

NOTICE OF MEETING

Meeting: PLANNING DEVELOPMENT CONTROL COMMITTEE

Date and Time: WEDNESDAY, 10 AUGUST 2016, AT 9.00 AM*

Place: THE COUNCIL CHAMBER, APPLETREE COURT,
LYNDHURST

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023 8028 5588 - ask for Jan Debnam
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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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Chief Executive

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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 meeting held on 13 July 2016 as a correct record.

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) **Land South of Lymington Road, New Milton (Application 13/11276) (Pages 1 - 16)**

4 houses; site of alternative natural green space; access (Outline Application with details only of access)

RECOMMENDED:

Refuse

(b) **Merryfield Park, Derritt Lane, Sopley (Application 13/11408) (Pages 17 - 22)**

Proposed amendments to the Section 106 Agreement regarding the type of Affordable Housing and the removal of Code Level Four requirements

Approved Scheme: The erection of up to 80 dwellings with the retention of up to 11 existing buildings with a total floor area of no more than 1,309 sqm for B1 uses and a museum all with associated access point, the provision of SANGS and open space, the provision of a footpath along Derritt Lane and the demolition of all buildings and structures on the site with the exception of those retained for the B1 or museum uses (Outline application with all matters reserved)

RECOMMENDED:

That the Section 106 Agreement be varied in accordance with the details set out in paragraph 9 of the report.

(c) **59 Station Road, New Milton (Application 15/10032) (Pages 23 - 36)**

Second and three-storey extensions to create 10 flats; parking

RECOMMENDED:

Planning consent subject to conditions

(d) **Land adjacent 1 Dukeswood Drive, Dibden Purlieu, Hythe (Application 15/10039) (Pages 37 - 48)**

Detached house

RECOMMENDED:

Planning consent subject to conditions

(e) **40 Hobart Drive, New Milton (Application 15/11264) (Pages 49 - 58)**

Two-storey dwelling; parking

RECOMMENDED:

Planning consent subject to conditions

- (f) **Land of 115 Eastfield Lane, Ringwood (Application 15/11276) (Pages 59 - 68)**
Bungalow; access and parking alterations; demolition of existing garage
RECOMMENDED:
Planning consent subject to conditions
- (g) **Land of 46 & 48 Hammonds Green, Totton (Application 15/11590) (Pages 69 - 78)**
Bungalow; parking; access off Brackley Way
RECOMMENDED:
Planning consent subject to conditions
- (h) **Police Station, 68-74 Old Milton Road, New Milton (Application 15/11765) (Pages 79 - 90)**
Variation of condition 2 of Planning Permission 14/11441 to allow amended plan no's for variation to plot 3
RECOMMENDED:
Grant the variation of condition
- (i) **Land North of Loperwood Lane, Calmore, Totton (Application 15/11797) (Pages 91 - 106)**
Up to 80 dwellings; open space; drainage (Outline Application with all matters reserved)
RECOMMENDED:
Refuse
- (j) **Ringwood Social Club, 19 West Street, Ringwood (Application 15/11824) (Pages 107 - 124)**
Office building; 1 pair of semi-detached houses; 1 terrace of 3 houses; demolition of existing club extension and single-storey rear extension; external window and door alterations; parking; access; landscaping
RECOMMENDED:
Planning consent subject to conditions

- (k) **29 Fairview Drive, Hythe (Application 16/10022) (Pages 125 - 136)**
Single-storey rear extension; raised decking; fenestration alterations and handrail to side elevation; access alterations to No. 29; two bungalows; access; parking
- RECOMMENDED:**
- Planning consent subject to conditions
- (l) **Site of 14 Salisbury Road, Totton (Application 16/10337) (Pages 137 - 146)**
One three-storey block of 4 flats; bin and cycle store; demolition of existing (part retrospective)
- RECOMMENDED:**
- Planning consent subject to conditions
- (m) **35 Shaftesbury Street, Fordingbridge (Application 16/10460) (Pages 147 - 164)**
Use as 30 seat cinema; 8 flats; bar; terrace; fenestration alterations; external refurbishment
- RECOMMENDED:**
- Planning consent subject to conditions
- (n) **Four Acres Farm, Salisbury Road, Calmore, Netley Marsh (Application 16/10508) (Pages 165 - 176)**
Temporary siting of agricultural workers' mobile dwelling with ancillary agricultural storage sheds (retrospective) and container
- RECOMMENDED:**
- Refuse
- (o) **35-37 Hampton Lane, Blackfield, Fawley (Application 16/10524) (Pages 177 - 188)**
Use of ground floor as 2 flats; single-storey front and rear extensions; associated alterations; cycle store
- RECOMMENDED:**
- Planning consent subject to conditions

- (p) **Land rear of the Compass Inn, High Street, East End, Damerham (Application 16/10579) (Pages 189 - 198)**
Conversion of barn to dwelling; associated external alterations; office/cartshed; use of stables as workshop
RECOMMENDED:
Planning consent subject to conditions
- (q) **Chance, Hare Lane, Hordle (Application 16/10583) (Pages 199 - 206)**
Single-storey rear extension, raise ridge height; front and rear dormers in association with new first floor; detached double garage
RECOMMENDED:
Planning consent subject to conditions
- (r) **9 Hurst Road, Milford-on-Sea (Application 16/10621) (Pages 207 - 218)**
2 pairs of semi-detached houses; parking; access; demolition of existing
RECOMMENDED:
Executive Head of Economy, Housing and Planning authorised to grant planning consent
- (s) **49 Old Milton Road, New Milton (Application 16/10626) (Pages 219 - 224)**
Display illuminated fascia sign and non-illuminated window and door signs (Application for Advertisement Consent)
RECOMMENDED:
Grant advertisement consent subject to conditions.
- (t) **11 St Johns Street, Hythe (Application 16/10658) (Pages 225 - 230)**
2 outbuildings (retrospective)
RECOMMENDED:
Refuse
- (u) **Land at Flaxfields End, Fordingbridge (Application 16/10681) (Pages 231 - 240)**
2 pairs of link-attached houses; bike stores; associated parking
RECOMMENDED:
Refuse

- (v) **Land adjacent 30 Barrs Wood Road, New Milton (Application 16/10748) (Pages 241 - 250)**
Bungalow with associated parking; access; landscaping
RECOMMENDED:
Planning consent subject to conditions
- (w) **1 Knowland Drive, Milford-on-Sea (Application 16/10753) (Pages 251 - 258)**
2 detached houses; demolition of existing
RECOMMENDED:
Refuse
- (x) **45 Barton Court Avenue, Barton-on-Sea, New Milton (Application 16/10758) (Pages 259 - 268)**
2 two-storey detached houses; detached garage; access; parking; fencing; landscaping; demolition of existing
RECOMMENDED:
Planning consent subject to conditions
- (y) **Church, Fordingbridge Road, Whitsbury (Application 16/10759) (Pages 269 - 282)**
Use as 1 residential dwelling; windows; rooflights; minor external alterations; partial demolition
RECOMMENDED:
Planning consent subject to conditions
- (z) **52 Doe Copse Way, New Milton (Application 16/10767) (Pages 283 - 288)**
Fence (Retrospective)
RECOMMENDED:
Planning consent subject to conditions
- (aa) **13b Junction Road, Totton (Application 16/10792) (Pages 289 - 296)**
Use as dwelling; associated external alterations (retrospective)
RECOMMENDED:
Executive Head of Economy, Housing and Planning authorised to grant planning consent

(bb) **4 Forest Gate Gardens, Pennington, Lymington (Application 16/10820)
(Pages 297 - 304)**

Use of garage as ancillary living accommodation; fenestration alterations, extend driveway

RECOMMENDED:

Planning consent subject to conditions

(cc) **Harleys, 1 Shaftesbury Street, Fordingbridge (Application 16/10332)
(Pages 305 - 310)**

Ancillary smoking area and temporary parasols

RECOMMENDED:

Planning consent subject to conditions

(dd) **Land of 8 Malthouse Gardens, Marchwood (Application 16/10833) (Pages 311 - 318)**

Two-storey extension to form dwelling

RECOMMENDED:

Refuse

(ee) **Rear of 117 Christchurch Road, Ringwood (Application 16/10854) (Pages 319 - 332)**

House; parking; shed

RECOMMENDED:

Planning consent subject to conditions

4. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

To:

Councillors:

Mrs D E Andrews (Chairman)
P J Armstrong
Mrs S M Bennison
Mrs F Carpenter
A H G Davis
R L Frampton
L E Harris
D Harrison
Mrs A J Hoare
Mrs M D Holding

Councillors:

J M Olliff-Cooper
A K Penson
W S Rippon-Swaine
Mrs A M Rostand
Miss A Sevier
M H Thierry
R A Wappet
Mrs C V Ward (Vice-Chairman)
M L White
Mrs P A Wyeth

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.