

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 14 APRIL 2021, AT 9.30 AM*

Place: MICROSOFT TEAMS - ONLINE

Enquiries to: Email: karen.wardle@nfdc.gov.uk

Tel: 023 8028 5071

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 Planning Administration on Tel: 023 8028 5345 or E-mail: PlanningCommitteeSpeakers@nfdc.gov.uk no later than 12.00 noon on Monday, 12 April 2021. This will allow the Council to provide public speakers with the necessary joining instructions for the Microsoft Teams Meeting. The Council will accept a written copy of a statement from registered speakers who do not wish to join a Teams Meeting, or are unable to. The statement will be read out at the meeting and should not exceed three minutes.

Claire Upton-Brown Chief Planning Officer

Appletree Court, Lyndhurst, Hampshire. SO43 7PA www.newforest.gov.uk

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 10 March 2021 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 at Hamer Warren, Somerley, Ellingham, Harbridge & Ibsley (Application 20/11288) (Pages 5 - 10)

Diversion of footpath

RECOMMENDED:

To make the order and follow the procedure detailed in the report.

(b) 23 Mount Avenue, New Milton (NB: Proposed Legal Agreement) (Application 20/11446) (Pages 11 - 22)

Demolish existing garage; sever land and erect a detached dwelling with associated access and parking (Revised Scheme 19/11118)

RECOMMENDED:

Delegated authority be given to the Chief Planning Officer to GRANT PERMISSION subject to the completion of a Section 106 agreement and conditions.

(c) Staplewood Campus, Long Lane, Marchwood (Application 20/11458) (Pages 23 - 30)

Three pole mounted analytical cameras sited at 12 metres above ground level

RECOMMENDED:

Delegated authority be given to the Chief Planning Officer to GRANT PERMISSION subject to no further substantive issues being raised during the re-consultation period and conditions.

(d) 22 Westbury Road, Ringwood (Application 21/10177) (Pages 31 - 34)

Single-storey rear extension

RECOMMENDED:

Grant subject to conditions

Please note, that the planning applications listed above may be considered in a different order at the meeting.

4. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Please note that all planning applications give due consideration to the following matters:

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights.

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.

NEW FOREST DISTRICT COUNCIL - VIRTUAL MEETINGS

Background

This meeting is being held virtually with all participants accessing via Microsoft Teams.

A live stream will be available on YouTube to allow the press and public to view meetings in real time and can also be found at the relevant meeting page on the Council's website, with this published agenda.

Principles for all meetings

The Chairman will read out Ground Rules at the start of the meeting for the benefit of all participants. All normal procedures for meetings apply as far as practicable, as the Government Regulations do not amend any of the Council's existing Standing Orders.

The Ground Rules for all virtual meetings will include, but are not limited to, the following:-

- All participants are reminded that virtual public meetings are being broadcast live on YouTube and will be available for repeated viewing. Please be mindful of your camera and microphone setup and the images and sounds that will be broadcast on public record.
- All participants are asked to mute their microphones when not speaking to reduce feedback and background noise. Please only unmute your microphone and speak when invited to do so by the Chairman.
- Councillors in attendance that have not indicated their wish to speak in advance of the meeting can make a request to speak during the meeting by using the "raise hand" feature in Microsoft Teams. Requests will be managed by the Chairman with support from Democratic Services. Please remember to "lower hand" when you have finished speaking.

- The chat facility should not be used unless raising a point of order or providing the wording for a motion.
- All participants are asked to refer to the report number and page number within the agenda and reports pack so that there is a clear understanding of what is being discussed at all times.

Voting

When voting is required on a particular item, each councillor on the committee will be called to vote in turn by name, expressing their vote verbally. The outcome will be announced to the meeting. A recorded vote will not be reflected in the minutes of the meeting unless this is requested in accordance with the Council's Standing Orders.

By casting their vote, councillors do so in the acknowledgement that they were present for the duration of the item in question.

Technology

If individuals experience technical issues, the meeting will continue providing that it is quorate and it is still practical to do so. The Chairman will adjourn the meeting if technical issues cause the meeting to be inquorate, the live stream technology fails, or continuing is not practical.

Public Participation

Contact details to register to speak in accordance with the Council's Public Participation Procedures are on the front page of this agenda.

In order to speak at a virtual meeting, you must have the facility to join a Microsoft Teams Meeting. Joining instructions will be sent to registered speakers in advance of the meeting.

The Council will accept a written copy of a statement from registered speakers that do not wish to join a Microsoft Teams Meeting, or are unable to. The statement will be read out at the meeting and should not exceed three minutes. Please use the contact details on the agenda front sheet for further information.

To: Councillors:

Christine Ward (Chairman)
Christine Hopkins (Vice-Chairman)
Ann Bellows
Sue Bennison
Hilary Brand
Rebecca Clark
Anne Corbridge
Kate Crisell
Arthur Davis
Barry Dunning

Councillors:

Allan Glass
David Hawkins
Maureen Holding
Mahmoud Kangarani
Joe Reilly
Tony Ring
Ann Sevier
Michael Thierry
Beverley Thorne
Malcolm Wade

Agenda Item 3a

Planning Committee 14 April 2021 Item 3 a

Application Number: 20/11288 Right of Way / Footpath Diversion

Site: Land at HAMER WARREN, SOMERLEY, ELLINGHAM

HARBRIDGE & IBSLEY

Development: Diversion of footpath

Applicant: Somerley Energy

Agent: Aardvark EM Limited

Target Date: 12/02/2021

Case Officer: Vivienne Baxter

1 DETERMINING APPLICATION FOR PUBLIC PATH DIVERSION ORDER

This Committee has the authority to determine the application for a footpath diversion order relating to land at Hamer Warren, Somerley, Ellingham, Harbridge and Ibsley "Hamer Warren".

2 BACKGROUND

- 2.1 Full planning permission (20/11073) was granted on February 3rd 2021 for development at Hamer Warren, Somerley for the construction of a renewable led energy generating station comprising ground-mounted photo voltaic solar arrays together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements.. The proposal requires the diversion of part of the definitive route of a public footpath (FP38) which crosses the southern part of the site which was subject of the above planning application as some of the approved arrays cross the definitive route.
- 2.2 It should be noted that the path is not currently walked along its definitive route within the site but along the proposed route.
- 2.3 This application is made as a separate application relating to a Public Path Diversion Order, pursuant to Section 257 of the Town and Country Planning Act 1990 ("S.257"), to formalise the revised route of FP38 in order to facilitate the approved development. S.257 permits the Council to exercise its discretionary power to make such an Order for the diversion of a footpath which it is necessary, in circumstances such as those relating to Hamer Warren, to enable development to be carried out in accordance with a planning permission.
- 2.4 The approved layout would include the provision of solar arrays across the definitive route of the footpath necessitating the stopping up of the footpath and extinguishment of the public right of way where it crosses the site. In this particular case, the definitive footpath is not presently accessible and the proposed route would be maintained on the route currently walked and sign posted.
- 2.5 It is therefore propose that in response to the application received from the applicant, the Committee exercises its power to make the Public Path Diversion Order ("the Order") in relation to Hamer Warren and to follow the procedure below.

3 PROCEDURE TO BE FOLLOWED

The procedure to be followed in relation to the Order is:

- 3.1 The applicant's consultant undertook prior engagement with the Hampshire County Council Countryside Officer who agreed to remove their objection to planning application 20/11073 subject to the completion of the footpath diversion application.
- 3.2 The Council has undertaken a separate consultation process on this proposal in December 2020 and two responses were received:

Ellingham, Harbridge and Ibsley Parish Council: Recommend permission on the basis that the application for the diversion of the footpath is put in the name of the landowner, Somerley Estate. And that this footpath is cleared and maintained to the designated width of 1.5 metres.

Countryside Service, HCC as Highway Authority of Public Rights of Way: No objection to the diversion of the route to that shown on the submitted plan. They go on to advise that the route actually used on the ground differs from the legal route and that this situation has been in place for some time. Diverting this path will fix an anomaly on the definitive map and allow development to go ahead. The path should a minimum of 2.5 metres if fully enclosed in line with our design standards. Narrow sections of the path my need surfacing work to bring them up to standard and this would include the removal of any obstructions and clearing/maintenance of vegetation to allow for the full width. Our recommended specifications for surfacing and width of paths can be found in the Countryside Service Design Standards on our web page at https://www.hants.gov.uk/landplanningandenvironment/countryside/ designstandards Countryside Service request to be consulted on the certification of the route. Subject to this we have no objection to the diversion of Ellingham Harbrdige and Ibsley Footpath 30 to the route shown on plan 2065/DO13.

Much of the walked route is wide enough for a vehicle although it narrows when crossing the field subject of the planning application. The applicant is currently in discussion with Countryside Services with regard to the suggested widening. Whilst vegetation could be removed along some of the length, existing fencing may be less than the desired width and this has not hampered the use of the footpath.

- 3.3 **Make Order**: the Council should make the Order but it will not be effective until it is confirmed.
- 3.4 **Advertise Order**: upon making the Order, the Council should:
 - Publish a notice in at least one local newspaper stating the general effect of the Order, that it has been made and is about to be submitted for confirmation or to be confirmed as an unopposed order; specifying a place where the Order can be inspected, free of charge and that copies of it may be obtained at a reasonable charge at all reasonable hours; and stating that any person can object to or make representations on the Order, to the Council, within a period of 28 days following the date of publication of the notice.
 - Display a notice prominently at each end of that part of the Footpath that is to be diverted, accompanied by a plan showing the general effect of the Order.

- Serve a copy of the Notice and Order on relevant Consultees.
- Make the Order available for inspection as detailed above and at the District Council.
- 3.5 **Objection period**: there is a 28 day period to object to the making of the Order following the publication of the notice. If there are objections 3.6 below applies, if not 3.7 onwards below applies.
- 3.6 **Objections**: objections should be sent to the Council. These are copied to the applicant and it is the applicant's responsibility to try to resolve them. If there are unresolved objections, the Council can decide not to proceed with the Order and should notify the applicant, Consultees and objectors. If the Council decides to proceed, the Order must be referred to the Secretary of State for Environment, Food and Rural Affairs ("the SoS") for confirmation. If the objection was made by a Local Authority or a National Park Authority, the SoS must hold a local inquiry. If the objection was made by anyone else, the SoS must hold either a local inquiry or give any objector the opportunity of being heard by an inspector appointed by him. The SoS then decides whether or not to confirm the order with or without modifications.
- 3.7 **Confirmation**: where no objections are received within the prescribed time limit (or those that are received have been withdrawn) and the Council does not wish to modify the Order, so long as the applicant carries out works to the satisfaction of the Highway Authority the Order may be confirmed (signed and dated) by the Council.
- 3.8 **Advertise Confirmation**: as soon as possible after confirmation the Council should repeat Step 3.4 above stating that the Order has now been confirmed. The Council should also send a copy of the notice and confirmed Order to the applicant, Land Charges Department and Ordnance Survey.
- 3.9 **Expiry of Challenge Period**: a person can apply to the High Court to quash the Order within six weeks following the confirmation date if the decision-maker has acted ultra vires or not carried out the correct legal procedures in making the Order.

4 CONCLUSIONS

The Council should make the Order and, if there are no outstanding objections, should then confirm the Order.

5 FINANCIAL IMPLICATIONS

None

6 ENVIRONMENTAL IMPLICATIONS

None

7 CRIME AND DISORDER IMPLICATIONS

None

8 EQUALITY AND DIVERSITY IMPLICATIONS

None

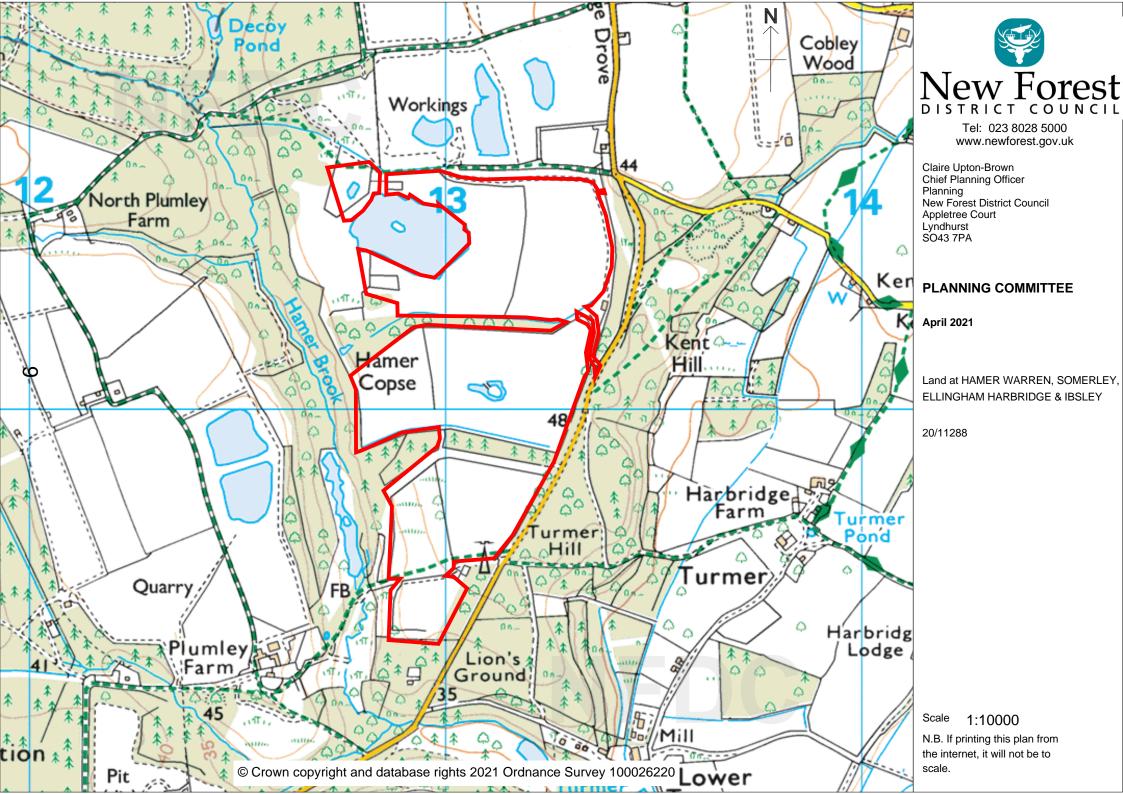
9 RECOMMENDATIONS

- 9.1 The Committee exercise its discretionary power to make the Order and follow the procedure detailed at paragraph 3 above and, if paragraph 3.7 applies, to delegate authority to the Chief Planning Officer to confirm the Order.
- 9.2 If objections are received following the making of the Order which are not withdrawn, officers must refer this matter back to this Committee for consideration.

Further Information:

Vivienne Baxter

Telephone: 023 8028 5442



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Agenda Item 3b

Planning Committee 14 April 2021 Item 3 b

Application Number: 20/11446 Full Planning Permission

Site: 23 MOUNT AVENUE, NEW MILTON BH25 6NT

(NB: PROPOSED LEGAL AGREEMENT)

Development: Demolish existing garage; sever land and erect a detached

dwelling with associated access and parking (Revised Scheme

19/11118)

Applicant: Mr Leicester

Agent: Pure Town Planning

Target Date: 15/02/2021

Case Officer: Vivienne Baxter

Extension Date: 12/03/2021

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) principle of the development
- 2) impact on the protected trees
- 3) impact on the character and appearance of the area
- 4) impact on the residential amenities of the area

This application is to be considered by Committee due to a contrary view by the Town Council.

2 SITE DESCRIPTION

The site lies within the built-up area of New Milton in a residential area close to the town centre and church. It is presently a mature garden area with associated outbuildings including a double garage. The host dwelling forms one of a pair of semi-detached dwellings which are identified in the New Milton Local Distinctiveness SPD as being of character. Close to the site to the north is a large, mature Monterey Pine tree which offers significant levels of public amenity. A further protected tree, a Yew, lies within the rear garden of an adjoining property.

3 PROPOSED DEVELOPMENT

The proposal entails the provision of a two-storey detached dwelling to the side of the existing dwelling at 23, Mount Avenue. Parking would be provided to the frontage and the host dwelling would have parking spaces provided to its frontage due to the loss of the existing double garage.

4 PLANNING HISTORY

Proposal 19/11118 Demolish existing garage; erection of detached house with parking & access alterations	Decision Date 12/02/2020	Decision Description Refused	Status Appeal Decided	Appeal Description Appeal Dismissed
11/96990 House; parking; single-storey extension to Number 23	11/08/2011	Refused	Appeal Decided	Appeal Dismissed
08/91919 Two-storey detached dwelling; parking	28/04/2008	Refused	Decided	
81/NFDC/19090 Erection of a dwelling and construction of a pedestrian/vehicular access.	14/04/1981	Withdrawn by Applicant	Withdrawn	
80/NFDC/16614 Erection of a dwelling and garage.	23/05/1980	Refused	Decided	
78/NFDC/10026 Erection of dwelling with construction of pedestrian/vehicular access.	16/05/1978	Refused	Decided	

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy CCC2: Safe and sustainable travel

Policy ENV1: Mitigating the impacts of development on International Nature

Conservation sites

Policy ENV3: Design quality and local distinctiveness

Policy IMPL1: Developer Contributions Policy IMPL2: Development standards

Local Plan Part 2: Sites and Development Management 2014

None

New Milton Neighbourhood Plan

NM4 - Design Quality

Supplementary Planning Guidance And Documents

SPD - Housing Design, Density and Character

SPD - Mitigation Strategy for European Sites

SPD - New Milton Local Distinctiveness

SPD - Parking Standards

Relevant Legislation

Section 38 Development Plan Planning and Compulsory Purchase Act 2004 National Planning Policy Framework

Relevant Advice

NPPF Chap 12: Achieving well designed places NPPF Chap.15 - Conserving and enhancing the natural environment

Constraints

Article 4 Direction
Aerodrome Safeguarding Zone
Tree Preservation Order: 36/97/1/T1

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council

STRONGLY OBJECT (NON-DELEGATED)

- (1) Both protected trees Monterey Pine and Yew will come under significant pressure for pruning due to the proximity of the proposed dwelling
- (2) The development is contrary to Neighbourhood Plan policy NM4 and Local Plan policy ENV3 (v) as it misses an important opportunity to positively address the impacts of climate change.
- (3) Lack of parking
- (4) Character impact due to the poor spatial setting, having the new dwelling sited very close to the boundary with number 23.
- (5) Back land development.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

HCC Highways

No objection subject to conditions

Ecologist

No objection, recommend informative

NFDC Tree Team

No objection subject to conditions

Building Control

No adverse comment.

Southern Gas Networks

Offer advice

Scottish and Southern Electricity Networks

Offer advice

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

Against: 4

- the proposal would damage the roots of the protected yew and affect its development
- would block light
- too big a development
- would create difficulties with parking and access

For: 1

• the Monterey Pine will be protected

10 PLANNING ASSESSMENT

Introduction

The application follows a previous submission in 2019 which was refused for reasons relating to the impact on the protected Monterey Pine. This tree is a principal landscape feature, prominent in the street scene with significant public amenity value within the local environment. It had not been demonstrated that the proposal would not cause significant harm to this protected tree. Due to the proximity of the proposed dwelling to this tree it was considered that the development would lead to the loss of this tree, which would be detrimental to the character and appearance of the area undermining its local distinctiveness.

This scheme was and subsequently dismissed on appeal in September 2020. The Inspector considered that the Monterey pine was an attractive, imposing specimen which is highly visible within the street scene with high public amenity value and the tree makes a significant positive contribution to the townscape of the locality. Concerns were also raised about the potential future pressure on the Monterey Pine tree. The Inspector concluded that the appeal proposal would harm the character and appearance of the area with regard to the protected tree.

As a result of the Inspector's findings, the dwelling proposed as part of the current application has now been set back in the site further from the Monterey. Furthermore, in order to minimise the associated impact on the protected Yew tree to the west, the size of the dwelling has been reduced with the loss of a bedroom, study and utility room.

Principle of Development

In principle, new residential development is acceptable within the built-up area, subject to no adverse impact on the matters identified below.

The Town Council has raised the issue of the proposal being 'backland' development with the implication being that such development is unacceptable. It is accepted that the development of rear gardens is sometimes undesirable, it is not considered that this proposal constitutes backland development. The land benefits from its own street frontage and is situated to the side of the host dwelling, rather than behind it.

Design, site layout and impact on local character and appearance of area

In design terms, the proposed dwelling reflects the character of the host dwelling through its hipped roof form, front gable detail and bay window. It would be sited in line with the recessed part of the host dwelling, over 11m from the road and with sufficient space to its boundaries. As such, the proposal is not considered to detract from the character of the existing dwelling. The loss of the double garage which is relatively prominent within the site is welcomed and would allow the ability to provide a green frontage to the new dwelling.

Whilst it is unfortunate that much of the existing boundary hedge would need to be removed in order to provide the parking for the host dwelling, the removal of a domestic hedge does not require any consent.

Landscape impact and trees

The setting back of the dwelling would enable a good-sized front garden and would include removal of existing concrete and structures under the canopy of the Monterey Pine tree. The loss of the garage would improve the landscape setting of the site and would assist in the long term retention of this tree which has a high amenity value. Subject to appropriate conditions, it is not considered that the proposal would result in harm to this tree.

To the rear of the site, subject to adequate measures being taken, the proposal would not adversely affect the root protection zone of the Yew tree. A hedgerow within the site would be removed in order to make way for the dwelling although the rear garden, at 19m in length, would allow for retention of other vegetation or the provision of new planting.

Concerns have been raised by both Town Council and local residents about the impact on the protected trees. However, the current application proposes to locate the new home further away from this tree to reduce any dominant impact. In addition, as the tree is located to the north east of the proposed dwelling so loss of light would not be harmfully affected. Both factors reduce the risk of future pressures to undertake works to the tree and this relationship is considered acceptable.

Highway safety, access and parking

With regard to highway matters, the proposal is very similar to the previous scheme. No highway concerns were expressed as part of those proposals.

The only difference is that the proposed parking for the host dwelling would be re-located to be slightly further away from the boundary with the proposed dwelling. The Highway Authority has not raised any objections to the proposed access alterations.

Similarly, the level of parking has not changed although the proposed dwelling would now have 3 rather than 4 bedrooms as previously proposed. Having regard to the Parking Standards for development of this nature, whilst across the whole site, there would be a shortfall of one space. However, given the proximity to the Town Centre and unrestricted parking along the road this is acceptable.

Residential amenity

The proposed dwelling would be approximately 2m from the north western elevation of the host dwelling which is a common separation distance and would not adversely affect light to this property. The mutual boundary would be sited in the middle of this space allowing side access to both properties. The first floor side window would serve an ensuite and could be obscure glazed.

To the north west of the site, the new dwelling would be between 2m and 3.5m from the boundary with properties in Barton Court Road. There would be at least 18.5m between the proposed dwelling and existing dwellings to the north west and as such, no loss of light, particularly as much of the proposed dwelling would be within the shadow of the host dwelling. The first-floor side window to this elevation serves the top of the stairs/landing area and therefore the potential for overlooking is minimal.

Ecology

The potential for significant ecological impacts is low for this proposal although there appears to be limited measures to enhance biodiversity. In order to achieve an increase in biodiversity across the site, a condition is considered appropriate with regard to the provision of swift boxes

Habitat Mitigation and off-site recreational impact

Habitat Mitigation

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that such adverse impacts would be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy. In this case, the applicant has agreed to enter into a Section 106 legal agreement prior to this planning permission being granted which will secure the required habitat mitigation contribution.

Air Quality mitigation

To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NOx, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring. In this case, the applicant has agreed to enter into a Section 106 legal agreement prior to this planning permission being granted which will secure the required air quality mitigation contribution.

Nitrate neutrality and impact on Solent SAC and SPAs

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied.

In accordance with the Council Position Statement agreed on 4th September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development. A Grampian style condition has been agreed with the applicant and is attached to this consent.

Developer Contributions

As part of the development, the following will be secured via a Section 106 agreement:

- Air Quality Monitoring
- Habitat Mitigation

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

Туре	Proposed	Existing	Net	Chargeable	Rate	Total
	Floorspace	Floorspace	Floorspace	Floorspace		
	(sq/m)	(sq/m)	(sq/m)	(sq/m)		
Dwelling houses	115.67	28.3	87.37	87.37	£80/sqm	£8,952.06 *
Subtotal:	£8,952.06					
Relief:	£0.00					
Total Payable:	£8,952.06					

11 CONCLUSION

The proposal is similar to the previous scheme in terms of its impact on the highway network, residential amenity and character of the area. The changes made to the scheme with regard to the proposed size and siting of the dwelling have addressed previous concerns in respect of the impact of the proposal on the protected trees.

It is not considered that the proposal would harm the root protection area for either adjacent protected tree nor would the proposal result in future pressure to lop or fell the Monterey Pine.

For the reasons above it is recommended that the application be approved.

12 OTHER CONSIDERATIONS

The Town Council has referred to the proposal as being contrary to the New Milton Neighbourhood Plan and part of emerging Policy NM4 relating to Design Quality. This policy has 12 separate parts, not all of which are relevant in this case. The issue raised specifically in this case relates to addressing climate changes through passive design, energy and water efficiency and renewable energy measures. Whilst it is noted that the proposal does not include visible renewable energy sources, the energy statement provided with the application advises that the dwelling would meet Part 32(2) of the Building Regulations with regard to water use and would be constructed with a high efficiency boiler and low water capacity sanitary ware. The statement also advises on the energy efficiency proposed in the construction of the building in terms of methods and materials and that it has been designed having regard to tackling climate change and making the most of the site through layout.

Policy NM4 was given significant weight at the appeal stage and this matter was not a reason for the appeal being dismissed.

13 RECOMMENDATION

Delegated Authority be given to the Chief Planning Officer to **GRANT PERMISSION** subject to:

- i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure Air Quality Monitoring and Habitat Mitigation
- ii) the imposition of the conditions set out below.

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning

Act 1990 as amended by Section 51 of the Planning and

Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, Arboricultrual assessment and method statement 12028-AA6-CA dated 18th December 2020, Tree Protection Plan 12028-BT5, 9216/200 rev.A - site, block and location plans & street scene, 9216/201 rev.A - proposed floor plans & elevations, 9216/202 - existing garage to be demolished, 9216/203 - drainage plan, 9216/204 - hardstanding comparison plan.

Reason: To ensure satisfactory provision of the development.

3. 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 ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason:

To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

- 5. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include:
 - (a) the existing trees and shrubs which have been agreed to be retained;
 - (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 and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason:

To ensure that the development takes place in an appropriate way and to comply with Policies ENV3 and ENV4 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

6. No development, demolition or site clearance shall take place until a method statement and engineering drawings for the foundation design and installation of drains and soakaway of the approved development 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 and in accordance with Policy ENV3 of the New Forest District Council Local Plan Part 1: Planning Strategy. 7. Construction of the dwelling hereby permitted shall not commence until details of the type and location of 3 swift boxes have been submitted to, for approval in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the occupation of the dwelling and thereafter retained.

Reason: In the interests of increasing the biodiversity of the site and in accordance with Policy ENV3 of the Local Plan Part 1: Planning

Strategy.

8. The development hereby permitted shall not be occupied until the spaces shown on plan 9216/200 rev. A for the parking of vehicles have been provided. The spaces shown on plan 9216/200 rev. A for the parking of vehicles shall be retained and kept available for the parking of vehicles for the dwellings hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of

highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National

Park.

9. The dwelling hereby approved shall not be occupied until a scheme for the parking of cycles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To promote the Council's sustainability objectives and in

accordance with Policy CCC2 of the New Forest District Council

Local Plan Part 1: Planning Strategy.

10. The development hereby permitted shall not be occupied until:

- a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;
- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

Reason:

There is existing evidence of high levels of nitrogen in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

11. The trees on and adjacent to the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement (Barrell Tree Consultancy Ref 12028-AA6-CA dated 18th December 2020) and tree protection plan 12028-BT5.

Reason:

To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with policy ENV3 of the New Forest District Council Local Plan Part 1: Planning Strategy.

12. The first floor ensuite window on the south east elevation of the approved building shall be permanently glazed with obscured glass.

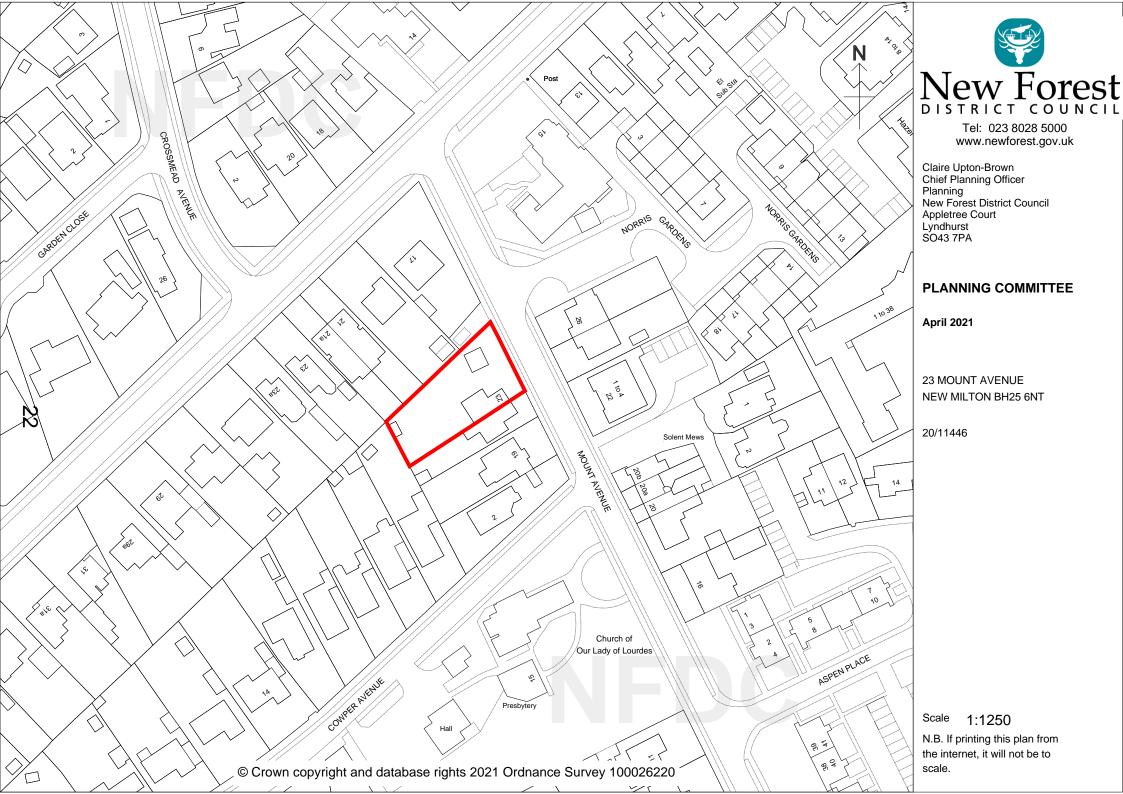
Reason:

To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

Further Information:

Vivienne Baxter

Telephone: 023 8028 5442



Agenda Item 3c

Planning Committee 14 April 2021 Item 3 c

Application Number: 20/11458 Full Planning Permission

Site: STAPLEWOOD CAMPUS, LONG LANE, MARCHWOOD SO40

4WR

Development: Three pole mounted analytical cameras sited at 12 metres above

ground level

Applicant: Southampton Football Club

Agent: PowerHaus Consultancy

Target Date: 10/05/2021

Case Officer: Judith Garrity

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1) Impact on local character and appearance of area

2) Residential amenity

This application is to be considered by Committee because of a contrary Parish Council view.

2 SITE DESCRIPTION

The application site is 15.18 hectares in size. It relates to the Staplewood Campus on Long Lane which provides training facilities for Southampton Football Club which included football pitches, parking, a pavilion building and grandstand. The site is located within the Built-up Area of Marchwood, adjacent to the New Forest National Park, adjoins a Site of Importance for Nature Conservation to the north west.

Long Lane, and the A326 Marchwood Bypass adjoin the site boundaries together with a large woodland area to the south east, designated as a Site of Importance for Nature Conservation. There are residential areas to the north east and west of the site off Long Lane, Staplewood Lane and Hythe Road.

3 PROPOSED DEVELOPMENT

The current proposals are for the erection of 3 additional analytical cameras on masts 12 m above ground level. The locations of proposed Camera 04 and 10 have been changed since the original plans were submitted. Camera 04 is further away from the boundary of the site with Long Lane but Camera 10 is closer to this boundary.

The proposed camera locations are as follows:

- Camera 00 would be roof mounted on a bracket attached to the central pitched roof of the Pavilion building.
- Camera 04 would be located adjacent to Pitch 03 on a swan neck on an existing free-standing pole.

• Camera 10 would be located on a new 12m pole towards the existing portacabins changing rooms and warm up facilities but in line with the halfway line of Pitch 03.

All these cameras would have privacy masks to ensure that they do not record activity beyond the pitches or outside of the site.

The revised plans are the subject of re-consultation to the residents who objected but the planning assessment has been made on these revised plans.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
18/11448 Permanent use of land as football training ground (Use Class D2); retention of 6 football pitches and associated car parking; retention of flood lighting for 2 pitches; toilet block; security kiosk and automated barriers	30/07/2019	Granted Subject to Conditions	Decided
16/10127 Retention of 14 analyst cameras 12m high; 7 cctv cameras 4m high	18/05/2016	Granted Subject to Conditions	Decided
15/10311 CCTV and analytical cameras; 22 poles of up to 12m high; 10 fixed to existing structures; associated works (retrospective application)	22/06/2015	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy CCC1: Safe and healthy communities

Policy STR1: Achieving Sustainable Development Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Local Plan Part 2: Sites and Development Management 2014

DM8: Protection of public open space, private playing fields and sports grounds and school playing fields

Core Strategy (Saved Policies)

CS7: Open spaces, sport and recreation

Supplementary Planning Guidance And Documents

None relevant

Relevant Legislation

National Planning Policy Framework

Relevant Advice

NPPF Ch.8 - Promoting healthy and safe communities NPPF Ch.12 - Achieving well-designed places

Constraints

SSSI IRZ NFSFRA Surface Water Aerodrome Safeguarding Zone Flood Zone Article 4 Direction Planning Agreement SINC

Tree Preservation Order: 39/09/W1

Plan Policy Designations

Private/Education Recreational Land Open Spaces, Sport and Recreation Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Marchwood Parish Council (based on the original plans submitted)

PAR4: Marchwood Parish Council would like to raise an objection to this application with regard to the following material planning considerations.

Insufficient public consultation has been undertaken by the LPA with far too few neighbouring properties being notified.

The applicant is a significant landowner in this area and its day-to-day operations can have a significant impact upon the area and its neighbours could be affected negatively by these onsite activities.

It is a requirement of this public process that neighbour notification letters should reach all those who may be affected by an application.

As far as the application itself is concerned Marchwood Parish Council would like to comment that there is a significant amount of CCTV apparatus already on site.

Adding further to this would seem to be overbearing and visually intrusive.

With more cameras being in place there is also the concern that many images will be captured from outside the perimeter of the site. This will intrude upon the neighbouring properties and their occupants as they go about their day-to-day lives.

No-one can guarantee that the proposed privacy masks will work in practice and there is very little scope for the LPA to follow this up once the cameras are in place.

If the assigned planning officer is minded to approve the application, then the Parish Council would ask that this application is referred to the Development Control committee for decision by elected members.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees on the original plans submitted:

<u>Natural England:</u> No objection. Based on the information provided the proposals would not have a significant effect on designated sites.

<u>Fulcrum Pipelines:</u> Comment that they have or are planning to have gas pipelines in the vicinity of the proposed works. Offer good practice advice.

SGN: Offer advice.

SSEN: Offer advice.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received on the original plans submitted:(summary)

For: 0 Against: 4

- intrusion of privacy and overlooking to residential properties and gardens
- question effectiveness of privacy masks
- · already sufficient cameras on the site
- out of character in appearance
- · visual impact of proposals and lack of screening of all the cameras
- lack of consultation
- Inaccuracies in agent response
- Comments on the photographs showing residential properties masked out and provided a photo of existing cameras on the site
- Questions the location of camera 10

Agents response: (summary)

- There would be limited visual impact
- The proposals do not impact on residential properties
- The privacy masks are effectiveness and as previously used on the site
- Provide details of existing and proposed camera views.
- Explain the need for the analytical cameras.
- Cameras are not surveillance or security cameras

Any further comments received following re-consultation on the revised camera locations will be provided as an update to the Committee.

10 PLANNING ASSESSMENT

The main issues to consider are as follows:

- 1) Impact on local character and appearance of area
- 2) Residential amenity

Introduction:

The site has planning permission for use as a training facility for Southampton Football Club. There have been various planning permissions for analytical cameras and CCTV cameras in 2016 and 2015 as well as flood lighting (see planning history above).

The locations of proposed Camera 04 and 10 have been changed since the original plans were submitted. Camera 04 is further away from the boundary of the site with Long Lane but Camera 10 is closer to this boundary. The planning assessment has been made on the basis of these revised plans but any decision would be delegated to the Chef Planning Officer subject to no further substantive issues being raised following expiry of the re-consultation period.

Principle of development:

The site has an existing use for football training facilities and there are flood lighting, analytical and CCTV cameras on the site. The proposals will allow for greater coverage of the training pitches and for the under 18 programmes. The principle of the proposals are acceptable in the built up area.

Impact on local character and appearance of area:

The additional cameras and columns are set well within the site where there are already a number of 12 m columns as well as lamp posts and CCTV camera masts.

Camera 04 would be located on an existing pole behind the goal line of pitch 03 close to the internal access road and would be located approx. 100m from the boundary of the site with Long Lane. Camera 10 would be close to the existing portacabins and warm up grid next to Pitch 03. It would be located within 30m of the boundary of the site with Long Lane but would be seen within context of these buildings and other columns within the site. Camera 00 would be roof mounted on the Pavilion building but would not be visually intrusive and seen against the backdrop of existing trees.

The boundaries of the site are relatively well screened although there are some breaks in this along Long Lane mainly at the access points.

Because the cameras are sited well away from the boundaries of the site and within the context of the existing development, it is considered that the visual impact of the proposal would be acceptable.

Residential Amenity:

There are residential properties located on Long Lane and residential streets beyond. The nearest camera (10) would be approx. 30 m from the boundary of the site. Dwellings on the opposite side of Long Lane and The Crescent are on the other side of the road and there would be a separation of approx. 40m between Camera 10 and their closest boundaries.

Camera 04 would be located on an existing pole set well away from the site boundaries. Camera 00 on the front of the Pavilion roof would be over 100m from the site boundary with residential properties to the north east with intervening car parking and perimeter fencing.

Consideration needs to be given to potential impact of the proposed cameras on privacy. Comments have been made by third parties on Long Lane and The Crescent as well as the Parish Council expressing concerns about this impact. However, the proposed analytical cameras would be set well within the site boundaries and would be fitted with privacy masks which will ensure that the cameras cannot record or monitor private property, public space or people outside of the area of surveillance and the football pitches themselves. The technical specification for these privacy masks is the same as that previously approved. In a similar manner, the proposed analytical cameras will be subject of planning condition that requires the provision and retention of the privacy masks.

On the basis of the separation distances and the use of privacy masks it is considered that no additional or harmful residential amenity impacts would result.

Other issues

The Parish Council have made comments about the lack neighbour consultations undertaken. In accordance with agreed NFDC procedures only properties that adjoin the boundary of an application site are consulted directly. In this case there are no properties that directly adjoin the site boundary. A site notice was erected on Long Lane and the proposals were also the subject of a press advert.

Marchwood Parish Council comment that the applicant is a significant landowner in this area and its operations and on site activities can have a significant impact upon the area and its neighbours. The wider operation of the site has planning approval are not for consideration as part of the current application for 3 analytical cameras and these proposals needs to be considered on their own merits.

11 CONCLUSION

The proposals are acceptable in terms of visual impacts and residential amenity will not be harmed as a result. Accordingly, the relevant Local Plan policies would be compiled with and planning permission is recommended.

12 OTHER CONSIDERATIONS

None

13 RECOMMENDATION

Delegated Authority be given to the Chief Planning Officer to **GRANT PERMISSION** subject to:

- i) no further substantive issues raised following expiry of the re-consultation period
- ii) the imposition of the conditions set out below.

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning

Act 1990 as amended by Section 51 of the Planning and

Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans:

118844-KSS-AC-ZZ-DR-A-9001 -SP-P3 - Block Plan;

18844-KSS-AC-ZZ-DR-A-9002- SP-P3 - Proposed camera plans and elevations.

Swan Next and pole mount datasheet received 23rd December 2020.

Concept drawing received 23rd December 2020.

Analyst camera specification received 23rd December 2020.

Aura Technical Note received from Aura on 31st March 2021

Planning Statement Rev A received 1st April 2021.

Reason: To ensure satisfactory provision of the development.

3. The 3 no. Antrica 1230x Sports Analytic Cameras hereby approved shall be fitted with Privacy Masks as detailed in the Aura Technical Note received by the Local Planning Authority from Aura on 31st March 2021. Thereafter, the Analyst Camera Privacy Masking shall be retained and operated in accordance with the approved details at all times.

Reason: To safeguard the privacy of adjoining neighbouring properties

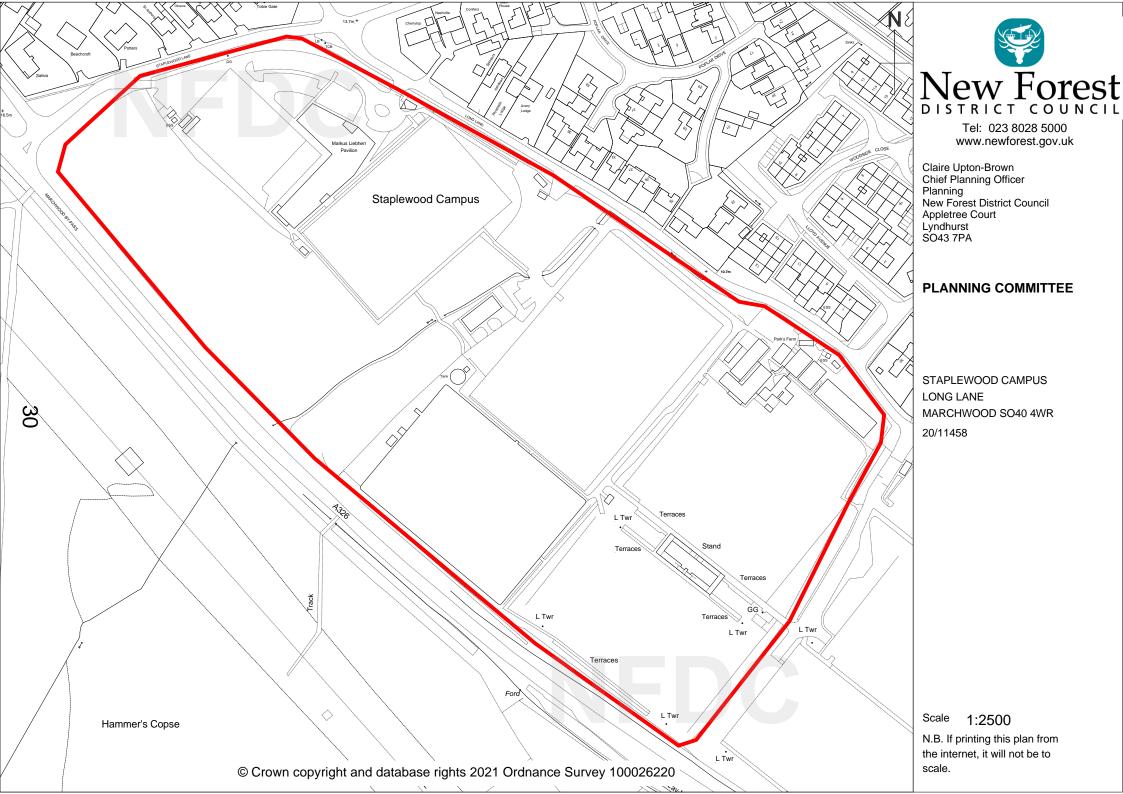
in accordance with Policy ENV3 of the Local Plan Part 1 Planning Strategy for the New Forest District outside the

National Park (Core Strategy).

Further Information:

Judith Garrity

Telephone: 023 8028 5434



Agenda Item 3d

Planning Committee 14 April 2021 Item 3 d

Application Number: 21/10177 Full Planning Permission

Site: 22 WESTBURY ROAD, RINGWOOD BH24 1PG

Development: Single-storey rear extension

Applicant: Mr & Mrs Gilfillan

Agent:

Target Date: 12/04/2021
Case Officer: Julie Parry
Extension Date: 15/04/2021

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Impact on character and appearance in terms of scale and design.
- 3) Impact on neighbour amenity in terms of outlook and loss of light

This application is to be considered by Committee because the applicant is a member of New Forest District Council staff.

2 SITE DESCRIPTION

The property is a detached two storey traditional dwelling at the end of a cul de sac where there is a row of similar properties along with bungalows. The dwelling has been previously extended with both single storey and two storey additions following planning permission in 2014. The majority of the garden is to the side of the property with the rear of the property being relatively close to the rear boundary which is defined with high fences.

3 PROPOSED DEVELOPMENT

The application seeks planning permission for a single storey addition to the rear elevation which would have a pitched roof design and be positioned close to the rear boundary. Within the resulting extension the additional floor space would be used for a utility room and kitchen extension.

4 PLANNING HISTORY

Proposal Decision Date Decision Decision Date Decision Description

14/11521 Two-storey and single-storey extension; detached garage/studio Decision Description

5/01/2015 Granted Subject to Decided Conditions

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Additional Documents

SPD - Ringwood Local Distinctiveness

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council:

P(1) Recommend Permission, but would accept the Planning Officer's decision.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Wessex Water

No objection and refer to their guidance on drainage and sewage.

9 REPRESENTATIONS RECEIVED

No representations received.

10 PLANNING ASSESSMENT

Principle of Development

Policy ENV3 requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality. The principle of the development is considered to be acceptable subject to compliance with these policy criteria and the relevant material considerations relating to its impact on the character and appearance of the area, residential amenity and highways matters.

Design, site layout and impact on local character and appearance of area

The proposed extension would be a modest addition which would be sympathetic to the existing dwelling and being to the rear would not have any significant impact on the local area.

The proposal would have a simple dual pitched roof and be constructed of materials to match the existing property.

The proposed extension would bring the built form closer to the rear boundary fence however with the majority of the garden area being to the side and front of the property this would not be detrimental to the spatial characteristics of the site.

Residential amenity

The proposed extension would be built up to the shared boundary with number 13 Westbury Road which has the majority of their garden area to the front of the property. The rear of these properties face north and with the proposed extension having a low eaves height and a roof pitched away from the shared boundary, the impact on this neighbour in terms of outlook and loss of light would be acceptable.

11 CONCLUSION

The proposed development would be sympathetic to the existing property and would have an acceptable impact on neighbour amenity and the local area. The proposal would be consistent with the policies and objectives of the Local Plan 2016 - 2036 Part 1: Planning Strategy, Local Plan Part 2: Sites and Development Management Development Plan and the National Planning Policy Framework, with the planning balance being in favour of development. As such, the application is recommended for permission.

12 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning

Act 1990 as amended by Section 51 of the Planning and

Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans:

Drawing number 19120 01C (Location and block plan, existing plans and elevations)) dated 13.02.2021, as deposited with the local planning authority on 18.02.2021

Drawing number 19120 12 (proposed floor plans and elevations) dated 04.02.2021, as deposited with the local planning authority on 08.02.2021

Reason: To ensure satisfactory provision of the development.

Further Information:

Julie Parry

Telephone: 023 8028 5436

