

## ITEM 8

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<b>APPLICATION NO.</b>	14/00872/OUTS
<b>APPLICATION TYPE REGISTERED</b>	OUTLINE APPLICATION - SOUTH 10.04.2014
<b>APPLICANT SITE</b>	Mr Stephen Wallbridge Land Off Peel Close, Romsey, Hampshire, , <b>ROMSEY EXTRA</b>
<b>PROPOSAL</b>	Erection of 19 dwellings; provision of residential curtilages; public open space; new access road and parking and turning areas
<b>AMENDMENTS</b>	None
<b>CASE OFFICER</b>	Mr Paul Goodman

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) because the Southern Area Planning Committee (SAPC) was minded to refuse planning permission contrary to the Officer's advice.
- 1.2 A copy of the Officer's report to the 3 June 2014 SAPC, from which the application was referred to the Planning Control Committee, is attached as **Appendix A** and its update at **Appendix B**. In addition paragraph 8.31 (number of multi-modal trips on the local highway network) of the Officer's report has been amended in accordance with the Highways Officer's advice and the verbal update provided to SAPC.
- 1.3 The recommendation of the Head of Planning & Building has been amended to reflect the removal of condition 9 of the officers SAPC report and the addition of a condition (15) with regard to site levels as described in the SAPC update paper.

### 2.0 PLANNING CONSIDERATIONS

- 2.1 Consideration was given at SAPC to the principle for development, housing land supply, affordable housing requirements, character of the area, highways, trees, protected species & ecology, amenity, and S106 financial contributions.
- 2.2 Members of SAPC resolved to refuse planning permission contrary to the Officer recommendation considering that the proposed development would be contrary to policy SET 03 of the Test Valley Borough Local Plan 2006 as there is no overriding need for the residential development to be located in the countryside and would cause an adverse impact on the existing residential properties in Peel Close as a result of this cul de sac being used as a through route by the increased movements of vehicular traffic of cars and bicycles and of pedestrians.

### 3.0 HISTORY

3.1 RSR.10565 Residential development with construction of access - off School Lane, Woodley. Refused - 09/12/70. Appeal allowed subject to conditions - 02/02/72.

RSR.10565/2 Details of layout of roads and footpaths to serve residential development - land off School Road, Woodley. Approved subject to conditions - 13/02/74.

TVS.00058/13A Outline : Residential development - land off Peel Close, Romsey Extra. Refused - 27/11/86. Appeal Dismissed - 02/02/88.

3.2 In addition to the planning history listed at para 4.1 of the Officer's recommendation to SAPC further investigation has revealed the above applications for development of the site. Application RSR.10565 provided for the development of Hunters Crescent, Peel Close and the associated roads to the north of the application site. It appears that this application originally included the current application site but that this area of land was withdrawn prior to the determination of the appeal due to a conflict with a proposed road improvement which was subsequently abandoned.

3.3 Application TVS.00058/13A was made in outline and proposed the development of 27 dwellings on the land. This application also included land to the west of the current application site, which has subsequently been developed as an extension to Peel Close, and land to the east which is now identified as a SINC. Both of these areas are outside of the current application site. The application was originally refused by TVBC for the following reasons;

- Undesirable addition for which there is no overriding justification in an area of countryside;
- No overriding justification for development beyond the boundary of the Romsey Area Local Plan;
- Would add to the existing undesirable ribbon development in this rural area and would thereby detract from its character;
- Would result in the undesirable loss of trees subject to a Preservation Order.

3.4 In addition initially reasons for refusal relating to precedent and the impact of future road proposals were applied but subsequently withdrawn by TVBC prior to the appeal being considered.

3.5 In determining the appeal the Inspector identified that the principle considerations were whether the proposal represented an unacceptable extension of the built up limits of Romsey and the impact of the development on character of the area and protected trees. It is acknowledged that the site is outside of the built up area of Romsey as is discussed in detail in the Officer's recommendation and in relation to the reasons for refusal put forward by SAPC below. In addition the issues of proximity to protected trees have been considered and do not form part of the reasons for refusal put forward by SAPC.

3.6 In describing the character of the area at the time of considering the appeal (1988) the Inspector stated that;

- 3.7 “During my visit I observed that the site together with the adjoining agricultural land and Ganger Wood further to the east, form an important gap of undeveloped land along the northern side of the A31, separating Romsey and the sporadic ribbon development north of Crampmoor. Moreover the site itself has a most attractive, almost parkland appearance and is prominent to view particularly when approaching the town from the east. “The Inspector concluded that the proposed development of 27 dwellings would appear intrusive and cause demonstrable harm to the rural character of the area.
- 3.8 It is considered that there are significant differences in the character of the site and proposed development currently under consideration to the site as it stood at the time of the appeal in 1988. The site itself is reduced in size compared to the previous appeal and excludes the area to the northeast of the site, which has been developed as an extension to Peel Close, and the area to the southeast which is closer to Winchester Road and designated as a SINC.
- 3.9 In addition views of the site from Winchester Road are now significantly obscured by the mature trees, all of which are to be retained. As such the proposed development will have a far reduced visual impact from Winchester Road and on the approach to Romsey from the east. Furthermore at the time of considering the appeal the development of Woodley Grange had not been undertaken and the area to the southwest of Winchester Road remained as open countryside. The development of Woodley Grange is prominent when viewed from Winchester Road approaching Romsey from the east and has resulted in the settlement boundary of the town extending beyond the application site on the southern side of the highway. As was considered in the Officer’s recommendation, subject to the retention of the trees on the southern boundary and as a result of the retention of the SINC area to the east and the development to the south of the highway which extends beyond the eastern boundary of the site, the proposed development is not considered to have an adverse visual impact on the approach to the town.
- 4.0 **The principle for development & Housing Land Supply**  
The application site is, for the purposes of planning policy, within the countryside. The application site is not allocated for development in the currently saved policies of the Local Plan. The principle planning policy of the TVBLP therefore is policy SET03. Planning policy SET03 seeks to restrict development in the countryside unless it has been demonstrated that there is a) an overriding need for development such as being essential to agriculture or if it is a type appropriate for a countryside location as set out in the various policies listed under criterion b) of policy SET03. Members of SAPC concluded that there was no overriding need for the development and that it was therefore contrary to policy SET03.
- 4.1 However the requirement in the NPPF for the Council to have a deliverable five year supply of housing land is a significant material consideration that would justify granting a planning permission contrary to SET03.

4.2 As is detailed in paragraphs 8.3 to 8.10 of the Officer's recommendation the local planning authority cannot demonstrate an adequate 5.25 year HLS position. The lack of a demonstrable HLS position is therefore a strong material consideration that weighs heavily in favour of the proposal and a departure from policy SET03 of the Local Plan. As a result it is not considered that a reason for refusal in relation to policy SET03 could be substantiated.

#### 4.3 **Residential Amenities**

Members of SAPC resolved to refuse permission as a result of an adverse impact on the amenities of the existing residential properties in Peel Close from the site being used as a through route for vehicular traffic of cars and bicycles and of pedestrians. These movements were considered to cause undue additional noise, disturbance, and litter to detriment of amenity.

4.4 Vehicular movements would be limited to access to the proposed development but pedestrian and cycle movements would be possible through the site to Winchester Road to the south. As was advised by the Highways Officer the development is expected to generate 142.4 multi-modal trips on the local highway network over the course of a day. This figure includes vehicular, cycle and pedestrian movements. The proposed development is entirely residential and as such would not generate any unusual movements in terms of the size of vehicles or movements at unusual times. Even at peak times the frequency of movements is not considered to generate a level or type of noise disturbance that would justify a reason for refusal.

4.5 With regard to the potential impact on amenity as a result of littering it is considered that given that the proposed development is entirely residential it would be unreasonable to assume that the level of littering within Peel Close would be substantially increased as a result of the provision of access to Winchester road through the development for pedestrians and cyclists. There is no substantive reason to believe that this would be the case and as such a reason for refusal on the basis of littering could not be substantiated.

#### 4.6 **CONCLUSION**

4.7 It remains the consideration of the Case Officer that the proposal, subject to the completion of the required legal agreement, is acceptable without demonstrable harm to the character of the area, highways, trees, protected species & ecology or amenity.

#### 5.0 **RECOMMENDATION OF SOUTHERN AREA PLANNING COMMITTEE REFUSE for the reasons:**

1. **The proposed development is contrary to policy SET 03 of the Test Valley Borough Local Plan 2006 as there is no overriding need for the residential development to be located in the countryside.**
2. **The proposed additional dwellings would cause an adverse impact on the existing residential properties in Peel Close as a result of this cul de sac being used as a through route by the increased movements of vehicular traffic of cars and bicycles and of pedestrians, causing undue additional noise, disturbance, and litter to the detriment of the amenities in this area.**

**The development is contrary to policy AME 01 of the Test Valley Borough Local Plan 2006.**

**6.0 RECOMMENDATION OF HEAD OF PLANNING & BUILDING SERVICE**

**Delegate to the Head of Planning & Building for OUTLINE PERMISSION subject to conditions, notes and an S106 agreement to secure financial contributions towards highways improvements, open space, education, affordable housing and a public right of way through the site between the existing turning head in Peel Close and Winchester Road to be completed by 10 July 2014.**

**1. Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than whichever is the later of the following dates:**

**i) five years from the date of this permission: or**

**ii) two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.**

**Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.**

**2. Approval of the details of the landscaping and appearance of the site (herein after called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.**

**Reason: To comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order).**

**3. No development hereby permitted shall be commenced until the Local Planning Authority shall have approved in writing:**

**1. Details of**

**a) the width, alignment, gradient and surface materials for any proposed roads/footway/footpath/cycleway including all relevant horizontal and longitudinal cross sections showing existing and proposed levels**

**b) the type of street lighting including calculations, contour illumination plans and means to reduce light pollution**

**c) the method of surface water drainage including local sustainable disposal.**

**Reason: To ensure that the roads, footway, footpath, cycleway, street lighting and surface water drainage are constructed and maintained to an appropriate standard to serve the development in accordance with Test Valley Borough Local Plan 2006 policies TRA06.**

**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 single garage shall measure 6m by 3m internally and be constructed as such and made available for the parking of motor vehicles at all times.**

**Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policy TRA02.**

- 6. At least the first 4.5m of any 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 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. Development shall proceed in accordance with the measures set out in Section 4.1 ('Reptiles') of the 'Phase 2 Ecological Surveys: Land at Peel Close, Romsey, Hampshire' report (ECS, November 2013). Thereafter, the identified reptile receptor sites at the application site ('Peel Close') and the off-site land at 'The Fort' shall be managed for the conservation of reptiles as set out in Section 4.6.1 of the report. Reason: to avoid adverse impacts to reptiles in accordance with Policy ENV05 of the Test Valley local plan.**

- 9. No development shall take place (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.**

**Reason:** In order to ensure the site is free from contamination prior to residential development in accordance with Test Valley Borough Local Plan policy HAZ01.

- 10. 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.

- 11. Notwithstanding the details of the submitted arboricultural report (Johnston Tree Consultancy, July 2013) no development (including site clearance and any other preparatory works) shall take place until a scheme detailing how trees shown on the approved plans to be retained are to be protected has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location and specification of any protective fencing, ground protection or other precautionary measures as informed by British Standard 5837:2012. The details of protective fencing will need to be revised from the submitted report to accommodate soakaway to plot 9 and allow construction of soakaways at plots 11 and 12. In addition specification of the cycle path link to Winchester Road is required. The specification shall be supplemented by section drawings to demonstrate how levels will result in all construction above the existing ground level. Such protection measures shall be installed prior to any other site operations and at least 2 working days notice shall be given to the Local Planning Authority. Tree protection installed in discharge of this condition shall be retained and maintained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.**

**Reason:** To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan policy DES08.

- 12. No development (including site clearance and any other preparatory works) shall take place until a scheme detailing the specification of the cycle path link to Winchester Road. The specification shall be supplemented by section drawings to demonstrate how levels will result in all construction above the existing ground level.**

The works shall be undertaken in accordance with the approved details and prior to the first occupation of the dwellings.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan policy DES08.

13. All service routes, drain runs, soakaways or excavations in connection with the same shall remain wholly outside the tree protective barriers without the prior written agreement of the Local Planning Authority.

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 DES08.

14. Prior to the commencement of development detailed proposals for the sustainable disposal of foul and surface water and any trade effluent shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the first occupation of the dwellings.

Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

15. 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).

**Notes to applicant:**

1. 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.
2. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.



- 3. Permission is required under the Highways Act 1980 to construct/alter/close a vehicular access. Please contact the Head of Highways (West) Hampshire County Council, Jacobs Gutter Lane Hounslow, Totton, Southampton, SO40 9TQ. (02380 663311) or highways-transportwest@hants.gov.uk at least 6 weeks prior to work commencing.**
  - 4. No vehicle shall leave the site unless its wheels have been sufficiently cleaned as to minimise mud being carried onto the highway. Appropriate measures, including drainage disposal, should be taken and shall be retained for the construction period. (Non compliance may breach the Highway Act 1980.)**
  - 5. 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 bird 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.**
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## **APPENDIX A**

### **Officer's Report to Southern Area Planning Committee on 3<sup>rd</sup> June 2014**

<b>APPLICATION NO.</b>	14/00872/OUTS
<b>APPLICATION TYPE</b>	OUTLINE APPLICATION - SOUTH
<b>REGISTERED</b>	10.04.2014
<b>APPLICANT</b>	Mr Stephen Wallbridge
<b>SITE</b>	Land Off Peel Close, Romsey, Hampshire, , <b>ROMSEY EXTRA</b>
<b>PROPOSAL</b>	Erection of 19 dwellings; provision of residential curtilages; open space; new access road and parking and turning areas with reserved matters for access, layout and scale.
<b>AMENDMENTS</b>	Amended plan received 19.05.14
<b>CASE OFFICER</b>	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

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#### **1.0 INTRODUCTION**

1.1 The application is presented to Southern Area Planning Committee as it represents a departure from the Test Valley Borough Local Plan 2006.

#### **2.0 SITE LOCATION AND DESCRIPTION**

2.1 The application site is an irregular shaped parcel of land situated outside but adjacent to the settlement boundary of Romsey. The site is located to the south/east of Peel Close and Hunters Crescent, and north of Winchester Road. The development of Peel Close and Hunters Crescent forms the eastern boundary of the existing settlement of Romsey. The site is bordered to the east by mature woodland and a small stream. Part of the land to the east is designated as a SINC.

2.2 The site is subject to a significant change in levels from the high ground adjacent the existing development to the north and west of the site to the lowest point in the southeast corner adjacent the neighbouring SINC. In addition there are existing overhead power cables which run from the development to the north through the site to its southern boundary. An existing pylon is situated approximately 13m from the northern boundary and sits within the application site. The proposed spine road will generally follow the route of the existing overhead cables.

#### **3.0 PROPOSAL**

3.1 The application is made in outline for the erection of 19 no. dwellings; public open space; new access road and parking and turning areas. The submitted forms indicate that the outline submission includes consideration of the reserved matters of access, layout and scale.

3.2 The application is supported by a Planning Statement, Design and Access Statement, Arboricultural Report, Report on Highways Issues, Noise Impact Assessment, Affordable Housing Statement, Phase 2 Ecological Survey and Ecological Appraisal.

4.0 **HISTORY**

4.1 13/02017/SCRS - Screening opinion under the Environmental Impact Assessment Regulations 2011 - Residential Development. EIA Not Required 01.10.2013.

13/02614/OUTS - Outline - Erection of 20 no. dwellings; provision of residential curtilages; public open space; new access road and parking and turning areas. Refused 20.02.2014 for the reasons;

1. **Insufficient information has been submitted to enable a full or accurate assessment of the impact of the proposed extension upon trees of public amenity importance. The layout does not appear to allow for construction space outside of root protection areas and would result in pressure to fell trees by virtue of constrained garden spaces. The loss or thinning of these trees would have an adverse impact on the character of the site contrary to policy DES08 of the Test Valley Borough Local Plan.**
2. **The proposed development is contrary to policies TRA02 and TRA06 of the Test Valley Borough Local Plan in that as a result of the proposed parking arrangements and inadequate visibility splays the layout of the development would not be safe or functional for highways users.**
3. **The proposed development is contrary to policies AME01 and AME02 of the Test Valley Borough Local Plan in that as a result of the cramped layout of the proposed dwellings the development would have in a significant detrimental impact on the amenity of neighbouring properties, both within and outside the site, by way of overbearing and overlooking impact.**
4. **The proposed development is contrary to policy ESN22 of the Test Valley Borough Local Plan and Infrastructure and Developer Contributions SPD in that no contribution is provided in order to address existing deficiencies in Public Open Space provision in the parish resulting in the development having an unmitigated additional burden on existing facilities.**
5. **The proposed development is contrary to policy TRA01 and TRA04 of the Test Valley Borough Local Plan and Infrastructure and Developer Contributions SPD in that no contribution is provided in order to address existing deficiencies in non-car modes of transport provision in the parish resulting in the development having an unmitigated additional burden on existing infrastructure.**

6. **The proposed development is contrary to policy ESN30 of the Test Valley Borough Local Plan and Infrastructure and Developer Contributions SPD in that no contribution is provided to address deficiencies in educational facilities in the town resulting in the development having an unmitigated additional burden on existing infrastructure.**
7. **In the absence of a legal agreement to secure the provision of affordable housing and its retention in perpetuity to occupation by households in housing need, the proposal is contrary to policy ESN04 of the Test Valley Borough Local Plan 2006 and the Infrastructure and Developer Contributions Supplementary Planning Document (2009).**

## 5.0 CONSULTATIONS

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| 5.1 | Planning Policy & Transport (Policy)     | Comment; <ul style="list-style-type: none"><li>• Site lies outside the settlement boundary. SET03 is therefore applicable.</li><li>• Housing land supply is a material consideration in favour of the application.</li></ul>  |
| 5.2 | Planning Policy & Transport (Highways)   | No objection, subject to conditions and contributions.  |
| 5.3 | Housing & Environmental Health (Housing) | No objection, subject to completion of s106 to provide affordable units.  |
| 5.4 | Planning Policy & Transport (Landscape)  | Comment; <ul style="list-style-type: none"><li>• In principle development contrary to policy SET03.</li><li>• However if the above policy issues can be overcome, there are no landscape objections subject to a detailed hard and soft landscape scheme including existing and proposed levels, boundary treatments and details of tree protection during and after the construction phase as well as a Landscape Management Plan covering the application site.</li></ul> |
| 5.5 | Planning Policy & Transport (Trees)      | No objection subject to conditions.   |
| 5.6 | HCC Ecology                              | No objection subject to conditions.   |
| 5.7 | HCC Education                            | No written comment received at the time of reporting but verbal confirmation for the need for contributions in accordance with previous response.   |

5.8	Community & Leisure (Health Promotion)	No objection, subject to off-site Public Open Space contribution.
5.9	Housing & Environmental Health (Environmental Protection)	No objection, subject to conditions.
5.10	Scottish & Southern Electric	No objection, subject to condition and agreement with Distribution Network Operator (DNO). Agreement now complete.
5.11	Police Crime Prevention Advisor	No response received.
6.0	<b>REPRESENTATIONS</b>	Expired 23.05.2014
6.1	Romsey Extra PC	<p>Objection;</p> <ul style="list-style-type: none"> <li>• Unwarranted development in the countryside contrary to policy SET03.</li> <li>• Mass and scale of the development.</li> <li>• Concern for access by emergency vehicles as a result of increased on-street parking.</li> <li>• Loss of amenity to existing residents.</li> <li>• Concern with regard to construction vehicles accessing the site.</li> </ul>
6.2	Romsey & District Society (Natural Environment Committee)	<p>Objection;</p> <ul style="list-style-type: none"> <li>• Concern with potential access to residents and pets to the adjacent SINC.</li> <li>• Relocation of grass snakes to adjacent woodland which is less suitable.</li> <li>• Object to the felling of three young Oaks.</li> <li>• Concern with regard to the relationship of Winchester Road trees to small rear gardens.</li> <li>• Concern with regard to the dumping of household waste into the stream.</li> <li>• Increased storm runoff into Tadburn Lake.</li> </ul>
6.3	Romsey & District Society	<p>Objection;</p> <ul style="list-style-type: none"> <li>• We note that there has been no objection raised by the Highways consultation document.</li> <li>• However we feel that there is already inadequate off street parking in Peel Close. The proposed development will add to congestion.</li> <li>• We echo concerns regarding the access expressed by several local residents.</li> </ul>

- 6.4 19 letters received from 1, 2, 6, 7, 8, 10 & 12 Peel Close, 44, 47, 61, 63, 63B, 64 & 86 Hunters Crescent, Woodley Dene, Braishfield Road.
- Objection;
- Increased traffic levels leading to congestion.
  - Increased on-street parking.
  - Unsuitable road network for HGV vehicles.
  - Loss of protected trees.
  - Detrimental to the appearance of the approach to Romsey from the east.
  - Loss of green gap of parkland appearance between Romsey and Crampmoor.
  - Insufficient visitor parking.
  - Compromise access for emergency vehicles.
  - No need for further housing given Abbotswood, Whitenap and Ganger Farm.
  - Crime and community safety. Proposed pedestrian access to Winchester Road would provide opportunist thieves with easy egress.
  - Additional traffic in Hunters Crescent to the detriment of highways safety.
  - Pedestrian access from Winchester Road would require crossing an unsafe junction.
  - Objection to impact on and relocation of protected species.
  - The proposed development of 20 houses would make a negligible contribution to Romsey's housing need.
  - Loss of amenity to existing Peel Close properties.
  - The wider area is overdeveloped with limited green space.
  - No evidence for the proposed 40% affordable housing.
  - Proximity of properties to pylons could cause safety issues.
  - Previous application to build on land adjacent 16 Peel Close was dismissed at appeal in 2011. Those same reasons should apply to the proposed development.
  - The applicant has not demonstrated that the proposed development is sustainable in accordance with section 7 of the NPPF.
  - Contrary to sections 4, 9, 10 and 11 of the NPPF, the Governments Biodiversity 2020 Strategy and the Natural Environment and Rural Communities Act 2006 (Revised and updated 10/9/13).

7.0 **POLICY**

7.1 NPPF 2012 National Planning Policy Framework

7.2 TVBLP 2006 SET03 (Development in the Countryside)  
ENV01 (Biodiversity & Geological Conservation)

ENV05 (Protected Species)  
 ESN03 (Housing Types, Density & Mix)  
 ESN04 (Affordable Housing in Settlements)  
 ESN22 (Public Recreational Open Space Provision)  
 ESN30 (Infrastructure Provision With New Development)  
 TRA01 (Travel Generating Development)  
 TRA02 (Parking Standards)  
 TRA04 (Financial Contributions to Transport Infrastructure)  
 TRA05 (Safe Access)  
 TRA06 (Safe Layouts)  
 TRA07 (Access For Disabled People)  
 TRA09 (Impact on Highway Network)  
 HAZ04 (Land Contamination)  
 DES01 (Landscape Character)  
 DES02 (Settlement Character)  
 DES03 (Transport Corridors)  
 DES04 (Route Networks)  
 DES05 (Layout & Siting)  
 DES06 (Scale, Height & Massing)  
 DES07 (Appearance, Details & Materials)  
 DES08 (Trees & Hedgerows)  
 DES09 (Wildlife and Amenity Features)  
 DES10 (New Landscaping)  
 AME01 (Privacy & Private Open Space)  
 AME02 (Daylight & Sunlight)  
 AME03 (Artificial Light Intrusion)  
 AME04 (Noise & Vibration)

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| 7.3 | TVBLP (Draft) | On the 8 January the Council approved the Revised Local Plan (Regulation 19) for public consultation. It is intended to undertake the statutory 6 week period of public consultation in January and February 2014. At present the document, and its content, represents a direction of travel for the Council. The weight afforded it at this stage is limited. It is not considered that the draft Plan would have any significant bearing on the determination of this application. |
| 7.4 | TDS           | Look at Romsey  |
| 7.5 | SPD           | Infrastructure and Developer Contributions  |
| 7.6 | SPD           | Affordable Housing  |
| 7.7 | SPD           | Cycle Strategy  |

## 8.0 **PLANNING CONSIDERATIONS**

The main planning considerations are the principle for development, housing land supply, affordable housing requirements, character of the area, highways, trees, protected species & ecology, amenity, and S106 financial contributions.

### 8.1 **The principle for development**

The application site is, for the purposes of planning policy, within the countryside. The application site is not allocated for development in the currently saved policies of the Local Plan. The principle planning policy of the TVBLP therefore is policy SET03. Planning policy SET03 seeks to restrict development in the countryside unless it has been demonstrated that there is a) an overriding need for development such as being essential to agriculture or if it is a type appropriate for a countryside location as set out in the various policies listed under criterion b) of policy SET03.

8.2 A number of representations have drawn upon the fact that the site is in the countryside and therefore in accordance with policy SET03, it should be refused given the fact that the site is outside the defined settlement boundary. However other material considerations need to be taken into account which could justify a departure from the saved policies of the development plan, specifically the NPPF and housing land supply.

### 8.3 **Housing Land Supply**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “if regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

8.4 Paragraph 47 of the NPPF states that Local Planning Authorities should *“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from the later plan period) to ensure choice and competition in the market for land. When there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%”*.

8.5 Paragraph 49 of the NPPF advises that *“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites”*.

8.6 The requirement in the NPPF for the Council to have a deliverable five year supply of housing land, plus at least 5%, is a material consideration that could justify granting a planning permission contrary to SET03.



If it is concluded that there is less than a 5 year, plus 5 % or 20%, supply of deliverable sites then the guidance in paragraph 49 of the NPPF and hence also paragraph 14 apply (to approve developments if development plan policies are out-of-date without delay) to the proposal. It is fundamental, therefore to fully assess the Housing Land Supply (HLS) position of the Borough Council in order to give the appropriate weight afforded to the HLS argument. HLS is based on two elements; firstly is the housing 'requirements' of the Borough and second is the actual delivery, or 'supply' of these houses which together provide the HLS position with a value in years.

8.7 Housing Requirement:

Housing requirement is divided between the two areas of Northern and Southern Test Valley [NTV & STV] and that residential proposals in one area are not considered as meeting the needs of the other. STV includes the seven parishes of the Borough comprising Romsey, Romsey Extra, Ampfield, North Baddesley, Valley Park, Nursling & Rowhams and Chilworth. The application site is situated within Romsey Extra Parish.

8.8 Housing Supply:

To establish the supply the LPA reviews the number of units estimated to be delivered between 2013/14 - 2017/18 (the current 5 years) based on evidence gathered from the developers. There are three major sites in STV currently under construction, namely Abbotswood, Romsey Brewery and Sandy Lane. The projected completion figures help contribute to the Council's Supply position. Whilst these sites are now being developed Abbotswood and Romsey Brewery started later than was anticipated and are not, in the case of the Brewery, being developed to capacity. Added to this is the lack of commencement on the Redbridge Lane site which further contributes to the Council's backlog.

8.9 In allowing the appeal at Nutburn Road, North Baddesley the Inspector concluded that the Council has not had "...a record of persistent under delivery" and that the 5% buffer should apply to the HLS position. In addition the Inspector at the Halterworth Lane, Romsey Extra appeal (which pre-dated the latest Nutburn Road decision) found that "...current non-deliverability is largely due to the failure of the market; it has little to do with a lack of supply of sites as such" (para 19).

8.10 Even by the Inspector allowing the second Nutburn Road appeal the local planning authority still cannot demonstrate an adequate 5.25 year HLS position. The lack of a demonstrable HLS position is therefore a strong material consideration that weighs heavily in favour of the proposal worthy of a departure from policy SET03 of the Local Plan.

8.11 **Affordable Housing**

Planning policy ESN04 has a requirement for a contribution of 40% affordable homes which equates to 7 dwellings on the site. The application includes the provision of 7 dwellings which meets the requirement of the policy.

- 8.12 The Housing Officer has advised that there are currently 266 applicants on Hampshire Home Choice housing waiting list with a connection to Romsey. The proposed affordable housing is listed as 2 x 1 bed 2 person flats, 2 x 2 bed 3 person flats and 3 x 2 bed 4 person houses. In terms of meeting housing need locally this mix has received no objection from the Housing Officer. Changes to Hampshire Home Choice Allocations Framework as well as the reduction of housing benefit on spare bedrooms has resulted in the need for 2 bed, 4 person homes increasing considerably and the need for 3 bed family homes decreasing rapidly. Housing are in support of the delivery of 2 x 1 bed 2 person flats, 2 x 2 bed 3 person flats and 3 x 2 bed 4 person houses, this mix will truly be meeting local need. The affordable housing statement also states that the affordable dwellings will be built to code level 4 for sustainable homes and this is also welcome. The recommended tenure split for the affordable dwellings would normally be 70% for rent and 30% for intermediate tenure, in this case shared ownership. A 70/ 30 percentage of Affordable Rent and Shared Ownership units equates to 5 of the affordable dwellings on the site as affordable rent and 2 as shared ownership.
- 8.13 The proposed level of affordable housing provision would meet the requirements of policy ESN04 and would be secured by way of a S106 agreement. Subject to the completion of the required agreement the application is considered to comply with policy ESN04.
- 8.14 **Character and Appearance**  
Consideration of the outline application is limited to the access, layout and scale of the proposed development with detailed designs of individual dwellings and landscaping remaining as reserved matters.
- 8.15 Chapter 7 of the NPPF (Requiring Good Design) sets out that development should respond to local character and history while not preventing or discouraging appropriate innovation. There is a need to establish a strong sense of place using the buildings and streetscape to create an attractive and comfortable environment in which people can live, work and visit. Most importantly planning policies should include high quality inclusive design but should not impose architectural styles or particular tastes when promoting or reinforcing local distinctiveness.
- 8.16 Policy DES05 requires that development within or adjoining a settlement will be permitted provided that;
- a) The scheme integrates with the form and structure of the existing settlement or surrounding area;
  - b) Any public spaces are well defined, usable and connected;
  - c) The scheme is laid out to provide clear distinction between public and private spaces;
  - d) Buildings are laid out and relate positively to streets or other public spaces; and
  - e) The position of doors and windows enables adjoining streets or other public spaces to be overlooked.

- 8.17 Objections have been received raising concern that the proposed development of the land would result in the loss of an existing green open space between Romsey and Crampmoor, detract from the character of the entrance to Romsey when approaching from the east on Winchester Road and be out of keeping with the neighbouring development of Peel Close and Hunters Crescent. The site has a long southern boundary with the Winchester Road which is a primary route into Romsey from the east. Whilst this boundary is heavily planted with mature trees, given the rising ground levels to the northern end of the site, some views of the proposed two-storey development are likely to be available. However such views are likely to be limited to the roofs of the proposed dwellings and set against the backdrop of the existing residential development to the north and west which is also on higher ground. Subject to the retention of the trees on the southern boundary and as a result of the retention of the SINC area to the east and the development to the south of the highway which extends beyond the eastern boundary of the site, the proposed development is not considered to have an adverse visual impact on the approach to the town.
- 8.18 The Romsey Town Design statement Look at Romsey (Area 11, Woodley and Ganger) describes the surrounding development to the north from which access would be taken to the site through Hunters Crescent and Peel Close. Hunters Crescent forms a flattened loop. There are houses around the edge and within the loop where Dibben Walk forms something of a spine. North Close and South Close join Dibben Walk to Hunters Crescent. The dwellings within Hunters Crescent include both terraced and detached houses, with a few semi-detached pairs. The detached houses on the lower, eastern side are built on steeply sloping land and some are reached by flights of steps. The stream lies beyond them. This arrangement is replicated by plots 1 & 2 of the proposed development. Most of the rest of Hunters Crescent is made up of terraced housing, particularly on the side nearest to School Road. Short Hill has four detached houses. At the southern end of Hunters Crescent, there are two small closes, Peel Close and The Copse. The houses in these two closes and between them in Hunters Crescent are predominantly detached houses standing in their own grounds. As a result the surrounding residential development is of a mixed character.
- 8.19 The submitted Design and Access Statement indicates that the layout is intended to reflect the local vernacular and to utilise materials to form groups of properties within the development. The proposed layout is characterised by the curvature of the road and shared surfaces off the main spine road which are reflective of Peel Close. Additionally there are gaps retained between blocks of building which help give the development some spatial quality.
- 8.20 The proposal presents itself to the spine road which is an extension of the existing Peel Close highway. The majority of the dwellings front the spine road from the southern side and also seek to address the proposed open space. This helps provide active frontages and makes the scheme inviting. The use of the road surface materials and the alignment of the road and associated landscaping results in a distinction between the public and more private areas.

The proposed footpath link at the southern end of the site links through to the Winchester Road making the scheme permeable and helps address the matter of sustainability by linking to the bus stop adjacent the site. This link would also facilitate future use of a cycle link with Ampfield for which contributions are sought.

8.21 The proposed layout is therefore considered to comply with policy DES05 and the guidance contained in the NPPF.

8.22 **Highways**

Numerous representations have objected to the proposed development on the basis of additional traffic generation, increased on-street parking, highways safety, inadequate visitor parking and restricted manoeuvring space for emergency vehicles.

8.23 The Highways Officer raised concern in relation to the previous application with regard to the proposed parking provision, both in terms of number of spaces and potential conflict between spaces. In addition concern was raised that on-street parking in relation to one plot was more convenient than the allocated spaces which were separated from the property

8.24 Car parking provision must be provided in accordance with policy TRA02 (2 spaces for a 2/3 bedroom dwelling and 3 spaces for a 4+ bedroom dwelling) and the revised layout combined with the additional space available by the reduction in the number of proposed dwellings has resolved the Highways Officers previous concerns. The revised plan provides an adequate number of spaces to meet the required standard and those spaces are provided in a more suitable format and location. The proposed layout is therefore now considered to comply with policies TRA02 and TRA06 of the TVBLP.

8.25 The previous application was subject to concern that it was not possible to determine if the Council's refuse vehicle or emergency vehicles could access the site, turn and leave in a forward gear. The revised application plan is submitted at a scale of 1:200 and includes alteration to the width of the carriageway and vehicle tracking diagrams showing that these manoeuvres could be achieved within the proposed layout to provide suitable access and turning provision.

8.26 The proposed link to Winchester Road is described as a pedestrian access in the Planning Statement. As per the Highways comments, this has been revised to a minimum width of 3m to be used as a shared use footway/cycleway link to the Romsey to Ampfield cycle route which will run along Winchester Road.

8.27 The originally proposed rumble strips at the junction with Peel Close and outside plot no.5 have been removed due to negative impacts on cyclists and potential noise pollution. These need to be replaced with alternative traffic calming treatments such as build outs, raised tables or speed cushions.

This will ensure that vehicles maintain a 20mph design speed which is appropriate for a home zone style scheme where vehicles, pedestrians and cyclists can share the street surface.

- 8.28 The originally proposed pinch point at the junction with existing Peel Close has been widened to a minimum carriageway width of 3.8m between kerbs to allow access for fire tenders in accordance with the Highways Officers advice. The width of the remaining estate road has been revised from a varying width of between 4m and 6m to a consistent width of 4.8m.
- 8.29 The applicant has advised that it is not intended that the roads be offered for adoption. However if the estate road and footway/cycleway link to Winchester Road were to be offered for adoption by the Local Highway Authority (LHA) at a later date a Section 38 Adoption Plan will be required. The estate road will therefore remain private but is to be constructed to adoptable standards. As part of the legal agreement it is therefore necessary to secure a public right of way through the site between the existing turning head in Peel Close and Winchester Road.
- 8.30 The Highways Officer has advised that visibility splays of 2m x 25m are required at all junctions with the estate road, including private accesses. Such visibility was not available in the previous layout but has been provided in the revised scheme by alteration to the proposed landscaping on plot nos. 1 and 2 and by revision to the access road to plot nos. 15-19. The revised layout is therefore now considered to comply with policy TRA06.
- 8.31 Transport Contribution  
The development will generate an additional 142.4 multi-modal trips on the local highway network which is inadequate in its present state to accommodate them. In accordance with Policy TRA04 of the Test Valley Borough Local Plan, contributions from the development can be sought based on the number of multi-modal trips likely to be generated, which are fairly and reasonably related in scale and kind to the development.
- 8.32 A contribution towards the Romsey to Ampfield cycle route is required to be paid prior to occupation and if paid after the signing of the agreement will be subject to Retail Price Index (RPI) from 1st April 2013. The contribution is necessary to make the development acceptable in planning terms because there are currently inadequate cycling facilities between Romsey and Ampfield and the infrastructure which it will fund is identified in the Test Valley Cycle Strategy and Network SPD (March, 2009).
- 8.33 The contribution is directly related to the proposed development because it will fund a cycleway between Romsey and Ampfield and the occupiers of the development will directly benefit from the infrastructure improvements. The contribution is fairly and reasonably related in scale and kind to the proposed development because it has been calculated by reference to the actual increased number of new multi-modal trips which will be generated by the development. Subject to the provision of such contributions the proposed development would accord with policy TRA04.

**8.34 Trees**

- There are many trees located around the perimeter of the application site. Those to the southern boundary along the Winchester Road frontage have been identified by the Arboricultural Officer as having the greatest public amenity value. However there is also a line of small Ash to north of site, west of the proposed access subject to a group Tree Preservation Order (TPO) and have historically been taken as edge of built up area. There is also woodland to the east which is designated as a SINC with an area of replanted ancient woodland abutting further east.
- 8.35 The Arboricultural Officer has also commented that a massive oak subject to TPO was felled some years ago from northern part of site (approx. middle of proposed rear garden for plot 14) and replacement is yet to be planted.
- 8.36 The application is supported by a tree survey, and full arboricultural report, including tree protection information. The submitted report recognises that the loss of one oak is required to the centre of southern part of site and also that pruning work will be required along the inner face of trees on the south western boundary to give clearance from buildings and space for gardens.
- 8.37 In considering the previous application the Arboricultural Officer raised concern that that some of the proposed buildings, houses and garages are drawn at the limit of required root protection areas, without allowances for construction space, with very restricted open garden areas. Combined with the uncertainty resulting from the differing plans illustrating the tree canopies there was concern that the proposed development would have an adverse impact on the boundary trees which are a vital screen to the proposed development, and that the resultant relationship between the proposed garden areas and tree will result in future pressure for their removal.
- 8.38 The revised layout and reduction in the number of dwellings proposed in the current application has established the proposed dwellings at an adequate separation from existing trees. The Arboricultural Officer has advised that the development is now acceptable subject to submission of more complete tree protection details to be secured by condition.
- 8.39 The proposed line of the tree protection barriers during construction is acceptable. However some alteration will need to be made to accommodate the soakaway to plot 9 and allow construction of soakaways at plots 11 and 12. In addition the specification of tree protection barriers will need to be confirmed in accordance with figure 2 of chapter 6 of the British Standard (BS5837:2014). The Arboricultural Officer has further advised that the proposed cycle path link to Winchester Road is now acceptable and can be accommodated without detriment to existing trees. However further details are required to demonstrate that all construction remains wholly above existing ground level as is stated in the submission.
- 8.40 Subject to the required conditions the previous concerns have been addressed and the development is considered to comply with policy DES08 of the TVBLP and would enable the retention of trees of significant amenity value.

**8.41 Protected Species & Ecology**

The Ecology Officer has raised no objection to the proposed development, subject to the imposition of conditions, and has commented that the application is supported by thorough, professional and well-considered ecological survey and assessment work (ECS, April 2013 and November 2013). The submitted reports are considered to accurately reflect the conditions at the site.

**8.42 Statutory Sites**

The application site is within 7.5km of Mottisfont Bats Special Area of Conservation (SAC). Within this zone, developments that affect key habitats for barbastelle bats may have the potential to have a likely significant effect on the SAC and require further detailed assessment. However, in this instance, the habitat was assessed as presenting limited foraging value for this species. In addition, bat activity survey work, including trapping, did not find any of this species using the site. Consequently, the planning authority can be confident that the application will not have a likely significant effect on Mottisfont Bats SAC.

**8.43 Non-statutory Sites**

The application site is adjacent to a number of Sites of Importance for Nature Conservation (SINCs). Although not legally protected, these are identified as of County value for wildlife and are a material consideration in determining the application, covered by Policy ENV04 of the Test Valley local plan.

8.44 The proposals would not result in any loss of habitat to these SINCs, and the nature of the proposals is such that any significant indirect impacts from the construction phase of the works are unlikely. The Ecology Officer raised some initial concern that the application would allow public access into the adjacent SINC. However the applicant has confirmed that the proposed access is to facilitate management of the site and it is not intended to allow any public access. The Ecology Officer has advised that a condition is imposed to require the submission and approval of a nature conservation and access management plan prior to commencement. Further concern has been raised by the Romsey & District Society with regard to the potential for pets to access the SINC and in relation for potential dumping of household waste into the stream to the east of the site. However the potential for such behaviour is limited by the lack of public access to the site and any deliberate polluting of the stream would be a matter for the Environmental Protection Team.

**8.45 Legally protected species**

The Ecology Officer has advised that the submitted species survey and assessment work is robust and that the measures proposed to address the identified impacts are acceptable. It is considered that the development is unlikely to affect any species protected under European legislation (namely great crested newts, bats or hazel dormice). A population of reptiles was identified and a suitable strategy is presented to a) avoid harm to these animals and b) provide continuation of suitable habitat. Adherence to this scheme is to be secured by condition.

8.46 Subject to the required conditions the proposed development is considered to have no adverse impact on protected species and complies with policies ENV01, ENV04 and ENV05 of the TVBLP.

8.47 **Residential Amenities**

There are two elements to the consideration of amenity. Firstly is the amenity of the future residents of the development site and secondly the impact of the proposal upon the amenity of existing neighbouring properties. Representations have raised concern with regard to the impact of the development on existing dwellings with specific regard to No.7 Peel Close.

8.48 Impact on existing dwellings

The application site is bordered to the north and west by existing dwellings within Peel Close. Specifically numbers 7, 20 and 22 have boundaries adjoining the application site.

8.49 Representations have raised concern with regard to the impact of Unit 1 on the amenities of No.7 Peel Close. However the proposed dwelling of Plot 1 is situated approximately 13.4m from the neighbouring property to the north and would be situated on lower ground. Neither the principle or rear elevations would face the neighbouring property. As a result, on the basis of the submitted layout, it is not apparent that the proposed development would adversely impact on the amenities of No.7 Peel Close by virtue of overlooking, overshadowing or overbearing.

8.50 Concern was raised in relation to the previously refused scheme regarding the potential for adverse impact on amenity as a result of the relationship between plots 17/18 and 20/22 Peel Close. The reduction in the number of plots to 19 has allowed for plots 17 & 18 to be reoriented to avoid the back to back relationships previously proposed with 20 & 22 Peel Close. The revised scheme positions the proposed garages nearest to the neighbouring gardens with plot 17 orientated with its rear garden to the southwest and plot 18 orientated with its garden to the north. As a result of the reorientation and the application site being situated on lower ground than the Peel Close development has resolved the previous concerns. Appearance of the dwellings remains a reserved matter and as such no details of window positions are currently available. However the revised layout is considered to result in an acceptable relationship with neighbouring properties in accordance with policy AME01.

8.51 Impact on proposed dwellings

The previously proposed layout resulted in two areas of significant overbearing impact between the proposed dwellings. Specifically the staggered arrangement proposed resulted in significant overbearing impact between plots 15/16 and 5/6. In addition concern was raised that there was a significant disparity between the extents of garden areas provided to some plots. The revised layout and reduction in the number of dwellings has allowed for such staggered arrangements to be avoided in the current layout and has resulted in a far more consistent allocation of private amenity space.



8.52 Noise

The application is supported by a Noise Impact Assessment (24 Acoustics) which considers the impact of road traffic noise. The Environmental Protection Officer has advised that it is clear that noise is at only slightly elevated levels. The submitted report includes recommendations to limit noise impact from the highway to the proposed dwellings and the Environmental Protection Officer has advised that the implementation of such recommendations or equivalent measures would need to be agreed with the local planning authority and secured by condition in order to comply with policy AME04.

8.53 Contamination

Whilst the land appears to be greenfield land with no previous industrial use, it is advised that consideration of potential contamination be given for a residential development of this scale. This would in practice be fulfilled with a desk study and risk assessment which would consider the likelihood of encountering pockets of contamination and help in decision-making as to whether any form of further investigation ought to be carried out. This assessment is to be secured by condition in order to comply with policy HAZ04.

8.54 The revised layout is considered to have resolved previous concerns regarding the amenities of neighbouring off site properties and the unacceptable relationships between the proposed dwellings and neighbouring properties. The revised layout is considered to have no significant detrimental impact on the amenities of neighbouring properties or the future occupiers of the development. As a result the layout is considered to comply with policies AME01, AME02 and DES05.

8.55 **S106 Contributions**

Regulation 122 of The Community Infrastructure Levy Regulations 2010 (amended 2011) states that planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

8.56 Public Open Space

Policy ESN 22 'Public Recreational Open Space' requires all development involving a net increase in dwellings to make provision for open space (also see the Infrastructure and Developer Contributions SPD). This provision includes sports ground/formal recreation, parkland, informal recreation and children's play space.

8.57 Given that the proposed development would result in a net increase of dwellings at the site the applicant is required to enter into an s106 legal agreement to secure financial contributions to address off site deficiency in public open space provision in accordance with policy ESN22.

The contributions would be used to improve, enhance and provide those schemes identified by the Council or Parish Council, which include projects to support the Council’s Green Spaces Strategy in line with circular guidance and the Council’s adopted Infrastructure and Developer Contributions SPD (2009).

8.58 There is, as identified by the Council’s Public Open Space Audit, an existing deficit within the Parish for all four forms of public open space (Sports Ground, Parkland, Informal Recreation, and Children’s Play Space). The original submission proposed the provision of onsite informal and children’s space. However following concerns from the Leisure Officer with regard to the usability of the proposed space this element was been withdrawn and an off-site contribution towards informal space and children’s play space is to be secured. The Policy Officer has advised that the applicable contributions are sought in order to enhance the facilities at the Romsey Sports Centre. The proposed development of 19 dwellings would result in additional pressures on the existing public open spaces which are shown to be deficient and the required contributions are proportional to the number of bedrooms proposed. As such the requirement for contributions is considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 (amended 2011). Subject to the completion of the s106 legal agreement to secure contributions the proposals are considered to comply with policy ESN22.

8.59 Education

This development lies in the catchment area of Cupernham Infant and Junior Schools within the school planning area of Romsey Town and North Baddesley. Pupil number information for the planning area has been provided by Hampshire County Council as the education authority and is set out below.

8.60

**Primary Schools**

Area	Net capacity	Number on roll	% surplus places	Net capacity	Number on Roll	% surplus places
	May 2013	Sep 2014	Sep 2014	Jan 2019	Jan 2019	Jan 2019
Romsey/North Baddesley	1866	1780	4.6%	1866	1911	-2.4%

8.61 The figures demonstrate the pressure for places with less than 5% surplus available expected in September 2014 and a shortfall of places in 2019. The above figures include the additional places provided recently at Cupernham Infant and Junior Schools to reflect the demand from the new Abbotswood housing development. There is no requirement to provide any additional places within secondary schools in the area.

8.62 Calculating the number of pupil places required

Section 4 of the County Council’s Developers’ Contribution Policy contains details on how many places are required as a result of new housing. In order to assess the long term demand arising from a new housing development, the County Council uses the following factors:

- 8.63 Primary Schools (ages 4 to 11) – a minimum of 0.30 children per dwelling  
Secondary Schools (ages 11-16) – 0.21 children per dwelling
- 8.64 These factors apply to all dwellings with two or more bedrooms and are based on pupil yield data from recent housing developments.
- 8.65 The details above on pupil numbers highlight the pressure for primary school places in the area. This site lies in the catchment area of Cupernham Infant and Junior Schools which have recently been expanded to meet demand for additional pupils from the Abbotswood housing development. The schools now operate at 3 forms of entry (90 places per year group).
- 8.66 Further pressure for primary school places will arise from this development and others expected within this planning area. Whilst the development at Peel Close is small and will yield only approximately 7 pupils, it cannot be considered in isolation from the overall pressure for places expected in the area, due to a rising pupil population and additional housing. A contribution towards the provision of additional primary places in Romsey is therefore required.
- 8.67 Work is underway with the schools in Romsey to identify a strategy for providing additional places as a result of expected demand, the strategy being to provide an expansion of an existing school to reflect expected demand of at least 0.5 forms of entry (an additional 15 places per year group) with longer term a further 0.5 FE likely being required. No plans have been developed for the expansion of an existing school at this stage pending clarification of housing plans for the area, a further review of pupil numbers, and building feasibility work being undertaken. The contribution is stated to be pooled towards this strategic expansion.
- 8.68 In order to mitigate the impact of this development on school places in the area a contribution towards the provision of education infrastructure is required. Subject to the provision of such contributions the proposed development would accord with policy ESN30.
- 8.69 The completion of the required agreement the proposal would comply with policies ESN04, ESN22, ESN30 and TRA04, the Infrastructure and Developer Contributions (2009) and The Community Infrastructure Levy Regulations 2010. However the agreement was not complete at the time of reporting and an alternative recommendation has been added should it not be complete before 11 July 2014.
- 8.70 **Other matters**  
The submitted application forms indicate that the mechanism for dealing with foul drainage is 'unknown' at the point of the outline submission. It is therefore unclear from the submission if connection to the mains drainage is possible and a condition has been applied to secure details of the sustainable disposal of foul and surface water and any trade effluent prior to the commencement of development.

8.71 A representation has been received raising concern regarding the proximity of the proposed dwellings to the existing overhead power cables. Southern Electric Power Distribution has been consulted on the proposed development and has raised no objection. However the applicant is required to reach an agreement with the Distribution Network Operator (DNO) as to how the development can be laid out such that the lines can be retained in their current position or; such that contractual arrangements have been agreed to modify the overhead lines. It is not proposed to relocate the overhead cables and the required agreement has been reached between the relevant parties. As such it is not considered that a reason for refusal based on safety concerns resulting from the proximity of the overhead cables to the proposed dwellings could be substantiated.

## 9.0 **CONCLUSION**

9.1 The issue of housing land supply is a strong material consideration in favour of the principle of development. Previous concerns with regard to highways safety, the impact on trees and residential amenities have now been resolved. Subject to the completion of a legal agreement to secure contributions to public open space, transport infrastructure, affordable housing and education infrastructure the proposed development is considered acceptable.

## 10.0 **RECOMMENDATION**

10.1 **Delegate to the Head of Planning & Building for OUTLINE PERMISSION subject to conditions, notes and an S106 agreement to secure financial contributions towards highways improvements, open space, education, affordable housing and a public right of way through the site between the existing turning head in Peel Close and Winchester Road to be completed by 10 July 2014.**

1. **Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than which ever is the later of the following dates:**

**i) five years from the date of this permission: or**

**ii) two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.**

**Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.**

2. **Approval of the details of the landscaping and appearance of the site (herein after called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.**

**Reason: To comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order).**

3. **No development hereby permitted shall be commenced until the Local Planning Authority shall have approved in writing:**

**1. Details of**

**a) the width, alignment, gradient and surface materials for any proposed roads/footway/footpath/cycleway including all relevant horizontal and longitudinal cross sections showing existing and proposed levels**

**b) the type of street lighting including calculations, contour illumination plans and means to reduce light pollution**

**c) the method of surface water drainage including local sustainable disposal.**

**Reason: To ensure that the roads, footway, footpath, cycleway, street lighting and surface water drainage are constructed and maintained to an appropriate standard to serve the development in accordance with Test Valley Borough Local Plan 2006 policies TRA06.**

- 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 single garage shall measure 6m by 3m internally and be constructed as such and made available for the parking of motor vehicles at all times.**

**Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policy TRA02.**

- 6. At least the first 4.5m of any 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 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. Development shall proceed in accordance with the measures set out in Section 4.1 ('Reptiles') of the 'Phase 2 Ecological Surveys: Land at Peel Close, Romsey, Hampshire' report (ECS, November 2013). Thereafter, the identified reptile receptor sites at the application site ('Peel Close') and the off-site land at 'The Fort' shall be managed for the conservation of reptiles as set out in Section 4.6.1 of the report.**

**Reason: To avoid adverse impacts to reptiles in accordance with Policy ENV05 of the Test Valley local plan.**

- 9. Prior to commencement, a detailed Biodiversity and Access Management Plan for Ganger Swamp SINC shall be submitted to and approved in writing by the Local Planning Authority. Development and subsequent management of the SINC shall proceed in accordance with the approved Plan.**

**Reason: To conserve and enhance biodiversity with respect to SINC's in accordance with Policy ENV04 of the Test Valley local plan.**
- 10. No development shall take place (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.**

**Reason: In order to ensure the site is free from contamination prior to residential development in accordance with Test Valley Borough Local Plan policy HAZ01.**
- 11. 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 approved details and 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.**

12. Notwithstanding the details of the submitted arboricultural report (Johnston Tree Consultancy, July 2013) no development (including site clearance and any other preparatory works) shall take place until a scheme detailing how trees shown on the approved plans to be retained are to be protected has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location and specification of any protective fencing, ground protection or other precautionary measures as informed by British Standard 5837:2012. The details of protective fencing will need to be revised from the submitted report to accommodate soakaway to plot 9 and allow construction of soakaways at plots 11 and 12. Such protection measures shall be installed prior to any other site operations and at least 2 working days notice shall be given to the Local Planning Authority. Tree protection installed in discharge of this condition shall be retained and maintained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan policy DES08.

13. No development (including site clearance and any other preparatory works) shall take place until a scheme detailing the specification of the cycle path link to Winchester Road. The specification shall be supplemented by section drawings to demonstrate how levels will result in all construction above the existing ground level. The works shall be undertaken in accordance with the approved details and prior to the first occupation of the dwellings.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan policy DES08.

14. All service routes, drain runs, soakaways or excavations in connection with the same shall remain wholly outside the tree protective barriers without the prior written agreement of the Local Planning Authority.

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 DES08.

15. Prior to the commencement of development detailed proposals for the sustainable disposal of foul and surface water and any trade effluent shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the first occupation of the dwellings.

Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

**Notes to applicant:**

1. 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.
2. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
3. Permission is required under the Highways Act 1980 to construct/alter/close a vehicular access. Please contact the Head of Highways (West) Hampshire County Council, Jacobs Gutter Lane Hounslow, Totton, Southampton, SO40 9TQ. (02380 663311) or highways-transportwest@hants.gov.uk at least 6 weeks prior to work commencing.
4. No vehicle shall leave the site unless its wheels have been sufficiently cleaned as to minimise mud being carried onto the highway. Appropriate measures, including drainage disposal, should be taken and shall be retained for the construction period. (Non compliance may breach the Highway Act 1980.)
5. 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 bird 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.  
Alternative recommendation in the event that the S106 agreement is not Completed by 10 July 2014.

**REFUSE for the reasons:**

1. The proposed development is contrary to policy ESN22 of the Test Valley Borough Local Plan and Infrastructure and Developer Contributions SPD in that no contribution is provided in order to address existing deficiencies in Public Open Space provision in the parish resulting in the development having an unmitigated additional burden on existing facilities.



- 2. The proposed development is contrary to policy TRA01 and TRA04 of the Test Valley Borough Local Plan and Infrastructure and Developer Contributions SPD in that no contribution is provided in order to address existing deficiencies in non-car modes of transport provision in the parish resulting in the development having an unmitigated additional burden on existing infrastructure.**
  - 3. The proposed development is contrary to policy ESN30 of the Test Valley Borough Local Plan and Infrastructure and Developer Contributions SPD in that no contribution is provided to address deficiencies in educational facilities in the town resulting in the development having an unmitigated additional burden on existing infrastructure.**
  - 4. In the absence of a legal agreement to secure the provision of affordable housing and its retention in perpetuity to occupation by households in housing need, the proposal is contrary to policy ESN04 of the Test Valley Borough Local Plan 2006 and the Infrastructure and Developer Contributions Supplementary Planning Document (2009).**
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## **APPENDIX B**

### **Officer's update report to Southern Area Planning Committee on 3 June 2014**

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<b>APPLICATION NO.</b>	14/00872/OUTS
<b>SITE</b>	Land Off Peel Close, Romsey, Hampshire, <b>ROMSEY EXTRA</b>
<b>COMMITTEE DATE</b>	3 June 2014
<b>ITEM NO.</b>	8
<b>PAGE NO.</b>	53-78

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#### **1.0 CONSULTATIONS**

- 1.1 Planning Policy & Transport (Landscape)
- No objection;
- The Landscape Officer has provided further clarification of the previous comments.
  - The landscape team have no objections to the access arrangements or the scale of development. Some minor amendments are required with the layout to allow for increased vegetation within the large central parking court area to break up the parking bays and to give existing trees more space, as outlined in Dermot Cox's tree team response. However these can be resolved at reserved matters stage.
  - Should the scheme receive planning permission, we would require the submission of a detailed hard and soft landscape scheme including existing and proposed levels, boundary treatments and details of tree protection during and after the construction phase as well as a Landscape Management Plan covering the application site at reserved matters stage.
  - Materials should be of a high quality, including the boundary treatments and long sections of timber close board fencing should be avoided and higher quality materials such as brick should be used, softened by native hedgerows. Retaining walls should be kept to a minimum, softened by hedgerows where possible and details of such structures should be submitted at reserved matters stage.

1.2 Crime Prevention  
Design Advisor

Comment;

- The Police have no objection in principle to this application but would wish to raise concerns that;
- The proposed footpath/cycleway opening onto Winchester Road may encourage users to enter or cross the road at this point and which may put them at an increased danger due to a lack of footpath or controlled crossing and fast moving traffic.
- The proposed footpath/cycleway and the development roads are to be un-adopted and there is no indication of them being lit. This is not recommended as these routes will potentially be less safe and increase the fear of crime for residents and other users.
- If these 2 issues are not addressed in order to provide safer routes for all users then the Police may review their position at a later planning stage.

2.0 **REPRESENTATIONS**

2.1 Chilworth Estates  
(Owners)

Comment;

- Concern that paragraph 8.35 of the Officers report is inaccurate in relation to the position of the former Oak tree.
- The large Oak tree was not within the boundary of the current application site and was within land currently occupied by the development of 20 or 22 Peels Close which was sold by Chilworth Estates in 1991.
- Chilworth Estates were not involved in the felling of these trees.

2.2 7 Peel Close

Comment;

- Concern that paragraph 8.49 of the Officers report is inaccurate in its description of the relationship of the site land to No.7 Peel Close.
- Excluding the parking area shown on the plan the land on which the footprint of the proposed house to be built is clearly higher than that of 7 Peel Close and not lower ground as is stated in the report.

3.0 **PLANNING CONSIDERATIONS**

3.1 **Crime Prevention**

The Crime Prevention Officer has raised no objection in principle to the development but has raised some concern regarding the link with Winchester Road and the absence of street lighting details (para.1.2).

- 3.2 The proposed pedestrian and cycle link through the site onto Winchester Road is intended to facilitate a connection with the proposed Romsey to Ampfield Cycle Route and in addition would provide access to the existing bus stop on the northern side of Winchester Road. Whilst there is a small section of pavement either side of the bus stop there is no other footway provided on the northern side of Winchester Road and current users of the bus stop would have to cross the road in order to access this service. The proposed route through the application site would provide access to the bus stop without the need to cross the road.
- 3.3 With regard to improvements to the crossing of the highway from the northern side of Winchester Road to the southern side the Highways Officer has confirmed that part of the transport contribution will be put towards provision of an uncontrolled crossing, most likely in the form of a traffic island, across Winchester Road and a footpath linking that uncontrolled crossing to the footpath/cycleway access to the site. In relation to the second item raised by Hampshire Constabulary, the adoption of the road and associated lighting provision is a matter to be considered by the applicant and it would not therefore be considered appropriate to assign part of the transport contribution towards this aspect. Details of street lighting would be required at the reserved matters stage.
- 3.4 **Levels and relationship with No.7 Peel Close**  
A Representation has been received regarding the description of the relationship of the application site to No.7 Peel Close. The report states that the “the proposed dwelling of Plot 1 is situated approximately 13.4m from the neighbouring property to the north and would be situated on lower ground.”
- 3.5 Further to visiting the neighbouring property of No.7 it is apparent that the dwelling and garden area, which has been levelled in sections to produce a flat garden area, is in fact situated on lower ground than the existing levels of the application site. However the submitted design and access statement includes indicative section details of those plots adjacent to No.7 and appear to show a significant reduction in the levels resulting in the western ground floor elevations of those properties being below ground level and further remodelling of the land to provide a flatter garden area. However this section remains indicative and does not show the ground level of the boundary with the neighbouring property. In this case it is considered appropriate to secure full details of the existing and proposed ground levels by condition.
- 3.6 **SINC management and access**  
The Ecology Officer had requested the imposition of a condition (9) requiring the submission of and approval of a nature conservation and access management plan prior to commencement on the basis that the application includes proposals to allow public access into the adjacent SINC.

However the applicant has clarified that no public access to the SINC is proposed and the area remains outside of the application site and would be retained in private ownership. In this case the Ecology Officer has advised that the condition is no longer reasonable or necessary and in addition as the land is outside of the applicants control it could no longer be applied. As a result it is proposed to delete condition 9 from the recommendation.

**4.0 AMENDED RECOMMENDATION  
ADDITIONAL CONDITION**

**16. 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.**

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