

11 AUGUST 2021

NEW FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 11 August 2021

* 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
Barry Rickman
* Tony Ring
* Ann Sevier
Beverley Thorne
* Malcolm Wade

*Present

In attendance:

Councillors:

Jeremy Heron

Officers Attending:

Ian Austin, Vivienne Baxter, Kate Cattermole, Judith Garrity, James Gilfillan, David Norris, Ian Rayner, Warren Simmonds and Karen Wardle

Apologies

Apologies for absence were received from Cllrs Bellows, Dunning, Hopkins, Reilly, Rickman and Thorne.

9 MINUTES

RESOLVED:

That the minutes of the meetings held on 9 June and 14 July 2021 be agreed as correct records and signed by the Chairman.

10 DECLARATIONS OF INTEREST

Cllr Crisell disclosed a non-pecuniary interest in applications 21/10106, 21/10693, 21/11441 and 21/10486 as a member of the Planning Committee of Totton and Eling Town Council which had commented on the applications. Cllr Crisell, for transparency purposes also reported she was a member of the Housing and Homelessness Overview and Scrutiny Panel, in respect of application 21/10693. She concluded that as she had not expressed a view or voted on the applications

there were no grounds under common law to prevent her from remaining in the meeting to speak and vote.

Cllrs Corbridge and Sevier, for transparency purposes, declared a non-pecuniary interest in application 21/10693 as members of the Housing and Homelessness Overview and Scrutiny Panel. They concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak and vote.

Cllrs Davis and Kangarani disclosed a non-pecuniary interest in applications 21/10106, 21/10693, 21/11441 and 21/10486 as members of Totton and Eling Town 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 Ring disclosed a non-pecuniary interest in application 21/10694 as a member of the Planning Committee of Ringwood Town Council which had commented on the application. He concluded that as he had not expressed a view or voted on the application there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Cllr Hawkins disclosed a non-pecuniary interest in applications 21/10467 and 21/10788 as a member of the Planning Committee of New Milton Town Council which had commented on the applications. Cllr Hawkins did not participate or vote on the applications but was present during the consideration of the items.

Cllr Ward disclosed a non-pecuniary interest in applications 21/10467 and 21/10788 as a member of New Milton Town Council which had commented on the applications. Cllr Ward, for transparency purposes also reported she was a member of the Housing and Homelessness Overview and Scrutiny Panel, in respect of application 21/10693. She concluded that there were no grounds under common law to prevent her from remaining in the meeting to speak and to vote.

11 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a 93-95 Commercial Road, Totton (Application 21/10106)

Details:

Two-storey building to contain 11 flats; associated parking and stores; demolition of existing buildings (Outline application with details of access, appearance, layout and scale)

Public Participants:

None

Additional Representations:

None

Comment:

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 expressed a view or voted

on the application there were no grounds under common law to prevent her from remaining in the meeting to speak and vote.

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 Glass was not present for this item.

An amendment to condition 5 and an additional condition regarding electric charging points had been included in the update note circulated prior to the meeting.

The Committee expressed concerns about the air quality and pollution in this location and questioned whether the proposals were within a designated Air Quality Management Area. The Committee requested an additional condition to require a Construction Environmental Management Plan to be submitted for approval.

Decision:

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) Confirmation that the site was not subject to specific Area Quality designation, thereby requiring the submission of an Area Quality Mitigation Strategy. If the site does fall within such an area, the matter should return to committee for determination;
- ii) The completion of a planning obligations entered by way of a Section 106 Agreement to secure:
 - £24,104.00 towards mitigating the impact on New Forest Habitats;
 - £2,888.00 towards the Bird Aware Solent mitigation scheme; and
 - £680.00 towards Air Quality Monitoring
- iii) Conditions

Conditions / Reasons:

As per report (Item 3a), the update note and the additional condition set out below:

No development shall start on site until a Construction Environmental Management Plan has been submitted to and approved in writing by the Planning Authority, which shall include:

- Development contacts, roles and responsibilities;
- Public communication strategy, including a complaints procedure;
- A programme method and phasing of demolition works;
- A programme method and phasing of construction works;
- The provision of long term facilities for contractor parking;

- The arrangements for deliveries associated with all construction works;
- Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust;
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation;
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways;
- Details of hours of demolition and construction;
- Details of parking and traffic management measures;
- Access and egress for plant and machinery;
- Measures to control light spill and glare from any floodlighting and security lighting installed;
- Protection of pedestrian routes during construction;
- Location of temporary site buildings, compounds, construction material, and plant storage areas; and
- Wheel washing facilities to be provided.

All demolition and construction work shall only take place in strict accordance with the approved Construction Environmental Management Plan.

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

b 2 Winton Way, New Milton (Application 21/10788)

Details:

Front porch extension; single storey rear extension; single storey side extension; loft conversion including raising the ridge by 900mm

Public Participants:

Mr Elkins (Applicant)

Additional Representations:

None

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.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3b)

c Testwood Club, 110 Salisbury Road, Totton (Application 21/10693)**Details:**

12 affordable dwellings; associated access, parking and works; demolition of existing building

Public Participants:

Nathanael King-Smith, MH Architects Limited (Agent)
Iain Collins (Objector)
Stephen Dunn (Objector)

Additional Representations:

The case officer reported that two additional letters of objection had been received raising a number of concerns. This had been included in the update note circulated prior to the meeting.

Comment:

Cllrs Corbridge, Sevier and Ward for transparency purposes, declared a non-pecuniary interest as members of the Housing and Homelessness Overview and Scrutiny Panel. They concluded that there were no grounds under common law to prevent them from remaining in the meeting to speak and 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. Cllr Crisell, for transparency purposes also reported she was a member of the Housing and Homelessness Overview and Scrutiny Panel. She concluded that as she had not expressed a view or voted on the application there were no grounds under common law to prevent her from remaining in the meeting to speak and vote.

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.

The case officer reported a change to the developer contributions in relation to habitat and bird aware mitigation and as a result the recommendation had been amended to reflect these revised contributions. This had been included in the update note circulated prior to the meeting. A further update was provided at the meeting, to amend condition 8, to add the words "and thereafter retained in perpetuity" at the end of this condition.

Decision:

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) a Section 106 agreement to secure the following:
 - i) the provision and retention of Affordable Housing on the site in accordance with Policy HOU2 in perpetuity
 - ii) the financial contribution of £42,168 to secure recreational habitat mitigation
 - iii) the financial contribution of £5,298 to secure Bird Aware mitigation
 - iv) the financial contribution of £1,020 to secure Air Quality monitoring.
- ii) the imposition of the conditions set out in the report and amended condition 8

Conditions / Reasons:

As per report (Item 3c), update note and amended condition 8. set out below:

8 .The works hereby approved shall be undertaken in strict accordance with the ECOSA EclA and Biodiversity Metric Assessment, both dated March 2021 and the mitigation and enhancement measures detailed in the EclA should be provided in accordance with these approved details. The locations and specifications of the bird nesting and bat roosting features shall be as indicated on approved plan 19-036_006 REV P04 and evidence provided to show them installed as agreed prior to first occupation of the dwellings hereby approved unless otherwise first agreed in writing with the Local Planning Authority **and thereafter retained in perpetuity.**

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

d Hurley Farm, Marl Lane, Sandleheath (Application 21/10834)**Details:**

Re-cladding existing barn + roof and roller shutter doors; increase stone covered equipment storage area and parking

Public Participants:

None

Additional Representations:

The case officer reported that two additional letters of objection had been received raising a number of issues, this had been included in the update

note circulated prior to the meeting.

Comment:

Cllr Glass was not present for this item.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3d)

e 14 Eling Lane, Eling, Totton (Application 20/11441)

Details:

Conversion of existing roof space to create an additional residential flat, with construction of 2 no. dormer windows on rear elevation and roof lights on front elevation; amendment to Application Reference 20/10523, to reduce consented 3-bed flat into a 2-bed flat and provide access to the proposed additional flat in roof; refuse and cycle store

Public Participants:

Ruth Harding, Gemini Planning Services Ltd (Agent)

Additional Representations:

An additional representation had been received from Totton and Eling Town Council commenting on the amended plan layout. This had been included in the update note circulated prior to the meeting.

Comment:

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 expressed a view or voted on the application there were no grounds under common law to prevent her from remaining in the meeting to speak and vote.

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.

Decision:

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) The completion of a planning obligation entered into by way of a Section 106 Agreement / a Unilateral Undertaking to secure

contributions to mitigate the development's impacts on the internationally designated nature conservation sites within the New Forest and Solent areas; and

- ii) The imposition of the conditions set out in the report.

Conditions / Reasons:

As per report (Item 3e)

f The Old Cinema, Junction Road, Totton (Application 21/10486)

Details:

Removal of part of existing roof structure and addition of a second floor extension to create 6 additional one-bedroom apartments; external staircase; fenestration alterations

Public Participants:

Sadaf Pourzand, Studio Fifty Four (Agent)

Additional Representations:

None

Comment:

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 expressed a view or voted on the application there were no grounds under common law to prevent her from remaining in the meeting to speak and vote.

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.

Members expressed concern about the existing bin storage facilities for waste and recycling and whether this would have suitable capacity with a further 6 apartments using the facilities. An additional condition was requested to increase the capacity of the waste and recycling storage facilities.

Decision:

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) The completion by the landowner of a planning obligation entered into by way of a Section 106 Agreement (or Unilateral Undertaking) to secure appropriate habitats mitigation (as detailed within the Committee report); and

- ii) The imposition of the conditions set out in the report and an additional condition regarding the waste storage facilities

Conditions / Reasons:

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

Prior to the occupation of any new dwelling on the site, a suitable scheme for the provision of additional refuse storage within the site shall be submitted to the local planning authority and approved in writing. Development shall be carried out in accordance with the approved scheme.

Reason: To ensure sufficient refuse storage facilities for the additional dwellings.

g Land rear of Fulwood, Park Lane, Milford-on-Sea (Application 21/10703)

Details:

Two detached houses; associated parking; carport; access & Landscaping

Public Participants:

Karen Ellis, Kee Design (Agent)
Andrew Barrett (Objector)

Additional Representations:

The case officer reported that two further responses had been received from residents. One raised issues which had already been included in the officer report and the other referred to an inaccuracy in the officer report regarding the side windows of 4 Danestream Close. This had been included in the update note circulated prior to the meeting.

Comment:

The Committee noted the concerns regarding the objectors in relation to the parking and turning of motor vehicles and requested an additional condition regarding the parking provision and to ensure that the space for the turning of vehicles was retained and available at all times.

Decision:

That the Executive Head for Planning, Regeneration and Economy be **AUTHORISED TO GRANT PERMISSION** subject to:

- i) The completion of a S.106 Agreement or Unilateral Undertaking to ensure that the financial contributions paid under 19/10787 are not clawed back in the event that this permission is implemented; and
- ii) The imposition of the conditions set out in the report and an additional condition.

Conditions / Reasons:

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

The development hereby permitted shall not be occupied until the spaces shown on plan FW 03c for the parking and turning of motor vehicles have been provided. The spaces shown on plan FW 03c for the parking and turning of motor vehicles shall be retained and kept available for the parking and turning of motor vehicles for the dwellings hereby approved at all times.

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

h 12 The Furlong, Ringwood (Application 21/10694)**Details:**

Installation of new fascia signage, projection sign and menu board
(Application for Advertisement Consent)

Public Participants:

Cllr Jeremy Heron, Ward Cllr – Ringwood South
Cllr Glenys Turner, Ringwood Town Council

Additional Representations:

None

Comment:

Cllr Ring disclosed a non-pecuniary interest as a member of the Planning Committee of Ringwood Town Council which had commented on the application. He concluded that as he had not expressed a view or voted on the application there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote.

Members expressed the view that the proposal for the installation of the illuminated signage would be harmful to the character and appearance of Ringwood Conservation area and was contrary to the recommendations within the Shopfront Design Guide.

Decision:

Refuse advertisement consent

Conditions / Reasons:

By reason of the internal illumination, the proposal would be harmful to the character and appearance of the Ringwood Conservation Area and contrary to the recommendations within the Shopfront Design Guide and policies

ENV3 of the Local Plan Part 1: Planning Strategy and policy DM1 of the Local Plan Part 2: Sites and Development Management.

i Beachcomber Cafe, Marine Drive, Barton-on-Sea (Application 21/10467)

Details:

Creation of two patio areas and a fence; siting of two pop-up gazebos within the grounds of the cafe for up to 150 days per calendar year (Retrospective)

Public Participants:

Matthew Holmes, Spruce Town Planning Ltd (Agent)
Mr A K Glenister (Objector)

Additional Representations:

None

Comment:

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.

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.

The Committee noted that concerns had been raised regarding the surface water drainage of the site given the instability of the clifftop and that the proposed drainage scheme had been approved by the NFDC coastal protection team. However, in order to protect the clifftop, the Committee requested an amendment to condition 4, to require implementation of the drainage scheme within three months of approval, rather than six.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3i) and an amendment to condition 4. as set out below:

4. The drainage scheme shown on drawing 21332-GAP-XX-00-DR-C-9000rev.P01 shall be implemented within **3** months of the date of this permission:

Reason: In order not to prejudice the stability of the cliff top and to comply with Policy DM6 of the Local Plan for the New Forest District outside of the National Park. (Part 2: Sites and Development Management).

CHAIRMAN