

## ITEM 7

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<b>APPLICATION NO.</b>	12/01712/FULLN
<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	08.08.2012
<b>APPLICANT</b>	Mr and Mrs P Adams
<b>SITE</b>	Quarley Manor Farm, Quarley, Andover <b>QUARLEY</b>
<b>PROPOSAL</b>	Replace office buildings, C, D and Da with the erection of a dwelling and garage and installation of sewage treatment plant, change of use of offices A & B to become residential ancillary to Quarley Manor House
<b>AMENDMENTS</b>	
<b>CASE OFFICER</b>	Mrs Lucy Page

Background paper (Local Government Act 1972 Section 100D)

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### 1.0 INTRODUCTION

1.1 This application is referred to Planning Control Committee (PCC) as the Northern Area Planning Committee (NAPC) concluded that the application should be permitted contrary to the Officer's recommendation to refuse the application as being contrary to policies SET03, TRA01, DES01, DES05, DES07, ESN15 and SET09 of the Test Valley Borough Local Plan.

1.2 The application was considered at the NAPC on 13<sup>th</sup> September 2012, where it was resolved to recommend to PCC to delegate to the Head of Planning and Building that subject to the completion of a legal agreement to secure that further development under the extant planning permissions for commercial development at Quarley Manor Farm are not carried out then permission be granted subject to conditions.

1.3 A copy of the NAPC agenda report is attached at **Appendix A**.

1.4 A copy of the NAPC update paper is attached at **Appendix B**.

### 2.0 ADDITIONAL INFORMATION

2.1 An additional letter has been received via the applicant's agent from the agent who has marketed some of the buildings. In it they confirm that 1 and 3 Manor Courtyard have continued to be marketed since the original marketing report dated 18 May 2012 and the premises are displayed on websites which are mentioned in that report. 2 Manor Courtyard remains let but the lease expires in early 2013 when it is expected that the whole of 1-3 Manor Courtyard would then be vacant. It was clarified that three further enquiries about the units had been made but that none of those wished to view the site.

2.2 The letter confirms that the premises have not been marketed for sale as it was considered that a sale or sale of part of the owners' estate would have impacted adversely on the value of the remainder.

### 3.0 **CORRECTIONS**

3.1 Paragraph 3.1 and 8.19 of the main NAPC agenda report set out that the proposal is identical to the previously refused application 12/01455/FULLN with the exception of the removal of the proposed new access onto the site. In fact the position of the house and garage has altered in orientation and the garage building is relocated adjacent to the northern boundary with the footpath, in a similar location to the existing office building 'C'. This does not alter the overall assessment of the proposal in relation to the impact of the development or the principle of development.

### 4.0 **PLANNING CONSIDERATIONS**

4.1 The main planning considerations are the principle of development, the loss of an employment site, the impact on the character and appearance of the surrounding countryside, the effect on the highway and the public right of way, the impact on the amenities of neighbouring residential properties and the effect on ecology.

4.2 Notwithstanding that the proposals are contrary to policy SET03, TRA01, DES01, DES05, DES07, ESN15 and SET09 of the Test Valley Borough Local Plan, the NAPC considered that a new dwelling would be an improvement over previous permissions for the site which included the most recent (TVN.04213/19 – erection of warehouse, store, 2 office buildings, office extension and relocation of cesspit) which has been partially implemented but not completed. This permission enables the following to be provided at the site:

- Two office buildings (units E and F) (gross external area 199 sqm);
- A warehouse building measuring 720 sqm;
- A store building measuring 216 sqm;
- Two new access roads measuring in total 450 metres to enable lorries to access the site;
- New areas of car parking for staff and visitor parking.

There are a number of existing on site comprising:

- Units A and B – these single storey buildings form the south western boundary to the residential courtyard of Quarley Manor;
- Unit C – this single storey building is empty (gross external area 170 sqm);
- Unit D/Da – currently let as office accommodation. The applicant has advised that this will expire shortly and that the tenant is relocating to a more sustainable location (gross external area 298 sqm).

- 4.3 The NAPC considered the benefit which a new dwelling would bring would be the stopping of further development of the site in that, subject to the completion of a legal agreement, the warehouse building, store, new accesses and additional office buildings would not be constructed and the associated vehicle movements (including lorries) would not occur. There would be a lesser impact on the highway network to have the vehicle movements associated with one dwelling rather than for the commercial use of the site.
- 4.4 The use of the site for commercial purposes and the creation of new access and internal road layout were considered acceptable by the Local Planning Authority in terms of the impact on the highway network. The current proposal to utilise and existing access is also considered acceptable and therefore even if the development would reduce the number of vehicle movements to the site, it does not provide sufficient justification for the development in this location.

**New dwelling in the countryside**

- 4.5 The principle of a new dwelling in this countryside location is discussed in paragraph 8.2 – 8.3 of the NAPC report and the impact this would have on the character and appearance of the area is considered in paragraph 8.15 – 8.20 of the NAPC report (annex A).

**Loss of an employment site**

- 4.6 The Head of Planning and Building recommended reason for refusal no.3 includes policy ESN15 as employment sites should not be developed for an alternative use unless that land is no longer required to meet economic development needs. The lower text of policy ESN15 highlights that employment uses provide a valuable opportunity for jobs close to where people live to the benefit of the local economy. The lower text also highlights that the loss of employment land to alternative uses can increase existing problems such as commuting. Policy ESN15 also notes that the loss of such sites in rural areas may be difficult or impossible to replace. Since NAPC, an additional letter has been received via the agent from the estate agent who has marketed two of the buildings which states, *“1 and 3 Manor Courtyard have continued to be marketed since the original marketing report dated 18 May 2012 and the premises are displayed on websites which are mentioned in that report. 2 Manor Courtyard remains let but the lease expires in early 2013 when it is expected that the whole of 1-3 Manor Courtyard would then be vacant”*. It was also clarified that three further enquiries about the units had been made but that none of those wished to view the site.
- 4.7 It is considered that although there is evidence that two of the buildings have been marketed for let for office use, there is no evidence that the other buildings have been marketed and this is not sufficient in terms of the level of information required to justify the loss of an employment site in this countryside location. This information describes the situation in much the same way as already described in the NAPC report (Appendix A). Therefore, without sufficient information or justification to support the site no longer being required for economic development needs the application fails to comply with policy ESN15 of the Test Valley Borough Local Plan.

**5.0 CONCLUSION**

5.1 The proposed development is contrary to policy SET03 of the Test Valley Borough Local Plan as it would result in development in the countryside for which there is no overriding need. There is no overriding justification for the proposed new dwelling to be considered as an exception to the general policy of restraint. The proposed dwelling is considered to be located in an unsustainable and remote countryside location, where development and redevelopment for housing is not normally acceptable. The development is considered to be contrary to policy SET03 of the Test Valley Borough Local Plan 2006, policy SP3 of the South East Plan 2009 and the NPPF.

5.2 The dwelling would comprise of tandem development at such odds with the pattern of frontage development in this rural location that it would not integrate with the form and character of the immediate and surrounding area. The development would appear as visually discordant, being unrelated in positioning to the existing pattern of development in this part of Quarley. The proposal would be contrary to Test Valley Borough Local Plan policies DES01, DES05 and DES07.

5.3 The proposal would result in the loss of an existing employment site. Insufficient evidence has been provided with the application to demonstrate that the existing buildings have been appropriately marketed for employment or tourist accommodation and that the site is no longer required to meet economic development needs. The proposal is contrary to policy ESN15 of the Test Valley Borough Local Plan.

5.4 The proposed change the use of the existing office buildings A and B to ancillary residential accommodation for Quarley Manor House would be contrary to local plan policy SET09 (the reuse of buildings in the countryside), which includes a number of criteria that need to be satisfied in order for such a change of use to be acceptable. As noted in criterion 2 of SET09, residential uses will only be permitted in certain circumstances. The applicant has failed to demonstrate that these buildings are not required for either small scale employment generating uses or local tourist facilities and the proposal is therefore contrary to policy SET09.

5.5 The proposed dwelling is considered to be located in an unsustainable and remote countryside location, where development and redevelopment for housing is not normally acceptable. The development is considered to be contrary to policy SET03 of the Test Valley Borough Local Plan 2006, policy SP3 of the South East Plan 2009 and the NPPF.

**6.0 RECOMMENDATION OF NORTHERN AREA PLANNING COMMITTEE**

**Delegate to the Head of Planning and Building that subject to completion of a legal agreement to secure that further development under extant planning permissions for commercial development at Quarley Manor Farm are not carried out then PERMISSION subject to :**

- 1. The development hereby permitted shall be begun within three years from the date of this permission.**  
**Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
- 2. No development shall take place until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**  
**Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Local Plan 2006 policy DES07.**
- 3. No development shall take place until full details of soft landscape works including planting plans; written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme has been submitted to and approved in writing by the Local Planning Authority. These details shall also include; proposed finished levels or contours; means of enclosure and hard surfacing materials (where appropriate). The landscape works shall be carried out in accordance with the implementation programme.**  
**Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policy DES10.**
- 4. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.**  
**Reason: To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policy DES10.**

**Notes to applicant:**

- 1. The following policies in the Development Plans are relevant to this decision: Test Valley Borough Local Plan 2006 – Policies SET03, SET09, SET13, SET07, ENV01, DES01, DES05, DES06, DES07, DES10, AME01, TRA01, TRA02, TRA04, TRA05, TRA09, ESN15, ESN22.**
- 2. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to,**

and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

3. The decision to grant planning permission has been taken because although the proposal is contrary to policies SET03, ESN15 and SET09 of the Test Valley Borough Local Plan it is considered that it would not harm the countryside visually and would benefit the area in amenity and highway terms through limiting lorry movements. This informative is only intended as a summary of the reason for grant of planning permission. For further details on the decision please see the application report which is available from the Planning and Building Service.
4. Attention is drawn to the requirements of the Agreement dated xx.xx.xx under Section 106 of the Town and Country Planning Act 1990 which affects this development.

#### **RECOMMENDATION OF HEAD OF PLANNING AND BUILDING**

**REFUSE** for the reasons:

1. The proposed development would constitute unjustified new residential development in the countryside for which there is no overriding need contrary to policy SET03 of the Test Valley Borough Local Plan. The proposed dwelling is considered to be located in an unsustainable and remote countryside location, where development and redevelopment for housing is not normally acceptable. The development is considered contrary to policy SET03 and TRA01 of the Test Valley Borough Local Plan 2006, policy SP3 of the South East Plan 2009 and the National Planning Policy Framework.
2. The siting of the proposed dwelling, positioned behind Quarley Manor, would be inappropriate development in the countryside, creating a tandem form of development at such odds with the pattern of frontage development that it would not integrate with the form of the surrounding area, having a detrimental impact on the immediate environment and wider countryside contrary to policies DES01, DES05, DES07 and SET03 of the Test Valley Borough Local Plan 2006.
3. The proposed development would result in the loss of an existing employment site. There is no evidence provided which would justify that the loss of this site is acceptable and that there is no economic demand for an employment site in this location. The proposal has not properly considered the use of the buildings for employment purposes so as to assist in sustaining the local rural economy and is contrary to policy ESN15 of the Test Valley Borough Local Plan.
4. The application fails to demonstrate that buildings A and B are no longer required for either small scale employment generating uses or local tourist facilities. The reuse of existing buildings A and B from office use to ancillary residential accommodation for Quarley Manor would be contrary to policy SET09 as it would result in the loss of buildings which could accommodate such employment generating uses which assist in sustaining the rural economy.



**APPENDIX A**

**Officer's Report to Northern Area Planning Committee – 13 September 2012**

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<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	08.08.2012
<b>APPLICANT</b>	Mr & Mrs P Adams
<b>SITE</b>	Quarley Manor Farm, Quarley, Andover <b>QUARLEY</b>
<b>PROPOSAL</b>	Replace office buildings C, D & Da with the erection of a dwelling and garage and installation of sewage treatment plant, change use of offices A & B to become residential ancillary to Quarley Manor House
<b>AMENDMENTS</b>	
<b>CASE OFFICER</b>	Mrs Lucy Page

Background paper (Local Government Act 1972 Section 100D)

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**1.0 INTRODUCTION**

1.1 This application is presented to the Northern Area Planning Committee at the request of the local ward member due to issues of more than local public interest.

**2.0 SITE LOCATION AND DESCRIPTION**

2.1 The site is in a countryside location which is predominately open in character, interrupted only by occasional residential development which fronts the highway. The application site is set back from the highway and is currently accessed along a track which is also a public right of way, to the north of Quarley Manor.

2.2 The application site currently comprises of a U-shaped group of single storey buildings which are currently either in office use or empty and available to let which are positioned to the southwest of the residential property, Quarley Manor.

**3.0 PROPOSAL**

3.1 The proposal is identical to application 12/01455/FULLN with the exception that with this current application the proposed new access onto the site has been removed and it is now proposed to use the existing access onto the site.

3.2 There are two elements to the proposed development:

- To replace office buildings C, D and Da with the erection of a dwelling, garage and a new access track is also proposed to the south of the site which would extend over 250 metres from the Quarley to Grateley road.

- Change use of offices A and B to become residential ancillary to Quarley Manor House.

3.3 The applicants have set out their willingness to enter into a legal agreement to ensure that the extant permission would not be proceeded with in the event of planning permission for this application being granted.

3.4 There is an extant planning permission for the site (TVN.04213/19) which gave permission for the erection of warehouse, store, 2 office buildings and office extension and relocation of cesspit. This permission has only been partially implemented with the construction of the office extension and relocation of cesspit. If the development were to be completed then the following could be provided at the site:

- Two office buildings (units E and F) (gross external area 199 sqm);
- A warehouse building measuring 720 sqm;
- A store building measuring 216 sqm;
- Two new access road measuring in total 450 metres to enable lorries to access the site;
- New areas of car parking for staff and visitor parking.

There are a number of existing buildings on site comprising:

- Units A and B – these single storey buildings form the south western boundary to the residential courtyard of Quarley Manor;
- Unit C – this single storey building is empty (gross external area 170 sqm);
- Unit D/Da – Currently let as office accommodation. The applicant has advised that this will expiry shortly and that the tenant is relocating to a more sustainable location (gross external area 298 sqm).

4.0 **HISTORY** Various including:

4.1 12/00718/FULLN- refused 12.06.2012 - Reasons for refusal:

1. The proposed development would constitute unjustified new residential development in the countryside for which there is no overriding need contrary to policy SET03 of the Test Valley Borough Local Plan. The proposed dwelling is considered to be located in an unsustainable and remote countryside location, where development and redevelopment for housing is not normally acceptable. The development is considered to be contrary to policy SET03 and TRA01 of the Test Valley Borough Local Plan 2006, policy SP3 of the South East Plan 2009 and the National Planning Policy Framework.
2. The siting of the proposed dwelling, positioned behind Quarley Manor, and the creation of a 250 metre long access track would be inappropriate development in the countryside, creating a tandem form of development at such odds with the pattern of frontage development that it would not integrate with the form of the surrounding area, having a detrimental impact on the immediate environment and wider countryside contrary to policies DES01, DES05, DES07 and SET03 of the Test Valley Borough Local Plan.



3. The proposed development would result in the loss of an existing employment site. There is no evidence provided which would justify that the loss of this site is acceptable and that there is no economic demand for an employment site in this location. The proposal has not properly considered the use of the buildings for employment purposes so as to assist in sustaining the local rural economy and is contrary to policy ESN15 of the Test Valley Borough Local Plan.
4. The application fails to demonstrate that buildings A and B are no longer required for either small scale employment generating uses or local tourist facilities. The reuse of existing buildings A and B from office use to ancillary residential accommodation for Quarley Manor would be contrary to policy SET09 as it would result in the loss of buildings which could accommodate such employment generating uses which assist in sustaining the rural economy.
5. The proposal would result in an additional driveway and access onto the highway in addition to the existing access and the second access approved under a previous application. It is considered that the provision of a new access onto the highway as proposed with this application is unnecessary development in the countryside and would have an adverse impact on the function, safety and character of the highway network contrary to policy SET03 and TRA09 of the Test Valley Borough Local Plan.

12/00490/FULLN – withdrawn 28.03.2012 - Replace office buildings C, D & Da with the erection of a dwelling, garage and access. Change use of offices A & B to become residential ancillary to Quarley Manor House.

06/00666/FULLN – granted 07.04.2006 - Extension to residential curtilage and provision of tennis court with 2.74 metre high tennis court fencing.

TVN.04213/19 – granted 12.11.2003 - Erection of warehouse, store, 2 office buildings and office extension and relocation of cesspit.

TVN.04213/18 – granted 17.09.1997 - Change of use from workshop to offices.

TVN.04213/17 – granted 15.08.1996 - Construction of vehicular access to buildings at rear.

TVN.04213/16 – granted 03.10.1996 - Erection of storage building (Class B8) on site of existing shed.

TVN.04213/13 – granted 02.10.1996 - Use of premises for flower packaging business including refurbishment and extension of workshop, construction of vehicular access and car parking.

TVN.04213/11 – granted 01.03.1994 - Construction of vehicular access to buildings at rear.

TVN.04213/9 – withdrawn 19.09.1994 - Widening of existing vehicular access.

TVN.04213/8 – withdrawn 19.09.1994 - Construction of vehicular access.

TVN.04213/7 – withdrawn 09.06.1993 - Use of land as racing stables, erection of 25 box stable yard and construction of new vehicular access.

TVN.04213/4 – granted 08.12.1988 - Retention of joinery workshops and associated stores and offices - Quarley Manor, Quarley.

5.0 **CONSULTATIONS** (comments received on previous application 12/00718/FULLN except for Landscape and Highways).

5.1 **Policy –**

Objection:

- The proposal is contrary to policies SET09 and SET03. Policy SET03 sets out that there is a presumption against development unless there is an overriding need for a countryside location or it is of a type appropriate in accordance with one of the policies listed in criterion b. The requirements of criterion c to f should also be taken into account where new buildings are proposed.
- Buildings A and B  
Part of the proposal involves the re-use of existing buildings, for these aspects of the proposal policy SET09 is relevant. This policy includes a number of criteria that need to be satisfied, including in relation to the condition of the building and the proposed use. As part of the scheme, buildings A and B are proposed to be converted to an ancillary residential use. As noted in criterion 2 of SET09, residential uses will only be permitted in certain circumstances (see part c of criterion 2).
- It is noted within the Design and Access Statement that one of the four office buildings (building D) is currently occupied (to become vacant within the next year), with the others currently empty. It is set out that despite marketing, new tenants have not been found. The details provided with the application do not provide sufficient justification that small scale employment generating uses and tourist facilities are not appropriate. Normally it would be requested that details are provided of marketing for a period of at least 6 months, to include information on how the property was marketed, what level of interest has been received and information on the price at which they have been marketed. Taking this into account, an objection is raised to the principle of this aspect of the proposal. Policy SET13 would also be relevant to the consideration of the proposed change of use of buildings A and B.
- Buildings C, D and Da  
The other aspect of this proposal incorporates the replacement of buildings C, D and Da with a new dwelling. Policy SET09 does not technically apply in this situation, as the buildings are not proposed for re-use but would be removed with a new use for the site. Policy ESN15 is likely to be relevant given the proposed loss of employment. Whether considered against ESN15 or using SET09 as a framework for the consideration of this proposal, the requirements discussed above in relation to the justification for an alternative use would need to be satisfied. Policy SET03 would be used to consider the principle of this aspect of the proposal. The proposal is not accompanied by sufficient evidence to justify the principle of the proposal in line with the requirements of the Borough Local Plan; therefore an objection is raised.

## 5.2 Ecology –

No Objection subject to condition:

- The bat survey submitted with this application accurately reflects to conditions at the site. In summary, no evidence of bats was seen and the buildings were found to be in a good condition with negligible potential to support bats. I would raise no further concerns over the potential for the development to adversely affect bats.
- The report also notes that the applicant is keen to provide features within the development to encourage bats, and this is welcomed. The report includes a number of sensible measures that could be incorporated into the scheme to help this. Section 40 of the Natural Environment and Rural Communities Act (2006) states that “*Every public authority, must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*”, while Section 40(3) states that “*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*”. It is therefore reasonable to add a condition to any planning permission to secure these enhancements. Given that a good range of measures is suggested, I would simply suggest that if you were minded to grant permission, the following condition should be added to any decision notice:
  - Prior to the commencement of development, details of bat roosting opportunities to be incorporated into the development shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the approved details.  
Reason: To conserve and enhance biodiversity in accordance with the Natural Environment and Rural Communities Act 2006.

## 5.3 Rights of Way – No objection or comments to offer.

## 5.4 Landscape – Objection

As advised at pre app, the problem from the landscape character perspective of a residential use is the change of character that the use would bring. This is mainly related to the suburbanising impact that a substantial new dwelling and large private garden area, along with the paraphernalia of residential use. Eg washing lines, sheds, greenhouses, trampolines etc. This would be detrimental to the agricultural character, Landscape Character Area LCA 10C Thruxton and Danebury Chalk Downland (Test Valley Community Landscape Project landscape character assessment. Key characteristics in this character area include “a large scale landscape of big skies and wide views, as well as a strong sense of tranquility and remoteness away from major roads and large settlements.

There is a Public Right Of Way adjacent to the northern boundary of the site which gives clear views into and across the site to the wider landscape. Views from PROWs are usually classed as “the most sensitive receptors” in the current guidance on landscape and visual impact assessment.

There is no analysis of landscape character or justification for a new dwelling in the countryside with the application.

In respect of the ancillary uses in buildings A and B, this is less of a landscape issue since no residential curtilage is proposed outside of the courtyard.

5.5 **Ramblers** – No objection.

5.6 **Environment Agency** – No objection.

5.7 **Highways** – No objection.

6.0 **REPRESENTATIONS** Expired 07.09.2012

6.1 **x1 letter** Support from The Old Rectory, Grateley

- Would be very concerned to have large HGV's coming down Grateley High Street as there are already problems with lorries having difficulties getting past park cars in such a narrow area. These little roads have little or no passing places and do not need heavy lorries in addition to normal traffic. Therefore support application for a dwelling.

7.0 **POLICY**

7.1 Government Guidance – National Planning Policy Framework

Test Valley Borough Local Plan – Policies:

SET03 (development in the countryside)

SET09 (the reuse of buildings in the countryside)

SET13 (buildings in domestic cartilage in the countryside)

SET07 (existing employment sites in the countryside)

ENV01 (biodiversity and geological conservation)

DES01 (landscape character)

DES05 (layout and setting)

DES06 (scale, height and massing)

DES07 (appearance, details and materials)

AME01 (privacy and private open space)

TRA01 (travel generating development)

TRA02 (parking standards)

TRA04 (financial contributions to transport infrastructure)

TRA05 (safe access)

TRA09 (impact on the highway network)

ESN15 (retention of employment land)

ESN22 (public open space provision).

7.2 Supplementary Planning Document:

- Infrastructure and Developer Contributions (February 2009)
- Test Valley Access Plan.

7.3 On the 10 November 2011 the Council agreed to publish for public consultation the draft Core Strategy and Development Management DPD and the Designation DPD. Public consultation has been undertaken from 6 January 2012 to 17 February 2012. At the present time the document, and its content, demonstrates the direction of travel of the Borough Council, the document is not the adopted policy of the Borough Council.

## 8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- The loss of employment
- The impact on the character and appearance of the surrounding countryside
- The effect on the highway and the public right of way
- The impact on the amenities of neighbouring residential properties
- The effect on ecology.

### **The principle of development**

#### New dwelling

8.2 The application site is located in a countryside location where there is a general policy of restraint of development. Policy SET03 of the Borough Local Plan allows for an exception to the general policy of restraint where there is an overriding need for the development to be located in the countryside, or if it is a type appropriate in the countryside as set out in further development plan policy. There is not considered to be any overriding need for new housing development within the countryside, and the proposal is not of a type as set out within further development plan policy. The proposal is contrary to policy SET03 of the Test Valley Borough Local Plan 2006.

8.3 Paragraph 55 of the NPPF sets out that, “to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.....Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances...” There are no such special circumstances put forward with this application. The applicant has provided information on the 5 existing dwellings which are within a 250 metre radius of the site and suggests that this means that the dwelling would not result in an isolated new dwelling in the countryside. No other evidence has been provided by the applicant that there is an overriding need for this dwelling to be located in this countryside location.

### **Loss of employment**

8.4 Policy ESN15 (Retention of Employment Land) of the Test Valley Borough Local Plan 2006 states that development for alternative uses will not be permitted unless the land is no longer required to meet economic development needs and paragraph 28 of the NPPF states that Local Planning Authorities should be taking a positive approach to business and enterprise in rural locations to support jobs and prosperity.

8.5 The applicant has put forward a justification for the proposed development that the erection of a single dwelling instead of the employment related development would be, “less contentious in terms of sustainability, the environment and local feelings”. The agent has also provided information on alternative uses for the site which have been considered by the applicant prior to the submission of this application:

1. *Holiday lets*

The office buildings are in a condition that could be converted to an alternative use and government policy is such that buildings should be given a new use. The question of holiday lets has been considered but the reality is the applicant is not in a position to run a holiday let business and accordingly this has been discounted.

2. *Holiday Homes for Sale*

This was envisaged to be along the lines of the Watermark Club at South Cerney in the Cotswolds where houses for sale have been constructed with restrictions on the times that owners can occupy the premises. They cannot be the sole home of the owners. The agent has set out that Quarley Manor is not in a location good enough to sustain the level of financial investment required for holiday lets or ownership.

3. *Other Employment Possibilities*

The possibility of an equestrian centre has been considered by the applicant. It would not be possible to finance other employment type buildings without a tenant. However, the paddock and agricultural land to the north, which is owned by the applicants, has a restrictive covenant preventing its use for commercial purposes severely restricting other employment possibilities.

4. *Affordable Housing*

After contacting Test Valley Borough Council Housing Department it was confirmed that there is a need for 1 and 2 bed units although Quarley Manor was considered to be too remote to make such a proposition viable. As an exception site, it would involve HARAH (Hampshire Alliance for Rural Affordable Housing) however the owner would only consider this as an option if it was on a wholly shared ownership basis, as any other 'affordable housing' solution would greatly devalue other houses.

5. *Market Housing*

The agent has set out that they recognise that market housing is the last option in the line and is against normal countryside policies. They set out however that the applicant is looking at very low density, one house with outstanding landscaping close to the SINC. The agent describes that this would, "at one stroke tick all the boxes except that of the policy constriction on new homes in the countryside."

- 8.6 The provision of an employment site in this rural location contributes to the mix of uses in this area and the previous permission supported the sustainable growth and expansion of a rural business in line with Government advice and local plan policy. The submitted design and access statement confirms that units D/Da are currently let out as office accommodation but that the tenant will shortly be relocating. Paragraph 3.1 of that statement sets out that two thirds of the current offices have been un-occupied for the past two years with one of the units unoccupied for the past five years. The details provided with the



application do not provide sufficient justification that small scale employment generating uses and tourist facilities are not appropriate to be retained or provided at this site.

- 8.7 A marketing report has been supplied by the agent relating to 1 Manor Courtyard and 3 Manor Courtyard. This sets out that 1 Manor Courtyard (identified as building B page 105 of the main agenda report) was marketed to let on 7 February 2008 and 3 Manor Courtyard (identified as building C on page 105 of the main agenda report) on 21 June 2010. The last time the property was advertised on the basis of the information submitted was 18 November 2011 so it would appear that the property has not been marketed over the period of the last six months.
- 8.8 From the information submitted it is evident that the freehold of the property has not been marketed in whole or in part. The letter from the surveyor which accompanies the marketing report sets out that, “it was considered that the sales or sales of part of the owner’s estate would have impacted adversely on the value of the remainder.” The applicant has not supplied sufficient information to adequately demonstrate a lack of economic demand for the property.
- 8.9 Office building D and Da is occupied by tenants. The agent has advised that it is the intention of the occupant to vacate the premises in January 2013. This building has not been marketed. Building A has also not been marketed.
- 8.10 The application fails to demonstrate that the site is not required to meet economic development needs and is contrary to policy ESN15 and SET03 of the Test Valley Borough Local Plan.

**Use of existing office buildings A and B as ancillary residential space for Quarley Manor House**

- 8.11 In addition it is proposed to change the use of the existing buildings A and B which are currently available for office use to ancillary residential accommodation for Quarley Manor House. Policy SET09 (The reuse of buildings in the countryside) includes a number of criteria that need to be satisfied in order for such a change of use to be acceptable. As noted in criterion 2 of SET09, residential uses will only be permitted in certain circumstances. The applicant has failed to demonstrate that these buildings are not required for either small scale employment generating uses or local tourist facilities and is therefore contrary to policy SET09.
- 8.12 If criteria 1 and 2 of SET09 had been met then consideration would move to the impact of the development on the surrounding countryside. In this instance these single storey buildings form the south western boundary to the residential courtyard of Quarley Manor and could be converted into ancillary accommodation for that property without any additional impact on the surrounding landscape character. The positioning of the buildings would not require any extension of residential curtilage beyond the footprint of the buildings themselves and would meet the requirements of policy SET13.

**Sustainability**

- 8.13 The site is in an isolated rural location without a footpath or street lighting to assist pedestrians walking or cyclists travelling to either Grateley or Quarley. Whilst there is a village school, shop and pub in Grateley village it is considered likely that any occupants of the proposed dwelling would use private cars for the majority of journeys for work, shopping, leisure etc. The main emphasis of the NPPF is to secure sustainable development. The proposed dwelling is considered to be located in an unsustainable and remote countryside location, where development and redevelopment for housing is not normally acceptable. The development is considered to be contrary to policy SET03 and TRA01 of the Test Valley Borough Local Plan 2006, policy SP3 of the South East Plan 2009 and the NPPF.

**Housing Types, Density and Mix**

- 8.14 Policy ESN03 of the TVBLP requires a mix of dwelling sizes and types to provide choice and meet the needs of the local community, and, taking account of accessibility and proximity to local facilities, makes efficient use of land, achieving a minimum density of 30 dwellings per hectare. The application proposes one detached dwelling in a plot of approximately 95m x 74m which falls significantly below the density of 30 dwellings per hectare.

**Impact on the Character and Appearance of the Surrounding Area**

- 8.15 The site is in a rural location and is prominent, particularly when viewed from the public right of way which runs along the northern boundary. The northern elevation of the single storey building C forms part of the boundary with the track and views into the courtyard can be made when travelling east and west along the track. The single storey nature of the development and the proportions and detailing of the buildings retain an agricultural character which fit comfortably into the surrounding landscape. Views through the existing boundary hedging along the Grateley to Quarley road onto the site can also be made.
- 8.16 From a landscape character perspective this is quite a prominent site, even with the overgrown hedges on the roadside. It adjoins a PROW and the change of character would be detrimental to the key characteristics identified in the Test Valley Community Landscape Project (landscape assessment) landscape character area 10C Thruxton and Danebury Chalk Downland. The site has an agricultural character, and this was retained, even if the entire previously permitted development had been completed (see para 8.4 for details of extant permission).
- 8.17 The new dwelling and garage would be constructed within the courtyard area of the existing office buildings. This results in the dwelling being far removed from the road frontage, set behind Quarley Manor. The resulting tandem development with a dwelling positioned approximately 115 metres back from the road frontage, would be significantly out of keeping with the form and character of the immediate and surrounding area.

- 8.18 The 6 bedroom dwelling would consist of main house with a roof ridge height of approximately 9.5 metres with a lower height wing with a roof ridge height of approximately 6.5 metres. The property would be of brick construction with a clay tile roof and would have detailing such as traditional gauged arches over painted timber sash windows. This building would be significantly more noticeable in the landscape than the existing single storey courtyard buildings. Some of the public views from the highway would be seen in the context of other residential properties which front this road such as Dolls House, Kingston Lodge and Quarley Manor, however the introduction of a large detached residential property which sits behind the main pattern of frontage development would detrimentally impact on this rural area.
- 8.19 A 5.7 metre high triple garage building with attached workshop is also proposed which would extend approximately 16m x 7m. This building would be located in the eastern part of the site and would be roughly parallel with the retained buildings A and B which would become ancillary to Quarley Manor. The introduction of a substantial dwelling with a large curtilage would detract from the landscape character of the area and even with the proposed planting along the boundary with the PROW and the proposed access track, the site would have a different character than that which currently exists to the detriment of the local area.
- 8.20 The existing access to the north of Quarley Manor is well related both physically and visually to the existing pattern of built development and currently serves both Quarley Manor and the existing employment buildings on the site. The proposed development would utilise this existing access onto the highway.

#### **Public Open Space Provision**

- 8.21 No on site provision of open space has been proposed. Policy ESN22 (and the Infrastructure and Developer Contributions SPD) seeks to ensure the new residential development does not cause or exacerbate deficiencies in the general provision or quality of recreational open space. The Public Open Space Audit (2008) identifies deficits in all four types of public open space (contributions are not sought towards parkland in rural areas). However, at the time of the preparation of this report, no schemes have been identified by the Parish Council (in line with ESN22, circular guidance and the Council's adopted Infrastructure and Developer Contributions SPD) and therefore no contributions would be sought at this time.

#### **Highway Matters**

- 8.22 The site is currently accessed via a tarmac track to the north of Quarley Manor Farm which is also a public footpath. This access serves the residential dwelling with associated paddocks and the existing office buildings to the west of Quarley Manor. The proposal would utilise this existing access onto the highway. The applicant has raised concerns about the highway implications of the previously approved scheme (TVN.04213/19) which created a new access onto the highway to the north of the application site onto the lane on a bend.

8.23 The Highways Officer considers that although the permitted access was acceptable in terms of its impact on the highway network, the use of the existing access proposed under this current application would be acceptable.

8.24 Policy TRA01 requires that travel generating development provides measures to mitigate or compensate for the impact of the development, policy TRA04 allows for this mitigation to be provided by financial contribution. Such contributions are discussed in the Infrastructure and Developer Contributions Supplementary Planning Document, and the Test Valley Access Plan. A transport contribution will not be sought in this instance because the trip generation from the existing office buildings at the site C, D and Da exceeds the trip generation from the proposed residential dwelling.

**The effect on the water environment**

8.25 The application site has been assessed with regard to Circular 03/99 and would utilise a septic tank rather than mains drainage. This is considered an acceptable solution in this location due to the lack of mains drainage in the vicinity of the site.

**The impact on ecology**

8.26 A bat survey has been submitted with this application which is considered to accurately reflect the conditions at the site. In summary, no evidence of bats was seen and the buildings were found to be in a good condition with negligible potential to support bats. The report also notes that the applicant is keen to provide features within the development to encourage bats, and this is welcomed. The report includes a number of sensible measures that could be incorporated into the scheme to help this. Section 40 of the Natural Environment and Rural Communities Act (2006) states that *“Every public authority, must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*, while Section 40(3) states that *‘conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat’*. It is therefore reasonable to add a condition to any planning permission to secure these enhancements.

9.0 **CONCLUSION**

9.1 The proposed development is contrary to policy SET03 of the Test Valley Borough Local Plan as it would result in development in the countryside for which there is no overriding need. There is no overriding justification for the proposed new dwelling to be considered as an exception to the general policy of restraint. The proposed dwelling is considered to be located in an unsustainable and remote countryside location, where development and redevelopment for housing is not normally acceptable. The development is considered to be contrary to policy SET03 of the Test Valley Borough Local Plan 2006, policy SP3 of the South East Plan 2009 and the NPPF.

- 9.2 The dwelling would comprise of tandem development at such odds with the pattern of frontage development in this rural location that it would not integrate with the form and character of the immediate and surrounding area. The development would appear as visually discordant, being unrelated in positioning to the existing pattern of development in this part of Quarley. The proposal would be contrary to Test Valley Borough Local Plan policies DES01, DES05 and DES07.
- 9.3 The proposal would result in the loss of an existing employment site. Insufficient evidence has been provided with the application to demonstrate that the existing buildings have been appropriately marketed for employment or tourist accommodation and that the site is no longer required to meet economic development needs. The proposal is contrary to policy ESN15 of the Test Valley Borough Local Plan.
- 9.4 The proposed change the use of the existing office buildings A and B to ancillary residential accommodation for Quarley Manor House would be contrary to local plan policy SET09 (the reuse of buildings in the countryside), which includes a number of criteria that need to be satisfied in order for such a change of use to be acceptable. As noted in criterion 2 of SET09, residential uses will only be permitted in certain circumstances. The applicant has failed to demonstrate that these buildings are not required for either small scale employment generating uses or local tourist facilities and the proposal is therefore contrary to policy SET09.
- 9.5 The proposed dwelling is considered to be located in an unsustainable and remote countryside location, where development and redevelopment for housing is not normally acceptable. The development is considered to be contrary to policy SET03 of the Test Valley Borough Local Plan 2006, policy SP3 of the South East Plan 2009 and the NPPF.
- 9.6 It is not considered that the reasons put forward by the applicant as justification for the proposal overcome the reasons for refusal set out below:

10.0 **RECOMMENDATION**

**REFUSE for the reasons:**

- 1. The proposed development would constitute unjustified new residential development in the countryside for which there is no overriding need contrary to policy SET03 of the Test Valley Borough Local Plan. The proposed dwelling is considered to be located in an unsustainable and remote countryside location, where development and redevelopment for housing is not normally acceptable. The development is considered to be contrary to policy SET03 and TRA01 of the Test Valley Borough Local Plan 2006, policy SP3 of the South East Plan 2009 and the National Planning Policy Framework.**
- 2. The siting of the proposed dwelling, positioned behind Quarley Manor, would be inappropriate development in the countryside**

**creating a tandem form of development at such odds with the pattern of frontage development that it would not integrate with the form of the surrounding area, having a detrimental impact on the immediate environment and wider countryside contrary to policies DES01, DES05, DES07 and SET03 of the Test Valley Borough Local Plan.**

- 3. The proposed development would result in the loss of an existing employment site. There is no evidence provided which would justify that the loss of this site is acceptable and that there is no economic demand for an employment site in this location. The proposal has not properly considered the use of the buildings for employment purposes so as to assist in sustaining the local rural economy and is contrary to policy ESN15 of the Test Valley Borough Local Plan.**
  - 4. The application fails to demonstrate that buildings A and B are no longer required for either small scale employment generating uses or local tourist facilities. The reuse of existing buildings A and B from office use to ancillary residential accommodation for Quarley Manor would be contrary to policy SET09 as it would result in the loss of buildings which could accommodate such employment generating uses which assist in sustaining the rural economy.**
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**APPENDIX B**

**Update Report to Northern Area Planning Committee – 13 September 2012**

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<b>APPLICATION NO.</b>	12/01712/FULLN
<b>SITE</b>	Quarley Manor Farm, Quarley, Andover <b>QUARLEY</b>
<b>COMMITTEE DATE</b>	13 September 2012
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**1.0 AMENDMENTS**

1.1 Paragraph 3.2 states that a new access track is proposed. This is incorrect and the access track does not form part of the current application.

1.2 Paragraph 8.7 should read;

A marketing report has been supplied by the agent relating to 1 Manor Courtyard and 3 Manor Courtyard. This sets out that 1 Manor Courtyard (identified as building B on page 65 of the main agenda report) was marketed to let on 7 February 2008 and 3 Manor Courtyard (identified as building C on page 65 of the main agenda report) on 21 June 2010. The last time the property was advertised on the basis of the information submitted was 18 November 2011 so it would appear that the property has not been marketed over the period of the last six months.

**2.0 REPRESENTATIONS**

2.1 **7 x letters and emails from:**

Kingston Lodge, Cloud House, Quarley Wood House, Quarley, East Lodge, Houghton Down, Drayton Lodge, North Houghton, The Covey, Over Wallop, Thimble Hall, Quarley

Support:

- I live adjacent to Quarley Manor (Kingston Lodge) and feel that the proposal would benefit the area.
- We live at Quarley Wood House and are the nearest neighbours to the proposed development on the Quarley village side. We are writing to express our support for the proposed change of use.
- It is my understanding that the property concerned already has commercial planning consent to provide a distribution centre for a flower business and that the commercial consent was given with the proviso that a quasi one way system was used to prevent two HGV's trying to pass each other in the village. This would suggest that the planning committee that granted permission in the 1990's had considered this issue then and deemed it to be important.

- The roads in both Grateley and Quarley are very small and not suitable to carry HGV's. Any commercial operation in this rural environment is inappropriate and adds more danger to the existing dangerous roads. (Single lane and no passing spaces with lots of blind corners). I fully support the application for a new house in lieu of the commercial site. We need more people living in these small hamlets.
- Any increase in HGV's in this rural community will pose a serious threat to other road users and pedestrians alike. It is inappropriate to have an industrial unit in this rural location.
- Increased traffic would detract from the peaceful rural environment and create extra risks on the roads for pedestrians, vehicular traffic and horse riders.
- With the traffic restrictions now in force through Quarley village it no longer makes sense to have any other than residential use on the Quarley Manor Farm site.
- One larger house in this situation would be a far better outcome. One house would enable one family to become involved in the village rather than several houses creating a 'weekender environment' that has been to the detriment of many a village. The siting of this development creates no issues for any of the local residents as it will barely be visible from the road. This option would be the least intrusive on the village, on the lanes and for the community as a whole.
- The design is sympathetic to neighbouring properties and has been well considered.

## **CONSULTATIONS**

### **Rights of Way** –Additional Comment:

- There must be no surface alterations to this footpath, nor any works carried out which affect its surface, without first seeking the permission of Hampshire County Council, as Highway Authority. For the purposes of this proposal that permission would be required from this department of the County Council. To carry out such works without this permission would constitute an offence under s131 Highways Act 1980.
- Hampshire County Council, as Highway Authority, is not obliged to provide a surface suitable for the passage of vehicles. It only has a duty to maintain a right of way to a standard commensurate with its expected normal public use.
- Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times.

In addition, no builders or contractors vehicles, machinery, equipment, materials, scaffolding or anything or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers.

**3.0 PLANNING CONSIDERATIONS**

- 3.1 The matters raised in the letters of representation supporting the application with regard to the principle of development, the effect on the surrounding countryside and the impact on the highway network have been considered in the main agenda report. The comments received that this single dwelling would be preferable to either a commercial use or multiple dwellings do not overcome the reasons for refusal set out in paragraph 10 of the main agenda report.

**4.0 RECOMMENDATION**

- 4.1 No changes to the main agenda report.
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