

## **PLANNING DEVELOPMENT CONTROL COMMITTEE MEETING - 11 NOVEMBER 2015**

### **COMMITTEE UPDATES**

#### **Item 3(a) - Land adjacent to Forest Lodge Farm, Fawley Road, Hythe (Application 15/10751)**

Further comments have been received from Hampshire County Council's Flood and Water Management Team who have stated that they are aware that our Drainage Engineer has commented on the proposals twice and do not need to respond unless there are major changes to the drainage proposals.

7 further letters of objection have been received raising concerns already referred to in the report and the following matters (comments in brackets after each concern):

1. Inadequate turning provision (this has been addressed by the Highway Engineer and no objection is raised);
2. No assurance as to who would manage the new roads (this is not a determining factor in the consideration of the application);
3. Impact of noise from adjacent promises at Forest Lodge Farm (it is considered that the proposed houses would be a sufficient distance away from this neighbouring site not to be significantly affected by this adjoining use);
4. The potential for minerals on the site has not been explored (this matter is covered in paragraph 14.28 of the report);
5. Impact of adjacent Ancient Woodland (Kitchers Copse) (this matter has been the subject of detailed assessment by the Ecologist who raises no objection to the proposals);
6. Poor links to local cycle and pedestrian links (the Highway Engineer has commented further that the Highway Authority would support proposals to widen the short section of the footway link to the north of the access onto the site to 3 metres looked at this issue and raises no objection to the proposals);
7. Concerns over land stability; (this matter is covered at paragraph 14.15 of the report) and

Section 3 of the report should refer to Policy CS6 (Flood Risk) of the Core Strategy.

#### **Item 3(b) - Land of Amberwood, Lower Pennington Lane, Pennington, Lymington (Application 15/10773)**

Two further letters have been received requesting that additional conditions are included in the recommendation to restrict hours of construction and deliveries to the site, to prevent additional windows or openings being formed on the east and west elevations of Unit 1 and the north elevation of Unit 2 and to provide an 8 foot high fence on the boundary with Quadrant House without removal of the existing fence.

In response we do not impose conditions relating to construction and delivery hours in respect of development sites as this can be controlled through other legislation. In addition, conditions regarding additional windows are not necessary as recommended condition No.11 removes permitted development rights which would prevent the installation of additional windows in the side elevations of the dwellings without first obtaining full planning permission for them.

In relation to the matter of fencing, condition no. 9 in the recommendation requires such details to be submitted and agreed. A judgement would be made at that time about the need and/or the acceptability of any fencing proposed for this boundary.

Condition No. 2 needs to be revised to include reference to drawing numbers GH1517.1c, GH1517.1a and GH1517.1b Rev. 01.

### **Item 3(c)- Land adjacent 4 Brockhills Lane, Ashley, New Milton (Application 15/10784)**

Members may be aware that concerns have been raised in relation to the ownership of this site and what land should be included in the red line. We have taken legal advice and the position is as follows:-

1. The application site boundary (that land identified by the red line) includes all the land upon which development requiring planning permission would take place.
2. Not all of the land is within the ownership of the applicant and the appropriate ownership certificates have been submitted.
3. As no development requiring planning permission is proposed on Cullwood Lane (other than at the extreme northern end which is within the red line) it does not need to be included in the red line.
4. While the National Planning Portal makes reference to the need to include access to a public highway within the red line application site and a link to this advice is available on our web site, this is misleading. Land is only required to be included within a plan when development requiring planning permission is proposed on that land.
5. If planning permission is granted for the proposed development it is for the developer to establish legal rights of access over Cullwood Lane. This is not a material planning consideration in determining this application.

8 further letters of objection have been received raising concerns already referred to in the report.

The Tree Officer has provided a final comment which states that all their concerns have been addressed, subject to conditions, with the exception of the issue of the future pressure on trees adjacent to the northern boundary, particularly T632. However, this concern was not raised previously in respect of application no. 10/96346 or the subsequent appeal. As a result it is not considered reasonable to raise it in relation to this application, bearing in mind the very similar relationships between buildings and these trees and the fact that the number of dwellings facing the trees has been reduced from 4 to 3.

### **Item 3(d) - 39-41 High Street, Ringwood (Application 15/10951)**

After the recommendation, under "Notes for inclusion on certificate" the first line of Note No. 2 should refer to condition no. 8.

### **Item 3(g) - 9 Elvin Clos, Hordle (Application 15/11303)**

Two further letters of objection have been received raising concerns already referred to in the report.

**Item 3(i) - The House Martin Public House, Christchurch Road, New Milton  
(Application 15/11168)**

A further comment has been received from the Highways Engineer requesting that a further condition is added to the recommendation as follows:

6. Notwithstanding the provisions of the Town & Country Planning General Development Order 2015 nothing over 600mm in height shall be placed or permitted to remain on the land shaded green on the approved plan.

Reason: In the interest of highway safety and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

**Item 3(l) - 6 Parkland Place, 39-41 Old Milton Road, New Milton (Application 15/11242)**

An additional section plan, through the canopy has been received. An additional informative note is needed:

“This decision relates to additional plans received by the Local Planning Authority on 7th November 2015”