

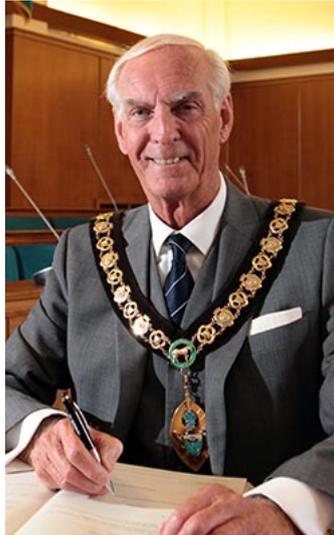


# **Information Bulletin**

## **November 2018**

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Chairman's Engagements  
Planning Appeals



## **Engagements Undertaken by the Chairman of New Forest District Council Cllr Melville Kendal**

### **November 2018**

- 3rd        Attended the “Pack Up Your Troubles” concert at New Milton Memorial Centre
- 9th        Attended the meet and greet session for new employees of New Forest District Council
- 9th        Attended the Beaulieu Estate Dinner
- 11th       Represented the District at Remembrance Day Services and Parades in New Milton, Keyhaven and Milford on Sea
- 12th       Hosted an Armistice Commemoration for Councillors and Officers at the Council’s Appletree Court offices, attended by Veterans of the Armed Forces alongside serving soldiers from 17 Port and Maritime Regiment RLC and Lyndhurst Royal British Legion
- 13th       Attended the AGM of Community First New Forest, as their Honorary President
- 17th       Attended the Leader of Hampshire County Council’s concert to mark the centenary of the end of WW1, held in Romsey

### **The Vice Chairman, Cllr Allan Glass, also undertook the following engagements:**

- 11th       Represented the Chairman at the Remembrance Day Service held in Fawley

## PLANNING APPEALS

15 October 2018 - 9 November 2018

### ADVERTISEMENT APPEAL

NAME	PROPOSAL
Ross Nicholas and Company	Display 1 non illuminated wall painted sign on painted background (Application for Advertisement Consent) 9 - 11 OLD MILTON ROAD, NEW MILTON BH25 6HE 17/11502

### NEW APPEALS

NAME	PROPOSAL
Mr & Mrs Neffendorf	Roof alterations in association with new first floor; Two-storey rear extension; Balcony; Single-storey front, rear & side extensions; Porch; Fenestration alterations 3 LYMEFIELDS, MILFORD-ON-SEA SO41 0SU 18/10477
Ms Stephen	2 detached two storey houses; 3 garages; landscaping; new access 54 BELMORE LANE, LYMINGTON SO41 3NN 17/11702

### APPEAL DECISIONS

NAME	PROPOSAL	DECISION
Richard James Management Co	Bungalow; shed/bin store; landscaping; parking Land adjacent <b>20 PYRFORD MEWS, BELMORE LANE, LYMINGTON SO41 3ND 17/10549</b>	<b>Dismissed.</b> Although I have found that the proposal would not harm the living conditions of neighbours or the character and appearance of the area, the harm that I have found to the nature conservation interests of the European protected sites is a significant and compelling reason to dismiss the appeal. The proposal would conflict with the development plan as a whole and with the Framework. Therefore the appeal should be dismissed.
Vodafone Ltd	15m jupiter pole; 2 dishes; 2 cabinets; associated equipment (Prior Notification to carry out Telecommunications Development) Land adjacent <b>PUBLIC TOILETS, NFDC CAR PARK, BATH ROAD, LYMINGTON 17/10988</b>	<b>Allowed.</b> Whilst I acknowledge that there would be some harm to the character and appearance of the area, particularly when viewed from close quarters within the car park, and less than substantial harm to nearby designated heritage assets, in both appeals the harm would be outweighed by the public benefits arising from the proposal. I have had regard to the evidence available on the search for an alternative site to host the facility that might be preferable in relation to the harm I have identified, but no such site has been clearly identified in the searches that have been carried out. The appeal proposals would be in accordance with

		<p>national planning policy in the Framework.</p> <p>For the reasons given, and having regard to all other matters raised, the appeal is allowed subject to the standard conditions set out at Paragraph A.2 of Part 16 to the GPDO.</p>
Clanfield Properties Ltd	<p>Development of 7 dwellings comprised 1 detached house; 3 pairs of semi-detached houses; car port; bin stores; bike stores; parking; landscaping; demolition of existing <b>THE LILLIES, COOKS LANE, CALMORE, TOTTON SO40 2RU 17/11383</b></p>	<p><b>Dismissed.</b> The proposal would conflict with policy CS2 of the CS, and the development as a whole. The proposal should be determined in accordance with the development plan. There are no material considerations that indicate otherwise and planning permission should be refused.</p> <p>For the above reasons, having regard to all other matters raised, I conclude that the appeal should be dismissed.</p>
SLP Ltd	<p>Chalet bungalow; associated parking Land of <b>23 SEA ROAD, MILFORD-ON-SEA SO41 0PH 17/11401</b></p>	<p><b>Dismissed.</b> The proposal would conflict with policies CS1, CS2 and CS6 of the CS, and the development plan as a whole. There are no material considerations that determine that the decision should be taken otherwise than in accordance with the development plan and planning permission should be refused.</p>
Mr & Mrs Horwood	<p>2 detached houses; parking and landscaping; demolition of existing <b>11 WHITBY ROAD, MILFORD-ON-SEA SO41 ONE 17/11626</b></p>	<p><b>Dismissed.</b> For the reasons set out above I conclude that the development would have a significant adverse effect on the character and appearance of the area. It would therefore conflict with Policy CS2 of New Forest District (outside the National Park) Core Strategy 2009, which seeks amongst other things to secure development that is well designed to respect the character, identity, and context of the area's towns, villages and countryside, and which is sympathetic to its setting. It would also be contrary to the guidance set out in the SPG.</p>
Mr Stockwell	<p>Detached house; parking Land of <b>GUNFIELD, SHOREFIELD CRESCENT, MILFORD-ON-SEA SO41 0PD 17/11777</b></p>	<p><b>Dismissed.</b> Whilst, for the reasons set out above, I have found that the development would have no adverse effect on the character or appearance of the area or living conditions of neighbours, in the absence of means to secure non-infrastructure related mitigation for adverse effects on European sites, I conclude that the appeal should be dismissed.</p>
Mr Lewer	<p>2 bungalows; parking and access; demolition of existing garages; parking alterations to <b>29 &amp; 31 Land Rear of 29 &amp; 31 LAVENDER ROAD,</b></p>	<p><b>Dismissed.</b> Making reference to a court case, the appellant has claimed that by exercising permitted development rights the potential exists to construct an outbuilding within the curtilage of No 31 of similar dimensions to the unit proposed to its rear.</p>

	<b>HORDLE SO41 0GF 18/10049</b>	<p>However the details are vague, and I have been provided with no evidence that the construction of such a large outbuilding in conjunction with the modest bungalow currently on site would be likely to occur were the appeal to fail. In my opinion, and in the absence of evidence to the contrary, this does not represent a realistic fall-back position capable of justifying the harm that I have identified. As such the scenario outlined by the appellant has not affected my decision.</p> <p>For the reasons set out above, and with regard to all other matters raised, I conclude that the appeal should be dismissed.</p>
AJ Developments Ltd	2 detached bungalows; parking & landscaping <b>LAND OF 98 AND 100, EVERTON ROAD, HORDLE SO41 OFD 17/11749</b>	<p><b>Dismissed.</b> CS housing policies CS9 and CS10 are out-of-date by reason of the absence of a five year HLS but no conflict with these policies has been put forward. Nevertheless, there would be a significant adverse impact on the character and appearance of the area and the contribution of the development to supply would be small. Thus, there would be conflict with CS policy CS2 and the development plan as a whole. The proposal should be determined in accordance with the development plan. There are no material considerations that indicate otherwise and therefore, planning permission should be refused</p> <p>For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.</p>
AJ Developments	Detached bungalow; parking; access for existing dwelling Land of 1 <b>PINE CLOSE, BARTON-ON-SEA, NEW MILTON BH25 7NZ 17/11231</b>	<p><b>Dismissed.</b> Overall, I therefore consider that the adverse impacts of the proposal would significantly and demonstrably outweigh the relatively modest benefits. Consequently, the scheme cannot benefit from the presumption in favour of sustainable development. There are no material considerations that indicate that the decision should be taken otherwise than in accordance with the development plan, which I have already found conflict with. Accordingly, for the reasons given above, I conclude that the appeal should be dismissed</p>
Mr E Entwistle	Bungalow; parking; landscaping; access onto St Francis Road Land of 5 <b>CHALEWOOD ROAD, LANGLEY, FAWLEY SO45 1YU 17/11562</b>	<p><b>Dismissed.</b> Both parties agree that there is a need to contribute towards mitigation of potential impacts on habitats sites. Given my findings on the main issues however, this is not a matter I need to address.</p>

<p>Mr &amp; Mrs Mason</p>	<p>12 dwellings comprised 3 pairs of semi-detached houses; 6 detached houses; associated access (Outline application with details only of access) <b>Land off NEW LANE, MILFORD-ON-SEA 17/11549</b></p>	<p><b>Dismissed.</b> The proposal amounts to inappropriate development and the Framework indicates that this is by definition harmful to the Green Belt and should not be approved except in very special circumstances. There would also be a significant impact on openness arising from the provision of buildings on an undeveloped site. Substantial weight should be given to the harm to the Green Belt. In addition, there would also be limited harm in relation to the character and appearance of the countryside setting and in the absence of provision of public open space.</p> <p>On the other hand, I have attributed limited weight in favour of the proposal to the findings of the Council's Sustainability Appraisal, that the site has potential for small scale development, and to shortcomings in the Council's record and envisaged trajectory in meeting housing need. But the various matters raised by the appellant, even if taken together, would not outweigh the harm arising to the Green Belt from the inappropriate development, and therefore do not amount to very special circumstances.</p> <p>The proposal would also be contrary to policy CS10 of the Core Strategy and with Policy DM20 of the LPP2 which are compatible with the Framework and only support the provision of new buildings in the Green Belt in accordance with national planning policy.</p> <p>For the reasons given, and having regards to all other matters raised, the appeal is dismissed</p>
<p>CTIL &amp; Vodafone Ltd</p>	<p>15m high T-range monopole (Prior Notification to carry out Telecommunications Development) Land adjacent to <b>PUBLIC TOILETS, NFDC CAR PARK, BATH ROAD, LYMINGTON SO41 3SE 18/10602</b></p>	<p><b>Allowed.</b> Whilst I acknowledge that there would be some harm to the character and appearance of the area, particularly when viewed from close quarters within the car park, and less than substantial harm to nearby designated heritage assets, in both appeals the harm would be outweighed by the public benefits arising from the proposal. I have had regard to the evidence available on the search for an alternative site to host the facility that might be preferable in relation to the harm I have identified, but no such site has been clearly identified in the searches that have been carried out. The appeal proposals would be in accordance with national planning policy in the Framework.</p>

		For the reasons given, and having regard to all other matters raised, the appeal is allowed subject to the standard conditions set out at Paragraph A.2 of Part 16 to the GPDO.
Mr and Ms Tong and Mills	Roof alterations to create new first floor; two-storey side extension; single-storey side and rear extensions <b>67 LACKFORD AVENUE, TOTTON SO40 9BS 18/10650</b>	<p><b>Allowed.</b> For the above reasons and additionally noting the Totton and Eling Town Council's similar conclusions, I consider on balance that the proposal would not have an unacceptably harmful effect on the character and appearance of the street scene of Lackford Avenue. The appeal scheme would therefore be in accordance with Policy CS2 of the Core Strategy for the New Forest District outside the National Park 2009 and with Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2018. As regards the latter, in reaching my conclusion on the appeal scheme I have also given weight to paragraph 118e) which encourages upward extensions, subject to caveats including them not being out of character with their street scene context.</p> <p>The appeal is therefore allowed. A condition requiring the development to be carried out in accordance with the approved plans is needed for the avoidance of doubt and in the interests of proper planning. A condition stipulating matching external materials will ensure a harmonious development and safeguard visual amenity.</p>

**For further information contact Planning Administration, Appletree Court, Lyndhurst. Telephone (023) 8028 5345.**