

**PLANNING DEVELOPMENT CONTROL COMMITTEE - WEDNESDAY,  
9 NOVEMBER 2016**

**UPDATES FOR COMMITTEE**

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## PLANNING DEVELOPMENT CONTROL COMMITTEE - 9 NOVEMBER 2016

### UPDATES FOR COMMITTEE

#### **Item 3(a) - Land off Forest Oak Drive, New Milton (Application 16/11323)**

Amended plans have been submitted which make some changes to the scheme, including movement of the car park by 750mm (to improve the relationship of the access to the site with No. 31 Forest Oak Drive) and alterations/improvements to the habitat enhancements/ landscaping proposals.

For information, the application states that access for construction traffic would be via Violet Lane and Forest Pines through the site of the Fernmount Centre to the south of the site.

The Urban Design Officer maintains his concerns about the way that the proposed building would fail to address the context of the site in terms of appropriateness of the scale, mass and overall site coverage, landscape intentions, connections and respect for the existing open space and provision of public open space.

In the light of the above the recommendation is revised as follows:

That the County Council be advised that:

- (a) while there is no objection in principle to the development of this site with the type of accommodation proposed the current scheme does not appear to be design led; it does not relate well to the context of the site; or relate appropriately to the existing area of public open space; or make any provision for additional public open space;
- (b) In addition, having regard to the Habitats Regulations, the County Council are reminded that they are the Competent Authority in respect of ensuring that the development provides mitigation for the impact of the development on internationally designated sites;
- (c) Concerns are also expressed about the impact of car headlights shining into nearby properties as a result of the use of the access.

#### **Item 3(c) - Merryfield Park, Derritt Lane, Sopley (Application 16/10497)**

The figures in the 4<sup>th</sup> sentence of paragraph 14.1.8 beginning "This represents..." have been misinterpreted. This sentence and the following (5<sup>th</sup> sentence) should read as follows: "This represents an increased flow rate downstream at the Wiltshire Gardens pumping station of 0.55 litres/sec. The increase as a result of the proposed change from office to residential is less than 0.78%".

The applicant has provided further historical evidence to prove the existence of the foul sewer connection from the former Sopley Camp. A copy of a Goadsby and Harding sales brochure indicates that when the site was sold by the MOD in 1989 it was fully serviced with a public sewer connection (this coincides with what Lord Manners has confirmed, that the original sewerage works in the NE corner of his field

had been decommissioned for many years before he bought the land). Either Wessex Water or the MOD put the connection in place (if the MOD it may have been undertaken under a crown exemption).

A plan has been submitted that shows how the foul drainage connected from the site before Bellway took it over. This shows that the flows were pumped from Derritt Lane towards the old sewage treatment works to a point where it was diverted across to the public sewer from where it flows to Wiltshire Gardens.

The physical connection is long established (for at least 27 years but probably 30+ years) and foul flows from the site have been connecting through Wiltshire Gardens pumping station during that time.

Wessex Water has commented further that the evidence submitted by the developer appears to confirm matters beyond doubt that foul discharges from the site were made to the public sewer system. It is also stated that billing records can be misleading, particularly from previous MOD establishments where return to sewer was not always recorded from water meter points.

In addition the recommendation at Section 15 of the report needs to be amended by extending the date for the completion of the Section 106 Agreement to 31<sup>st</sup> January 2017.

#### **Item 3(d) - Former Nursery Site, Hordle Lane, Hordle (Application 16/10725)**

Hordle Parish Council have commented in respect of the amended plans and maintain their objection stating that the amended plans have not resolved their original objection as set out in paragraph 7 of the report. In addition, it is stated that the landowner has made it known that he hopes to build an additional 50 homes at the rear of this proposed development and the NFDC Local Plan review has talked in terms of re-designating the green belt. The Parish Council feel very strongly that any development in this area should be done in a more holistic way. If the planning permission is granted for this development the issues of the management of Public Open Space and Allotments must be resolved before building commences or there must be a very clear condition in place to ensure this is resolved satisfactorily.

Members will note that the following matters remained outstanding at the time the report went to print, the issues have been resolved (with the exception of item 1 below) as set out under each heading:

1. Surface Water Drainage: further details have been submitted which are being considered by Hampshire County Council Flood Water Management Team, however, they will not be able to respond in advance of the Committee meeting tomorrow. As a result the recommendation is revised to ensure that this matter is resolved before the decision is issued.
2. Foul Sewerage: the applicant has confirmed that foul sewerage would be disposed of via the existing public sewer. This has resulted in the Environment Agency raising no objection to the proposals.
3. Ecology: The Ecologist raises no objection to the proposal now that satisfactory ecological information and mitigation measures, particularly in relation to dormice and reptiles, have been provided. In terms of the species protection provisions of the Habitats Directive, as implemented by the

conservation (Natural Habitats Etc.) Regulations 1994 and the three "derogation tests", the comments of the Ecologist confirm that the favourable conservation status of protected species will be maintained, subject to a condition to secure submission of final details of biodiversity mitigation, compensation and enhancement and the delivery of those measures. The Local Planning Authority is satisfied that there is an overriding public interest in approving the application, as the scheme will provide 100% affordable housing for which there is a defined local need. There is no satisfactory alternative to the form of development proposed, considering the need to bring new housing sites forward and the allocated status of the site. The following additional condition is recommended:

13. Prior to the commencement of development the final details of biodiversity mitigation, compensation and enhancement, in respect of dormice and reptiles, shall be carried out by an appropriately qualified consultant and be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved measures of mitigation and compensation shall be implemented in accordance with an approved programme of works.

Reason: To safeguard protected species and to ensure the Council has control over the content and delivery of biodiversity measures in accordance with Policy CS3 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM2 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

4. Tree Impacts: The Tree Officer has confirmed that the existing birch tree can be retained in the proposed public open space and a revised drawing and Arboricultural Method Statement has been submitted which would secure this subject to the following additional conditions:

14. No development, demolition or site clearance shall take place until a plan showing service routes, including the position of soakaways and location of site compound and mixing areas has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

15. No development, demolition or site clearance shall take place until a method statement and engineering drawings for the foundation design of the approved development and the proposed footpath along the site frontage has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

The Urban Design Officer has commented further that the layout would offer a pleasant place to live and the design is appropriate for the area, attractive and works well. There is an issue with regard to the location of highway drainage apparatus in the area of open space which could compromise its usefulness/visual amenity. This issue has been raised with the applicant and remains to be resolved. As a result the recommendation needs to be revised to require this matter to be resolved before a decision is issued.

Two further letters of objection have been received raising concerns that are already referred to in the report and the following matters: the proposed footpath would not be safe for users, the access position should be moved and inadequate car parking provision is proposed.

Condition no. 2 needs to be updated to reflect the most up to date set of plans.

The recommendation is revised to add:

15iii) the satisfactory resolution of the surface water drainage on the site in conjunction with Hampshire County Council Flood Water Management Team.

15iv) the satisfactory resolution of the location of highway drainage apparatus.

**Item 3(k) - 226 Southampton Road, Ringwood (Application 16/11154)**

The assessment in the report at paragraph 14.8 makes reference to the provision of two car parking spaces for the development. For clarity these are both to be located to the front of the proposed dwelling, fronting Wessex Road, and the applicant states that one space would be for the proposed new dwelling and one for the existing dwelling.

The Highways Engineer has now commented that they would not wish to raise an objection on the grounds of inadequate parking provision in the light of the appeal decision in 2011 for a scheme with the same parking shortfall as that now proposed where the Inspector did not raise this as a concern.

**Item 3(n) - Land of 2 East View Road, Ringwood (Application 16/11250)**

Ringwood Town Council has amended their observations as follows: The Committee concluded that concerns raised previously had not been addressed and recommended refusal for the same reasons as the earlier proposal. Whilst our Town Council and local residents are surprised Highways do not raise an objection to this application in spite of current parking/congestion problems, we recommend refusal of permission for this application, on the grounds that the character of the street would be severely compromised, with the inappropriate insertion of the proposed development, considering the spacing of dwellings in the area. This would be contrary to the Ringwood Local Distinctiveness SPD.

**Item 3(o) - Land of Holly Cottage, 9 Wainsford Road, Pennington, Lymington (Application 16/11266)**

The Highways Engineer has now commented and raises no objection to the proposals subject to conditions based on this being a car free development. It is stated that, having due regard to the location, together with the fact that the Car Parking SPD does not seek to set minimum/maximum standards, it is considered that an objection based on no car parking provision would be neither appropriate nor sustainable.

**Item 3(p) - 3 Lower Buckland Road, Lymington (Application 16/11288)**

The Highways Engineer has now commented and, as anticipated, has recommended refusal of the proposals for the following reason which needs to be added to the recommendation:

2. The proposals would result in vehicular access arrangements to the site which would be likely to cause danger and undue interference with the safety and convenience of users of the adjacent highway, Lower Buckland Road, due to inadequate visibility splays at the junction of the access with the highway and the inadequate width of the first section of the access. In addition the Local Planning Authority is not satisfied that sufficient car parking and turning provision can be made on the site for both the proposed and existing dwellings. As a result the proposals would be contrary to Policy CS 24 of the Core Strategy for the New Forest District outside the National Park.

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