

PLANNING COMMITTEE - WEDNESDAY, 13 MARCH 2019

UPDATES FOR COMMITTEE

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PLANNING COMMITTEE – 13 MARCH 2019

COMMITTEE UPDATES

Item 3 (a) - Haven Marine Park, Undershore Road, Boldre (Application 18/10541)

The recommendation is changed to the Service Manager Planning Development Control authorised to grant subject to the submission and approval by the Local Planning Authority of an appropriate Flood Warning and Evacuation Plan and the conditions set out in the report (Item 3 (a)).

7 further letters have been received which state that the principle of redevelopment would be acceptable but raise concerns over the heights of the proposed buildings and the overall visual impact. Concerns also expressed in relation to light pollution, lack of tree planting, noise and soft landscaping.

1 letter of support has been received from Cllr Mel Kendal on the grounds that the application will assist employment opportunities.

Item 3 (b) - Land of Mountfield, Hythe (Application 18/10838)

The Ecology Officer comments: “Thank you for consulting me with respect to the amended details. My understanding is that the amendment provides defines the red-line area and therefore does not have any significant issues for the way in which ecological matters have previously been considered. Presumably the boundary treatment and location of the property on the southern edge would need to be considered as part of the conditioned landscape details. Provided boundary treatments are permeable to wildlife e.g. post and rail, I am minded any boundaries in the area would not adversely affect wildlife and could provide some function in defining the edge of domestic space and that which will be managed for wildlife/open space. If my understanding of the planning position in relation to the amendment is incorrect I would be grateful for the opportunity for further consideration in liaison with the case officer.

I do not have any objection to the closer definition of the red line area as now proposed.”

The Landscape Officer comments: “Following the committee decision and amended red line area for this application the comments below still apply – there has been no significant change to the development proposal, other than to create further uncertainty for the management of the area now within in the blue line. With this in mind, on a more positive note, the reduced red line area does help to maintain a loose settlement boundary, with the areas in the blue line retained as open countryside and so limiting the adverse impacts on existing landscape character. I have advised the applicant that the play area should be designed as a natural, low level play space, using existing landscape features and potentially re using the dead oak to be felled as part of the development proposals, as a climbing feature with some stepping logs and a seat.”

An e-mail received from a local resident has been received, noting the change to the Parish Council’s comments and reiterating comments already stated in the report.

Item 3 (c) - Land off Lime Kiln Lane, Holbury, Fawley (Application 18/11032)

The description needs to be amended to read – ‘4 blocks comprising 24 units (class B1c/B2/B8); parking, cycle/refuse storage; landscaping; fencing’.

The description change necessitates a new press notice, site notice, re-consultation and re-notification which will expire before or on 5 April 2019. If Members are minded to grant permission, the recommendation is amended to authorise the Service Manager Planning Development Control to grant permission, subject to no further substantive comments being received by 5 April 2019 and the imposition of the conditions set out in the report.

The applicant has submitted additional justification for the scheme in relation to non-compliance with the BREEAM ‘excellent standard’. It explains that the scheme is aimed at providing small businesses with good value commercial space; that all avenues to explore BREEAM have been pursued; that further measures will be considered to ensure the maximum number of BREEAM credits are secured; and that the economic benefits of the proposal should weigh in its favour. On balance, this additional justification is accepted that the benefits of the proposal outweigh the BREEAM shortfall.

Condition 14 – to be amended to include ‘Roman Road’ in addition to ‘Harrier Green’.

Item 3 (d) - Penlowarth, 7 Thornbury Avenue, Blackfield, Fawley (Application 18/11341)

Para 12.14 The final sentence needs to be amended as shown in bold italics:

Overall, this impact was so slight to not be felt that refusal ***on the basis of the impact of the property*** could ***not*** be justified. This was considered to be acceptable due to the separation distance from the flue which allowed for dispersal of smoke emissions and odour.

Para 13 - delete the heading “Proposed conditions”

Amend the reason for refusal as follows:

By reason of its siting, limited height and its position in relation to the boundary, the flue causes unacceptable ~~pollution~~ ***impact*** by way of smoke emission and odour to the detriment of the reasonable amenities of the occupiers of the adjoining residential property at No 10 Thornbury Avenue, and in particular the decking area within their rear garden. For this reason, the development is contrary to policies CS2 and CS5 of the Core Strategy for the New Forest District outside the National Park.

Item 3 (e) - Land of 28 St George’s Road, Fordingbridge (Application 18/11556)

On page 83, after the recommendation of Refuse delete the heading ‘Proposed Conditions:’

Item 3 (f) - 46 Fullerton Road, Pennington, Lymington (Application 18/11673)

A letter from the Applicant’s Agent has been sent to all Members of the Committee directly.

Item 3(g) - Land of Fenwicks Storage Yard, Brokenford Lane, Totton (Application 19/10013)

9. CONSULTEE COMMENTS

NFDC Housing Development and Strategy Manager comments as follows:

“I write in connection with the above planning application and the discretionary offer from Sovereign Housing Association that 40% of the homes can be secured for Affordable Rent through a S106 agreement.

Given that a very recent planning application was accepted and approved without any policy compliant affordable housing (on viability grounds), I have no hesitation in supporting the discretionary offer from Sovereign and recommending its acceptance.

It would be a matter for Planning to conclude that the viability case remains exactly as it was previously however I cannot see how a different conclusion could be reached. With that in mind – and given the identified housing need within Totton for rented homes – I consider that the offer should be embraced. A view that is strengthened due to my understanding that Sovereign intend to develop all of the homes within the scheme as affordable housing.

On a related aspect I would confirm that some months ago discussions took place with Sovereign around the likely weekly rent that would be charged for ‘Affordable Rents’ within this particular scheme. Whilst such rents can be charged at up to 80% of market rates, Sovereign confirmed that the homes would be offered at a marginal amount above Local Housing Allowance (the benchmark level that is applied for the calculation of Housing Benefit).

In accordance with established working relationships between Sovereign and the Council’s Housing department, I anticipate that all of the Affordable Rented homes will be made available for nomination through the council’s Choice Based Lettings system.”

15. RECOMMENDATION

The off-site Public Open Space contribution has been confirmed at £37,869.61, so Clause (b) of the recommendation needs to be amended to refer to this amount.

Proposed Conditions:

An amended sited layout, finished floor levels, drainage and landscaping plans have been received since the drafting of this report. The developer’s agent has also suggested some amendments to the printed conditions.

Condition 2 - The amended plans will need to be reflected in a revised approved plans list. This matter can be delegated to the Service Manager.

Condition 3. - The developer’s suggestion to make the parking and cycle provision phased and related to each dwelling is sensible and agreed. The proposed revised wording is set out below:

The dwellings hereby permitted shall not be occupied until the spaces shown on plan 18708-PL-2-08 rev B for the parking of motor vehicles and cycle storage provision relating to each individual dwelling has been provided. The parking spaces shown on the approved plan shall be retained and kept available for the parking of motor vehicles for the dwellings hereby approved at all times.

Reason: To ensure adequate parking and cycle provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

Condition 5 - This condition can now be deleted as a plan has now been submitted.

Condition 13. The developer has already submitted a biodiversity enhancement scheme and the condition can be amended to refer to that agreed scheme, as follows:

Prior to the occupation of each of the dwellings hereby approved, the submitted biodiversity mitigation, compensation and enhancement plan relating to that dwelling shall be implemented and thereafter maintained. Development shall thereafter strictly accord with these approved details.

Reason: To safeguard the ecological interests of the site and to accord with Policy CS3 of the Core Strategy for the New Forest District outside the National Park (Adopted October 2009) and Policy DM12 of the Local Plan Part 2: Sites and Development Management Document (Adopted 2014).

Landscaping condition – an additional landscaping condition is required to finalise hard and soft landscaping details as well as implementation. The suggested wording is as follows:

Within one month of the commencement of development a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include:

- (a) a 1/200 scale working drawing plan showing all ground works relating to matters of landscaping (both hard and soft surfaces)
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation

The development shall not take place other than in accordance with the landscaping details as may be approved unless any written variation has been agreed in writing with the Local Planning Authority.

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 dwellings 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 similar size or species, unless the Local Planning Authority gives written consent to any variation.

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

Item 3 (i) - Blue Haze Landfill Site, Verwood Road, Somerly, Ellingham, Harbridge and Ibsley (Application 19/10064)

Page 124, paragraph 15, second line from the bottom should read as follows:

“2. All vehicles leaving site carrying waste shall be sheeted.” instead of “All vehicles leaving site carrying waste shall be sheeted.”

Page 125, top line should read as follows:

“3. Noise from operations on the site, (unless otherwise agreed in writing by...” instead of “. Noise from operations on the site, (unless otherwise agreed in writing by...”

Item 3 (j) - Blue Haze Landfill Site, Verwood Road, Somerley, Ellingham, Harbridge and Ibsley (Application 19/10065)

This planning application, to vary condition 1 of planning permission 15/10979 to extend the time for the use of road sweepings and gully waste plant until 2029 at Blue Haze Landfill Site, Verwood Road, Somerley BH24 3QE (Application Number 19/10065), was withdrawn by the applicant on 7 March 2019.

Item 3 (l) - Land of Gunfield, Shorefield Crescent, Milford on Sea (Application 19/10125)

Paragraph 14.10.1 should read as follows:

A concern has been raised over potential for flooding due to increased amount of surface water. Planning condition is recommended to secure acceptable details of surface water management. In addition, drainage requirements would also be addressed through the Building Regulations.

An additional condition is recommended to secure details of slab levels as follows:

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 Local Plan for the New Forest District outside the National Park (Core Strategy).

Milford on Sea Parish Council has commented on the application and recommended refusal (Part 4) on the grounds of impact on residential amenity, character of the area and overdevelopment.

A representation has been received from 25 Medina Avenue (12 Sharvells Road) objecting to the application on the following grounds:

- No contribution towards the road repair has been secured;
- Will detract from the host property and my property;
- Will change the outlook from my property;
- Loss of privacy;
- Does not fit with the street scene.

A representation has been received from Tamarisk, Shorefield Crescent supporting the proposal on the basis that it would not be obtrusive to adjacent properties and the need for housing in the south of England. In addition, it has been suggested that road improvements could be secured through this application. However, this would be a private matter which cannot add weight in favour of this proposal.

Item 4 - Scheme of Delegation of Powers to Officers

Since the publication of the report a number of additional amendments have been identified to the scheme of delegation of powers, either to widen the pool of people authorised to act, in the light of the tree function returning to this Council; or to reflect changes to the wording of the legislation by introducing greater clarity in the delegated power. The proposed additional changes are shown in bold type:

PLG 9	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990	To deal with minor modifications to approved plans, non-material and minor material amendments , and to vary or discharge conditions imposed on consents.	Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Principal Development Management Officer, or Planning Implementation and Enforcement Team Leader, or Senior Development Management Officer, or Senior Planning Implementation and Enforcement Officer, or Planning Officer, or Development Management Case Officer
PLG 39	Town and Country Planning Act 1990 (s.198 and s.211) and Planning (Listed Buildings and Conservation Areas) Act 1990, (s.69)	To determine applications to do works to trees that are subject to protection by a Tree Preservation Order, and to impose such conditions on any consent as he or she deems appropriate	Executive Head, or Chief Planning Officer, or Service Manager, or Environmental Design Team Leader, or Development Management Team Leader, or Policy and Plans Team Leader
PLG 40	Town and Country Planning Act 1990 (s.211) Planning (Listed Buildings and Conservation Areas) Act 1990, (s.69)	To determine whether or not to object to prior notification of an intention to do works to a tree within a conservation area	Executive Head, or Chief Planning Officer, or Service Manager, or Environmental Design Team Leader, or Development Management Team Leader, or Policy and Plans Team Leader

PLG Auth1	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 Planning (Hazardous Substances) Act 1990 Planning and Compulsory Purchase Act 2004	In respect of any function which is delegated to the Committee, to enter premises for the purposes of the Acts and any amending statutes or regulations made pursuant to the Acts	Add Environmental Design Team Leader, Senior Tree Officer, Tree Officer
PLG Auth2	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.12)	Authorisation to Enter Premises	Add Environmental Design Team Leader, Senior Tree Officer, Tree Officer
PLG Auth3	Anti-Social Behaviour Act 2003 (s.70)	To enter land for the purposes of the Act and any amending statutes or regulations made pursuant to the Acts	Add Environmental Design Team Leader, Senior Tree Officer, Tree Officer

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