

Sway Parish Council Planning and Transport Committee

Minutes of the meeting of the Sway Planning and Transport Committee held at the Jubilee Field Pavilion, Station Road, Sway on Thursday 10th December 2015.

Present

Councillor Name	
Stephen Tarling (Chair)	P
Peter Dance	P
Alex Pepper	
Len Thomas	P

Councillor Name	
Kevin Cripps (Vice Chair)	P
Hugh Marchant	P
Melanie Seacombe	P

P = Present

Also in attendance: John Warden (Transport Representative), a member of the press and 11 members of the public.

Announcement: Cllr. Len Thomas, who has been a non-voting co-opted member of the committee as our Community SpeedWatch Representative, was warmly welcomed as a new formal and full voting member – whilst also retaining his Community SpeedWatch Representative role.

PT15/121 – Apologies

Received from Cllr. Pepper

PT15/122 - Declarations of Interest

Cllr. Marchant declared his membership of the New Forest Association (NFA) Planning Committee. Cllr. Tarling his membership of the NFA. Cllr Thomas noted a non-pecuniary interest in application 15/00853 as a neighbour.

PT15/123 - Minutes of the Meeting held on the 12th November 2015 and Matters Arising

The minutes of the meeting held on the 12th November 2015 were unanimously agreed, and were signed by the Chair. They would be added to the web soon. The Chair confirmed he had drafted a letter to Hazelhurst Farm (minute PT15/117 i. refers) which the Clerk had sent. There were no other matters arising not covered elsewhere on the agenda.

PT15/124 - Outcome of Planning Applications Considered at Previous Meetings

The Chair introduced a report of the new decisions made by the NFNPA Planning Officers, the NFNPA Planning Development Control Committee and the Planning Inspectorate, on applications discussed at previous meetings. That list of outcomes is appended to these minutes as Appendix 1.

PT15/125 - New Tree Preservation Orders

TPO/0038/15 One tree at the front of 3 Anderwood Drive; one tree at the rear of 7 Anderwood Drive; one tree at the rear of 29 Anderwood Drive and a group of trees at the rear of odd numbers 15 to 25 Anderwood Drive. Cllr. Seacombe's full report was noted and approved and the summary sent was: *"Sway Parish Council support the application to protect the trees outlined in application TPO 0038/15 Land at Anderwood Drive Sway"*

PT15/126 – Applications for Tree Works

TPO/15/1215 Passford House Hotel, Mount Pleasant Lane SO41 8LS: Prune 6 x Pine trees Fell 1 x Pine tree. Cllr. Seacombe's full report was noted and approved and the summary sent was: *"Sway Parish Council are in support of TPO/15/1215 application and are happy to accept the tree officers decision. We would however like to see appropriate native tree replacements planted in lieu of felled trees"*.

TPO /15/1125 Plot 1 Land adj to High Forest, Manchester Road. Cllr. Seacombe reported that this had been approved with conditions: that 2 oaks of 8-10cm girth should be planted before 2017, and if they die within two years they must be replaced, and that if the applicants wanted any different species of tree, they need to apply in writing.

PT15/127 New Planning Applications

15/00854 Gablemead, Manchester Road SO41 6AS. Replacement Annex for Ancillary use, and 12 roof mounted solar panels.

The committee unanimously agreed:

Option 4: We recommend REFUSAL for the reasons listed below.

This site is already grossly over-developed. In respect of previous application 14/00261 Sway suggested the removal of further permitted development rights and that is what the case officer wisely did. Unfortunately that could not extend to allowing only incidental (and not ancillary) use for the large outbuilding. We note the petition of some 16 names and the number of letters expressing the objections of neighbours.

To enlarge and convert the old shed to yet further accommodation would be inappropriately large in scale, unreasonable in siting and layout, and would adversely affect neighbours in terms of intrusion, overlooking and/or shading.

The planning and enforcement officers have checked the site and confirmed that the maximum height of the existing annex is just 2.5m and not the 3m indicated on the previous plans hence the significance of the 'amended existing full plans' which were added the day after public consultation ended. The amended proposed elevations (added on the day that public consultation ended) and floor plans are grossly inconsistent and a retrograde step - the elevations revert to an extended building with a veranda, but the layout plan is not at all consistent.

This site is well within the 400m zone of ecological importance from the SPA and as such is especially sensitive to over-development. This development would not be accessible - and hence contravene DP6 c); and would not maintain the spacious plots referred to in DP9. DP12 c) suggests that outbuildings should not provide habitable accommodation. The Sway Village Design Statement guidelines also say that the overcrowding of plots should be avoided (page 18).

15/00880 21 Set Thorns Road SO41 6AG. Insertion of 1no. rear dormer and 3no. roof lights to facilitate loft conversion; single storey side extension.

The committee considered this at length and unanimously agreed:

Option 1: We recommend PERMISSION, for the reasons listed below, but would accept the decision reached by the National Park Authority's Officers under their delegated powers.

Even though the rear dormer might otherwise not invite support for such an application, in this case, where that dormer would not be widely visible, and not at all visible from the street scene, and where permission would enable a local couple with a young family to live more comfortably in a small dwelling in Sway; the merits outweigh the disadvantages. For those reasons we feel an exception could be made (but without creating a precedent), and would further suggest:

- If anything could be done to abrogate the impact of the large rear dormer, which is not in complete alignment with Core Policies and the Sway Village Design Statement, then this should be considered.
- The shed/store to be used for incidental purposes only; and the only door to it to be on the north elevation.
- Further permitted development rights to be removed (to maintain this as a small dwelling).

15/00812 Land to the rear of Toby Cottage, Back Lane SO41 6BU. Manege.

The committee recognised that whilst many features of this application were in good alignment with the policies, the location was not appropriate. The committee were eager for the applicant and the adjacent neighbours, who were close to agreement, to search for a mutually agreeable best location for the manege, and useful discussions ensued over the various possibilities including involving 'cut and fill' options.

The committee unanimously agreed:

Option 2: We recommend REFUSAL, for the reasons listed below, but would accept the decision reached by the National Park Authority's Officers under their delegated powers.

Sway recognise that the proposal is widely within the "Guidelines for Horse Related Development", that it is the appropriate maximum size and would be conditioned so that it would be for private use only. and there would be no lighting. However we feel there could be a better location and we urge the applicant and neighbours to discuss and come to some mutually agreed repositioning.

15/00853 Aloma, Kings Lane SO41 6BQ 2No. single storey rear extensions (amended description).

The committee unanimously agreed:

Option 4: We recommend REFUSAL for the reasons listed below.

This application exceeds the rules of NFNPA Core Policy DP11 (approved as part of the Planning Inspectorate's accreditation of the NFNPA Local Plan). Sway have consistently recommended refusal of any such application where we've been aware that it exceeds DP11, because in recent surveys Sway residents want to maintain the dwindling stock of smaller dwellings as far as possible, and do not want to see increased suburbanisation of the outer parish. We have a desperate need for smaller and hence less expensive dwellings for local young families and local downsizing empty-nesters to purchase or rent. Furthermore the additional width (on the left looking from the road) will adversely affect the scale of the main building, no longer maintains space between existing properties, and tends to add a more terrace-like appearance to the street scene, in contravention of the Guidelines on Extensions on page 20, and Guidelines on Location, Scale and Form on page 18 of the Sway Village Design Statement (which is a Supplementary Planning Document). And finally given that the roof area is increasing by around one-third we feel the existing soakaway capacity may need to improved, given the flooding we have seen in this area and the extensive hard landscaping at the front of this plot.

15/00897 The Swallows, Kings Lane SO41 6BQ. Single storey extensions; roof alterations and insertion of roof lights.

The committee unanimously agreed:

Option 5: We are happy to accept the decision reached by the National Park Authority's Officers under their delegated powers. We would further comment:

- Note: Sway believe that the AMENDED plans show no rooflights and assume that this application would thus now be within DP11.

If granted:

- The title of the application needs to be changed to remove reference to rooflights;
- Further permitted development rights should be removed;
- A condition should be added to say that no rooflights or further fenestration in any roof area may be added without specific planning permission;
- A condition should be added to emphasise that the garage and the store behind it are for parking cars and similar incidental use only, and may never have any additional doors or fenestration, internal or external, added without specific planning permission.

15/00908 Forest Way, Brighton Road SO41 6EA. Single storey extensions; dormer window; roof alterations; creation of new access.

The committee unanimously agreed:

Option 2: We recommend REFUSAL, for the reasons listed below, but would accept the decision reached by the National Park Authority's Officers under their delegated powers.

Before this could be granted a number of issues need to be addressed:

- The Sway Village Design Statement Guidelines on Rooflines and Chimneys say on page 19 that dormer windows with pitched roofs are preferred and "Flat roofs in future developments or extensions should be avoided"
- The Sway Village Design Statement Guidelines on page 22 says that excessive use of glass should be avoided – this may apply to the proposed rear elevation.
- The loss of parking space in the garage is a disappointment and the Sway VDS (page 22) Guidelines say "Driveways should have sufficient space to accommodate off street parking."
- Trees and splays from the new crossover should be checked.
- Surface water disposal must be satisfactorily agreed – the new driveway area must be permeable and the culvert and/or ditching alongside the property in Brighton Road must be able to cope with very heavy rainfall. This is needed to both maintain the neighbours' amenity and to comply with the Sway VDS Guidelines on Boundaries on page 21

Resolved: the Chair to forward these responses to NFNPA Planning

15/00883 Forest Haven (formerly Crisdene), Jordans Lane SO41 6AR. Application for a Certificate of Lawful Development for Proposed single storey rear extension.

Although the committee appreciated that this is for information only, we felt the paper was not clear as to whether the applicants could carry out both the work of the previous application 15/00682 *and* the work of this certificate, or whether they could do either one, but not both.

PT15/128 Update on Planning Enforcement

The Chair reported that Sway had started the month with twelve enforcement investigations, none had been resolved and two have been added, and therefore fourteen are carried forward to next month.

The list of current Sway Enforcement investigations, having been previously circulated and also available on the NFNPA website, was noted.

PT15/129 Planning Inspectorate and Enforcement Appeals –

Appeal 3138389 Laurel Cottage, Northover Lane, Tiptoe SO41 6FS. Two storey extension; garage; partial change of use of paddock to residential curtilage; creation of sunken terrace; removal of chimney. [Appeal against the refusal of 15/00393]

Sway Parish Council strongly recommended refusal of the original application 15/00393 (with a 4), The Building Design & Conservation Area Officer objected, the planning officer refused the application and Laurel Cottage is now a Grade II listed building. It was noted that there were 215 pages of the appellants' case which would need a careful reply.

It was unanimously agreed that the Chair would draft a strong reply based on our refusal of the original application and expanded in light of the appellants' statement, recommending that the appeal be dismissed. This draft to be sent round to members in a timely fashion, enabling the Chair to send it in after agreement, and within the deadline.

Appeal 3139400 10 Heron Close SO41 6ET. New dwelling. [Appeal against the refusal of 15/00425]

Sway Parish Council strongly recommended refusal of the original application 15/00425 (with a 4), The Ecologist objected, neighbours objected, the Tree Officer and the Building Design Officer had serious concerns and the planning officer refused the application.

It was unanimously agreed that the Chair would draft a strong reply based on our refusal of the original application and expanded in light of the appellants' statement, recommending that the appeal be dismissed. This draft to be sent round to members in a timely fashion, enabling the Chair to send it in after agreement, and within the deadline.

The list of current Sway Planning Inspectorate and Enforcement Appeals having been previously circulated, was noted.

As addressed under PT15/124, two appeals have been resolved in Sway's favour. Other than the above two new appeals, there are four appeals against NFNPA planning decisions relevant to Sway, including two for Nordic Farm (in both Hordle and Sway), one for Limolands Solar Farm and one for 14 Anderwood Drive.

PT15/130 NFNPA Planning Development Control Committee (PDCC)

There are no Sway applications coming before the 15 December 2015 PDCC. A brief report previously circulated was noted.

PT15/131 Other Planning Issues

i. To review progress on the issue of over-height fences

A note explaining that Paul Hocking (NFNPA Enforcement and Trees Manager) had reviewed the Holly Bank fence and would add it to the Enforcement Investigation list, had been circulated. Sway are pleased to see that Holly Bank fence does now appear on the new Enforcement list.

Resolved: the chair to send an E-mail to Paul Hocking thanking him for his re-consideration of this case.

ii. To discuss the SSEPD removal of overhead power lines project

[Note a misprint in the agenda: SEPD should read SSEPD]. It was noted that it seems likely that these funds will be spend on sensitive areas inside the SPA, so unlikely that it would be worth Sway submitting a case.

PT15/132 Reviewing New or Amended Policies from External Bodies such as the NFNPA, NFDC, DCLG

No appropriate such items were noted.

PT15/133 To receive the updated P&TC Terms of Reference

The updated P&TC Terms of Reference as confirmed by the Parish Council were received and noted, and are available on the web. Further improvements could perhaps be made in regard of Community SpeedWatch obligations and other improvements, and this would be considered in 2016 – Cllr. Marchant to draft a suggested update.

PT15/134 Report by the Parish Council's Transport Representative

John Warden (Transport Representative) reported that the new CANGO flexible booking system was continuing smoothly. A third excellent driver had started and for two weeks for which Mr. Warden had figures, the Cango had around 360 trips a day at a subsidy rate of around £4.85 per trip. The HCC website still has the out of date contact details and uncorrected brochure. Parish Councillors were invited to try the Cango service.

PT15/135 Roads, Hedges and Ditches

A 30mph sign on Durnstown and missing nuts and bolts on the Durnstown Cattle Grid have been, or will be, reported. Dead trees on private property adjacent to the highway are the responsibility of the landowner.

PT15/136 Community SpeedWatch (CSW)

The report from Cllr. Len Thomas (CSW Representative) had been previously circulated and was noted. Cllr. Thomas further advised that the recent CSW sessions included four parish councillors; and that due to the Xmas holidays Sway CSW will be back in action in January.

PT15/137 Correspondence and Any Other Business

Resolved: It was unanimously agreed that the Chair would again request to the Finance Working group that as soon as funds allow a data projector and a screen should be purchased – which would be advantageous to the committee and quite probably to others.

PT15/138 Date of Next Meeting

The next P&TC meeting will be held at Jubilee Field Pavilion at 7.30pm on Thursday 14th January 2016.

There being no further business, the meeting closed at 9:10pm.

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Chair of Committee

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Date

Appendix 1 (of the 10 December 2015 meeting of the Sway Planning and Transport Committee)

Outcome of planning applications considered at previous meetings

(as at 12:00 on 10 Dec 2015)

Number	Address	Title	Sway No.	Sway notes	NFPA	NFPA Notes
15/00814	3 Heron Close SO41 6ET	Rear dormer window to garage to create storage space.	1	This is a minor extension which fits entirely within the Sway Village Design Statement guidelines – and we note the utility room thus created will not be a ‘liveable’ room.	Grant Subject to Conditions	External facing materials to be agreed.
15/00822	Leaway, Pitmore Lane SO41 6BW	Re-design of dormer windows: replace tile hanging with timber cladding on gable ends, dormer face and cheeks; render existing brick walls.	1	This is a modest change, hardly visible from the adjacent right of way. Sway would wish for any comments from the neighbours at Glenwood to be considered; and insist that the Guidelines of the Sway Village Design Statement (page 19) should be followed.	Grant Subject to Conditions	First floor bathroom windows on north west obscured glazing and fixed shut; no further first floor windows; further permitted development rights removed.
15/00883	Forest Haven (formerly Crisdene), Jordans Lane SO41 6AR	Application for a Certificate of Lawful Development for Proposed single storey rear extension.	n/a	n/a	Raise no objection	Falls within GPDO part 1 class A and they have not started the work of the recent planning permission.
15/00786	Arnewood to Milford-on-Sea overhead line (Limolands), near Sway.	Electricity pole with associated overhead wires (Application under section 37 of the Electricity Act 1989 and section 90(2) of the Town and Country Planning Act 1990.	4	It clearly contravenes core policies, the sensitive location is totally inappropriate, it is not small scale, and it would adversely affect the landscape character and local ecology. The NFPA refused permission for the solar farm and this currently at appeal. The application is premature and Sway strongly recommend refusal, unless and until the appeal is upheld at which point we would like to see far more thorough plans for the work at this sensitive site.	Withdrawn	Withdrawn

15/00770	Ciren, Middle Road, Sway SO41 6BB	Single storey extension; extension to existing garage; new 2.1m high wall with render.	5	There may be a misprint. The title refers to a 2.1m wall; whereas both the Parish Briefing Note and the plans refer to a 1.8m wall between the bungalow and the garage. To be perfectly clear: Sway maintain that a 2.1m wall is completely unacceptable and inappropriate. A 1.8m wall is excessive. Otherwise we assume that if granted conditions would be added to ensure appropriate surface water disposal and matching facing materials.	Grant Subject to Conditions	Conditions: matching facing materials; removal of further permitted development rights; garage and store for incidental use only; and hedgerows on the north and west boundaries to be maintained 1.5m minimum height.
15/00772	Avon Wood, Arnewood Bridge Road SO41 6DA	Single storey rear extension.	1	1. A water-tight agreement can be reached that the commenced GPDO extensions are not completed (and the work already started is undone and the land concerned restored to its previous state); and 2. Any further permitted development rights are removed (without further planning permission); and 3. The existing garage is only to be used for the parking of cars and other incidental use and may never be used for residential purposes; and 4. A scheme of surface water disposal is agreed; and 5. Details of additional facing and roofing materials are agreed before work commences; and 6. Exact dimensions are provided, agreed and adhered to; and 7. Screening to adjacent properties be maintained; and 8. The light pollution caused by the lighting on the driveway is a problem to traffic using Arnewood Bridge Road as well as neighbouring properties and should be checked.	Refuse	Refused on the grounds that it does not comply with DP11. Note: the Parish Briefing Note said <i>"the proposal would comply with the floor area limitations of Policy DP11."</i> However, presumably after recalculation, it was found to be a 32% increase and therefore does not comply. Sway have consistently recommended refusal of applications contravening DP11 (when we have known that to be the case).
15/00789	Cheriton Cottage, Manchester Road SO41 6AS	Replacement dwelling; detached garage; 1.2 metre high fence.	4	This is clearly inappropriate and unsympathetic in scale, character, and visual intrusion. The proposed building and outbuilding are not on the same footprint as the current building and there is no environmental benefit to this change. Thus this application clearly contravenes DP1 paragraphs a), b) and d); CP7; CP8; DP6 a); DP9; and DP10 b); and the Design Guide SPD. We would particularly highlight that in the Sway Village Design Statement (which is a SPD) the Guidelines on Garages (page 22) emphasise that "Garages, outbuildings or carports should not be positioned in front of the house", and add that in respect of boundaries the Guidelines on page 21 say that "Picket fencing or low walls under 1 metre combined with native hedge planting is to be encouraged". We agree completely with the conclusions of the Building Design Officer and thank them for their professional analysis.	Withdrawn	Withdrawn

15/00776	Bilyara, 3 Moser Grove SO41 6GA	Greenhouse.	3	As the Planning Officer summarised, this is a most modest greenhouse; and we note that the applicant took and followed pre-application advice, that Land Drainage have no issues with this application, and there is no clash with any guideline of the Sway Village Design Statement.	Grant	(As always: to be started within 3 years.)
15/00757	Little Haven, Middle Road, Sway SO41 6AT	Single storey extension; roof alterations to facilitate additional first floor accommodation; external alterations.	1	We appreciate that the neighbour most affected by the application has expressed their support of the application. It would eliminate a flat roof. Would eliminate the problem of being overlooked for neighbours. Improvement to the look of the dwelling. All of the above outweigh the Sway VDS concerns of maintaining space between properties. <i>[Note: the Case Officer took our recommendations into full consideration]</i>	Grant Subject to Conditions	Development only in accordance with drawings and after approval of external facing and roofing materials
15/00733	Church Cottage, Church Lane SO41 6AD	Two storey extension; demolition of conservatory.	5	Whilst not visible from the highway we are not convinced that this extension, added to the previous one, is appropriate for the original dwelling. The Sway Village Design Statement Guidelines suggest that dormer windows with pitched roofs are preferred, that boarding should be natural or stained black, and that extensions should be visually subordinate. We feel this application could be improved to better match the local style, the Design Guide and the Sway Village Design Statement SPD.	Withdrawn	Withdrawn
15/00652	Sway Social Club, Westbeams Road SO41 6AE	Application to vary condition 12 of application 15/00656 to allow a minor material amendment to planning permission reference 14/01035.	4	Would contravene DP1 as being inappropriate in terms of scale, appearance and form, not sympathetic to the local built environment, adverse impact on traffic and visual intrusion; CP7 in terms of the local vernacular, and CP8 in terms of suburbanisation. And this would appear too terraced, which the Sway VDS says should be avoided, and has garages further forward - thus leaving less parking space (and parking has been the major concern of neighbours).	Grant Subject to Conditions	PDCC: All 11 previous conditions still apply, including approval of parking and turning, facing materials, landscaping plans and disposal of surface water; and further permitted development rights removed.

<p>Appeal 3006490</p>	<p>South Sway Farm House, South Sway Lane SO41 6DL</p>	<p>Change of use to equestrian holiday centre; conversion of barn 5 to incorporate 5 No. Holiday lets; Barn 4 to be used as ancillary staff accommodation. Planning application 14/01029</p>	<p>4</p>	<p>Concerned that if this application to convert recreational horse keeping development were allowed to change to residential use this would set an extremely dangerous precedent given the vast amount of such recreational horse keeping development in the Parish. The proposed development is not an incidental use for livery stables. The application contravenes policies DP19 and CP12 and is not supported by CP14 or CP16. Concerns with regards to highway safety. The proposal would result in the opportunities for young commoners being diminished by the conversion of a livery yard to a holiday camp.</p>	<p>Refuse</p>	<p>Appeal dismissed; costs awarded to the NFNPA. The NPPF, and the NFNPA Core Policies CP12, CP16, DP19, and DP1 all apply; no s106 is offered. The application is at odds with the NFNPA Core Strategy.</p>
<p>Appeal 3002901</p>	<p>South Sway Farm House, South Sway Lane SO41 6DL</p>	<p>Without planning permission the material change of use of the land affected from a livery yard with associated commercial use of manege to a mixed use comprising the aforementioned and for residential purposes and the storage of caravans.</p>	<p>n/a</p>	<p>n/a NFNPA Enforcement Case EN/14/0157</p>	<p>n/a</p>	<p>Appeal dismissed; enforcement notice upheld; costs awarded to the NFNPA. Requirements are not excessive; no need for staff to live on site; a year is not required to comply. No strong case to appeal was made; and the appellant did not understand the difference between enforcement and appeal; so costs are awarded to the NFNPA</p>