

14 NOVEMBER 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, 14 November 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

Officers Attending:

S Clothier, Miss J Debnam, Mrs C Eyles, Mrs J Garrity, D Groom, Mrs A Wilson, and for part of the meeting Miss G O'Rourke, Mrs V Baxter, Ms J Chambers, Ms J Dawe, W Lever (New Forest National Park Authority), Ms A Miszewska, M Mortimer, Mrs V Potter, I Rayner and N Straw

Apologies:

Apologies for absence were received from Cllr White.

23 MINUTES

RESOLVED:

That the minutes of the meeting held on 10 October 2018 be signed by the Chairman as a correct record.

24 DECLARATIONS OF INTEREST

Cllr Glass disclosed a non-pecuniary interest in application 18/10999 as a member of Fawley Parish Council which had commented on the application.

Cllr Olliff-Cooper disclosed a non-pecuniary interest in application 18/10910 on the grounds that he was a personal friend of the applicant.

Cllr Penson disclosed a non-pecuniary interest in applications 18/10910 and 18/11047 as a member of Lymington and Pennington Town Council which had commented on the application.

Cllr Thorne disclosed a non-pecuniary interest in application 18/10999 as a member of Fawley Parish Council which had commented on the application.

25 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a Haven Marine Park, Undershore Road, Boldre (Application 18/10541)

Details:

Two buildings to comprise a total of 11 separate units to be used as car parking; storage (Class B8) including marine based business use on the ground floor and on the first floor as offices and light industrial (Class B1), removal of existing car park and boat storage to restore Site of Importance for Nature Conservation; boardwalk terraces; bin/cycle storage; access road; parking; landscaping; demolition of existing (Amended Plans, Description and Additional Information

Public Participants:

Mr Simpson – Applicant's Agent
Mr Stocks – Objector
Mr Bigg – Objector
Parish Cllr England – Boldre Parish Council

Additional Representations:

Cllr Kendal had written in support of the application

The Lymington Society raised concerns on the grounds of light pollution from the extensive glazing; and also the lack of landscaping.

Comment:

The Committee was advised that the applicants had not completed the correct ownership certificates when the application was submitted. The correct notices were subsequently served on 1 November 2018 and accordingly the period for comment did not expire until 22 November 2018. On this basis the officer's recommendation was amended to defer consideration of the application. As the application was to be deferred the public speakers indicated that they no longer wished to speak at this meeting.

Decision:

That consideration of this application be deferred to allow the consideration of any comments received during the consultation period ending on 22 November 2018.

b Land of Buckland Granaries, Sway Road, Lymington (Application 18/10910)

Details:

Diversion of footpath

Public Participants:

Ms Manchester – 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 commended 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.

Cllr Olliff-Cooper disclosed a non-pecuniary interest on the grounds that the applicant was a close personal friend. Having left the meeting he took no part in the consideration and voting.

The Committee noted the suggestion made by the Applicant's Agent that, should any objections to the consultation on this application be the same as those already considered, there would be no benefit in the matter being referred back to them for further consideration

Decision:

That the Committee exercise its discretionary power to make the Footpath Diversion Order and the officers be authorised to follow the procedure set out in paragraph 3 or Report Item 3 (b)

That if paragraph 3.1.9 applies, authority be delegated to the Service Manager Planning Development Control to confirm the Order.

That if objections are received following the making of the Order, which are not withdrawn, this matter be referred back to the Committee for consideration, unless the objections received are in the same terms as the Committee has already considered, in which case the Service Manager Planning Development Control be authorised to confirm the Order.

c 31 Hampton Lane, Blackfield, Fawley (Application 18/10999)**Details:**

Part use of dwelling for dog breeding

Public Participants:

Mr Gladstone – Applicant

Additional Representations:

2 further submissions from the Applicant in support of the application
1 letter from a neighbour confirming noise had been kept to a minimum
2 further letters of objection on the same grounds as set out in the report.

Comment:

Cllrs Glass 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.

The Committee concluded that a 2 year temporary consent was too long a period should the activity be causing a nuisance to the neighbours and consequently the period of consent was reduced to 1 year.

Decision:

Grant Temporary Permission

Conditions:

As per Report (Item 3(c)), with Condition 1 amended for the use to cease on or before 14 November 2019.

d 16 Chessel House, Fernhill Lane, New Milton (Application 18/11003)**Details:**

Removal of condition 5 of planning permission 17/10973 to allow rooflights on west elevation to be clear glazed and opening

Public Participants:

Mrs Cane – Objector

Town Councillor Dagnall – New Milton Town Council

Additional Representations:

None

Comment:

The Committee concluded that should the rooflights remain clear glazed and opening there was actual and perceived overlooking of the neighbouring properties, to the detriment of the reasonable amenities of the occupiers of those properties.

Decision:

Refused

Reason:

The proposal would result in both real and perceived overlooking from the roof lights towards 4 and 6, Avenue Road and would therefore be contrary to policy CS2 of the New Forest District Council Core Strategy.

e Land at Merlin, Lymington Road, Milford-on-Sea (Application 18/11022)**Details:**

Development comprised 1 terrace of 3 houses; 1 detached house; demolition of existing; parking and landscaping

Public Participants:

Mr Proctor – Applicant's Representative

Mrs Murfitt – Objector

Mr Hayne – Objector

Parish Cllr Bishop – Milford on Sea Parish Council

Additional Representations:

1 additional letter of objection, in the same terms as set out in the report, had been sent directly to members of the Committee.

Comment:

The Committee considered that the proposal was excessive in terms of its height, depth, scale and position with respect to adjacent properties and that consequently it had an unduly adverse impact on the amenities of the occupiers of neighbouring properties; and was also harmful to the character of the area through the undue loss of vegetation on the site.

Decision:

Refused

Reason:

The proposed development would be detrimental to the character of the area by reason of its height, depth, layout and scale along with the associated loss of greenery and verdant setting which would be inappropriate and unsympathetic to the surrounding pattern of development. In addition the proposed dwelling on plot 4 would have a detrimental impact on the dwelling at Ilex Cottage by reason of overlooking and its close proximity to this neighbour which would have an overbearing impact. As a result the proposals would be contrary to Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

f 30 Barton Drive, Barton-on-Sea, New Milton (Application 18/11042)**Details:**

2 detached bungalows; associated parking; demolish existing

Public Participants:

Mr McKeon – Applicant's Agent

Additional Representations:

None

Comment:

None

Decision:

Planning Permission

Conditions:

As per Report (Item 3(f))

g Chilfrome and Hainault, Lower Pennington Lane, Pennington, Lymington (Application 18/11047)**Details:**

Single-storey front extensions

Public Participants:

Miss Currie-Crouch - Applicant

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 concluded that the amenities of Hainault were adequately protected as the consent would have been partly implemented and

consequently would remain extant in perpetuity. The occupier of Hainult could therefore built their part of the front extension at any time in the future if they so wished. On this basis there was no need for an additional condition or legal agreement to secure that the extension to Hainult must be built within a limited time frame.

Decision:

Planning permission

Conditions:

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

26 MILFORD ON SEA (MOS1 SITE) APPEAL (APPLICATION 17/10606)

The Committee recalled that on 11 July 2018 they had refused an application for the construction of 42 dwellings, a public playing field and allotments on land at School Lane, Milford on Sea. Subsequent to that refusal the Council had commissioned an additional viability appraisal of the site and, in addition, the Government had published revised Planning Practice Guidance in support of the National Planning Policy Framework. The Council's Statement of Case for consideration at the forthcoming Appeal into the refusal had been prepared in this updated context and was attached as Appendix 2 to the report.

RESOLVED:

That the Statement of Case, as set out in Appendix 2 to Report Item 4 to the Committee, be endorsed for submission to the Planning Inspectorate.

CHAIRMAN