

PLANNING DEVELOPMENT CONTROL COMMITTEE – 9 JULY 2014

UPDATES FOR COMMITTEE

Item A02 - McDonalds Restaurant, Romsey Road, Ower, Copythorne (Application 13/11578)

The applicants have confirmed that the lampposts will be finished in Jet Black. As a result condition no. 4 needs to be revised to read:

4. The lampposts hereby approved shall be finished in Jet Black (RAL9005) unless otherwise first agreed in writing by the Local Planning Authority

Reason: To safeguard the visual amenities of the area in accordance with Policy CS2 of the Core Strategy for New Forest District outside of the National Park.

Item A03 – Sandledeane, 159 Station Road, Fordingbridge (Application 14/10162)

Hampshire County Council Highway Engineer raises no objection to this proposal, subject to the imposition of conditions and also to securing a contribution towards off-site highway improvements.

Item A08 - Land adjacent 27 Deneside Copse, Pennington, Lymington (Application 14/10561)

Replace condition No. 6 in the report with the following wording to make specific reference to the landscaping requirement along the sensitive boundary to the public open space.

6. Before development commences, a detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include a landscaping and planting scheme along the western boundary of the site adjacent to the existing area of public open space between X and X on the approved plans and this shall include a long term management and maintenance programme for the long term future retention and establishment of the approved landscaping. The landscaping scheme shall also include details of the existing trees and planting to be retained, and the new soft landscaping shall be in the form of a native hedgerow and trees to be provided along this western boundary adjacent to the existing public open space and details shall be submitted to include a specification for new tree and hedgerow planting (species, size and location) and a method and programme for its implementation and the means to provide for its future maintenance. The landscaping scheme shall also include details of the areas of hardsurfacing and the materials to be used, existing and proposed boundary fencing and treatment. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next

planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to any variation. The development shall only take place in accordance with the details that have been approved.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

Item A12 - Hoburne Naish, Glenside, Naish Estate, Christchurch Road, New Milton (Application 14/10642)

The applicant has advised that the application is for 19 posts, not 20. As a result the description should read:

“14 x 8m high and 5 x 10m high steel posts to support WIFI antennas and street lights.”

In addition, all references in the report to a total number of 20 posts should be amended to refer to 19.

Item A15 – 4 Butlers Lane, Poulner, Ringwood (Application 14/10701)

One further letter of objection has been received raising concerns already referred to in paragraph 10 of the report.

Item A16 - 15 Lodge Road, Pennington, Lymington (Application 14/10720)

One letter has been received from applicant in support of application. Mrs Shorey has also registered to speak. The main points in the letter are:

- Elderly parents struggle to keep up the large garden
- Sufficient garden will remain with the proposed outbuilding
- No overlooking
- Appearance in keeping with surrounding properties
- Property can be easily dismantled when parents pass away or be sold as part of the main house
- Purely to provide care for elderly parents

A17 - Sequoia Farm, Puddleslosh Lane, Tinkers Cross, Fordingbridge (Application 14/10290)

1. The Tree Officer has commented on the containers which are situated within the root protection area of a large, mature Lime protected by TPO. As a temporary installation this is acceptable, but the containers have the potential to adversely affect the tree's health over a longer period of time.
2. The applicants have submitted three 'expressions of interest' in their products. Two of these appear to be from individuals and the other appears to be related to a local NHS community project. Our agricultural consultant has commented that these do not appear to be the expressions of interest from restaurants and catering establishments that he was expecting, do not add to the weight of the application and neither of these names appear in the Business Plan as possible customers.

3. One additional objection has been received.

**Item A19 - Pinetops Nurseries, 67-69 Ramley Road, Pennington, Lymington
(Application 13/11561)**

The Environmental Health Officer has recommended the inclusion of the following conditions in relation to contaminated land:

15. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination no 16 to 18 have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 19 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

16. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

17. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

18. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 15, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 16, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 17.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

20. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period as stated in the remediation scheme, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.