Lymington Local Distinctiveness Supplementary Planning Document

**o 39 Marley Avenue, New Milton (Application 18/10416)**

**Details:**

Pool/therapy building; single-storey side extension

**Public Participants:**

Mrs Haddock – Applicant  
Mrs Ward – Objector  
Cllr Clarke – on behalf of New Milton Town Council

**Additional Representations:**

An additional letter from the Applicant's Agent had been sent directly to all members of the Committee.

**Comment:**

Cllr Clarke disclosed a non-pecuniary interest as a member of New Milton Town Council which had commented on the application, and on whose behalf he was speaking. He concluded that there were no grounds under common law to prevent him

from remaining in the meeting to speak. He did not have a vote.

The Committee was advised that a corrected site plan had included as part of the update circulated prior to the meeting.

The Committee concluded that this large building, placed adjacent to the boundary along the entire side boundary of the garden of the adjoining property, would be unduly intrusive and cause unacceptable harm to the enjoyment of that property by its occupiers.

**Decision:** Refused

**Refusal reasons:** The proposed outbuilding by reason of its bulk, scale, height and location in close proximity to the rear boundary of the site would result in an over dominant building leading to an unacceptable degree of enclosure to No 2 Cabot Way to the detriment to their reasonable amenity. As such it would be contrary to Policy CS2 of the Core Strategy for the New Forest (outside of the National Park).

**p North End Cottage, North End, Damerham (Application 18/10423)**

**Details:** Single storey rear extensions; rear porch

**Public Participants:** Mr Pike – Applicant’s Agent  
Parish Cllr Crane – Damerham Parish Council

**Additional Representations:** A comment in support of the application had been received from the local ward councillor, Cllr E J Heron, as set out in the update circulated prior to the meeting.

**Comment:** None

**Decision:** Refused

**Refusal reasons:** As per report (Item 3(p)).

**q Phoenix Youth Centre, Culver Road, New Milton (Application 18/10441)**

**Details:** Variation of condition 2 of planning permission 17/10160 to allow new plan numbers: 7186-P003 Rev D, 7186-P011 Rev C, 7186-P012 Rev D, 7186-P013 Rev B, 7186-P014 Rev D, 7186-P015 Rev E, 7186-P016 Rev D, 7186-P017 Rev D,

7186-P018 Rev D, 7186-P020 Rev B, 229-400 Rev 02, 229-300 Rev 01, 229-903, 229-901, 229-904, 229-SH 002 Issue 2 (Planting Schedule), 229-SP-001 (Soft Landscaping Specification); removal of conditions 3, 6, 7 and 9

<b>Public Participants:</b>	None
<b>Additional Representations:</b>	None
<b>Comment:</b>	None
<b>Decision:</b>	Permission
<b>Conditions:</b>	As per report (Item 3(q)).

## 7 ADJOURNMENT AND RESUMPTION OF MEETING

The Committee adjourned for lunch at 1.55 p.m. and resumed at 2.30 p.m. with the following members present:

- \* Cllr W G Andrews (Chairman)
- \* Cllr P J Armstrong (Vice-Chairman)

### Councillors:

- \* Mrs S M Bennison
- \* Mrs F Carpenter
- \* Ms K V Crisell
- \* A H G Davis
- \* R L Frampton
- \* A T Glass
- \* L E Harris
- \* D Harrison
- \* Mrs M D Holding

\*Present

### Councillors:

- Mrs C Hopkins
- J M Olliff-Cooper
- \* A K Penson
- \* Miss A Sevier
- \* Mrs B J Thorne
- Mrs C V Ward
- \* M L White
- \* Mrs P A Wyeth

### Officers Attending:

S Clothier, Ms J Dawe, Miss J Debnam, Mrs J Garrity, D Groom, and Mrs A Wilson

Applications 18/10403, 18/10198, 18/10231, 18/10386 and 18/10441 were determined after the adjournment for lunch.

CHAIRMAN