

12 SEPTEMBER 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, 12 September 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
M Langdale
* 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:

M J Kendal (for applications 18/10799 and 18/10800)

Officers Attending:

S Clothier, Ms J Dawe, Miss J Debnam, D Groom, Mrs A Wilson, J Bennett, S Belli,
Ms L Fawkes, Mrs J Garrity, A Kinghorn, W Lever, R Natt and Mrs V Potter

Apologies:

Apologies for absence were received from Cllrs Bennison, L Harris, Sevier, Mrs C Ward, and White.

15 MINUTES

RESOLVED:

That the minutes of the meeting held on 8 August 2018 be signed by the Chairman as a correct record.

16 DECLARATIONS OF INTEREST

Cllr Armstrong disclosed a non-pecuniary interest in application 18/10838 as a member of Hythe and Dibden Parish Council which had commented on the application.

Cllr Crisell disclosed a non-pecuniary interest in application 18/10898 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Davis disclosed a non-pecuniary interest in application 18/10898 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Glass disclosed a non-pecuniary interest in application 18/10921 as a member of Fawley Parish Council which had commented on the application.

Cllr Harrison disclosed a non-pecuniary interest in application 18/10898 as a member of Totton and Eling Town Council which had commented on the application.

Cllr Langdale disclosed a non-pecuniary interest in application 18/10921 as a member of Fawley Parish Council which had commented on the application.

Cllr Olliff-Cooper disclosed a non-pecuniary interest in application 18/10342 on the grounds that he knew the site owner well.

Cllr Penson disclosed a non-pecuniary interest in application 18/10342 on the grounds that he knew the site owner well. He also disclosed a non-pecuniary interest in applications 18/10774 and 18/10885 as a member of Lymington and Pennington Town Council which had commented on the applications.

Cllr Thorne disclosed a non-pecuniary interest in application 18/10921 as a member of Fawley Parish Council which had commented on the application. She also disclosed a non-pecuniary interest in application 18/10342 as she knew the site owner well.

17 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a Land of 27 & 29 & Rear of 29A Wainsford Road, Pennington, Lymington (Application 18/10342)

Details: 7 dwellings comprising 2 pairs of semi-detached houses; 3 detached houses; detached garage; cycle stores; bin parking and landscaping; new rear garden and parking to 29a; demolition of 2 dwellings at No 27 and 29 Wainsford Road

Public Participants: Ms Tasker – Applicant's Agent
Mr Conway – Objector
Mr Gulland - Objector

Additional Representations: None

Comment: Cllrs Olliff-Cooper, Penson and Thorne disclosed non-pecuniary interests on the grounds that they knew the land owner very well. They concluded that the degree of acquaintance was sufficient that there was a danger that they could be perceived to be biased and, having left the meeting, took no part in the consideration and voting.

The Committee considered that it was essential that the buildings were constructed to the heights specified in the plans, to avoid overlooking of neighbouring properties and consequently imposed an additional condition to control the ridge height of the buildings.

Decision: Planning Permission

Conditions: As per report (Item 3(a)), with an additional condition controlling the ridge height of the buildings.

b Land rear of 25-31 Provost Street, Fordingbridge (Application 18/10474)

Details: Bungalow; access; parking; demolition of extensions to 25 and 27 Provost Street; rear porch canopy

Public Participants: Mr Shering – Applicant

Additional Representations: None

Comment: None

Decision: Refused

Refusal Reasons: As per report (Item 3(b)).

c Argyle House, 12 Lower Ashley Road, Ashley, New Milton (Application 18/10607)

Details: 8 dwellings comprised of 1 block of 6 flats; 1 pair of semi-detached bungalows; associated parking and landscaping; demolition of existing

Public Participants: Mr Day – Applicant's Agent

Additional Representations: Planning Policy Section – no objection. Although contrary to policy, residential redevelopment would bring environmental and visual benefits to a predominantly residential area.
County Highways – No objection, subject to compliance with the district Council's parking standards. Further details of these presentations were set out in the update circulated prior to the meeting.

Comment:	The Committee was concerned that the refuse collection section had stated that they would not be able to collect domestic refuse from the site and considered that this issue must be resolved before the granting of planning permission
Decision:	Service Manager Planning Development Control authorised to grant permission.
Agreements/ Conditions/ Negotiations:	Upon being satisfied that refuse can be collected from the site by the Council's vehicles, and with the imposition of the conditions set out in the report (Item 3(c)), modified as may be necessary to achieve the collection of domestic waste.

d Site of Arrachar, Fox Pond Lane, Pennington, Lymington (Application 18/10774)

Details: Variation of condition 2 of planning permission 17/10532 to allow revised plan numbers to allow first-floor side extension; revised front boundary details; timber cladding; fenestration alterations – changes to rear windows, side rooflights; provision of oriel window; provision of flue

Public Participants: Ms Slade – Applicant's Agent

Additional Representations: None

Comment: Cllr Penson disclosed a non-pecuniary interest as a member of Lymington and Pennington 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.

The Committee noted that there were significant discrepancies between the extant consent for a replacement dwelling on the site and what had been constructed. They were advised that a lawful development application had been received in respect of the partially constructed outbuilding on the site, and that issue was irrelevant to the current consideration.

Members compared the differences between the extant consent and the current application that sought to regularise the development.

They considered that the dwelling as constructed, and proposed to be modified, was too large and imposing on the site, the materials, particularly the cladding, were inappropriate and out of character with the area, and the additional floor space at first floor, together with the extent of the windows, lead to an unacceptable level of overlooking of the neighbouring properties, that was not mitigated by the proposals.

Decision: Refused.

Refusal reasons: The development results in a dwelling house that is inappropriate to the character and appearance of the area by reason of the proposed cladding which is not characteristic of this part of Pennington. The increased bulk of the dwelling by reason of the first floor side enlargement would have an overbearing impact on the occupants of Bay Tree Cottage and would also reduce the openness of the site when viewed from the street. Also the additional first floor windows would result in a loss of privacy to the occupants of Bay Tree Cottage by reason of overlooking. The proposals would therefore be contrary to Policy CS 2 of the Core Strategy for the new Forest District outside the National Park and the Lymington Local Distinctiveness Document.

e Unit 2, Ricardo Way, Lymington (Application 18/10781)

Details: Variation of conditions 10 and 11 of Planning Permission 11/97309 to allow opening and delivery times between 07:00 to 20:00 Monday to Saturday (including bank holidays) 09:00 to 17:00 Sundays

Public Participants: None

Additional Representations: None

Comment: None.

Decision: Permission

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

f	The Old Mill, Barnes Lane, Milford-on-Sea (Application 18/10799)
Details:	Refurbishment and extension of existing buildings to create a single dwelling with glazed links; provision of garage/car port; new access including bridge over mill pond; landscaping
Public Participants:	Mr and Mrs Davies – Applicants Parish Cllr Banks – Milford on Sea Parish Council
Additional Representations:	5 additional letters of support.
Comment:	Cllr Kendal addressed the Committee in support of the application. The Committee noted that the listed buildings were considered to be at risk and it was important to retain this historic asset within the Milford on Sea Conservation Area. It was noted that a previous consent, that had not been implemented, had been acceptable to the Conservation Officer but had not proved to be acceptable to future occupiers of the site. It was accepted that residential use was the only viable long-term solution to achieve the retention of the buildings. The Committee noted the concerns being expressed by the Conservation Officer but concluded that the degree of harm to the heritage asset was less than substantial and was outweighed by the public benefit of achieving the retention of the buildings. It was also noted that conditions to safeguard the quality of the outcome of the proposals had been agreed, in principle, with the applicant. The Committee was satisfied that, subject to the imposition of these conditions, the proposed development was acceptable.
Decision:	Planning permission
Conditions:	The conditions agreed in principle with the applicants prior to the meeting.

g	The Old Mill, Barnes Lane, Milford-on-Sea (Application 18/10800)
Details:	Refurbishment and extension of existing buildings to create a single dwelling with glazed links; provision of garage/car port; new access including bridge over mill pond; landscaping (Application for Listed Building Consent)
Public Participants:	Mr and Mrs Davies – Applicants Parish Cllr Banks- Milford on Sea Parish Council
Additional Representations:	1 further letter of support
Comment:	The Committee noted that the listed buildings were considered to be at risk and it was important to retain this historic asset within the Milford on Sea Conservation Area. It was noted that a previous consent, that had not been implemented, had been acceptable to the Conservation Officer but had not proved to be acceptable to future occupiers of the site. It was accepted that residential use was the only viable long-term solution to achieve the retention of the buildings. The Committee noted the concerns being expressed by the Conservation Officer but concluded that the degree of harm to the heritage asset was less than substantial and was outweighed by the public benefit of achieving the retention of the buildings. It was also noted that conditions to safeguard the quality of the outcome of the proposals had been agreed, in principle, with the applicant. The Committee was satisfied that, subject to the imposition of these conditions, the proposed development was acceptable.
Decision:	Listed Building consent granted
Conditions:	As previously agreed, in principle, with the applicants.

h	11 Carlton Avenue, Barton-on-Sea, New Milton (Application 18/10832)
Details:	Roof alterations in association with new first floor; two-storey side extension; single-storey front extension; two storey rear extension

Public Participants:	Mr Lewis – Applicant Dr Janicki – Objector Town Cllr Craze – New Milton Town Council.
Additional Representations:	1 additional letter from the objector further details of which were set out in the update circulated prior to the meeting.
Comment:	The officer's report was amended to reflect the separation distances to the rear of the objector's conservatory, as set out in the update circulated prior to the meeting.
Decision:	Permission
Conditions:	As per report (Item 3(h)).

i	Land off Mountfield, Hythe (Application 18/10838)
Details:	4 detached chalet bungalows; garages and parking; associated access (Outline application with details only of access and layout)
Public Participants:	In view of the changed recommendation of deferral, the applicant and objector decided not to speak on this occasion.
Additional Representations:	1 further letter of objection on the same grounds as set out in the report. The Landscape Officer raised a number of concerns as set out in more detail 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. The officer's recommendation was amended to defer the application to allow the resolution of the concerns raised by the Landscape Officer
Decision:	That consideration of this application be deferred to allow the concerns raised by the Landscape Officer to be addressed.

j	West Barns, Bleak Hill Farm, Bleak Hill, Ellingham, Harbridge & Ibsley (Application 18/10871)
Details:	Reconstruction of barn to form dwelling; use of barn as garage and ancillary residential accommodation (part retrospective)
Public Participants:	Ms Kibble – Applicant's Agent
Additional Representations:	None
Comment:	None
Decision:	Permission
Conditions:	As per report (Item 3(j)).

k	Rear of Rashley House, 77 High Street, Lymington (Application 18/10885)
Details:	Change of use of office (B1) to ancillary use to Rashley House (C3)
Public Participants:	Ms Slade – Applicant's Agent
Additional Representations:	None
Comment:	Cllr Penson disclosed a non-pecuniary interest as a member of Lymington and Pennington 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:	Permission
Conditions:	As per report (Item 3(k)).

l	Land of Aspen Cottage, Hythe Road, Marchwood (Application 18/10888)
Details:	House; detached garage
Public Participants:	None
Additional Representations:	Marchwood Parish Council had no objection in respect of the amended plans. County Highways had no objection in respect of the revised parking and turning arrangements.

Comment:	The Committee was advised of revisions to the report and recommendations as set out in the update circulated prior to the meeting.
Decision:	Service Manager Planning Development Control authorised to grant permission.
Agreements/ Conditions/ Negotiations:	<p>As per report (Item 3(l)) with the following amendments:</p> <p>Clause (i) amended to read as follows:</p> <p>i) The applicant entering into a Section 106 Legal Agreement to secure the visibility splay and joint turning area to serve both the existing and new dwelling and that these works are completed prior to the occupation of the new dwelling.</p> <p>Additional clause</p> <p>(iii) The Non material amendment relating to the garage/car port for Aspen Cottage to be approved prior to the issue of planning permission</p> <p>Amendment to condition 2 to refer to the amended plans</p> <ul style="list-style-type: none"> • Site layout plan ASP 021b Rev C • Location/block/elevation/floor plan ASP 020b Rev B <p>New condition 11</p> <p>11. The open fronted car port hereby approved to serve the new dwelling shall be retained as such and no garage door or side walls shall be fitted at any future time.</p> <p>Reason: To ensure that the car port is always available for use as a parking space in the interests of highway safety</p> <p>Additional informative</p> <p>3. The developer is reminded that this permission is subject to an agreement under Section 106 of the Town and Country Planning Act as amended which will secure the maintenance of the visibility splays required across the whole of the site frontage including Aspen Cottage as well as a joint access and turning area to serve both properties.</p>

m Land rear of The Old Cinema in Junction Road, Maynard Road, Totton (Application 18/10898)

Details: 4 flats; associated landscaping; cycle store; fenestration alteration to The Old Cinema building (amended reason to advertise)

Public Participants: None

Additional Representations: None

Comment: Cllrs Crisell, Davis 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 and to vote.

The Committee was concerned to note the objection raised by the Hampshire County Highways Officer in respect of the lack of parking and loss of existing parking on site. Although the site was in a sustainable location the lack of any opportunities to park either on-street or in a public car park, in this area, was of concern. Members were also concerned about the quality of life of the potential occupiers of the properties both from noise from the adjacent Asda service yard and associated HGV movements; and also from air quality as this site was immediately adjacent to the recently revoked Air Quality Management Area in Totton.

Decision: Refused

Refusal reasons: 1. The proposed development does not provide any car parking within the site and would also result in the loss of four existing car parking spaces, together with informal car parking that currently serves the existing residential flats at the Old Cinema, which would be contrary to the New Forest District Council document 'Parking Standards Supplementary Planning Document' adopted in October 2012. The lack of any on site

car parking is likely to give rise to inconsiderate and displaced parking on the public highway network which would neither be convenient or safe and may interrupt the free flow of traffic to the detriment of highway safety. For this reason, the proposal is contrary to policies CS2 and CS24 of the Core Strategy for the New Forest District outside the National Park.

2. As a result of the close proximity of the proposed flats to the adjacent retail service and delivery yard, the Local Planning Authority considers that the occupants of the proposed flats would enjoy an unsatisfactory and unacceptable living environment due to potential noise and disturbance. As such, the proposal would be contrary to Policy CS2 of the Core Strategy for New Forest District outside the National Park.
3. The application site lies in close proximity to the railway level crossing in Junction Road, where stationary vehicles in the road significantly contribute to the general poor air quality in the area. The Local Planning Authority considers that the proposed residential development would be an inappropriate use within this area that is subject to poor air quality, and as such, there would be an unacceptable risk to the health, quality of life and wellbeing of any occupants of the proposed flats. As such, the proposal would be contrary to Policies CS2 and CS5 of the Core Strategy for New Forest District outside the National Park.

n	Fawley Independent Day Nursery, 1 Rollestone Road, Holbury, Fawley (Application 18/10921)
Details:	Removal of condition 6 of Planning Permission 09/93731 to allow occupancy based on Ofsted requirements
Public Participants:	None

Additional Representations:	HCC Children's Services confirming the position with respect to nursery school places in the adjacent area and that the OFSTED registration of the nursery already permitted 70 children. 1 letter of concern that the building should not be increased in size. Further details of these representations were set out in the update circulated prior to the meeting.
Comment:	Cllrs Glass, Langdale and Thorne disclosed non-pecuniary interests as members of Fawley Parish 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. Mrs A Wilson, Solicitor, disclosed a non-pecuniary interest due to a personal connection with the site. She left the meeting for the consideration and voting.
Decision:	Service Manager Planning Development Control authorised to grant the variation of condition.
Agreements/ Conditions/ Negotiations:	As per report (Item 3(n)).

- o 16-18 Southampton Road, Ringwood (Application 18/11004)**
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| Details: | Removal of condition 3 on planning permission 18/10726 facilitate use of the first-floor flats as independent dwellings |
| Public Participants: | Mrs Terry - Applicant |
| Additional Representations: | Ringwood Town Council raised no objection |
| Comment: | None |
| Decision: | Permission |
| Conditions: | As per report (Item 3(o)). |

18 DATES OF MEETINGS**RESOLVED:**

- (a) That the following dates of meetings for the Planning Committee be approved
(Wednesdays at 9.00 a.m.)

12 June 2019	11 December 2019
10 July 2019	8 January 2020
14 August 2019	12 February 2020
11 September 2019	11 March 2020
9 October 2019	8 April 2020
13 November 2019	13 May 2020

- (b) The meeting scheduled to be held on 8 May 2019 be moved to Wednesday
1 May 2019, so that it falls just before the quadrennial election of councillors.

CHAIRMAN