

Minutes of the **Planning Control Committee**
of the **Test Valley Borough Council**
held in Council Chamber, Duttons Road, Romsey
on Tuesday 27 November 2012 at 5:30 pm

Attendance:

Councillor C Collier (Chairman)	(P)	Councillor I Hibberd (Vice-Chairman)	(P)
Councillor G Bailey	(P)	Councillor N Long	(A)
Councillor Z Brooks	(P)	Councillor J Lovell	(A)
Councillor P Bundy	(P)	Councillor C Lynn	(A)
Councillor A Dowden	(P)	Councillor J Neal	(A)
Councillor M Flood	(P)	Councillor A Tupper	(-)
Councillor M Hatley	(P)	Councillor A Ward	(A)
Councillor A Hope	(P)	Councillor J Whiteley	(A)
Councillor P Hurst	(P)		

Also in Attendance:

Councillor J Anderdon
Councillor A Finlay
Councillor A Johnston

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Minutes

Resolved:

That the minutes of the meeting held on 16 October 2012 be confirmed and signed as a correct record.

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Schedule of Development Applications

Resolved:

That the applications for development as set out in the attached schedule be determined as indicated.

Note:

In accordance with the Council's Scheme of Public Participation, the following spoke on the applications indicated.

<u>Agenda Item No.</u>	<u>Page No.</u>	<u>Application</u>	<u>Speaker</u>
7	9 – 49	12/01650/FULLS	Mrs J Barrett (on behalf of Chilworth Parish Council) Mr C Jackson (Objector)

(The meeting terminated at 7:11 pm)

Schedule of Development Applications

7	APPLICATION NO.	12/01650/FULLS
	APPLICATION TYPE	FULL APPLICATION - SOUTH
	REGISTERED	15.08.2012
	APPLICANT	Mr A Bajar
	SITE	Land Between Leycroft And 5 Chilworth Old Village, Church Lane, Chilworth Old Village, CHILWORTH
	PROPOSAL	Proposal for a 3 bedroom cottage with associated parking. *Exception Site *
	AMENDMENTS	Revised Arboricultural information
	CASE OFFICER	Mrs Georgina Wright

DELEGATED to the Head of Planning and Building Services for the applicant to enter into a legal agreement to be completed no later than Wednesday 5 December 2012 to secure the provision of affordable housing and financial contributions towards public space and non-car modes of transport, 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. **Prior to the commencement of development the access shall be constructed with the visibility splays of 2m. x 33m. x 1m. to the west and 2m. x 25m. x 1m. to the east and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1 metre above the level of the existing carriageway at any time.
Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.**
4. **Prior to the commencement of development full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period shall be submitted to and approved in writing by the Local Planning Authority.**

The approved scheme shall be implemented prior to the commencement of development and retained for the duration of the construction period.

Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

- 5. Any gates shall be set back at least 4.5m from the edge of the carriageway of the adjoining highway and the access shall be splayed at an angle of 45 degrees from this point to the edge of the highway for the west side of the access only.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

- 6. At least the first 4.5m of the access track measured from the nearside edge of the carriageway of the adjacent highway shall be surfaced in a non migratory material prior to the use of the access commencing and retained as such at all times.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

- 7. The development hereby permitted shall not be occupied until space has been laid out for the parking and manoeuvring of vehicles to enable them to enter and leave the site in forward gear in accordance with the approved plan and this space shall be reserved for such purpose at all times.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Local Plan (2006) policies TRA05, TRA09, TRA02.

- 8. No development shall take place on site until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. All site work shall be undertaken strictly in accordance with the requirements, specifications and timing detailed within the method statement. Specifically the method statement must:**

- 1. Provide a schedule of trees to be retained within 15m of all structures hereby approved, including the required root protection areas as set out in British Standard 5837:2012.**
- 2. Provide a specification for such tree protective barriers which should be in accordance with the above standard.**
- 3. Confirm timing of erection and dismantling of such tree protective barriers, which must in any case be erected prior to commencement of any site clearance or ground works, and be retained and maintained for the full duration of works until onset of final landscape work.**
- 4. Provide a plan at 1:200 or better, detailing the location of such tree protective barriers, including annotation that such fencing shall remain in this position for the full duration of works.**
- 5. Require a sign to be hung on such tree protective barriers, repeated as necessary, which clearly states 'Tree Root Protection Area, do not enter, do not move this barrier'.**
- 6. Provide a plan demonstrating that all trenching, excavation, soakaways, pipe and cable runs required by the development can be installed wholly outside the tree protection zones.**

Where the proposed driveway lies within calculated tree root protection areas (as defined at section 4.6 of British Standard 5837:2012) design details of the construction and surface specifications including plans and cross sections must be submitted to and agreed in writing with the Local Planning Authority. These details must be sufficient to demonstrate how the drive way is to be built without its construction or use impacting upon retained trees.

- 7. Specify the timing of construction of the driveway, which shall in any event be prior to any other site activity undertaken in conjunction with this consent.**
- 8. Demonstrate that all proposed structures can be built without the construction process impacting upon the retained trees or required tree protection zones.**
- 9. Demonstrate that all site works, mixing areas, storage compounds, site buildings and associated contractor parking areas remain wholly outside any tree protection zones and at a suitable separation to prevent damage to retained trees.**
- 10. Provide a schedule of all tree felling and tree surgery works proposed, including confirmation of phasing of such work.**

Reason: To prevent the loss during development of trees and natural features and to ensure so far as is practical that development progresses in accordance with current best practice in accordance with Test Valley Borough Local Plan (June 2006) Policy DES08.

- 9. The Tree protective measures installed onsite (in accordance with condition 8) shall be maintained and retained for the full duration of works. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.**

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan policy (June 2006) DES08.

- 10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows in the proposal hereby permitted [other than those expressly authorised by this permission] shall be constructed.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Local Plan 2006 policy AME01.

- 11. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto.**

Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Local Plan 2006 policies AME01, AME02, DES06 (delete as appropriate).

12. The gradient of the drive shall not exceed 5% within 5 metres of the edge of the carriageway of the adjoining highway.

Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

Notes to applicant:

1. The following Government Guidance and policies in the Development Plan are relevant to this decision: The National Planning Policy Framework; the Wildlife and Countryside Act 1981; The Habitats and Species Regulations 2010; South East Plan (May 2009) policies CC1 (Sustainable Development); CC2 (Climate Change); CC3 (Resource Use); CC4 (Sustainable Design & Construction); CC6 (Sustainable Communities and Character of the Environment); CC7 (Infrastructure & Implementation); CC8 (Green Infrastructure); H1 (Regional Housing Provision 2006-2026); H2 (Managing Delivery of the Regional Housing Provision); H3 (Affordable Housing); H4 (Type and Size of New Housing); H5 (Housing Design & Density); T4 (Parking); NRM5 (Conservation & Improvement of Biodiversity); NRM 11 (Development Design for Energy Efficiency & Renewable Energy); SH1 (Core Policy); SH5 (Scale and Location of Housing Development 2006 – 2026) and SH8 (Environmental Sustainability); BE5 (Village Management); C5 (Managing the Urban – Rural Fringe); Test Valley Borough Local Plan (June 2006) policies SET03 (Development in the Countryside); ENV01 (Biodiversity & Geological Conservation); ENV05 (Protected Species); ENV15 (Development in Conservation Areas); ENV17 (Settings of Conservation Areas & Listed Buildings); HAZ02 (Flooding); ESN03 (Housing Types, Density & Mix); ESN05 (Rural Exception Affordable Housing); ESN22 (Public Recreational Open Space Provision); TRA01 (Travelling Generating Development); TRA02 (Parking Standards); TRA04 (Financial Contributions to Transport Infrastructure); TRA05 (Safe Access); TRA06 (Safe Layouts); TRA09 (Impact on the Highway Network); DES01 (Landscape Character); DES05 (Layout and Siting); DES06 (Scale, Height & Massing); DES07 (Appearance, Details & Materials); DES08 (Trees & Hedgerows); DES09 (Wildlife & Amenity Features); DES10 (New Landscape Planting); AME01 (Privacy & Private Open Space); AME02 (Daylight & Sunlight); Chilworth Village Design Statement; Infrastructure SPD; and Affordable Housing SPD.
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 the development is in accordance with the development plan and would have no significant impact on the character and appearance of the area or the residential amenities of the occupants of adjacent dwellings. This informative is only intended as a summary of the reason for the 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. Birds' nests, when occupied or being built, receive legal protection under the *Wildlife and Countryside Act 1981* (as amended). It is highly advisable to undertake clearance of potential nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.**
 - 5. The various trees, over 75mm in trunk diameter as measured at 1.5m above ground level, standing on and adjacent to this site are protected by virtue of standing within the Chilworth Conservation Area. Damage to the trees is an offence under the Town and Country Planning Act 1990. Failure to comply with the tree protection conditions above is likely to result in damage to the trees. Tree damage may lead to the prosecution of those undertaking the work and to those causing or permitting the work.**
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