

**PLANNING DEVELOPMENT CONTROL COMMITTEE - WEDNESDAY, 14
OCTOBER 2015**

UPDATES FOR COMMITTEE

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PLANNING DEVELOPMENT CONTROL COMMITTEE – 14 OCTOBER 2015.

UPDATES FOR COMMITTEE

Item 3(c) - Land adjacent 4 Brockhills Lane, Ashley, New Milton (Application 15/10784)

The Highway Development Control Engineer has raised concerns about the proposed footbridge which would give access to the site from the existing footpath to the south of the site in Brockhills Lane on highway safety grounds. In order to explore an alternative solution, having regard to highway and any tree related issues, and allow for any additional publicity of the application the Officer's recommendation is changed to **DEFER**.

County Councillor Rice maintains his objections to the scheme.

Further objections have been received from 20 local residents on the following grounds:

- Many elderly people live nearby and play area would result in additional traffic and noise generation
- Play areas will have health and safety issues
- Rowdy teenagers/ASB would be attracted to the area
- Play area not required for locals who are elderly, appears to be for statistics purposes
- Pedestrian bridge access to Brockhills Lane would become slippery
- Addition of play area to proposal is ridiculous
- Potential overlooking from play area
- Play trail would be at odds with policy DM2/protecting the SINC
- Parking problems could arise
- Proposed path through the site encroaches upon migration paths of various species
- There is no public right of way along Cullwood Lane
- Concern it is possible to override residents' rights along Cullwood Lane
- Play area would result in children walking along Cullwood Lane which is already dangerous
- Concern that NFDC has misused its authority to push the application through
- Proposal is for a greenfield site and brownfield sites should be utilised first
- Risk of fire will be increased

Revise the wording of the conditions in the report to read as follows:

- 2 The development permitted shall be carried out in accordance with the following approved plans: Dusk and Dawn Echolocation Study Report, Ecology Mitigation, Enhancement and Management Plan, Planning and Design Statement, Arboricultural Impact Assessment, sewer record, 2009-35-30, 2009-35-34C, 2009-35-32A, 2009-35-31, 2009-35-33, 2009-35-36A, 2009-35-38.

Reason: To ensure satisfactory provision of the development.

- 3 Before development commences, samples or exact details of the facing 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 buildings prior to their construction in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4 Before development commences a scheme of landscaping of the site, incorporating biodiversity mitigation and enhancements identified in the Ecology Mitigation, Enhancement and Management Plan (dated May 2015) shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include:

- a) the existing trees, shrubs and habitat features which have been agreed to be retained;
- b) a specification for new planting (species, size, spacing and location);
- c) areas for hard surfacing (including safety surfacing (or alternative) and the materials to be used;
- d) full (scaled) details of all play equipment and signage
- e) other means of enclosure;
- f) a method and programme for its implementation and the means to provide for its future maintenance, including the required play equipment maintenance and measures to manage the delivery of continued biodiversity enhancement as outlined in the Ecology Mitigation, Enhancement and Management Plan (dated May 2015).

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

Reason: To ensure that the development takes full account of the intrinsic habitat quality of the site place prior to any potential disturbance, to ensure an appropriate landscaping scheme and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

5 The development shall be implemented in accordance with the slab levels shown on drawing 2009-35-34B unless alternative levels have been previously 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 Local Plan for the New Forest District outside the National Park (Core Strategy).

9 Prior to the occupation of the development hereby permitted, plans and particulars showing details of the provisions of cycle storage within the site shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before occupation of the first dwelling and shall be retained thereafter.

Reason: To ensure adequate provision within the site and in accordance with policy CS2 of the New Forest District Council Core Strategy.

Add the following condition in order to control the pruning of tree T632:

15 Notwithstanding the detail provided in paragraph 4.8 of the Arboricultural Impact Assessment reference [D1531A1Aa] dated [11th August 2015], no works to tree T632 shall occur until specific pruning details for it have been submitted to and approved in writing by the Local Planning Authority. The tree shall be pruned in accordance with the approved scheme prior to the occupation of the dwellings.

Reason: To ensure the appropriate retention of tree T632 and avoidance of damage during the construction phase in accordance with Policy CS2 of the Local Plan for the New Forest District outside of the National Park (Core Strategy).

Additional condition regarding tree protection measures:

16 Prior to commencement of works (including site clearance and any other preparatory works) a scheme for the protection of trees in accordance with BS5837:2012 'Trees in relation to design, demolition and construction: Recommendations' shall be submitted to the Local Planning Authority for approval. Once approved, the scheme shall be implemented and at least 3 working day's notice shall be given to the Local Planning Authority that it has been installed. Prior to the commencement of works (including site clearance and demolition) a pre-commencement site meeting shall be held.

Information is required on the:

- Location of site compound and mixing areas,
- Tree work specification,
- Routes of underground services, including soakaways,
- Position of tree protective fencing/ground protection.

Note: The protective fencing shall be as specified in Chapter 6 and detailed in figures 2 or 3 of BS5837:2012 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with policy CS2 of the Core Strategy for the New Forest outside the National Park.

Item 3(d) – Spring Lodge, Spring Lane, Ashley, New Milton (Application 15/10834)

There is a typographical error in the last sentence of paragraph 6. The planning enforcement history is set out in paragraphs 14.12 – 14.13.

Item 3(g) - Marchwood Wharf, Oceanic Way, Marchwood (Application 15/11254)

Marchwood Parish Council have brought to our attention the fact that there is now 2015 traffic survey data available for Bury Road/Jacobs Gutter Lane and they believe that this is a material consideration and should be assessed as part of the Transport Statement for this case. The County Council have also been made aware of this.

Revised Notes for Inclusion at 15. Recommendation of the report 1(d) should read as follows:

In the absence of an appropriate air quality assessment, we are concerned that daily HGV movements should be restricted to **NO** more than 100 movements per day, failing which the proposal could generate levels of traffic that would be harmful to air quality.

Further information has been submitted which has resulted in revised comments from the Environmental Health Officer in relation to the height of the stack. The information has confirmed that the stack height of 17 metres would be appropriate in this location. As a result bullet point (b) in the recommendation is deleted.

In addition, the Environmental Health Officer recommends that noise from the development does not exceed the following (this should replace 1(b) in the recommendation):

19:00 to 07:00 hours on Monday to Friday; 00:00 to 07:00 hours and 13:00 to 00:00 hours Saturdays; at all time on Sundays and Public Holidays – Rating Level no higher than 0dB above background Level (LA90) at the nearest noise sensitive premises in accordance with BS4142:2014; and

07:00 to 19:00 hours on Monday to Friday; 07:00 to 13:00 hours on Saturdays – Rating Level no higher than +5dB above Background Level (LA90) at the nearest noise sensitive premises in accordance with BS4142:2014.