

13 MARCH 2019

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 March 2019

- * 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 R Harris

Councillors:

Mrs A J Hoare

Officers Attending:

Mrs C Upton-Brown, Mrs V Baxter, S Belli, J Bennett, Miss J Debnam, Mrs C Eyles, Mrs J Garrity, D Groom, A Harmer, Ms A Miszewska, R Natt, A Rogers, Ms A Wade and Mrs A Wilson

Apologies:

Apologies for absence were received from Cllrs Frampton, Sevier and White.

39 MINUTES

RESOLVED:

That the minutes of the meeting held on 2 February 2019 be signed by the Chairman as a correct record.

40 DECLARATIONS OF INTEREST

Cllr W Andrews advised the Committee that, in respect on application 19/10125, he had taken advice and did not have any interest that would prevent him from taking part in the consideration and voting.

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 Carpenter disclosed a non-pecuniary interest in applications 19/10063, 19/10064 and 19/10066 as a member of Hampshire County Council which was the determining authority.

Cllr Crisell disclosed a non-pecuniary interest in application 19/10013 as a member of Totton and Eling town Council which had commented on the application.

Cllr Davis disclosed a non-pecuniary interest in application 19/10013 as a member of Totton and Eling town Council which had commented on the application.

Cllr Glass disclosed a non-pecuniary interest in applications 18/11032 and 18/11341 as a member of Fawley Parish Council which had commented on the applications.

Cllr L Harris disclosed a non-pecuniary interest in application 19/10013 as a member of Totton and Eling town Council which had commented on the application.

Cllr Harrison disclosed a non-pecuniary interest in application 19/10013 as a member of Totton and Eling town Council which had commented on the application. He also disclosed a non-pecuniary interest in application 18/10541 as a member of the New Forest National Park Authority which had commented on the application.

Cllr Langdale disclosed a non-pecuniary interest in applications 18/11032 and 18/11341 as a member of Fawley Parish Council which had commented on the applications.

Cllr Penson disclosed a non-pecuniary interest in application 18/11673 as a member of Lyminster and Pennington Town Council which had commented on the application.

Cllr Thorne disclosed a non-pecuniary interest in applications 18/11032 and 18/11341 as a member of Fawley Parish Council which had commented on the applications.

Cllr Wyeth disclosed a non-pecuniary interest in application 18/10541 as a member of the New Forest National Park Authority which had commented on the application.

41 MISS J DEBNAM

The Chairman advised members that this was the last meeting of the Committee that would be attended by their Committee Administrator, Jan Debnam, prior to her leaving the Council on 3 April. On behalf of the Committee the Chairman thanked her for the help and support that she had given to the successive Chairmen and Members of the Committee since she had joined the Council in 1988.

42 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 (Class B1) 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

Public Participants:

Mr Robinson – Applicant’s Agent
Mr Bigg – Objector
Mr Stocks – Objector’s Agent
Parish Cllr England – Boldre Parish Council

Additional Representations:

7 additional letters supporting the principal of redevelopment but raising concerns.

An additional letter of support from Cllr Kendal.

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

Comment:

Cllrs Harrison and Wyeth disclosed non-pecuniary interests as members of the New Forest national Park Authority 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.

Cllr M Harris addressed the Committee in support of the application.

The officer’s recommendation was changed to the Service Manager Planning Development Control authorised to grant subject to the submission and approval by the Local Planning Authority of an appropriate Flood Warning and Evacuation Plan and the conditions set out in the report (Item 3 (a)).

Decision:

Service Manager Planning Development Control authorised to grant permission.

Conditions/Agreements/Negotiations:

Subject to the submission and approval by the Local Planning Authority of an appropriate Flood Warning and Evacuation Plan and the conditions set out in the report (Item 3 (a)).

b 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:

Mr Taylor – Objector

Additional Representations:

The Ecology Officer raised no objection
The Landscape Officer raised no objection and gave further guidance
1 additional e-mail of objection from a local resident in the same terms as set out in the report

Further details of these representations were set out 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.

Decision:

Service Manager Planning Development Control authorised to grant permission.

Conditions/Agreements/Negotiations:

As per report (Item 3(b))

c Land off Lime Kiln Lane, Holbury, Fawley (Application 18/11032)**Details:**

4 blocks comprising 26 units (Use Class B1c/B2/B8); parking; cycle/refuse storage; landscaping; fencing

Public Participants:

Mr Plotnek – Applicant's Agent.

Additional Representations:

The applicant had submitted further information to substantiate their case why the BREEAM excellent standard could not be achieved.

Comment:

Cllrs Glass, Langdale and Thorne disclosed non-pecuniary interests as members of Fawley 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 to vote.

The Committee was advised that the description must be amended to read '4 blocks comprising 24 units (class B1c/B2/B8); parking, cycle/refuse storage; landscaping; fencing'. This necessitated a new press notice, site notice, re-consultation and re-notification which would expire on 5 April 2019. The recommendation was accordingly amended to authorise the Service Manager Planning Development Control to grant permission, subject to no further substantive comments being received by 5 April 2019 and the imposition of the conditions set out in the report. Condition 14 was also amended to include 'Roman Road' in addition to 'Harrier Green'

Decision:

Service Manager Planning Development Control to grant permission

Conditions/Agreements/Negotiations:

Subject to no further substantive comments being received by 5 April 2019 and the imposition of the conditions set out in the report (Item 3(c)). Condition 14 also amended to include 'Roman Road' in addition to 'Harrier Green'

d Penlowarth, 7 Thornbury Avenue, Blackfield, Fawley (Application 18/11341)**Details:**

Flue on outbuilding (Retrospective)

Public Participants:

Mr Butcher – Objector.

Additional Representations:

None

Comment:

Cllrs Glass, Langdale and Thorne disclosed non-pecuniary interests as members of Fawley 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 to vote.

The Committee was advised of amendments to the report as set out in the update circulated prior to the meeting.

Decision:

Refused.

Reasons:

By reason of its siting, limited height and its position in relation to the boundary, the flue causes unacceptable impact by way of smoke emission and odour to the detriment of the reasonable amenities of the occupiers of the adjoining residential property at No 10 Thornbury Avenue, and in particular the decking area within their rear garden. For this reason, the development is contrary to policies CS2 and CS5 of the Core Strategy for the New Forest District outside the National Park.

e Land of 28 St Georges Road, Fordingbridge (Application 18/11556)**Details:**

Bungalow; access on St Georges Crescent

Public Participants:

None.

Additional Representations:

None

Comment:

The Committee was advised that the heading "proposed conditions" should be omitted from the recommendation.

Decision:

Refused.

Reasons:

As per report (Item 3(e))

f 46 Fullerton Road, Pennington, Lymington (Application 18/11673)**Details:**

Roof alterations and dormers in association with new first floor; single-storey rear extension; replacement garage

Public Participants:

Ms Slade – Applicant's Agent

Additional Representations:

A letter from the applicant's agent had been sent to Members of the Committee directly.

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:

Planning Permission

Conditions:

As per report (Item 3(f))

g Land of Fenwicks Storage Yard, Brokenford Lane, Totton (Application 19/10013)

Details:

Development of 21 dwellings comprised: 3 terraces of 5 houses; 1 terrace of 6; bin and cycle store; parking; landscaping; access and associated works

Public Participants:

Mr Potter – Applicant's Agent

Additional Representations:

The Housing Development and Strategy Development Officer supported the application. Further details of his comments were set out in the update circulated prior to the meeting.

Comment:

Cllrs Crisell, Davis, L Harris and Harrison disclosed non-pecuniary interests as members of Totton and Eling Town 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 to vote.

The Committee was advised that the Public Open Space contribution had now been confirmed to be £37,869.61 and clause (b) of the recommendation should be updated accordingly. A number of changes were made to the conditions, as set out in the update circulated prior to the meeting.

Decision:

Service Manager Planning Development Control authorised to grant permission

Conditions/Agreements/Negotiations:

As per report (Item 3(g)) and amended by the update.

h Blue Haze Landfill Site, Somerley Road, Somerley, Ellingham, Harbridge & Ibsley (Application 19/10063)**Details:**

Variation of condition 2 of Planning Permission 08/92516 to extend the time for the use of the landfill gas utilisation plant until March 2040

Public Participants:

None

Additional Representations:

None

Comment:

Cllr Carpenter disclosed a non-pecuniary interest as a member of Hampshire County Council which was the determining authority. She asked that it be noted that she reserved her right to change her view in the light of any further information that came forward and also asked that it be recorded that she abstained from voting.

Cllr Harrison was not present for this item.

The officer's recommendation was amended by alterations to the wording of conditions 2 and 3, as set out in the update circulated prior to the meeting.

Decision:

That no objection be raised.

Conditions:

As per report (Item 3(h)) and amended by the update circulated prior to the meeting.

i Blue Haze Landfill Site, Verwood Road, Somerley, Ellingham, Harbridge & Ibsley (Application 19/10064)

Details:

Variation of condition 2 of Planning Permission 11/97613 to extend the time for the use of the Waste Transfer Station until 2030

Public Participants:

None

Additional Representations:

None

Comment:

Cllr Carpenter disclosed a non-pecuniary interest as a member of Hampshire County Council which was the determining authority. She asked that it be noted that she reserved her right to change her view in the light of any further information that came forward and also asked that it be recorded that she abstained from voting.

Cllr Harrison was not present for this item.

The Committee was advised of revised wording to the suggested conditions, as set out in the update circulated prior to the meeting.

Decision:

That no objection be raised.

Conditions:

As per report (Item 3(j)) and amended in the update circulated prior to the meeting.

j Blue Haze Landfill Site, Verwood Road, Somerley, Ellingham, Harbridge & Ibsley (Application 19/10065)

Details:

Variation of condition 1 of Planning Permission 15/10979 to extend the time for the use of road sweepings and gully waste plant until 2029

This application was withdrawn by the applicants on 7 March 2019.

k Blue Haze Landfill Site, Verwood Road, Somerley, Ellingham, Harbridge & Ibsley (Application 19/10066)

Details:

Variation of conditions 1, 3 and 4 of Planning Permission 07/90183 to extend the time to complete the importation of waste to the landfill until 2029, revise the landfill phasing and phasing of restoration, and the completion of landfill restoration by 2031

Public Participants:

None

Additional Representations:

None

Comment:

Cllr Carpenter disclosed a non-pecuniary interest as a member of Hampshire County Council which was the determining authority. She asked that it be noted that she reserved her right to change her view in the light of any further information that came forward and also asked that it be recorded that she abstained from voting.

Cllr Harrison was not present for this item.

Decision:

That no objection be raised

Conditions:

As per report (Item 3(k))

l Land of Gunfield, Shorefield Crescent, Milford-on-Sea (Application 19/10125)

Details:

Chalet bungalow; access and landscaping

Public Participants:

Mrs Evans – Applicant's Agent
Parish Cllr Coster – Milford on Sea Parish Council

Additional Representations:

An additional representation raising concerns about flooding.

Milford on Sea Parish Council raised objections.

l additional letter of objection from a neighbour

1 additional letter of support.

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

Comment:

Cllr W Andrews advised the Committee that, although he had acted in the Council's behalf in initiating a judicial review of the Council's previous decision to issue planning permission for an equivalent development, he had taken advice and did not have any interest that would prevent him from taking part in the consideration and voting on this item. This was on the base that the action was on a procedural matter unrelated to the merits of the scheme.

The officer's recommendation was amended by the inclusion of an additional condition relating to slab levels.

Decision:

Planning permission.

Conditions:

As per report (Item 3(l)), with an additional condition:

Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

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).

43 SCHEME OF DELEGATION OF POWERS TO OFFICERS

The Committee considered changes to the Scheme of Delegation of Powers to Officers, including the additional amendments set out in the update circulated prior to the meeting.

RESOLVED:

That the Scheme of Delegation of Powers to Officers be updated as set out in Appendix 1 to Report Item 4 to the Committee, together with the additional changes set out in the update circulated prior to the meeting.

CHAIRMAN