

8 FEBRUARY 2023

NEW FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 8 February 2023

* Cllr Christine Ward (Chairman)

* Cllr Christine Hopkins (Vice-Chairman)

Councillors:

- * Ann Bellows
- Sue Bennison
- * Hilary Brand
- * Anne Corbridge
- * Kate Crisell
- * Allan Glass
- * David Hawkins

Councillors:

- * Maureen Holding
- * Mahmoud Kangarani
- * Joe Reilly
- * Barry Rickman
- * Tony Ring
- * Ann Sevier
- * Malcolm Wade

*Present

In attendance:

Councillors:

Diane Andrews

Officers Attending:

Kate Cattermole, Jessica Cooke, Jacky Dawe, Richard Natt, David Norris, Grainne O'Rourke, Warren Simmonds, Claire Upton-Brown and Karen Wardle

Apologies

Apologies for absence were received from Cllr Bennison.

30 MINUTES

RESOLVED:

That the minutes of the meetings held on 14 December 2022 and 11 January 2023 be agreed as correct records and signed by the Chairman.

Note: Cllr Hawkins requested that his dissent from the resolution above, be recorded.

31 DECLARATIONS OF INTEREST

Cllr Glass declared a non-pecuniary interest in application 22/11388 as a member of the Planning Committee of Fawley Parish Council which had commented on the application. He concluded that as he had not expressed a view 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 declared a non-pecuniary interest in applications 21/11179 and 22/11385 as a member of the Planning Committee of New Milton Town Council which had commented on the applications. In relation to application 21/11179 he concluded that as he had not expressed a view on the application, as amended there were no grounds under common law to prevent him from remaining in the meeting to speak and to vote. In respect of application 22/11385, Cllr Hawkins reported that as he had been involved in Task and Finish Group meetings about the proposals, he would not participate or vote on the application.

Cllr Ward declared a non-pecuniary interest in applications 21/11179 and 22/11385 as a member of New Milton Town Council which had commented on the 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 Kangarani declared a non-pecuniary interest in application 22/11107 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 Wade declared a non-pecuniary interest in application 22/11107 as a member Hampshire County Council due to the involvement HCC had in the provision of accommodation and the support which would be provided to the occupants of the proposed dwellings. He concluded that there were no grounds under common law to prevent him from remaining in the meeting to speak and vote.

32 PLANNING APPLICATIONS FOR COMMITTEE DECISION

a Land to the East of Brockhills Lane, New Milton (Application 21/11179)

Details:

Phased residential development for 164 dwellings; new vehicular access onto Brockhills Lane and other associated works including landscaping, ANRG and open space

Public Participants:

Karen Barnes, Turley Associates (Agent)
 Robert Lofthouse, Pennyfarthing Homes Limited (Applicant)
 Ben Arnold, Pennyfarthing Homes Limited (Present to answer questions)
 Tim Wall, Transport Consultant i-Transport (Present to answer questions)
 Neill Crawford (Objector)
 Cllr Steve Clarke, New Milton Town Council

Additional Speaker:

Nick Gymer, Highways Officer, Hampshire County Council (Present to answer technical highways questions)

Additional Representations:

The Case Officer reported that since the report had been published a further 45 letters of objection had been received, as well as additional comments from New Milton Town Council and a comment from Cllr Carpenter, Hampshire County Council. These had been published in the update note

circulated prior to the meeting.

Comment:

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

Cllr Ward declared 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 Crisell arrived at the meeting shortly after the Case Officer had begun his presentation. It was clarified that the presentation at this point had been the same as that given to members of the Planning Committee in December 2022, at which Cllr Crisell was present. The Case Officer's verbal update contained no new information to that contained within the update previously circulated to Members. Therefore, legal advice was provided to confirm that should Cllr Crisell wish to take part in the consideration of the application and vote, there was no legal reason to prevent her from doing so.

Members noted that additional information had been provided since the meeting in December to further explain and support the proposed highway improvements and to address the issue of highway safety along Brockhills Lane. Whilst some Members still had reservations in relation to highway safety, they were advised that the application was acceptable in planning terms. The Planning Committee requested that officers work with the highways department at Hampshire County Council and the Town Council to keep the issue of safety along Brockhills Lane under review.

Cllr Kangarani was not present during part of the debate on this item and did not vote.

Decision:

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

- i) The completion by end of February 2024, of a planning obligation entered into by way of a Section 106 Agreement to secure the following contributions and other benefits:
 - **Affordable Housing (AH)** – 82 units with a tenure split of 21 First homes, 13 Social Rent, 25 Affordable rent and 23 shared ownership. Phasing delivery of units to be agreed, and long-term retention as AH.
 - **Biodiversity net gain (BNG).**
 - **Education Contribution** – There will be a requirement for developer to pay a contribution of £659,778 to primary and education provision.
 - **ANRG provision and maintenance** and monitoring

- **Habitat mitigation for recreational impact** – non infrastructure access and management contributions per dwelling as per standard formula
- **POS provision and maintenance including play spaces** – triggers for implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas.
- **Formal POS** – there will be a requirement to secure appropriate contributions to the provision of formal public open space off the site
- **Provision and management of on-site drainage**
- **Air quality assessment** monitoring contribution in line with Local Plan policy.
- **Off-site highway works** – There will be a requirement to secure the provision of the new access, junction and associated highway works at Brockhills Lane (subject to 278 Agreement).
- Not to Occupy any residential units until the crossing point and footpath link is provided along Brockhills Lane between the proposed footpath in the south west corner of the ANRG/ Green space within the approved layout and the existing footpath in Brockhills Land as shown in principle on drawing ITB12027-GA-204 Rev A and ITB12027 Rev H has been constructed and made available for public use at all times in accordance with the approved design that has been submitted to and approved by the Local Planning Authority. The footway link must remain available for use at all times. Provision of an uncontrolled crossing with tactile paving at the junction of Brockhills Lane and Oakwood Avenue; Ashley Common Road and Miller Close; Molyneux Road / Ashley Road; Highridge Crescent / Ashley Road ; Widening of footway to 2.0m for 50 metres along Ashley Common Road between No 79. And No 85; and provision of an uncontrolled crossing with tactile paving at its junction with Ashley Common Road (cul-de-sac).
- There will be a requirement to pay the Travel Plan approval and monitoring fees, and a need to provide a surety mechanism to ensure implementation of the travel plan.
- The provision of a 2 to 3 metre wide footpath along the eastern side of Brockhills Land to connect the footpath proposed in the ANRG of the development to the existing footpath on the western side of Brockhills Lane. The proposal would need to provide crossing facilities across Brockhills Lane
- The provision of a pedestrian footpath is proposed within the site directly opposite the southern side of the Hollands Wood Drive junction. The proposed footpath would incorporate crossing facilities and a footway extension to Hollands Wood Drive for pedestrians and provide a cycle transition to Brockhills Lane.
- There will be a requirement to secure a contribution of £27,000 mitigating against parking and school travel planning
- The provision to secure and implement Brockhills Lane/Sway Road Improvement Scheme and Traffic Management on Sway Road
- The provision to secure and implement the emergency vehicle and pedestrian access and crossing point to Sway Road
- **Provision of a full Travel Plan** with bond, monitoring fees and

approval fees.

- **Monitoring contributions**

- ii) Delegated authority be given to the Executive Head of Planning, Regeneration and Economy to include the contributions as set out in the report together with any further additions, and amendments to conditions as appropriate.

Conditions / Reasons:

As per report (Item 3a)

b Land at Hardley Industrial Estate, Hardley, Hythe (Application 22/11388)

Details:

Construction of a new operational services depot with ancillary office, workshop/staff facilities, storage space, outbuildings, and associated car parking

Public Participants:

None

Additional Representations:

The Case Officer reported that a late consultation response had been received from HCC Surface Water Management and as a result an amendment had been made to condition no 14 (drainage).

Comment:

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

Cllr Corbridge was not present for this application.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3b) and update note

c 7-9 Rumbridge Street, Totton (Application 22/11107)

Details:

Conversion of existing frontage and demolition of rear office building to

provide 13 residential dwellings for supported living with associated carer office and overnight accommodation with associated landscaping and cycle parking

Public Participants:

Ben Christian, Vail Williams LLP (Agent)

Additional Representations:

None

Comment:

Cllrs Crisell and Kangarani declared 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 Wade declared a non-pecuniary interest as a member Hampshire County Council due to the involvement HCC had in the provision of accommodation and the support which would be provided to the occupants of the proposed dwellings. He concluded that there were no grounds under common law to prevent him from remaining in the meeting to speak and vote.

The Case Officer reported that three additional conditions were proposed, as recommended by the Environmental Health Officer. This had been included in the update note published prior to the meeting.

A member of the Committee raised concern that there was no window in the bedroom of the 2 bed flat. The size of the windows in the lounge and kitchen areas of the proposed dwellings was also questioned. It was therefore suggested that authority be delegated to the Executive Head of Planning, Regeneration and Economy to work with the applicant to secure a window in the second bedroom of one of the flats and to ensure that all windows and proposed natural light were in accordance with building regulations.

Cllr Corbridge was not present for this application.

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 to secure:
 - Appropriate on-site affordable housing; and
 - Appropriate contributions in respect of habitats mitigation; and
- ii) The imposition of the conditions set out in the report and update note; and

- iii) To allow submission of amended plans in order to secure a window in the second bedroom of the 2 bed flat and to ensure that the windows and natural light were in accordance with Building Regulations, and if necessary, seek amended plans in order to meet these Regulations.

Conditions / Reasons:

As per report (Item 3c), the update note and to ensure there was appropriate natural light in each of the dwellings.

d Mylforde, Lymington Road, Milford-on-Sea (Application 22/11372)

Details:

Detached garage

Public Participants:

Cllr David Royle, Milford on Sea Parish Council

Additional Representations:

None

Comment:

The Case Officer reported that an amended red line plan, detailing the outline of the application site had been published with the planning updates, circulated prior to the meeting. The plan published with the agenda was incorrect and showed land outside of the site.

Cllr Corbridge was not present for this application.

Decision:

Refuse

Conditions / Reasons:

As per report (Item 3d) and update

e Copse House, De La Warr Road, Milford-on-Sea (Application 22/11383)

Details:

Two storey outbuilding incorporating garage and annexe; with balcony

Public Participants:

James Cain, Planning Base Ltd (Agent)
Cllr David Royle, Milford on Sea Parish Council

Additional Representations:

None

Comment:

Members noted that there was a varied street scene in the locality. They expressed the view that the proposal would enhance the character of the street scene and of the area.

Cllr Corbridge was not present for this application.

Decision:

Grant subject to conditions

Conditions / Reasons:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development permitted shall be carried out in accordance with the following approved plans:

- DAK/DLWR/01 Location Plan as deposited with the Local Planning Authority on 1 December 2022
- DAK/DLWR/02 Block Plan as deposited with the Local Planning Authority on 1 December 2022
- DAK/DLWR/10 Proposed Site Plan as deposited with the Local Planning Authority on 1 December 2022
- DAK/DLWR/08 Proposed Elevations as deposited with the Local Planning Authority on 1 December 2022
- DAK/DLWR/07 Proposed Floor Plans as deposited with the Local Planning Authority on 1 December 2022
- DAK/DLWR/09 Existing Site Plan as deposited with the Local Planning Authority on 1 December 2022
- DAK/DLWR/05 Existing Rear & Side Elevation 2 as deposited with the Local Planning Authority on 1 December 2022
- DAK/DLWR/04 Existing Rear & Side Elevation 1 as deposited with the Local Planning Authority on 1 December 2022
- DAK/DLWR/03 Existing Floor Plans as deposited with the Local Planning Authority on 1 December 2022
- DAK/DLWR/06 Existing Garage Floor Plan & Elevations as deposited with the Local Planning Authority on 1 December 2022
- Design & Access Statement dated December 2022 as deposited with the Local Planning Authority on 1 December 2022

Reason: To ensure satisfactory provision of the development.

- 3) No development shall take place above slab level until samples or exact details of the timber cladding and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020

- 4) The building hereby approved shall be used for the personal enjoyment of the occupier of the main dwellinghouse at Copse House and shall not be used as commercial overnight holiday accommodation, short term residential let or other self-contained residential accommodation unless the express planning permission of the Local Planning Authority has first been granted'.

Reason: In the interests of certainty regarding the intended uses, the amenities of the area and neighbours and the protection of protected New Forest and Solent habitats and in accordance with ENV1 & ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

f Public Conveniences, Barton Beach and Undercliff, Barton-on-Sea (Application 22/11385)

Details:

Replacement building to provide 3 no. w.c's, 1 no. disabled w.c/baby change and enhanced disabled w.c/family room' demolition and removal of existing public conveniences buildings

Public Participants:

Jason Glister, New Forest District Council (Applicant)

Additional Representations:

None

Comment:

Cllr Hawkins declared a non-pecuniary interest as a member of the Planning Committee of New Milton Town Council which had commented on the application. Cllr Hawkins reported that as he had been involved in Task and Finish Group meetings about the proposals, he would not participate or vote on the application.

Cllr Ward declared 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 an amendment to condition 2, following receipt of a revised Construction Environmental Management Plan. This had been included in the update note, published prior to the meeting.

Cllrs Corbridge and Kangarani were not present for this application.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3f) and update note

g Blue Haze, Alderholt Road, Somerley, Ellingham, Harbridge & Ibsley (Application 22/11396)

Details:

Extension and conversion of existing garage to form annexe

Public Participants:

None

Additional Representations:

None

Comment:

Cllrs Brand, Corbridge and Kangarani were not present for this application.

Decision:

Grant subject to conditions

Conditions / Reasons:

As per report (Item 3g)

h Land adjacent to Oakbridge House, Lymore Valley, Milford-on-Sea (Application 22/10936)

Details:

Retention of log store (retrospective); retention and cladding of 3no. containers (retrospective); completion of pole barn.

Public Participants:

Deborah Slade, Draycott Chartered Surveyors (Agent)
Mr Chamberlain (Applicant) (Present to answer questions)
Cllr Donald Darbshire, Milford on Sea Parish Council

Additional Representations:

The Case Officer reported that 16 letters of support had been received stating that there was no impact on the local environment or the character of the area. A further letter of objection had been received stating that what was left of the Greenbelt in Lymore Valley should be preserved. This was in addition to the two objections which had been published in the update note.

Comment:

Members felt that additional information in relation to the small holding, with business and investment plans should be submitted prior to determination of the application and therefore wished to defer the decision.

Cllrs Corbridge and Kangarani were not present for this application.

Decision:

Defer

Conditions / Reasons:

In order for further information on the agricultural business and investment plans to be submitted.

CHAIRMAN