

PLANNING DEVELOPMENT CONTROL COMMITTEE – 8 OCTOBER 2014

UPDATES FOR COMMITTEE

Item A02 - Land at Crow Arch Lane & Crow Lane, Crow, Ringwood (Application 13/11450)

Since the application was considered by the Committee in April 2014 the Local Plan Part 2 has been adopted. As a result references in the report to the emerging Local Plan Part 2 need to be amended accordingly and references to policies of the New Forest District Local Plan First Alteration need to be deleted (Section 3 of the report). Also, the reason for condition no. 12 needs to be revised to accommodate this change as follows:

“The development is located in an area of archaeological significance where the recording of archaeological remains should be carried out prior to the development taking place in accordance with policy CS3 of the Core Strategy for the New Forest District outside the National Park.”

Section 12 of the report makes reference to the status of our Community Infrastructure Levy (CIL) scheme. Since the report was considered by this Committee in April the CIL scheme has been adopted but with the implementation date for the charging schedule being 6 April 2015, so no CIL payments are currently due.

In addition, as a result of further discussion with the Applicant and Hampshire County Council's Highways Engineers, condition no 21 is revised to read as follows:

“ 21. No dwellings to the south of the Castleman Trail shall be occupied until such time as the continuous pedestrian / cycle link between these dwellings and the western boundary of the RING 3 land/eastern boundary of the RING1 land has been completed to the satisfaction of the County Council and made available for use. This pedestrian / cycle connection must remain available for use at all times.

Reason: In the interest of highway safety and in accordance with Policy CS24

Item A05 – Jevington, 47 Waterford Lane, Lymington (Application 14/10941)

There is an error in paragraph 14.5 of the report as it states that a financial contribution towards public open space is required, however, as no additional bedrooms are proposed there is no policy requirement for such a contribution.

Item A07 - The Public Offices, 65 Christchurch Road, Ringwood (Application 14/11023)

The reasons for refusal have been revised to read in a more concise manner and as the Section 106 Agreement has not yet been completed reasons need to be added, on the grounds of failure to secure the appropriate contributions towards affordable housing, public open space and habitat mitigation, as follows:

1. The proposed development would fail to preserve or enhance the character and appearance of the Conservation Area and the setting of listed buildings and would have a harmful impact on local distinctiveness contrary to Policies CS2 and CS3 of the Core Strategy for New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management Document, the Ringwood Local Distinctiveness Document Supplementary Planning Document and Ringwood Conservation Area Appraisal Supplementary Planning Guidance in that:
 - i. the combination of the building's inappropriate scale, overall footprint and mass, excessive length and its projection to the front and rear of the site would over dominate the site and fail to respond to the local distinctiveness and spatial form and landscaped character of the Conservation Area.
 - ii. the proposed architectural design is inconsistent and not of a sufficiently cohesive quality to respond to, or make a positive contribution to local character and distinctiveness. The design includes an awkward mixture of architectural styles, inappropriate doors, patios, fenestration, incongruous use of details and materials and unsatisfactory rear elevation and rear boundary treatment.
 - iii. by virtue of the poor design quality and appearance of the front of the building, its siting being set more forward in the plot and being significantly larger in size than the contextual buildings, it would have a much greater impact and unacceptably detract from the setting of the Listed Building No 80-84 Christchurch Road and Netherbrook House at No 86 Christchurch Road, diminishing the significance of these heritage assets.
2. By virtue of the inadequate level and quality of amenity space provided on the site, and the poor outlook from the habitable rooms of residential flats (No's three and four), and the suitability of the relationship of these spaces and windows to the internal access road, car parking spaces, Woodstock Lane and Christchurch Road; also the long term pressure to remove existing trees with limited opportunity to replace their amenity value, the proposed development would create an unattractive and poor quality living environment for the residents, which conflicts with the objectives of the National Planning Policy Framework and Core Strategy. For this reason, the proposal is contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park.
3. The proposed development would fail to make any contribution toward addressing the substantial need for affordable housing in the District. The proposal would therefore conflict with an objective of the Core Strategy for the New Forest District outside the National Park 2009 and with the terms of Policies CS15 and CS25 of the Core Strategy.
4. The proposed development would fail to make any contribution to enhance or create off-site provision and management of public open space to meet the needs of the occupants of the development for public open space. The proposal would therefore be contrary to an objective of the Core Strategy for the New Forest District outside the National Park 2009 and with the terms of Policies CS7 and CS25 of the Core Strategy.
5. The recreational 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 pressures on these sensitive

European nature conservation sites, contrary to Policy DM3 of the New Forest District Local Plan Part 2: Sites and Development Management.

A09 - Scaffolding Yard, The Old Brickyard, Salisbury Road, Copythorne (Application 14/11044)

The Conservation Officer has commented on the application and raised no objection to this proposal as the footprint of the new building would be further away from the listed kiln by just under 2 metres and generally have a much reduced footprint from the current storage shed. Furthermore the new extension would be designed to create visual benefits for the listed structure and the site compared to the current arrangements.

Item A12 – 15 Lodge Road, Pennington, Lymington (Application 14/11120)

Lymington and Pennington Town Council recommend permission.

Item A13 - Pinetops House, 67-69 Ramley Road, Pennington, Lymington (Application 14/11138)

Lymington and Pennington Town Council have commented as follows:

Recommend refusal:

Support the condition within Highways comments to the effect that footpath should be widened;

Share the concern of the case officer regarding over development and density;

Lack of green space and adequate parking;

Support condition set out in final paragraph of Urban Design comments.

A15 - North Milton Estate, New Milton (Application 14/11099)

A further letter of objection has been received raising the same concerns as those referred to in Section 10 of the report.

The Environmental Design Team have commented on the revised plans and recommend approval subject to the following revised wording of condition no. 3 and other conditions that are already included in the recommendation and this update:

3. Notwithstanding the existing layout and landscape drawings, before development commences, the details and materials for the landscape and external design of the site shall be submitted for approval in writing by the Local Planning Authority. This shall include:
 - a) the existing trees and shrubs which have been agreed to be retained;
 - b) a layout and specification for new planting (species, size, spacing, location, anchoring and irrigation details);
 - c) areas for hard surfacing and the details, edging and materials to be used;
 - d) details of fences, walls, gates and any other means of enclosure; and
 - e) a method and program for implementation (or phased implementation) and means to provide for future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details to be implemented in full.

The details of bat and bird boxes have now been received, as a result condition no. 9 needs to be revised as follows:

9. The proposed bird and bat boxes shall be installed in accordance with the approved details before occupation of the first dwelling hereby approved and thereafter retained and maintained.

Reason: In the interests of the nature conservation of the area and in accordance with policy CS3 of the Core Strategy for the New Forest District outside the National Park.

Condition No. 10 needs to be revised to refer to the recently submitted amended plans.

The following additional condition is required:

11. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

The Highways Engineer at Hampshire County Council has now commented on the application and raised no objection subject to the following conditions:

12. The development hereby permitted shall not be occupied until the arrangements for parking and turning have been implemented. These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS24 of the Core Strategy for the New Forest District outside the National Park.

13. No development shall start on site until details of a scheme to prevent surface water from the site discharging on to the adjacent highway have been submitted to and approved in writing by the Local Planning Authority. The development works shall be carried out in accordance with the approved details before any part of the development is occupied and shall be retained thereafter.

Reason - To ensure adequate provision for surface water drainage and avoid discharge of water onto the public highway in accordance with Policy CS5 of the Core Strategy for the New Forest District outside the National Park.

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

(a) A programme of and phasing of demolition (if any) and construction work;

(b) The provision of long term facilities for contractor parking;

- (c) The arrangements for deliveries associated with all construction works;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;
- (h) pre condition survey of the existing network

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 of the locality in accordance with Policy CS2 of Core Strategy for the New Forest District outside the National Park.

Report B – Navitus Bay Wind Farm Proposal

Additional comments have been received from the Environmental Health Officer as follows:

“ The following comments to add to those already contained in the LIR.

A noise monitoring protocol for the offshore construction noise is already under discussion within the draft SoCG but we would like to take up Navitus Bay’s suggestion that *“this could be captured within Schedule 1 (requirement 19) 'noise and vibration management plan' which is already in place within the DCO, or could be an additional Requirement in Schedule 1, to ensure this is considered at a later date. Further principles can then be developed with the Council as the examination progresses such as;*

- *A mechanism for dealing with complaints from the Local Authority,*
- *A mechanism to ensure the local community are informed on project progress (through website and other materials); and*
- *Potentially, a nominated representative from NBDL who will liaise with the local residents.*

Either approach would suffice as long as provision is made within the DCO to deal with offshore construction noise in the event of complaints.

The Council currently disagrees with Navitus Bay about the need to include a requirement in the DCO to deal with the monitoring protocol should complaints arise once the wind farm becomes operational. Navitus’s stance is that the assessment undertaken in support of their application, plus the experience of offshore wind farms already in operation, does not indicate that this is necessary, particularly as the predicted levels for receptors within NFDC area are below the assessment criteria of 35 dB L_{A90}. Furthermore, it is suggested that the MMO would be the regulator should complaints arise. However, there is some confusion over this latter point and the Council is currently waiting for the MMO to clarify their remit. Nothing can be seen in the draft DCO that addresses how complaints regarding operational noise from the

wind farm would be addressed should they occur and what assessment criteria would be used, even if the regulator is the MMO.

Given the current disagreement over the need for any operational controls within the DCO it is the Council's view that the development should be conditioned along the lines of the Template Planning Condition on Amplitude Modulation contained in the Noise Guidance Notes produced by Renewable UK <http://www.ref.org.uk/Files/RUK-AMCondition.pdf> . After all, if Navitus' predictions/assessment prove accurate and complaints are not forthcoming then there would be no requirement to undertake any monitoring. It is also unclear at this stage what assessment criteria would be used for any future complaint monitoring i.e is it the 35 dB L_{A90} which has been used in the ES?"