

NOTICE OF MEETING

Meeting: PLANNING DEVELOPMENT CONTROL COMMITTEE

Date and Time: WEDNESDAY, 12 OCTOBER 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**

Bob Jackson
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 14 September 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) **12 High Street, Lymington (Application 16/10282) (Pages 1 - 6)**

Application for the Modification or Discharge of a Section 106 Obligation in respect of Planning Permission 16/10282 for Creation of 1 flat; partial demolition; extend shop; one and two storey rear extension; 1 pair semi-detached houses; landscaping

RECOMMENDED:

That the S106 Affordable Housing Obligation be discharged in full and that the Service Manager Planning and Building Control be authorised to vary the Section 106 legal agreement accordingly.

(b) **57/59 High Street, Milford-on-Sea (Application 16/10130) (Pages 7 - 12)**

Application for the Modification or Discharge of a Section 106 Obligation in respect of Planning Permission 16/10130 for Attached house to rear; pitched roofs to existing flat roof extension; window alterations to 57a

RECOMMENDED:

That the S106 Affordable Housing Obligation be discharged in full and that the Service Manager Planning and Building Control be authorised to revoke the Section 106 legal agreement accordingly.

(c) **51 High Street, Lymington (Application 16/10451) (Pages 13 - 18)**

Shopfront alterations

RECOMMENDED:

Planning consent subject to conditions

(d) **51 High Street, Lymington (Application 16/10452) (Pages 19 - 24)**

Display 2 wall-mounted signs; 1 vinyl door sign; 1 fascia sign (Application for Advertisement Consent)

RECOMMENDED:

Grant Advertisement Consent

(e) **Land at Buckland Manor Farm, Alexandra Road, Lymington (Application 16/10764) (Pages 25 - 56)**

Development of 87 dwellings comprised: 21 detached houses; 5 bungalows; 26 pairs of semi-detached houses; 3 terraces of 3 houses; garages; parking; landscaping; junction access; estate roads; footpaths; SANG; open space; 10 allotments

RECOMMENDED:

Service Manager Planning and Building Control authorised to grant planning consent subject the completion by 30 January 2017 of an agreement pursuant

to S106 of the Town and Country Planning Act 1990 and with the imposition of conditions

- (f) **Land of 19 Hale Avenue, New Milton (Application 16/11144) (Pages 57 - 64)**

Detached house; associated parking

RECOMMENDED:

Refuse

- (g) **49 Old Milton Road, New Milton (Application 16/10869) (Pages 65 - 72)**

Use of first and second floor as 2 flats

RECOMMENDED:

Planning consent subject to conditions

- (h) **5 Bingham Drive, Lymington (Application 16/11176) (Pages 73 - 82)**

One pair of semi-detached houses; 2 detached houses; parking; landscaping; demolition of existing

RECOMMENDED:

Refuse

- (i) **3 Filton Road, Lymington (Application 16/10943) (Pages 83 - 88)**

Two-storey and rear extension; single-storey rear extension; front porch; roof lights

RECOMMENDED:

Planning consent subject to conditions

- (j) **4 Tucks Close, Bransgore (Application 16/10956) (Pages 89 - 94)**

Single-storey front, side and rear extensions; detached garage/store; use of existing garage as living accommodation

RECOMMENDED:

Refuse

- (k) **Land south of Gore Road, New Milton (Application 16/10994) (Pages 95 - 116)**

Development of 28 dwellings comprised: four pairs of link detached, semi-detached houses; 2 detached houses; one pair of semi-detached houses; two terraces of 3 houses; one terrace of 4 houses; garage block with flat over; one terrace of 4 houses, 3 garages & flat over; detached garages; carports; shed/cycle stores; roads; parking; landscaping; public open space

RECOMMENDED:

Service Manager Planning and Building Control authorised to grant planning consent subject to no substantive objections being received by 13 October 2016 in respect of the advertisement of amended plans; the completion by 30 December 2016 of an agreement pursuant to Section 106 of the Town and Country Planning Act 1990 and with the imposition of conditions

- (l) **Land adjacent to 10 Linford Close, New Milton (Application 16/11005) (Pages 117 - 124)**

Detached house

RECOMMENDED:

Refuse

- (m) **25 Sea Road, Milford-on-Sea (Application 16/11022) (Pages 125 - 132)**

1 detached house; 1 detached chalet bungalow; detached single garage; associated parking; landscaping; decking; demolition of existing

RECOMMENDED:

Refuse

- (n) **Land of 24 North Poulner Road, Ringwood (Application 16/11025) (Pages 133 - 142)**

House; access alterations; parking

RECOMMENDED:

Planning consent subject to conditions

- (o) **Home Bakery Cottage, Lower Daggons Lane, South End, Damerham (Application 16/11047) (Pages 143 - 150)**

Two-storey and single-storey rear extensions; front porch; detached double garage

RECOMMENDED:

Refuse

- (p) **39 Salisbury Road, Totton (Application 16/11048) (Pages 151 - 162)**

Block of 10 flats; cycle store; landscaping; parking; access

RECOMMENDED:

Refuse

- (q) **Land of Harts Farm House, 327 Everton Road, Everton, Hordle (Application 16/11063) (Pages 163 - 172)**
House; detached garage; pergola; parking; landscaping
RECOMMENDED:
Refuse
- (r) **Chuckles Day Nursery, 2 Northlands Road, Totton (Application 16/11064) (Pages 173 - 180)**
Use as residential dwelling
RECOMMENDED:
Planning consent subject to conditions
- (s) **Land of Little Orchard, 28 Compton Road, New Milton (Application 16/11085) (Pages 181 - 190)**
House; alterations to existing dwelling; access alterations
RECOMMENDED:
Planning consent subject to conditions
- (t) **43 Southampton Road, Lymington (Application 16/11090) (Pages 191 - 198)**
Repainting of exterior; boundary railing; shed (demolition of existing); replacement timber windows at front
RECOMMENDED:
Refuse
- (u) **43 Southampton Road, Lymington (Application 16/11091) (Pages 199 - 206)**
Repainting of exterior; boundary railing; shed (demolition of existing); replacement timber windows at front (Application for Listed Building Consent)
RECOMMENDED:
Refuse Listed Building Consent
- (v) **Land rear of 4 Kennard Road, New Milton (Application 16/11028) (Pages 207 - 214)**
Detached bungalow; parking; landscaping
RECOMMENDED:
Refuse

(w) **8 Brackens Way, Lymington (Application 16/11106) (Pages 215 - 220)**

Removal of Condition 3 of Planning Permission 09/93569 to allow clear glazing to the first floor east elevation

RECOMMENDED:

Grant Variation of Condition subject to conditions

(x) **3 Kingsfield, Lymington (Application 16/11107) (Pages 221 - 228)**

Single-storey extension; two-storey extension; lantern rooflight; fenestration alterations

RECOMMENDED:

Refuse

(y) **Copper Beech, Fox Pond Lane, Pennington, Lymington (Application 16/11114) (Pages 229 - 234)**

Single-storey rear extension; first-floor rear extension

RECOMMENDED:

Planning consent subject to conditions

(z) **Ashley House, 44-46 High Street, Lymington (Application 16/11115) (Pages 235 - 242)**

Illumination to shop sign (Retrospective) (Application for Advertisement Consent)

RECOMMENDED:

Refuse Advertisement Consent

(aa) **14 Solent Avenue, Lymington (Application 16/11119) (Pages 243 - 248)**

Single-storey rear extension; fenestration alterations; cladding

RECOMMENDED:

Planning consent subject to conditions

(bb) **Site of Stocklands, Calmore Drive, Calmore, Totton (Application 16/11130) (Pages 249 - 262)**

Development of 20 dwellings; access; parking; landscaping and open space (Outline Application with details only of access)

RECOMMENDED:

Service Manager Planning and Building Control authorised to grant planning consent subject to the completion by 31 December 2016 of an agreement pursuant to S106 of the Town and Country Planning Act 1990 and the imposition of conditions.

- (cc) **The Colt House, Cottagers Lane, Hordle (Application 16/11134) (Pages 263 - 274)**

1 pair of semi-detached houses; 2 detached garages; parking; access; landscaping; demolition of existing

RECOMMENDED:

Planning consent subject to conditions

- (dd) **Pond 1, East Road, Marchwood Industrial Park, Marchwood (Application 16/11098) (Pages 275 - 286)**

Variation of Condition 5 of Planning Permission 12/99485 to allow landscaping in stages

RECOMMENDED:

Grant Variation of Condition subject to conditions

- (ee) **Pond 1, East Road, Marchwood Industrial Park, Marchwood (Application 16/11099) (Pages 287 - 294)**

Variation of Condition 4 of Planning Permission 12/99450 to allow landscaping in stages.

RECOMMENDED:

Grant the variation of condition, subject to conditions.

4. PROPOSED NEW FOREST DISTRICT COUNCIL REVISED 1APP (PLANNING APPLICATION) LOCAL REQUIREMENTS (Pages 295 - 310)

To consider the proposed New Forest District Council Revised 1APP (Planning Application) Local Requirements prior to the requirements being published for consultation with regular planning agents, internal and external consultees and Town/Parish Councils, with a view to considering comments received prior to the adoption of the final revised List.

5. 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.