

**13 NOVEMBER 2019**

**NEW FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held on Wednesday, 13 November 2019

\* Cllr Christine Ward (Chairman)

\* Cllr Christine Hopkins (Vice-Chairman)

**Councillors:**

- \* Sue Bennison
- \* Hilary Brand
- \* Fran Carpenter
- \* Rebecca Clark
- \* Anne Corbridge
- \* Kate Crisell
- \* Arthur Davis
- \* Jan Duke
- \* Barry Dunning

**Councillors:**

- \* Allan Glass
- David Hawkins
- \* Maureen Holding
- Mahmoud Kangarani
- \* Joe Reilly
- Tony Ring
- \* Ann Sevier
- Beverley Thorne
- \* Malcolm Wade

\*Present

**Officers Attending:**

Vivienne Baxter, Stephen Belli, Jim Bennett, Kate Cattermole, Jo Chambers, Rosie Rigby, Claire Upton-Brown, Karen Wardle and Amanda Wilson

**Apologies**

Apologies for absence were received from Cllrs Hawkins, Kangarani, Ring and Thorne.

**24 MINUTES**

**RESOLVED:**

That the minutes of the meeting held on 9 October 2019 be agreed as a correct record and signed by the Chairman.

**25 DECLARATIONS OF INTEREST**

Cllr R Clarke disclosed a non-pecuniary interest in applications 19/10548, 19/11139 and 19/11212 as a member of Hythe and Dibden Parish Council which had commented on these applications. She concluded that there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

Cllrs Crisell and Davis disclosed a non-pecuniary interest in application 19/11001 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.

Cllr M Wade disclosed a non-pecuniary interest in applications 19/10548, 19/11139 and 19/11212 as a member of the Planning Committee of Hythe and Dibden Parish Council which had commented on these applications. He concluded that as he had not voted on the applications there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

## 26 PLANNING APPLICATIONS FOR COMMITTEE DECISION

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### a 23/23a Market Place, Ringwood (Application 19/10428)

#### Details:

Use rear ground floor as two flats

#### Public Participants:

Mr Hayward (Applicant)

#### Additional Representations:

None

#### Comment:

The Case Officer clarified that the scheme was for a two bedroom flat and a one bed studio flat, therefore amending paragraph 11.2 of the report. It was also reported that an amended plan had been received showing the position of the existing bin store and that condition 2 required amendment to reflect this change. This had been included in the update note circulated prior to the meeting.

#### Decision:

Grant subject to conditions

#### Conditions / Reasons:

As per report (Item 3a) and amended condition 2, set out below:

#### Amended Condition 2

The development permitted shall be carried out in accordance with the following approved plans: J.64.2017-01, J.64.2017-04H, J.64.2017-05, J.64.201 7-20, the Heritage Statement by Elaine Milton Heritage and Planning Ltd (May 2019) and the Flood Risk Assessment by M Frank Tyhurst (Feb 2018).

Reason: To ensure satisfactory provision of the development.

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**b South Street Centre, 16-20 South Street, Hythe (Application 19/10548)****Details:**

Third-floor extension to form 2 new offices

**Public Participants:**

None

**Additional Representations:**

An additional letter from a local resident had been received re-iterating concerns regarding parking, as per update note circulated prior to the meeting.

**Comment:**

Cllr R Clarke disclosed a non-pecuniary interest as a member of Hythe and Dibden Parish Council which had commented on the application. She concluded that there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

Cllr M Wade disclosed a non-pecuniary interest as a member of the Planning Committee of Hythe and Dibden Parish Council which had commented on the application. He concluded that as he had not voted on the application there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

The Committee considered the number of car parking spaces currently provided on this site and that of the proposed scheme. It was noted that an additional 11 spaces would be provided as part of the proposal and that this was in line with the adopted SPD for suggested parking standards. Members noted that a number of objections had been raised which suggested that the existing car park was oversubscribed which would be further impacted with the proposed development. It was therefore suggested that a condition be included requesting a green travel plan be provided in order to support and encourage the use of sustainable travel.

Cllr Duke was unable to vote on this application as she had been absent for part of the consideration of this item.

Cllrs Davis, Holding and Hopkins were not present for this item.

**Decision:**

Grant subject to conditions.

**Conditions / Reasons:**

As per report (Item 3b) and an additional condition set out below:

**Additional Condition**

Prior to the commencement of development a Green Travel Plan shall be

submitted to and agreed in writing with the Local Planning Authority. The Plan shall identify opportunities for effective promotion of sustainable transport options such as walking, cycling, use of public transport, vouchers for subsidised travel, telecommuting, car share and provision of facilities within the building to facilitate appropriate green travel initiatives. The Plan shall include details of implementation timetables for any proposed initiatives.

Reason: To promote sustainable transport options to the site in accordance with Policy 31 of the New Forest District Council Emerging Local Plan 2016-2036, and government guidance as set out in Section 9 of the NPPF and Planning Practice Guidance.

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**c Land Rear Of Fulwood, Park Lane, Milford-On-Sea (Application 19/10787)**

**Details:**

Two detached houses; associated parking; carport; access and landscaping

**Public Participants:**

Mr Holmes Spruce, Town Planning Ltd (Agent)  
Cllr Sue Whitlock, Milford on Sea Parish Council

**Additional Representations:**

A further letter of objection had been received from a local resident stating that the proposal was out of keeping in the area and that there were concerns about the open ditch and risk of flooding.

**Comment:**

The Case Officer reported that a revised Flood Risk Assessment had been received and that further comments had been invited from the Environment Agency. The recommendation had been amended, which also reflected that the Environment Agency may submit further comments and / or request conditions. This had been included in the update note circulated prior to the meeting.

An amendment to Condition 2 was also reported to reflect a change to one of the plan numbers.

The Committee expressed concern regarding the future maintenance of the ditch and who would be responsible for this. It was agreed that a condition be added to clarify the owners and the responsibility to ensure that the ditch was maintained.

**Decision:**

That DELEGATED AUTHORITY be given to the Chief Planning Officer to grant planning permission subject to:

- i) An Appropriate Assessment being carried out under Regulation 63 of the Habitat Regulations and confirmation that there will be no adverse impact on matters of nature conservation important by 14 February 2020;
- ii) Receipt of further comments from the Environment Agency; and
- iii) The imposition of conditions set out in the report, and as may be required by the Environment Agency.

**Conditions / Reasons:**

As per report (Item 3c), an amended condition 2 and additional condition, set out below:

**Amended Condition 2**

The development permitted shall be carried out in accordance with the following approved plans: Design and Access Statement and Addendum, Planning Policy Statement, Arboricultural Impact Assessment and Tree Protection Scheme, Preliminary Ecological Appraisal (updated September 2019), Emergency Flood Plan, Flood Risk Assessment dated September 2019, Foul and Surface Water Drainage Strategy dated September 2019, LP01A, P1.pB, P1.eB, P2.pB, P2.eB, CP.peA, SE.02B, SL.01B, SE.01B, DBML.01B.

Reason: To ensure satisfactory provision of the development.

**Additional Condition**

Prior to the occupation of the dwellings hereby permitted, a scheme for the maintenance of the ditch to the east of the site shall be submitted to, for approval in writing by, the Local Planning Authority. The ditch shall be permanently maintained in accordance with the approved details.

Reason: To reduce the risk of flooding to the proposed development and elsewhere and in accordance with policy CS6 of the New Forest District Council Core Strategy.

**d 20 West Park Lane, Damerham, Fordingbridge (Application 19/10897)**

**Details:**

First floor rear extension; porch; bay window; car port

**Public Participants:**

Mr Macildowie (Applicant)  
Cllr D Crane, Damerham Parish Council

**Additional Representations:**

None

**Comment:**

None

**Decision:**

Refuse

**Conditions / Reasons:**

As per report (Item 3d)

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**e 4 The Retreat, Totton (Application 19/11001)****Details:**

2 dwellings; associated landscaping and parking; demolition of existing

**Public Participants:**

Ms Trusson (Objector)

**Additional Representations:**

An additional six letters of objection had been received from local residents. They re-iterated concerns raised previously and stated that the amended plans did not overcome their objections. This had been reported in the update note circulated prior to the meeting.

An email had also been sent to members of the Planning Committee from a member of the public.

**Comment:**

Cllrs Crisell and Davis disclosed a non-pecuniary interest 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 Case Officer reported that there had been an amendment to the wording of the recommendation and an additional condition. This had been included in the update note circulated prior to the meeting.

The Committee noted the concerns expressed in the report and at the meeting regarding the access road; that it was poorly maintained with many potholes and that additional traffic movements, particularly, during the proposed construction period could make the condition of this road worse. Members agreed that Condition 6 should be amended to include an additional requirement for a condition survey, including photos to be carried out before any construction commenced onsite and that any damage to the road caused as a result of the construction vehicles to be repaired by the developer.

Members also expressed concern regarding the overhanging branches of

the oak tree in a garden of one of the properties opposite the proposed site. The tree branches would overhang onto the driveways of the proposed dwellings and would be likely to drop leaves onto any vehicle parked there. In order to protect the tree it was requested that officers investigate the possibility of a Tree Preservation Order for this oak tree.

**Decision:**

That DELEGATED AUTHORITY be given to the Chief Planning Officer to grant planning permission subject to:

- i) An Appropriate Assessment being carried out under Regulation 63 of the Habitat Regulations and confirmation that there will be no adverse impact on matters of nature conservation importance by 14 February 2020; and
- ii) The imposition of the conditions.

**Conditions / Reasons:**

As per report (Item 3e), an additional condition and an amended condition 6, set out below:

**Amended Condition 6:**

Prior to the commencement of development including any site clearance works a construction management plan shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall include the following:

- Details for accommodating all site traffic and contractors' vehicles
- Hours and days of operation for contractors on site
- The phasing of development
- A photographic survey of the access road from Jacob's Gutter Lane leading to the site, together with a scheme for repairing any damage caused by construction traffic and the timescales for such repairs to be carried out.

The development shall not proceed other than in accordance with the plan as may be agreed.

Reason: In the interests of providing a safe access to the site and the amenity of local residents.

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**f Land Adjacent Sandle Lodge, Main Road, Sandleheath (Application 19/11080)**

**Details:**

3 detached dwellings; 6 semi-detached dwellings; access; parking; bin and cycle store; associated landscaping (Duplicate application to 19/10994)

**Public Participants:**

Jamie Ward, Healthy Developments Ltd (Applicant)

Mr Cobbold Bell Cornwell LLP (Agent)  
Cllr Philip Stockton, Sandleheath Parish Council

**Additional Representations:**

One letter of support had been received from Sandleheath Village Hall Chartered Incorporated Organisation, as per update noted circulated prior to the meeting.

**Comment:**

None

**Decision:**

That the Chief Planning Officer be AUTHORISED TO GRANT PERMISSION subject to:

- (i) The applicant first entering into an agreement under s106 of the Town and Country Planning Act (as amended) to secure the off-site financial contribution in relation to public open space / recreation / community benefit within the Parish of Sandleheath for the following amounts:

Phase 1 £18,359 (Application 19/11080)

Phase 2 £13,218.48 (Application 19/11083)

And that such sum be lodged with the District Council on the commencement of development for each phase. If the monies are not spent within a period of 10 years from payment to the District Council the money shall be refunded to the applicant with any interest accrued; and

- (ii) The imposition of conditions

**Conditions / Reasons:**

As per report (Item 3f)

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**g Phase 2 Land Adjacent Sandle Lodge, Main Road, Sandleheath (Application 19/11083)**

**Details:**

Erection of 5 detached new homes within the curtilage of the existing Sandle Lodge; associated access; parking; etc (Duplicate application to 19/11000)

**Public Participants:**

Mr Cobbold Bell Cornwell LLP (Agent)

**Additional Representations:**

A letter of support had been received from Sandleheath Village Hall Chartered Incorporated Organisation. This had been included in the update note circulated prior to the meeting.

**Comment:**

The Case Officer reported an amendment to condition 3 following a request from the applicant's agent. This had been included in the update note circulated prior to the meeting.

Cllr Holding was not present for this item.

**Decision:**

That the Chief Planning Officer be AUTHORISED TO GRANT PERMISSION subject to:

- (i) The applicant first entering into an agreement under s106 of the Town and Country Planning Act (as amended) to secure the off-site financial contribution in relation to public open space / recreation / community benefit within the Parish of Sandleheath for the following amounts:

Phase 1 £18,359 (Application 19/11080)

Phase 2 £13,218.48 (Application 19/11083)

And that such sum be lodged with the District Council on the commencement of development for each phase. If the monies are not spent within a period of 10 years from payment to the District Council the money shall be refunded to the applicant with any interest accrued; and

- (ii) The imposition of conditions.

**Conditions / Reasons:**

As per report (Item 3g) and amended condition 3.

**h Land Off Mountfield, Hythe (Application 19/11139)****Details:**

4 detached chalet bungalows; garages and parking; associated access (Details of appearance & scale development granted by Outline Permission 18/10838)

**Public Participants:**

None

**Additional Representations:**

None

**Comment:**

Cllr R Clarke disclosed a non-pecuniary interest as a member of Hythe and Dibden Parish Council which had commented on the application. She concluded that there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

Cllr M Wade disclosed a non-pecuniary interest as a member of the Planning Committee of Hythe and Dibden Parish Council which had commented on the application. He concluded that as he had not voted on the application there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Cllrs Davis, Holding and Hopkins were not present for this item.

**Decision:**

APPROVAL of reserved matters of appearance and scale, specified in condition 1 of outline permission reference number 18/10838 dated 4.7.19.

**Conditions / Reasons:**

As per report (Item 3h)

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**i 16 Knowland Drive, Milford-On-Sea (Application 19/11161)****Details:**

2 detached bungalows; demolish existing bungalow

**Public Participants:**

Jerry Davies (Agent)  
Stephen Woodington (Objector)  
Cllr Sue Whitlock, Milford on Sea Parish Council

**Additional Representations:**

An additional representation had been received from the Highway Authority stating no objection. An additional condition was also recommended. This had been included in the update note circulated prior to the meeting.

**Comment:**

The Case Officer reported the following:

- an amended plan had been submitted to show an amended boundary treatment of hedging instead of fence and an increase in soft landscape area to the site frontage;
- an amendment to the recommendation; and

- an amendment to condition 8 and an additional condition.

These had been included in the update note circulated prior to the meeting.

Cllr Duke was unable to vote on this application as she had been absent for part of the consideration of this item.

**Decision:**

That DELEGATED AUTHORITY be given to the Chief Planning Officer to grant planning permission subject to:

- i) An Appropriate Assessment being carried out under Regulation 63 of the Habitat Regulations and confirmation that there will be no adverse impact on matters of nature conservation importance by 14 February 2020; and
- ii) The imposition of conditions.

**Conditions / Reasons:**

As per report (Item 3i), an amended condition 8 and additional condition 11.

**j 15 Atheling Road, Hythe (Application 19/11212)**

**Details:**

Demolish existing garage; Front, rear and side extensions; Roof alterations

**Public Participants:**

None

**Additional Representations:**

None

**Comment:**

Cllr R Clarke disclosed a non-pecuniary interest as a member of Hythe and Dibden Parish Council which had commented on the application. She concluded that there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

Cllr M Wade disclosed a non-pecuniary interest as a member of the Planning Committee of Hythe and Dibden Parish Council which had commented on the application. He concluded that as he had not voted on the application there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

The Case Officer reported an additional condition be included, as per update note circulated prior to the meeting.

Cllrs Davis, Holding and Hopkins were not present for this item.

**Decision:**

Grant subject to conditions

**Conditions / Reasons:**

As per report (Item 3j) and an additional condition 4.

CHAIRMAN