

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 14th January 2016.

Present

<i>Councillor Name</i>	
Stephen Tarling (Chair)	P
Peter Dance	
Alex Pepper	P
Len Thomas	P

<i>Councillor Name</i>	
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 ten members of the public.

PT16/001 – Apologies

Received from Cllr. Peter Dance

PT16/002 - Declarations of Interest

Cllr. Marchant declared his membership of the New Forest Association (NFA) Planning Committee. Cllr. Tarling declared his membership of the New Forest Association.

PT16/003 - Minutes of the Meeting held on the 10th December 2015 and Matters Arising

The minutes of the meeting held on the 10th December 2015 were unanimously agreed, and were signed by the Chair. They would be added to the web soon.

Matters arising: PT15/133: Cllr. Marchant to draft suggested updated Terms of Reference. PT15/127: A condition removing further permitted development rights only comes into force when the work of the planning permission is started. PT15/129: Papers on two appeals were submitted in good time, following all input from members. PT15/137 The Finance Working Group have budgeted for a data projector – but for the time being this committee will trial using the TV screen.

PT16/004 - Outcome of Planning Applications Considered at Previous Meetings (including those applications referred to the NFNPA Planning Development Control Committee or on appeal to the Planning Inspectorate) and related matters.

The list of outcomes, having been previously circulated, was noted and is appended to these minutes as Appendix 1.

PT16/005 - New Tree Preservation Orders

None

PT16/006 – Applications for Tree Works

Cllr. Seacombe's report having been previously circulated was approved and is appended to these minutes as Appendix 2. Cllr Seacombe drew particular attention to application TPO/15/1318 at The Manor at Sway as it was felt this application might be considered to be contentious. Members were assured that the works proposed were all for sound arboricultural reasons; and Sway's submission was therefore as detailed in Appendix 2,

PT16/007 New Planning Applications

15/00949	8 Cruse Close SO41 6AY	Single storey extension; alterations to existing side extension; removal of chimney.
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The committee quickly came to the unanimous decision that our recommendation would be:

3. We recommend PERMISSION, for the reasons listed below:

This is a modest proposal which we fully support. This application is mostly in alignment with the Sway Village Design Statement but we would want to be sure that surface water disposal from the rear extension is managed (as per Sway VDS Guidelines page 21).

15/00964	Cheriton Cottage, Manchester Road SO41 6AS	Replacement dwelling; detached garage.
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The committee listened carefully to a number of neighbours, who agreed that the current building is dilapidated (although remarkably attractive), but objected to the current plans – and had a number of constructive suggestions as to how the plans could be improved. The committee unanimously agreed that the recommendation would be:

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

On the whole this is an improvement on the previous withdrawn application. The plot is narrow – but deep - and the current building is modest and well sited in the plot, with a rear garage, although the building does extend to the south boundary. Nevertheless Sway still have serious concerns:

1. The garage at the front is not compliant with the Sway Village Design Statement (VDS) Guidelines. The Sway VDS is adopted as a Supplementary Planning Document and the Guidelines are “express specific design criteria that will influence planning decisions”. Most front garages in Sway were built before the current guidelines came into force.
2. The overlooking and shading (policy DP1 d) refers) of adjacent properties may be an issue as the proposed building would be both higher and/or closer, and with further fenestration.
3. DP10 says a replacement dwelling can only be on a new footprint where there is a clear environmental benefit. In this case there is a benefit in moving it away from the southern boundary, but probably a greater dis-benefit by moving it far closer to the northern boundary and blocking the driveway to the back – there would be no dis-benefit attached to extending the building further back into the plot (away from the road).
4. There are grave misgivings over a number of serious inconsistencies in the drawings, which drawings lack clear dimensions; and we would want to be far surer of the exact position and dimensions of any subsequent proposal. Also the plan suggests that the existing floor area may be considerably smaller than stated.
5. We feel the bulk and overbearing nature of this proposal is still unacceptable, as is the dominance across the width of the plot.
6. As always in Sway: and in any future application, surface water disposal would need to be fully managed and kept within boundaries – as noted in the Sway VDS Guidelines on page 21.

15/00914	Grid ref SZ27389959, Sway Reservoir, Brighton Road SO41 6EA	Replacement sample water kiosk and hardstanding.
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The committee noted how well the reservoir and the current small kiosk are screened and hoped that any future work would benefit from similar screening. Having helpfully heard from the applicant the technical reasons that the kiosk cannot be inside the reservoir compound, and that it now needs to be substantially larger to ensure the best quality control over our own potable water, the committee unanimously agreed that the recommendation would be:

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; and would add:

Whilst the proposed kiosk is considerably larger than the current one, we appreciate that since the new kiosk is a walk-in shed, this will mean the accuracy in testing the drinking water supplied to Sway will be improved, because the samples will no longer be open to the elements. Hence we support this application, and we request that the new kiosk, which is so much taller, is positioned in an area where it will be well screened.

15/00783	Avon Wood, Arnewood Bridge Road SO41 6DA	Retention of tree house, decking and pond.
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There are two main features of the application: the impact on the tree and the impact of the developments. Cllr. Seacombe had studied the plans and the tree officer's comment, and thus outlined the likely impact on the tree (which does currently not benefit from a TPO). As far as the development is concerned we felt we had insufficient details of the pond, but did note that in times of rain there did seem to be run-off from the property down the rear entrance and onto Arnewood Bridge Road which might be exacerbated by overflow from the pond. The committee unanimously agreed that the recommendation would be:

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; and would add:
 - a) There would be little detriment to the health of the tree (which does not currently benefit from a TPO).
 - b) We have insufficient information to comment on the pond. We did however notice run-off from the back entrance of this property and onto the highway and this might be exacerbated by overflow from the pond.

15/00992	Knight Bridge Farm, South Sway Lane SO41 6DP	Replacement dwelling; solar panels; new stable block; relocation of existing barn to be used as office/storage; new vehicle and pedestrian entrance gates and piers; demolition of existing dwelling and 4 No. existing barns.
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The committee were grateful for the timely Parish Briefing Note, and also to the applicants who came to the meeting and outlined their plans; and the committee considered these inputs carefully. Unfortunately the applicants had not had the benefit of the free pre-application advice offered by NFNPA and so had failed to appreciate the intricacies of the guidance in policy DP11. There was further discussion of other merits and issues in the current plans, but all members felt that the DP11 issue takes precedence. Hence the committee unanimously agreed that the recommendation would be:

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 and every 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.

15/01000	Boundway Gate, Boundway Hill SO41 6EN	Replacement dwelling; garage block.
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As indicated in the title, there are two elements to this application: the dwelling and the garage block. Members unanimously agreed that the dwelling is a clear improvement, not only on the present building, but also on the previously refused application. There were minor concerns over some flat roof and light pollution. There was however universal disappointment over the garage block, and extensive discussion over the significance of the difference between 'in front of the house' and 'in front of the building line' and 'adjacent to the boundary of the open forest'. The

modest garden shed adjacent to the site of the proposed garage is visible above and through the front boundary. The proposed garage has no redeeming features whatsoever. Opinion was divided because of the improvement in the dwelling, and discussion over the exact wording of our recommendation ensued. Voting was: four votes for option 4, one vote for option 2, and one abstention. The committee decided that the chair would draft a response, based on the discussions and voting and send it round for further comments and approval before submitting the final version. The initial draft submission being:

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

We wish to emphasise that we thoroughly approve of the redesign of the main house which is a most significant improvement in style, and appropriate for the location, as well as coming within the 30% limit. Subject to appropriate facing and roofing materials this main house proposal falls broadly within the Sway Village Design Statement Guidelines. There is some flat roof at the back which is not in line with the Sway VDS guidelines on page 19 and there could be light pollution from the 'lantern' roof, and policy CP6 might apply in such a sensitive area as adjacent to the open forest, and with local bats.

However the proposed garage is clearly not acceptable in terms of bulk, scale, form, pitch, detail, fenestration and location. The Sway VDS Guidelines (page 22) say garages should not be in front of the house. This garage is not immediately in front of the house, but it is well in front of the building line, and hence too close to the open forest. Furthermore the Design Guide SPD gives guidance on avoiding overbearing garages (too large and too close to a boundary – which in this case is the boundary of the SPA) and these guidelines have not been followed in this case.

Resolved:

- a) The Chair to forward these responses to NFNPA Planning, or to first circulate a draft, as indicated above.
- b) The chair was also unanimously mandated to write to NFNPA Planning expressing our concern that increasingly drawings are being sent without dimensions (and marked with warnings that they should not be scaled). Such drawings can therefore be inconsistent with each other, open to interpretation, and difficult to check. Previously we believe we have invariably had drawings with dimensions, and we understand that in other LPAs dimensions have been a requirement. Ironically dimensions have recently been demanded by NFNPA for some minor developments, whilst more substantial developments are forwarded incomplete in this respect. Sway would like to ask why this lack of dimensions on drawings is happening more frequently, and would encourage appropriate dimensions to be required on all drawings. Sway will tend to view with suspicion drawings that lack dimensions.

Applications for information only.

The committee completely understands why both Applications for Certificates of Lawful Development and Application for non-material amendments are usually for information only and it is not appropriate to open them to consultation. However it would be helpful if the plans could be added to the web site, as neighbours often ask what the Lawful Development or non-material amendment would be (and hence they know not to trouble Enforcement when development is within an issued certificate or permission).

Application 15/00987 for a non-material amendment at The Old School House, Church Lane SO41 6AD has been dealt with well - the officer posted the application and her report clearly explains the reasoning.

However neither 15/00965 nor 16/00008, which are both for Certificates of Lawful Development, have any documents at all posted on-line. Residents are not usually familiar with all the details of the General Permitted Development Order (2015) so can wonder what these might allow if no objection were to be raised (and indeed do ask Committee members). This could be helped by adding the details on-line (whilst making it clear that these are for information only and there is no consultation). In these particular two cases, thanks to the officers and to Helen David and Jane

Fuller at NFNPA we were able to go to the NFNPA and get a copy of the relevant plans, but this is an unnecessarily complicated step, not best transparency practice, and not easy for neighbours.

PT16/008 Update on Planning Enforcement

The Chair reported that Sway had started the month with fourteen enforcement investigations, four of which had been resolved and three have been added, and thus therefore thirteen investigations are carried forward to next month.

The committee were delighted to see that the height of the fence on Holly Bank has been reduced and now looks considerably more appropriate to Sway.

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

PT16/009 Planning Inspectorate and Enforcement Appeals –

The list of current Sway planning and enforcement appeals lodged with the Planning Inspectorate, having been previously circulated, was noted.

There are now six appeals against NFNPA planning decisions relevant to Sway, including two for Nordic Farm (in both Hordle and Sway), one for Limolands Solar Farm, one for 14 Anderwood Drive and the two newly added appeals: at Laurel Cottage, Northover Lane, Tiptoe and 10 Heron Close.

PT16/010 NFNPA Planning Development Control Committee (PDCC)

No Sway application came to the December meeting. One Sway application will come before the 19th January meeting:

15/00854	Gablemead, Manchester Road SO41 6AS	Replacement Annex for Ancillary use, and 12 roof mounted solar panels.
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The committee was disappointed not to see any of the many objectors at the meeting; and assume that they will be represented at the PDCC meeting. In view of the unanimous recommendation to refuse this application, and the weight of objections from neighbours and residents, the Chair had provisionally registered to speak because the deadline for registration had been before the meeting. The submission of amended plans after our recommendation was sent in and after the end of the public consultation was a further disappointment, and the fact that the plans are neither consistent nor accurate is worse still. It was unanimously agreed that the chair would represent Sway and would object, our case being based on our previous unanimous recommendation to refuse, plus the additional issues with the late plans.

PT16/011 Other Planning Issues

a. Review the increasing use of permitted development rights and non-material amendments.

The paper which was previously circulated was noted. A related item was covered in PT16/0007 above under “Applications for information only.” There seems little we can or should do to further anticipate any inappropriate such applications, other than continue to express our dismay when these come up. It was agreed that this would be an item to raise at the next NFNPA SW Quadrant meeting on Tuesday 23 February 2016 at 7pm venue tba.

PT16/012 Reviewing New or Amended Policies from External Bodies such as the NFNPA, NFDC, DCLG

No appropriate such items were noted.

PT16/013 Report by the Parish Council’s Transport Representative

John Warden (Transport Representative) reported that CANGO use is always lower in January, and this year seems to be no worse than previous years. New customers were coming forward. He also reported that the new booking service continues to be working well.

PT16/014 Roads, Hedges and Ditches

There were serious concerns over the lack of attention to cattle grids at both Durnstown and Brighton Road where the lack of repairs is damaging the adjacent highway. It was unanimously agreed that Cllr. Marchant would draft a letter to HCC Highways for Cllr. Thomas to send in his capacity as Proper Officer.

PT16/015 Community SpeedWatch (CSW)

Cllr. Thomas reminded us that due to the Xmas holidays Sway CSW was not in action in December but will be back in action later in January. Unfortunately we are still awaiting the updating of the Police computer system to effectively deal with recorded input.

PT16/016 Correspondence and Any Other Business

Members of the public felt having plans displayed on the TV screen was advantageous.

PT16/017 Date of Next Meeting

The next P&TC meeting will be held at Jubilee Field Pavilion at 7.30pm on Thursday 11th February 2016.

There being no further business, the meeting closed at 9:04pm.

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Chair of Committee

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Date

Appendix 1 (of the 14 January 2016 meeting of the Sway Planning and Transport Committee)

Outcome of planning applications considered at previous meetings etc. (as at 17:00 on 14 Jan 2016)

Number	Address	Title	Sway No.	Sway notes	NFNPA	NFNPA Notes
15/00897	The Swallows, Kings Lane SO41 6BQ	Single storey extensions; roof alterations and insertion of roof lights.	5	Note that amended plans (and description) removing roof lights would ensure the proposal would fall within the limits of Policy DP11. Suggest removing permitted development rights and a restriction on the future addition of rooflights or other upper floor windows. Suggest a similar restriction on the retained garage.	Grant subject to conditions	Facing materials to be agreed; No further windows or rooflights in the roofspace without permission, garage for incidental purposes only - not habitable accommodation and further permitted development rights removed
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.	1	Proposed dormer would not be widely visible. Proposal would be necessary to accommodate a young family. Any potential means of improving the rear dormer should be considered. The shed / store would be required for incidental purposes only. Scope to remove permitted development rights.	Refuse	The proposed dormer would in terms of its size, form and prominence (particularly in terms of public views) fail to be appropriate to the dwelling or its surroundings and therefore would be contrary to the requirements of Policies DP6, DP11, CP8 (particularly in terms of the cumulative, long term harm resulting from small scale developments) and Policy DP1 of the New Forest National Park Core Strategy, and the Sway VDS and Design Guide SPDs
15/00853	Aloma, Kings Lane SO41 6BQ	2No. single storey rear extensions.	4	Exceeds DP11, contravenes Sway VDS and no surface water disposal details.	Withdrawn	Withdrawn
15/00850	Hillside, Mead End Road SO41 6EE	Addition of 3no. dormer windows and 5no. rooflights to facilitate first floor accommodation; porch; flue.	1	This is a modest improvement, and we understand the neighbours have no objections. This follows guidelines of the Sway Village Design Statement. We note that the applicants sought and followed pre-application advice and one of the applicants attended the meeting and explained the design.	Grant subject to conditions	External facing materials to be agreed, development to be as submitted plans
15/00987	The Old School House, Church Lane SO41 6AD	5no. detached dwellings; sheds; access; widening of footpath; associated landscaping (demolition of existing buildings) (Application for a non-material amendment to planning permission reference 15/00376)		Not applicable: for information only	Raise no objection	Adds plans as a condition of the application – thus allowing the applicant to make an application for minor amendments to those plans

Appendix 2 (of the 14 January 2016 meeting of the Sway Planning and Transport Committee)

Tree Report

(as of 12 January 2016; SPC = Sway Parish Council)

TPO /15/1245 EAGLE OAK HOUSE BRIGHTON ROAD SWAY SO41 6EB

Fell 1 x Pine tree Fell 1 x Maple tree Prune 2 x Chestnut trees

SPC's comments No comments were forwarded on to the tree officer as a decision had already been granted before viewing could take place. However a site visit revealed that the trees were not of high amenity value as they could not be seen from the road / driveway of the property.

Decision: Grant

Conditions or Reasons: The proposed work is considered sound arboricultural management.

Decision: Norway Maple T73 - Fell to ground level Pine T83 - Fell to ground level Two Sweet Chestnut trees T7 & T7 - Reduce and reshape the crown to remove dieback and dead wood within Tree Preservation Order 6/04

TPO 15/1273 6 Highfield Close Sway

Description: Prune 1 Oak

SPC's comments

This oak tree due to its visibility in the surrounding area is considered to be of high amenity value. SPC accept that a small amount of pruning might benefit the health of the tree and hope you will take our comments into consideration when deciding how much it is to be reduced by.

Decision As of 12 Jan 2016 no decision made

TPO R14/15/1323 MEADOWS COTTAGE Arnewood Bridge Road Sway SO41 6DA

Description: Fell 1 x Oak tree due to safety concerns. Root heave and imminent risk of falling.

An R/14 is an Exempt Form Application that provides an Exempt Work Notice. They are issued when a tree is in danger or if work such as dead wooding needs to take place.

SPC's comments No comments are required

Decision Grant

TPO 15/1322 Meadows Cottage Arnewood Bridge Road Sway SO41 6DA

Description Fell 1 Oak

Reasons The Oak tree which sits on the edge of a bank is listing over although its roots are still intact. Due to the heavy rains recently there is danger of the tree suffering root heave. There is potential danger to livestock that shelter under the tree.

SPC's comments

Sway Parish Council accept that where there are safety issues to this tree, we are happy to accept NFNPA tree officer's recommendations.

Decision As of 12 Jan 2016 no decision made

TPO/15/1318 Sway Manor, Station Road SO41 6BA:

Description Fell 1 x Cypress tree Fell 1 x Pine tree Fell 1 x Poplar tree Prune 1 x Oak tree

Reasons: T1 - Lawson cypress- fell to ground level due to excessive splits in main unions T2- Maritime pine- fell due to excessive leaning

T3-poplar- fell to a 5m habitat pole and leave lowest large limb at 3m long T4- English oak- reduce crown growing towards hotel making a 2m clearance

A site visit with the tree officer was requested however the applicant had already requested tree officer pre application advice.

The tree officer was already aware of trees having previously been felled on site. The wording of the application follows the tree officer's recommendations.

SPC's comments

Sway Parish Council are reluctant to see trees felled on this site but recognise that where trees are failing and where there are safety issues, we are happy to accept NFNPA tree officer's recommendations. SPC would like to ensure that any trees felled are replaced with suitable trees, in addition, the loss of the Cypress will affect screening from neighbouring properties and the inclusion of barrier planting to replace the Cypress would be beneficial.

Decision As of 12 Jan 2016 no decision made

Cllr. Melanie Seacombe: Tree Representative