

NEW FOREST NATIONAL PARK AUTHORITY

MINUTES OF PLANNING DEVELOPMENT CONTROL COMMITTEE MEETING

HELD ON TUESDAY 19 APRIL 2016 AT 9.30 HOURS IN THE COUNCIL CHAMBER,
LYMINGTON TOWN HALL, LYMINGTON SO41 9ZG

Present:

Members:

Pat Wyeth (Chairman)
Leo Randall (Deputy Chairman)
Sally Arnold
Gordon Bailey
George Bisson
Oliver Crosthwaite-Eyre
Richard Frampton
David Harrison
Penny Jackman
Harry Oram
Barry Rickman
John Sanger

Officers:

Steve Avery	Executive Director Strategy and Planning
Julia Mutlow	Senior Solicitor and Monitoring Officer
Paul Hocking	Enforcement and Trees Manager
Ann Braid	Planning Officer
Vicki Gibbon	Member Services Administrator
Rachel Pardey	Corporate Services Administrator

80 Apologies for Absence

80.1 No apologies for absence were received.

81 Declarations of Interest

81.1 George Bisson declared an interest in minute item 84 report item 4 as a member of Lyndhurst Parish Council.

Pat Wyeth declared an interest in minute item 84 report item 4 as a member of Lyndhurst Parish Council.

Oliver Crosthwaite-Eyre declared a pecuniary interest in minute item 84 report item 3 as the applicant is immediate family; he accordingly left the Council Chamber during the debate and vote.

82 Minutes

82.1 **RESOLVED:** That the minutes of the meeting held on 15 March 2016 be approved as a true record.

83 Chairman's Announcements

83.1 There were no Chairman's announcements on this occasion.

84 Planning Applications for Committee decision (Paper NFNPA/PDCC 203/16)

84.1 Members gave detailed consideration to the individual planning applications contained within the report.

RESOLVED: That the planning applications listed below be determined as shown in respect of each application and, in accordance with the Authority's policies and procedures, formal notice of the decisions to be sent to the applicants forthwith.

REPORT ITEM 1	
Application No.	16/00062/FULL
Details	Yew Tree Bungalow, Pilley Street, Pilley, Lymington, SO41 5QG – Alteration and partial retention of outbuilding for purposes incidental to the enjoyment of the dwelling
Public Participants	John Montgomery (For) Peter Lock (Boldre Parish Council)
Comments	Members raised concerns regarding building materials and parking on the verges and agreed to an additional condition to mitigate this risk.
Decision	Planning consent <u>granted</u> subject to conditions
Conditions	<p>1. The building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.</p> <p>Reason: To protect the character and appearance of the countryside in accordance with Policies DP11 and DP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).</p> <p>2. Within 4 weeks of the date of this permission a (stained) sample of the proposed external timber cladding shall be submitted to and approved in writing by the New Forest National Park Authority.</p> <p>Development shall only be carried out in accordance with the details approved.</p> <p>Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).</p> <p>3. The building the subject of this permission shall be reduced in</p>

	<p>size and finished externally in strict accordance with submitted drawings numbered '1' and 'SK/1' within 8 weeks of the date of this permission.</p> <p>For the avoidance of doubt the remainder of the building shall be demolished to ground level and the land immediately restored as part of the garden.</p> <p>Reason: Given the Enforcement Notice in the alternative it is appropriate to ensure that external works are completed promptly so the building accords with policies DP1, DP6, CP8 and CP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).</p> <p>4. All materials and machinery to be used in the carrying out of the development hereby approved shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: In the interests of protecting the character of the area in accordance with Policies CP7 and CP8 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).</p>
Voting	8:3

REPORT ITEM 2	
Application No.	16/00074/FULL
Details	3 Dukeshead Cottages, Lower Woodside, Lymington, SO41 8AJ – First floor extension
Public Participants	Bob Hull (Agent)
Decision	Planning consent <u>refused</u>
Reasons	<p>1 In order to help safeguard the long term future of the countryside, the Local Planning Authority considers it important to resist the cumulative effect of significant enlargements being made to rural dwellings. Consequently Policy DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) seeks to limit the proportional increase in the size of such dwellings in the New Forest National Park recognising the benefits this would have in minimising the impact of buildings and activity generally in the countryside and the ability to maintain a balance in the housing stock. This proposal, taking into account previous enlargements, would result in a building which is unacceptably large in relation to the original dwelling and would undesirably add to pressures for change which are damaging to the future of the countryside.</p>
Voting	Unanimous

REPORT ITEM 3	
Application No.	16/00081/FULL
Details	Home Farm House, Bramshaw, Lyndhurst, SO43 7JH – Two storey extension; single storey extension; external alterations
Decision	Planning consent <u>granted</u> subject to conditions
Declarations of Interest	Oliver Crosthwaite-Eyre
Public Participants	Jerry Davies (Agent)
Conditions	<p>1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p> <p>2 No development shall take place until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.</p> <p>Development shall only be carried out in accordance with the details approved.</p> <p>Reason: To protect the character and architectural interest of the heritage asset and character and appearance of the conservation area in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).</p> <p>3 No development shall take place until a sample 1m square panel of brick work showing the brick, bond, mortar and joint details shall be made available on site for inspection and approval in writing by the New Forest National Park Authority.</p> <p>Development shall only take place in accordance with those details that have been approved.</p> <p>Reason: To protect the character and architectural interest of the building in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).</p> <p>4 No development shall take place until full details at a scale of 1:10, including plan, elevation and section, has been submitted and approved in writing by the New Forest National Park Authority, which shows the proposed door opening on the north west elevation and how it will relate to the surrounding fabric.</p> <p>Reason: To protect the character and architectural interest of the undesignated heritage asset and character and appearance of the conservation area in accordance with Policies DP1, DP6</p>

	<p>and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).</p> <p>5 No development shall take place until the following details shall be submitted to, and approved in writing by the New Forest National Park Authority:</p> <p>Full joinery details including the windows, doors, eaves, lintels, verge, bargeboards.</p> <p>Development shall only take place in accordance with those details which have been approved.</p> <p>Reason: To protect the character and architectural interest of the undesignated heritage asset and character and appearance of the conservation area in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).</p> <p>6 The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with drawing 118.1.P30.A3.</p> <p>Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).</p> <p>7 Development shall only be carried in accordance with:</p> <p>Drawing nos: 1181.P16.A3, 1181.P17.A3, 1181.P18.A3 REV B, 1181.P19.A3 REV B, 1181.P25.A4, 1181.P26.A3 REV A, 1181.P30.A3.</p> <p>No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.</p> <p>Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.</p> <p>8 Unless otherwise agreed in writing by the National Park Authority, development operations shall only be carried out in accordance with the Construction Management Statement submitted as part of the application.</p> <p>Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy CP2 of the</p>
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	New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).
Voting	Unanimous

REPORT ITEM 4	
Application No.	16/00128/FULL
Details	12 Clarence Road, Lyndhurst, SO43 7AL – Single storey rear extension
Public Participants	Dr Robin Ibbotson (For) Mr Sutti Se-upara (Lyndhurst Parish Council)
Declarations of Interest	George Bisson Pat Wyeth
Comments	Members were minded not to support the Officers' recommendation and resolved to grant the application as there would be no immediate impact on the neighbouring properties or the street scene and it would ensure the dwelling was brought up to modern day standards.
Decision	Planning consent <u>granted</u> subject to conditions
Conditions	<p>1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p> <p>2. The external facing materials to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.</p> <p>Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).</p> <p>3. Development shall only be carried in accordance with:</p> <p>Drawing nos: 278-1-15, 278-2-15, 278-3-15, 278-4-15, 278-5-15, 278-6-15 R1, 278-7-15 R1, 278-9-15 R1.</p> <p>No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.</p> <p>Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management</p>

	Policies (DPD) December 2010.
Voting	10:0, 1 abstention

85 Committal Proceedings, Direct Action and Costs Recovery (NFNPA/PDCC 204/16)

- 85.1 Paul Hocking introduced his report and reminded Members that the matter had previously been considered at the Planning Development Control Committee in October 2015 and Members had agreed to the report recommendations and endorsed the ongoing procedures for an Injunction. Mr Hocking advised Members that due to Mr Shutler not complying with the High Court Order, this report, having considered the current situation, recommended referring the matter back to Court and for the Authority to take Direct Action along with costs recovery.
- 85.2 Mr Fryer addressed the Committee on behalf of Mr Shutler. He commented that he felt the situation had been mismanaged and asked Members to reconsider their options.
- 85.3 Following full discussion, Members resolved to support the recommendation on the paper as detailed below.

Resolved, that,

1. Mr Shutler's failure to comply with the requirements of the Consent Order be referred to the Court

Voting: 9:0, 2 abstentions

2. officers be authorised to take direct action to secure compliance with the two Enforcement Notices dated 10 June 2002 and 5 July 2005 respectively; to include the subsequent disposal or sale of items or debris removed from the land affected.

Voting: 10:0, 1 abstention

3. the Authority's Solicitor be authorised to take appropriate action to recover the costs incurred by the Authority in respect of the above recommendations.

Voting: 10:0, 1 abstention

86 Planning Appeal Decisions (Paper NFNPA/PDDC 205/16)

- 87.1 Due to other business Barry Rickman left the meeting prior to this item being considered.
- 87.2 Steve Avery introduced his report and drew Members' attention to the decision for the proposed Solar Farm at Limolands. He explained that the appeal had been dismissed following intervention from the Secretary of State, contrary to the recommendations of the planning Inspector.
- 87.3 Members then noted the reports.

88 Items of urgent business

- 88.1 There were no items of urgent business on this occasion.

89 Date of next meeting

- 89.1 Members noted that the next meeting of the Committee would be held at 09:30 hours on Tuesday 17 May 2016 in the Council Chamber, Lymington Town Hall, Avenue Road, Lymington.

The meeting ended at 11.00.

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Chairman

Date