

11 NOVEMBER 2020

NEW FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 11 November 2020

* Cllr Christine Ward (Chairman)

* Cllr Christine Hopkins (Vice-Chairman)

Councillors:

- * Ann Bellows
- * Sue Bennison
- * Hilary Brand
- * Rebecca Clark
- * Anne Corbridge
- * Kate Crisell
- * Arthur Davis
- * Barry Dunning
- * Allan Glass

Councillors:

- * David Hawkins
- Maureen Holding
- * Mahmoud Kangarani
- * Joe Reilly
- Tony Ring
- * Ann Sevier
- * Michael Thierry
- * Beverley Thorne
- Malcolm Wade

*Present

Officers Attending:

Vivienne Baxter, Jim Bennett, Dean Brunton, Jo Chambers, Judith Garrity, Andrew Kinghorn, Arleta Miszewska, Richard Natt, Julie Parry, Daniel Reynafarje, Claire Upton-Brown, Karen Wardle and Matt Wisdom

Apologies:

Apologies for absence were received from Cllrs Holding, Ring and Wade.

69 DECLARATIONS OF INTEREST

Cllrs Davis and Kangarani disclosed a non-pecuniary interest in application 20/10695 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 Crisell disclosed a non-pecuniary interest in application 20/10695 as a member of the Planning Committee of Totton and Eling Town Council which had commented on the application. She concluded that as she had not voted on the application there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

Cllrs Glass and Thorne disclosed a non-pecuniary interest in applications 20/10336, 20/10978 and 20/10686 as members of Fawley Parish Council which had commented on the applications. They concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak and to vote.

Cllr Ward disclosed a non-pecuniary interest in application 20/10994 as a member of New Milton Town 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 Clark disclosed a non-pecuniary interest in application 20/10894 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 Hawkins disclosed a non-pecuniary interest in application 20/10994 as a member of the Planning Committee of New Milton Town Council which had commented on the application. Cllr Hawkins did not participate or vote on the application but was present during the consideration of the item.

70 PLANNING APPLICATIONS FOR COMMITTEE DECISION

**a 4-6 Rumbridge Street, Totton (Subject to Legal Agreement)
(Application 20/10695)**

Details:

Demolition of the existing building and construction of a commercial unit (Use class A1, A2 or B1(a)) and 7 apartments (Outline application with details of access, appearance, layout & scale)

Public Participants:

Ben Kelly (Agent)
Jan Batty (Objector)

Additional Representations:

None

Comment:

Cllrs Davis and Kangarani 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.

Cllr Crisell disclosed a non-pecuniary interest as a member of the Planning Committee of Totton and Eling Town Council which had commented on the application. She concluded that as she had not voted on the application there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

The Case Officer reported the legal agreement to secure the Traffic Regulation Order had been completed.

The Committee noted that the proposed development was located in a busy area, with problems of traffic congestion at certain times of the day. An additional condition was suggested to address the construction phase to ensure that the development did not adversely impact on the movement of traffic during construction.

Decision:

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

- i) the completion of a planning obligation entered into by way of a Section 106 agreement to secure recreational habitat mitigation, an air quality contribution and a Traffic Regulation Order; and
- ii) the imposition of the conditions.

Conditions / Reasons:

As per report (Item 2a) and additional condition set out below:

No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- (a) A programme of and phasing of demolition and construction work, to ensure that demolition and construction activity does not impinge upon the flow of traffic on Rumbridge Street and Junction Road;
- (b) The provision of long term facilities for contractor parking;
- (c) The arrangements for deliveries associated with all construction works, to ensure that deliveries do not impinge upon the flow of traffic on Rumbridge Street and Junction Road;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery, to ensure that activity does not impinge upon the flow of traffic on Rumbridge Street and Junction Road;
- (f) Protection of pedestrian routes during construction; and
- (g) Location of temporary site buildings, compounds, construction material, and plan storage areas.

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: In order that the Planning Authority can properly consider the effect of the works on the amenity and highway safety of the locality in accordance with Policy ENV3 of the Local Plan Part 1.

b Land at Merlin, Lymington Road, Milford-on-Sea (Proposed Legal Agreement) (Application 19/11439)

Details:

Demolition of existing residential property; redevelopment of land to provide 4 residential units; associated parking; landscaping

Public Participants:

Simon Proctor (Agent)
Monica Murfitt (Objector)

Additional Representations:

A statement was read out on behalf of Sarah Pitt, Milford-on-Sea Parish Council.

Comment:

Cllr Reilly was not present for the duration of this item due to a lost connection with the Skype meeting. Cllr Reilly did not vote in respect of this item.

Decision:

- i) That condition 18 be amended to remove reference to 'passing places', as set out below; and
- ii) that the Drawing Numbers be updated and all conditions reflect the amended plans and drawing numbers removing the 'passing place'.

Conditions / Reasons:

As per report (Item 2b).

Amended condition 18

The development hereby permitted shall not be occupied until the points of access shown on plan Reference Number (08) 01 Rev C are provided for access arrangements. The points of access shown on plan Reference Number (08) 01 Rev C shall be retained and kept available for the access arrangements for the dwellings hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

c Fulwood, Park Lane, Milford-on-Sea (Proposed Legal Agreement (Application 20/10433))

Details:

Construction of two houses with associated parking, access and landscaping (existing house to be retained) Alternative scheme to planning permission ref 19/10787

Public Participants:

Matt Holmes, Spruce Town Planning Ltd (Agent)
Jennifer Chown (Objector)

Additional Representations:

A representation was read out on behalf of Sarah Pitt, Milford-on-Sea Parish Council

Comment:

The Committee noted that permission had been granted for the construction of two houses on the site. The application, however proposed that one of the properties would be located nearer to the boundary of a nearby property. Members expressed concern regarding the increase in size, height, and proximity to the adjoining property and it was felt that this would have an overbearing impact.

Decision:

Refuse

Conditions / Reasons:

The proposed development would, due to its size, height and proximity to the boundary, have an overbearing impact on the adjoining property contrary to Policy ENV3 of the Local Plan.

d Esso Sport & Recreation Club, 179-181 Long Lane, Holbury, Fawley (Application 20/10336)

Details:

New changing room pavilion; demolish the existing club building; community garden and new car parking layout; landscaping

Public Participants:

Simon Downing, Exxon Mobile Engineering Europe Ltd (Agent)
Christopher Wortley (Objector)
Tom Clarke, Theatres Trust (Statutory Consultee)

Additional Representations:

A statement was read out on behalf of Ward Cllr, Alan Alvey.

Comment:

Cllrs Glass and Thorne disclosed a non-pecuniary interest 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.

Cllr Kangarani was not present for the duration of this item due to a lost connection with the Skype meeting. Cllr Kangarani did not vote in respect of this item.

Decision:

Delegated Authority be given to the Chief Planning Office to GRANT PERMISSION subject to:

- i) notification to the HSE that the Local Planning Authority is minded to approve the application and allowing 21 days from that notice period for the HSE to give further consideration to the matter, including whether to request the Secretary of State for Communities and Local Government to call-in the application; and
- ii) the imposition of the conditions set out in the report.

Conditions / Reasons:

As per report (Item 2d)

e Woodberry Day Nursery, 1 Rolleston Road, Holbury, Fawley (Application 20/10978)

Details:

Alterations and additions to existing property

Public Participants:

None

Additional Representations:

The Case Officer reported that the proposal was to create an additional **40.24 sqm** of floorspace, this had been included in the update note circulated prior to the meeting.

Comment:

Cllrs Glass and Thorne disclosed a non-pecuniary interest 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.

Cllr Hopkins was not present for this item.

Decision:

That the Chief Planning Officer be AUTHORISED TO GRANT PERMISSION subject to notification to the HSE that the Local Planning Authority is minded to approve the application and allowing 21 days from that notice period for the HSE to give further consideration to the matter, including whether to request the Secretary of State for Communities and Local Government to call-in the application; and conditions.

Conditions / Reasons:

As per report (Item 2e) and update note

**f Brockwood, 42 Barton Common Lane, Barton-on-Sea, New Milton
(Application 20/10994)**

Details:

Erect 4 no 3 bedroom houses with garages and parking; demolish existing dwelling

Public Participants:

Paul Miller (Objector)
Cllr Keith Craze, New Milton Town Council

Additional Representations:

The Case Officer reported that two additional representations had been received from 40 and 46 Barton Common Lane, details of which had been included in the update note circulated prior to the meeting.

A statement was read out on behalf of Dan Wilden, Pure Town Planning (Agent).

Comment:

Cllr Hawkins disclosed a non-pecuniary interest as a member of the Planning Committee of New Milton Town Council which had commented on the application. Cllr Hawkins did not participate or vote on the application but was present during the consideration of the item.

Cllr Ward disclosed a non-pecuniary interest as a member of New Milton Town 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.

The Case Officer reported that notice **had** been served on New Milton Town Council and an additional condition relating to construction of surfaces within the root protection area. This had been included in the update note circulated prior to the meeting.

Members noted the concerns raised by New Milton Town Council and the objections raised both in the meeting and cited in the report. Support was expressed for the Town Council's reasons for objection, which included overdevelopment, the access road not being wide enough for two way traffic, loss of trees and contrary to policy.

Cllr Hopkins was not present for this item.

Decision:

Refuse

Conditions / Reasons:

1. The proposed development of the site for 4 dwellings would result in the loss of spatial gaps between buildings which play a significant role in contributing to the character of the area. The loss of gaps will result in a form of development that is out of keeping with the area and as such would be contrary to New Milton Local Distinctiveness Document Supplementary Planning Document.
2. The proposed development, due to its scale and form would result in an overdevelopment of the site contrary to Policy ENV3 of the Local Plan Part 1 Planning Strategy 2016-2036.
3. The access arrangement to serve the proposed development would be unsatisfactory as it would be of insufficient width to allow for two-way traffic or emergency vehicles to conveniently reach the site. As such it would be contrary to Policy ENV3 of the Local Plan Part 1 Planning Strategy 2016-2036.
4. The proposed development would result in the loss of trees on the site to the detriment of the area and contrary to Policy ENV3 of the Local Plan Part 1 Planning Strategy 2016-2036.
5. The scale and character of the proposed development would be out of keeping with character of the surrounding area contrary to Policy NM4 Design Quality of the New Milton Neighbourhood Plan.
6. The recreational and air quality impacts of the proposed development on the New Forest Special Area of Conservation, the New Forest Special Protection Area, the New Forest Ramsar site, the Solent and Southampton Water Special Protection Area, the Solent and Southampton Water Ramsar site, and the Solent Maritime Special Area of Conservation would not be adequately mitigated, and the proposed development would therefore be likely to unacceptably increase recreational and air quality pressures on these sensitive European nature conservation sites, contrary to Policy ENV1 of the New Forest District Local Plan Part 1 2016-2036 and Policy DM2 of the Local Plan Part 2 Sites and Development Management Development Plan Document and the SPD - Mitigation Strategy for European Site.

g Unit 24, Glenmore Business Park, Lime Kiln Lane, Holbury, Fawley (Application 20/10686)

Details:

Use unit 24 as a canine hydrotherapy centre

Public Participants:

None

Additional Representations:

None

Comment:

Cllrs Glass and Thorne disclosed a non-pecuniary interest 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 Case Officer reported that a revised site plan had been published, as per update note circulated prior to the meeting.

Cllr Thierry was not present for the duration of this item due to a lost connection with the Skype meeting. Cllr Thierry did not vote in respect of this item.

Cllr Hopkins was not present for this item.

Decision:

Refuse

Conditions / Reasons:

As per report (Item 2g) and update note

h 13 Orchard Way, Dibden Purlieu (Application 20/11005)

This application was withdrawn.

i 110 Christchurch Road, Ringwood (Application 20/10938)**Details:**

Change of use for short term residential accommodation; minor elevational changes

Public Participants:

Tim Davis, New Forest District Council (Applicant)
Amanda Palmer (Objector)
Cllr Rae Frederick, Ringwood Town Council

Additional Representations:

None

Comment:

The Case Officer reported an amendment to conditions 4 and 6, which had been included in the update note circulated prior to the meeting.

Cllr Hopkins was not present for this item.

Decision:

Delegated Authority be given to the Chief Planning Officer to GRANT PERMISSION subject to:

- i) the identified contribution first being made for habitat and air quality mitigation; and
- ii) the imposition of conditions

Conditions / Reasons:

As per report (Item 2i) and update note

j Hythe Knock, 18 Dibden Lodge Close, Hythe (Application 20/10894)**Details:**

Proposed hip to gable roof extension with front facing dormer; rear facing dormer; single storey rear extension and material change to elevations

Public Participants:

None

Additional Representations:

None

Comment:

Cllr Clark 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 Hopkins was not present for this item.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 2j)

71 PROPOSED NEW FOREST DISTRICT COUNCIL REVISED 1APP (PLANNING APPLICATION) LOCAL REQUIREMENTS

The Committee considered the revised 1APP local requirements, following a period of consultation.

Members sought clarification in relation to the Location Requirements (Appendix C of the report), in particular paragraph 23 "Rural Workers' Dwelling Justification" and the requirement to provide audited final accounts and final draft accounts. It was

felt that it was unclear whether the requirement was for two or three years of accounts and that this could be reworded to provide clarity prior to publication.

RESOLVED:

- i) that the comments received be noted; and
- ii) that subject to the comments made above, New Forest District Council's Local 1APP Requirements be adopted and published on the website in accordance with the current guidelines

CHAIRMAN