



HYTHE AND DIBDEN PARISH COUNCIL

The Grove, 25 St. John's Street, Hythe, Hampshire SO45 6BZ

Serving the communities of Dibden, Dibden Purlieu and Hythe

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To: Members of the Council

Mr J Binns

Mr R. Guy

Mr G Parkes

Mrs M Robinson

Mr M Short

Chairman

ex officio

Vice Chairman

Mrs B Smith

Mr D Smith

Mr A Wade

Mr M Wade

ex officio

AGPLN394

2 June 2011

Members of the Planning Committee

are hereby summoned to attend the Planning Committee meeting to be held in The Grove, St. John's Street, Hythe on Wednesday next, 8 June 2011, commencing at 6.45pm.

Yours faithfully

P.P.

Clerk to the Council

AGENDA

1. Apologies for absence.
2. To note any declarations of interest made by Members in connection with an Agenda item. The nature of the interest must also be specified.
3. Public Participation Period.
4. Notification of any other urgent business to be raised at the end of the meeting.
5. To sign the Minutes of the meeting held on 18 May 2011.
6. Planning lists: -
 - a) New Forest District Council received up to 1 June 2011.
 - b) National Park received up to 1 June 2011.
7. Notice of Appeal Decision – TPO Application 11/0007 – 37 Mountfield, Hythe, Southampton, SO45 5AG (attached).
8. Notice of Appeal – 43 Ladycross Road, Hythe SO45 3JW (subject to legal agreement)
9. Any other urgent business concerning the Committee.

Planning Applications to be considered on 8 June 2011

1 11/97012 03/05/11

Applicant - Mr Edwards

Proposal - Single-storey rear extension; decking

Site - 25 Fairway Road, Hythe SO45 5FU

2 11/97085 13/05/11

Applicant - Mrs J Jones

Proposal - Bungalow; new access (Outline application with details only of access, layout and scale)

Site – Land of 29 Dibden Lodge Close, Hythe SO45 6AY

3 11/97099 26/04/11

Applicant - Mr Mitchell

Proposal - First floor extension; roof alterations and 4 rooflights in association with new second floor

Site – 26 Hobart Drive, Hythe SO45 6FH

4 11/97100 26/04/11

Applicant - Mr Hampton

Proposal - Roof alteration in association with new first floor; front and rear dormers

Site - 31 Malwood Road West, Hythe SO45 5DF

5 11/97123 03/05/11

Applicant - Mr and Mrs Overton

Proposal - Rear Conservatory

Site - 95 Heatherstone Avenue, Dibden Purlieu SO45 4LE

6 11/97126 03/05/11

Applicant - Mr Fairhead

Proposal - Use of ancillary living accommodation; create underground garage

Site - 25 Malwood Road West, Hythe SO45 5DF

7 11/97131

06/05/11

Applicant - Hampshire County Council

Proposal - Continued siting for 3 double temporary modular buildings on site for further seven years until 31 August 2018

Site - Forest Education Centre, Cabot Drive, Dibden SO45 5UQ

This application was considered on 18 May 2011 under reference HCC/2011/0076 and the following comment was made:-

SUPPORT

The Parish Council supports this application and looks forward to receiving plans for a permanent building in the near future.

8 11/97138

06/05/11

Applicant - Paul Jeffreys

Proposal - Shopfront

Site - 10 The Marsh, Hythe SO45 6AL

9 11/97152

09/05/11

Applicant - Mr Morley

Proposal - First-floor side extension; single-storey side and front extensions

Site - 22 Briarswood Rise, Dibden Purlieu SO45 5SW.

10 11/97184

13/05/11

Applicant - Mr P Haigh

Proposal - Outbuilding

Site - 20 Hobart Drive, Hythe SO45 6FH

11 11/97187

16/05/11

Applicant - Vodaphone Ltd

Proposal - 13.4 metre high mast; equipment cabinet (Prior notification to carry out Telecommunication Development)

Site - Land at Beaulieu Road, Hythe SO45 5GT

12 11/97189

16/05/11

Applicant - Mr Lowther

Proposal - Two-storey side extension; rooflights in association with new second floor

Site - 3 Adams Road, Hythe SO45 3JT

Members are asked to consider the recommended responses in relation to the following tree applications:-

13 TPO/11/0148

18/05/11

Proposal - T1 Birch - Fell (not covered by TPO) T12 Birch - Crown reduce by 2m, reduce from property to give 2m clearance, crown lift to 4m, reshape and crown clean.

Site - 32 Lodge Drive, Dibden Purlieu SO45 4LX

The Parish Council will accept the advice of New Forest District Council's arboriculturist.

14 TPO/11/0149

08/05/11

Proposal - T1 Oak - Fell

Site - 21 Copsewood Road, Hythe SO45 5DX

The Parish Council will accept the advice of New Forest District Council's arboriculturist.

15 TPO/11/0155

19/05/11

Proposal - T1, T2, T3 and T4 - Oak - Crown clean. Crown lift to 5 metres. Crown thin by 20%

Site - 2 Villiers Road, Dibden Purlieu SO45 4LB

The Parish Council will accept the advice of New Forest District Council's arboriculturist.

16 TPO/11/0157

23/05/11

Proposal - T1 - Lime - Canopy raise to 5 metres and crown reduction by 25%. T2 - Sycamore - Reduce back from house by 4 metres and crown reduce by 30%.

Site - on land next to 31 Whitewater Rise, Dibden Purlieu

The Parish Council will accept the advice of New Forest District Council's arboriculturist.

Planning Application Decisions up to 1 June 2011

1 10/96355

23/03/11

Applicant - Mr Head

Proposal - Retention of rooflights in association with creating living accommodation

Site - 34 Malwood Road, Hythe SO45 5FG

Decision 01/06/11
Granted

2 11/96932

23/03/11

Applicant - Marina Developments Ltd

Proposal - Reinstatement/modification of foreshore stone revetment and temporary flood barrier

Site - Hythe Marine, Shamrock Way, Hythe Marina Village. Hythe

Decision 01/06/11
Granted subject to conditions

3 96230/11

02/03/11

Applicant - Miss C Ring

Proposal - Two storey outbuilding

Site - The Oaks, Roys Copse, Dibden SO45 5TH

Decision 01/06/11
Refused



Appeal Decision

Site visit made on 20 April 2011

by Keith Rushforth

BSc(For), FICFor, FArborA, MIHort

an Arboricultural Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: **17 MAY 2011**

Appeal Ref: APP/TPO/B1740/1760
37 Mountfield, Hythe, SO45 5AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent to undertake work to a tree protected by a Tree Preservation Order.
 - The appeal is made by Mr N Croucher against the decision of New Forest District Council.
 - The application Ref: 11/0007, dated 10 January 2011, was refused by notice dated 22 February 2011.
 - The proposed work is to fell one oak (*Quercus robur*).
 - The relevant Tree Preservation Order (TPO) is District Council of New Forest TPO No. 50/99 (Land of Mountfield, Hythe in Hampshire) 1999, which was confirmed on 3 March 2000.
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Decision

1. Consent to fell the tree is granted subject to conditions. The conditions are that the felling is carried out within twelve months from the date of this decision in accordance with the advice in British Standard BS 3998:2010 *Recommendations for Tree Work* and that the stump of the felled tree is not treated.

Preliminary Matters

2. During the course of my site inspection I realised that I had visited the site in the mid 1990s on behalf of loss adjusters acting for the insurers of the property in connection with some movement of the fabric. I drew this to the attention of the parties prior to closing the site visit. Mrs V Croucher reported that she had recognised me. Mr & Mrs Croucher, their agent Mr A Harris and Mr A Douglas for New Forest District Council reported that they were content for me to determine the appeal.

Main Issues

3. The main issues are the effect of the proposed felling on the appearance and setting of the area and the relationship of the tree to the gardens.

Reasons

The effect of the proposed felling on the appearance and setting of the area

4. The rear garden of the site backs onto the rear gardens of properties on Lower Mullins Lane. Running along the boundary between these two developments is a line of six oak trees. These form a visual screen above the height of the bungalows off Mountfield and the two storey houses off Lower Mullins Lane, with oak trees to circa 20m in height. These trees do not feature significantly in the screening between the gardens which back onto each other, but provide longer distance amelioration of the setting.
5. The tree is located between two larger trees in the garden, growing a metre to the right of the lefthand one. The canopies of these two other trees are touching apart from two gaps a metre in width. The appeal tree's crown reaches circa 16m in the two gaps between the crowns of the adjacent trees but otherwise is overtopped by these trees. There is no crown from the tree on the Lower Mullins Lane side of the group, with most of the crown extending across the rear garden of 37 Mountfield.
6. Felling the tree would have little impact upon the view from the Lower Mullins Lane side but would make some alteration in the view from Mountfield looking towards the group of trees. My opinion is that this alteration would not make a significant difference but consider that there needs to be reasons shown to justify the work.

The relationship of the tree to the gardens

7. The tree is nearly entirely overtopped by the adjacent oaks. Thus it is only restricting the growth of these trees to a limited extent. The felling of the tree will, therefore, provide some but limited additional growing space for the two larger trees.
8. The tree leans away from the adjacent tree to the left. I consider that it is of comparable age to the other two oaks. Given the structure of the tree I do not find that it is a plausible long term tree and consider that it is unlikely ever to make a potential replacement tree for the other trees.
9. The felling of the tree will allow some additional light into the garden. I do not consider that this will alter the setting of the lawn and conservatory area. However, my opinion is that the extra light will benefit the understory trees and larger shrubs along the boundary with properties off Lower Mullins Lane and I find that this will make a significant improvement to the setting of the gardens on both sides of the boundary.
10. Accordingly, I find that on balance the benefits to the adjacent gardens from allowing the felling exceed the limited effect of the felling on the view from Mountfield.
11. I do not consider that it is appropriate to require the planting of a replacement canopy tree. It is desirable that the existing shrubs, including the *Eucryphia* growing beneath the tree, are not harmed in the felling and therefore appropriate that the work is carried out in accordance with the advice in British Standard BS 3998:2010 *Recommendations for Tree Work*. The tree is growing close to one of the other oaks and is likely to have root grafted with this tree.

Accordingly it is important that the stump of the felled tree is not treated with any herbicide which might be translocated to the retained trees.

Conclusions

12. The tree is part of a belt of six oaks which run along the boundary between the gardens of properties off Mountfield and Lower Mullins Lane. The tree does not contribute to the canopy on the Lower Mullins Lane side and is mainly overtopped by the adjacent two oaks. The crown extends across the rear garden of 37 Mountfield and can be seen from the highway above the bungalow. Felling the tree would make some alteration to the view from Mountfield looking towards the group of trees.
13. The tree is nearly entirely overtopped by the adjacent trees and felling the tree will provide some but limited additional growing space for the two larger trees.
14. The tree leans away from the adjacent tree to the left and is unlikely ever to make a potential replacement tree for the other trees.
15. The felling of the tree will allow some additional light into the garden which will allow extra light to the understorey trees and larger shrubs along the boundary with properties off Lower Mullins Lane and I conclude that this will make a significant improvement to the setting of the gardens on both sides of the boundary.
16. Accordingly, for the above reasons I find on balance that the benefits to the adjacent gardens from allowing the felling exceed the limited effect of the felling on the view from Mountfield and therefore grant consent to fell the tree subject to conditions. The conditions are that the felling is carried out within twelve months from the date of this decision and in accordance with the advice in British Standard BS 3998:2010 *Recommendations for Tree Work* and that the stump of the felled tree is not treated.

Keith Rushforth

Chartered Arboriculturist
BSc(For), FICFor, FArborA, MIHort

sean spencer

From: David Shimpe [david.shimpe@btconnect.com]
Sent: 26 May 2011 10:05
To: sean
Subject: FW: Appeal received on 10/96282

8

David Shimpe

David Shimpe
Clerk to the Council
Hythe and Dibden Parish Council
023 8084 1411

From: dev.consultation@nfdc.gov.uk [mailto:dev.consultation@nfdc.gov.uk]
Sent: 25 May 2011 10:10
To: david.shimpe@btconnect.com
Subject: Appeal received on 10/96282

An appeal has been submitted to the Planning Inspectorate in respect of the application detailed below. The appeal will be considered by means of Written Representations.

Application No: 10/96282

Planning Inspectorate Reference: APP/B1740/A/11/2152608/NWF

Site: 43 LADYCROSS ROAD, HYTHE SO45 3JW (NB: SUBJECT TO LEGAL AGREEMENT)

Description: Attached house

Reason(s) for refusal: By virtue of the layout of the site with frontage parking and the dwelling being located very close to the boundary of the site, the proposal would result in a cramped form of development out of context with and harmful to the established spatial characteristics of the area. It would therefore conflict with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

To view the grounds of appeal please refer to the "Appeal Form" document attached to the case on our website:

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Any comments you made at the application stage will be forwarded on to the Planning Inspectorate.

If you wish to make further comments on the appeal please send three copies to the Planning Inspectorate, Room 3/19, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN to arrive no later than 05/07/2011.

Representations received after the deadline will not be accepted. The Planning Inspectorate will send copies of your letter to the Council and to the appellent.

The decision, when issued, will be available to view on the internet - see www.planningportal.gov.uk/pcs.

The Planning Inspectorate have introduced an online appeals service which you can use to comment on this appeal. Any comments you send to the Planning Inspectorate must be received by the deadline stated above. You can find the online appeals service through the appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs.

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