

NOTICE OF MEETING

Meeting: PLANNING DEVELOPMENT CONTROL COMMITTEE

Date and Time: WEDNESDAY, 10 JUNE 2015, AT 9.00 AM*

Place: THE COUNCIL CHAMBER, APPLETREE COURT,
LYNDHURST

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PUBLIC PARTICIPATION:

*Members of the public are entitled to speak on individual items on the public agenda in accordance with the Council's public participation scheme. To register to speak please contact Development Control Administration on Tel: 02380 285345 or E-mail: DCAdministration@nfdc.gov.uk

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This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meetings held on 6 May and 18 May 2015 as correct records.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PLANNING APPLICATIONS FOR COMMITTEE DECISION

To determine the applications set out below:

- (a) **Bransgore Primary School, Ringwood Road, Bransgore (Application 14/11498) (Pages 1 - 10)**
2 all weather sports pitches; 3m high fence; seating area
Recommended: Planning consent subject to conditions.
- (b) **West Totton Community Centre, Hazel Farm Road, Totton (Application 14/11568) (Pages 11 - 18)**
Single-storey extension; outside play area; brickwall and railings; drainage
Recommended: Planning consent subject to conditions.
- (c) **59 Station Road, New Milton (Application 15/10032) (Pages 19 - 32)**
Second and three-storey extensions to create 10 flats; parking
Recommended: Head of Planning and Transportation authorised to grant planning consent
- (d) **The Chapel, Fordingbridge Road, Whitsbury (Application 15/10198) (Pages 33 - 42)**
Use as 1 residential unit (Use Class C3); associated external alterations
Recommended: Refuse
- (e) **Elingfield House, 26 High Street, Totton (Application 15/10240) (Pages 43 - 50)**
One and two-storey side extension; boundary wall; parking; ramp; barrier; landscaping; access
Recommended: Planning consent subject to conditions
- (f) **Elingfield House, 26 High Street, Totton (Application 15/10241) (Pages 51 - 56)**
One and two-storey side extension; boundary wall; parking; ramp; barrier; landscaping; access; form two openings to extension (Application for Listed Building Consent)
Recommended: Listed Building consent subject to conditions
- (g) **Strawberry Cottage, Butts Ash Lane, Hythe (Application 15/10244) (Pages 57 - 62)**
Retention of extension to garage to form garden room; flue
Recommended: Planning consent

- (h) **5 Mayflower Close, Lymington (Application 15/10274) (Pages 63 - 68)**
Two-storey side extension; single-storey front canopy; single-storey rear extension
Recommended: Planning consent subject to conditions
- (i) **7 Fairfield Road, Barton-on-Sea, New Milton (Application 15/10275) (Pages 69 - 76)**
Two-storey side extension
Recommended: Refuse
- (j) **St Barbe Museum and Art Gallery, New Street, Lymington (Application 15/10297) (Pages 77 - 84)**
Serpentine wall and outside seating area terrace to eastern facade; landscaping
Recommended: Refuse
- (k) **Denelea, 9 Duncan Road, Ashley, New Milton (Application 15/10339) (Pages 85 - 90)**
Dormers in association with new first floor; roof lights; fenestration alterations; use of garage as ancillary accommodation
Recommended: Planning consent subject to conditions
- (l) **19 Daniells Walk, Lymington (Application 15/10348) (Pages 91 - 96)**
Retention and alteration of approved landscaping details; raise ground level; front fence
Recommended: Planning consent subject to conditions
- (m) **44 West Park Lane, Damerham (Application 15/10350) (Pages 97 - 102)**
Two-storey side extension; single-storey front extension
Recommended: Refuse
- (n) **Land rear of 46 Whitsbury Road, Fordingbridge (Application 15/10367) (Pages 103 - 110)**
Single storey dwelling; access
Recommended: Refuse
- (o) **Merrymore, 22 Barton Wood Road, Barton-on-Sea, New Milton (Application 15/10369) (Pages 111 - 118)**
Retention of ramp; smoking shelter; shed
Recommended: Planning consent subject to conditions

- (p) **Plot G3, Ampress Lane, Lymington (Application 15/10392) (Pages 119 - 126)**
 Variation of Condition 6 of Planning Permission 12/98611 to allow occupation without achieving a BREEAM 'excellent' standard
Recommended: Planning consent subject to conditions
- (q) **4 Pinewood Road, Hordle (Application 15/10397) (Pages 127 - 132)**
 First floor side and rear extension; front porch
Recommended: Planning consent subject to conditions
- (r) **31 Malwood Road West, Hythe (Application 15/10428) (Pages 133 - 138)**
 Roof alterations and rooflights in association with new first floor; single-storey side and rear extension
Recommended: Planning consent subject to conditions
- (s) **Land of 29 Tithe Barn, Lymington (Application 15/10474) (Pages 139 - 148)**
 Three-storey house; bin store; garden store; landscaping
Recommended: Refuse
- (t) **Land at Bleak Hill, Somerley, Ellingham, Harbridge & Ibsley (Application 15/10539) (Pages 149 - 152)**
 Variation of Conditions 1, 10, 12 and 19 of Planning Permission 14/10309 to revise the working and restoration schemes at I and II Quarry, Somerley
Recommended: Raise no objection

4. DELEGATION OF POWERS TO OFFICERS (Pages 153 - 164)

To update the scheme of delegation of powers to officers to reflect recent changes to the staffing structure.

5. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

To:	Councillors:	Councillors:
	Mrs D E Andrews (Chairman)	Mrs M D Holding
	Mrs C V Ward (Vice-Chairman)	A K Penson
	P J Armstrong	W S Rippon-Swaine
	Mrs S M Bennison	Mrs A M Rostand
	Mrs F Carpenter	Miss A Sevier
	A H G Davis	M H Thierry
	R L Frampton	R A Wappet
	L E Harris	M L White
	D Harrison	Mrs P A Wyeth
	Mrs A Hoare	

STATUTORY TESTS

Introduction

In making a decision to approve or refuse planning applications, or applications for listed building consent, conservation area consent and other types of consent, the decision maker is required by law to have regard to certain matters.

The most commonly used statutory tests are set out below. The list is not exhaustive. In reaching its decisions on the applications in this agenda, the Committee is obliged to take account of the relevant statutory tests.

The Development Plan

The Development Plan Section 38

The Development Plan comprises the local development plan documents (taken as a whole) which have been adopted or approved in relation to that area.

If regard is to be had to the Development Plan for the purpose of any determination to be made the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Listed Buildings

Section 66 General duty as respects listed buildings in exercise of planning functions. Planning (Listed Buildings and Conservation Areas) Act 1990

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features or special architectural or historic interest which it possesses.

Conservation Areas

Section 72 General duty as respects conservation areas in exercise of planning functions Planning (Listed Buildings and Conservation Areas) Act 1990

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

(2) The provisions referred to in subsection (1) are the Planning Acts and Part 1 of the Historic Buildings and Ancient Monuments Act 1953.

Areas of Outstanding Natural Beauty (AONB's)

Section 85. General duty as respects AONB's in exercise of any function Countryside and Rights of Way Act 2000

In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

Trees

Section 197. Trees Town and Country Planning Act 1990

It shall be the duty of the local planning authority (a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and (b) to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.

Biodiversity

Section 40. Duty to conserve biodiversity Natural Environment and Rural Communities Act 2006

Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.

Conservation of Habitats and Species Regulations 2010

Under the provisions of the Conservation of Habitats and Species Regulations 2010, the Council has to ensure that development proposals will not have an adverse impact on the integrity of a designated or candidate Special Area of Conservation (SAC), classified or potential Special Protection Area (SPA), or listed Ramsar site and mitigation will be required.

Any development involving the creation of new residential units within the District will have such an impact because of the resulting cumulative recreational pressure on these sensitive sites. Under Policy DM3 of the adopted Local Plan Part 2, the Council's general approach is to recognise that the impact is adequately mitigated through the payment of contributions for the provision of alternative recreational facilities, management measures and monitoring.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Financial Considerations in Planning

Section 70 of the Town and Country Planning Act 1990 as amended by the Localism Act 2011 requires all reports dealing with the determination of planning applications to set out how "local financial considerations" where they are material to the decision have been dealt with. These are by definition only Community Infrastructure Levy (CIL) payments and government grant in the form of the New Homes Bonus.

New Forest District Council adopted a CIL charging schedule on 14 April 2014. The implementation date for the charging schedule is 6 April 2015. The New Homes Bonus Grant is paid to the Council by the Government for each net additional dwelling built in the District. The amount paid depends on the Council tax banding of the new dwellings and ranges between £798 and £2,304 per annum for a six year period. For the purposes of any report it is assumed that all new dwellings are banded D (as we don't actually know their band at planning application stage) which gives rise to grant of £1152 per dwelling or £6,912 over six years.