

ITEM 7

APPLICATION NO.	13/02672/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	28.11.2013
APPLICANT	Renaissance Retirement Ltd
SITE	Former Council Offices , Duttons Road, Romsey, SO51 8XG, ROMSEY TOWN (ABBEY)
PROPOSAL	Demolition of former council offices and erection of a block of 54 sheltered apartments for the elderly with access from Duttons Road and the erection of a pair of semi-detached dwelling houses with access from Station Road; and associated parking
AMENDMENTS	Amended plans received on 04 March 2014 and 09 June 2014 with additional supporting information received on the 28 January, 20 February, 07 March and 13 June 2014.
CASE OFFICER	Miss Katherine Fitzherbert-Green

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This item is presented to the Planning Control Committee (PCC) following the resolution of the Southern Area Planning Committee (SAPC) to refuse planning permission contrary to the Officer's recommendation and for reasons that the Head of Planning and Building advised could not be properly substantiated and would likely result in an award for costs against the Council if the applicant should lodge an appeal.
- 1.2 The SAPC report and Update Paper for the 3 June 2014 meeting are appended to this report as **Appendix A** and **Appendix B** respectively together with the drawings presented to SAPC.
- 1.3 This report to PCC is accompanied by revised plans to the application submitted on the 6 June 2014 which seek to address the concerns raised by SAPC. Amendments to the scheme comprise:
- Removal of two second floor apartments within the northern projection of the building with a reconfiguration of the roof to reduce the ridge and eaves height to two storeys;
 - Omission of the boundary fence to the east of the site sitting parallel to the property, Maali 3 Jubilee Road;
 - Addition of a second lift.

The applicant has also advised that, following purchase of the site it is proposed to enter into a private agreement with the occupier of Maali to agree future access from within the development site for maintenance purposes.

- 1.4 Further to additional concerns raised by Members of SAPC but not incorporated within the reasons for refusal, the applicant has also confirmed that:
- The existing hedge to Jubilee Road will be retained in its entirety and will be managed and maintained at a similar height to that as existing;
 - Two additional communal rooms are to be added within the roofspace for hobbies and quiet enjoyment by residents;
 - A drainage strategy is to be produced which will demonstrate that the discharge to the public sewers will be decreased from the discharge levels of the previous use of the building.

2.0 REPRESENTATIONS

2.1 One letter received from Maali, 3 Jubilee Road – withdrawing previous objections to the proposal.

2.2 Letter from 22 Station Road – objection (comments in summary)

- The revised plans focus on changes to Duttons road and Jubilee Road and do not adequately take into account any objections raised by Station Road residents;
- The former offices are 3 storeys. The proposed development is effectively four by the same standards;
- This will limit daylight into the garden of 22 Station Road during the evening and increase overlooking;
- All other developments in the area are 2-3 storeys max making this proposal out of keeping with others in the area;
- The proposed development is a very imposing building from 22 Station Road;
- Overdevelopment of the site completely out of character with the area;
- TVBC have a base point of 40-50 dwellings per hectare. This is 0.42ha making more than twice the density;
- The SAPC report lists objections which are not adequately covered in subsequent sections of the report other than for residents of Duttons Road, Jubilee Road and the property, Maali with regard to privacy and overlooking;
- Privacy for 22 Station Road is covered in a superficial way stating distances building to building. The proposed building to boundary distance is in places less than 5m;
- SAPC report does not cover loss of privacy and amenity value due to the increased height, overlooking balconies and the change of use;
- The primary amenity area of the garden would be severely overlooked from the top 2 storey rooms resulting in a serious invasion of privacy;
- The design of the proposal does not afford adequate privacy for the occupants of the building or of adjacent residential properties particularly with the right to the quiet enjoyment of garden amenities;
- Need to consider the responsibilities of the Council under the Human Rights Act in particular Protocol 1, Article 1 (Right to peaceful enjoyment of all possessions which includes the home and other land) and Article 8 (Substantive right to respect for private and family life);
- Request planners visit 22 Station Road before making further recommendations;
- Site plans for 22 Station are incorrect with a two storey garage at the property which will restrict daylight to some of the properties proposed.

3.0 **PLANNING CONSIDERATIONS**

- 3.1 The key considerations for the PCC are the reasons for refusal from SAPC. These reasons for refusal need to be weighed against the considerations given within the Officer reports in conjunction with later amendments to the application.

Reason 1: Relationship to Jubilee Road

- 3.2 The first reason for refusal expresses concern that the apartment building, by virtue of its scale, height and massing would be overbearing, and thereby detrimental to the character and appearance of Jubilee Road. Members concern related in particular to the northern projection of the building and its return towards the boundary with Jubilee Road at a 2½ storey height. The assessment of the scheme against the specific policies cited in this reason for refusal is undertaken in Appendix A (paras 8.8 - 8.12). It is not intended to duplicate this assessment within this report to PCC.
- 3.3 Member's attention is however drawn to the amended plans submitted to the application following SAPC which have since removed two second floor apartments to this northern projection of the building. The deletion of these apartments (previously numbered 43 and 44 on the original plans) has enabled the roofspace to be reconfigured, bringing a reduction in both ridge and eaves height of the roof closest to Jubilee Road by 9.1m and 5.1m respectively. Whilst the relationship of the building to the northern boundary of the site has not changed at ground and first floor levels, the reduction in unit numbers enables this part of the building to appear as two storeys, having a scale and massing reflecting the closest two storey properties to the eastern end of Jubilee Road. These properties themselves have ridge heights of 7.9m and eave heights of 5.20m. This alteration additionally assists with reducing views of the scale and massing from more distant public vantage points along the length of Jubilee Road where the building will be seen rising above the intervening boundary hedge. Given the limited proportion of Jubilee Road affected by the proposal, it remains the case that, in the opinion of Officers there is no conflict with policies DES02 (Settlement Character) and DES06 (Scale, Height and Massing) of the Local Plan.

Reason 2: Impact upon residential amenities to Maali, 3 Jubilee Road

- 3.4 Members of SAPC additionally expressed concern regarding the relationship of the northern projection of the apartment building upon the nearest neighbour to the east of the site, Maali which comprises a bungalow sitting parallel to the boundary. This relationship is assessed further in Appendix A (paras. 8.21 – 8.24) and was deemed by Officers to be acceptable against policies DES06 (Scale Height and Massing) and AME01 (Privacy and Private Open Space).
- 3.5 The subsequent amendments to the application additionally seek to ameliorate the concerns raised by Members upon the residential amenities of Maali. The reduction in height to the northern projection reduces the massing of the building visible in western views from within the enclosed garden and parking area to the north of the property. The reconfigured roof will also reduce the extent of shade cast from this same elevation of the apartment building falling within the garden and parking area of Maali during afternoon hours, over and above the shade cast by the property itself within its own land.

Again, it remains that, in the opinion of Officers, that the proposed development does not give rise to adverse harm contrary to policies DES06 (Scale, Height and Massing) and AME01 (Privacy and Private Open Space) of the Local Plan.

Further matters

- 3.6 The Members of the SAPC raised a number of further issues within the debate that were not material planning considerations or subject to reasons for refusal. Nonetheless, the applicant has sought to accommodate the concerns within the amended plans submitted. For example, the internal layout has been amended to enable the provision of a second lift giving occupiers with mobility concerns another route to access upper floor apartments should mechanical issues arise. The roofspace is additionally being considered for the provision for additional communal space for use by the residents. Within the grounds of the site, it is agreed to retain the hedgerow in its entirety to Jubilee Road and this is subject to an additional planning condition. Finally, whilst no objection has been raised to the application from Southern Water (see para 5.10 and condition 4) it has been indicated that a drainage system can be achieved for the site that provides an improvement to the existing foul sewerage system.
- 3.7 SAPC further debated the provision of onsite affordable housing and the absence of such provision within the apartment building. By way of confirmation for the PCC, in accordance with the BLP policy ESN04 (Affordable Housing in Settlements) and the TVBC SPD 'Affordable Housing', provision is to be made to meet the policy requirements through giving over the pair of semi-detached dwellings to the south of the site in conjunction with a financial contribution. This contribution can be secured within the Legal Agreement to be towards affordable housing provision within the south of the Borough. Members will note from Appendix A paragraph 5.2 that Housing does not have a requirement for any of the sheltered apartments to meet an affordable housing need with the provision of the contribution deemed to best meet the needs of the wider community within Test Valley.

4.0 CONCLUSION

- 4.1 The proposal is acceptable without demonstrable harm to the character and appearance of Jubilee Road and the amenity of the neighbouring property to the east of the site. Notably, the scheme has been further amended since the meeting of SAPC to address the concerns of Members, also taking into account issues not raised within the reasons for refusal. The proposal is therefore deemed to accord with the policies of the Development Plan and continues to be recommended for permission on the grounds that the reasons for refusal provided by SAPC cannot be properly substantiated and would likely result in an award for costs against the Council if the applicant should lodge an appeal.

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

- 1. The proposed development, by virtue of its scale, height, massing and relationship to the northern boundary to the site would have an overbearing impact on the street scene of Jubilee Road to the detriment of its character and appearance. The development is contrary to policies DES02 (Settlement Character) and DES06 (Scale, Height and Massing) of the Test Valley Borough Local Plan 2006.**

2. The proposed development, by virtue of its scale, height and massing in conjunction with its relationship to the property, Maali 3 Jubilee Road, would have an unduly prominent and overbearing impact upon the residential amenities of this dwelling and result in an adverse level of overshadowing to the private garden to the north of the property. The development is contrary to policies DES06 (Scale, Height and Massing) and AME01 (Privacy and Private Open Space) of the Test Valley Borough Local Plan 2006.

6.0 RECOMMENDATION OF THE HEAD OF PLANNING AND BUILDING

Delegate to the Head of Planning and Building for:

- completion of a legal agreement to secure -
 - financial contribution towards off-site public open space;
 - two units on site and a financial contribution towards off site affordable housing;
- PERMISSION subject to:
 1. The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
 2. Notwithstanding the details included within the application, no development (including demolition) shall take place until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Local Plan 2006 policy DES07.
 3. No development (including demolition) shall take place until a scheme has been submitted and approved by the Local Planning Authority for the provision of opportunities to enhance biodiversity (e.g. nest boxes or bat access) within the new building and/or site. The development shall be carried out in accordance with the approved details and retained thereafter.
Reason: To seek improvement to biodiversity in accordance with Test Valley Borough Local Plan policy ENV05 and the NPPF.
 4. No development (including demolition) shall commence on site until full details of the proposed means of foul and surface water sewerage disposal have been submitted to and agreed in writing by the Local Planning Authority in consultation with Southern Water. The scheme shall subsequently be implemented in accordance with the agreed details before the first occupation unless otherwise agreed in writing by the Local Planning Authority.
Reason: To prevent a negative impact from the development on the existing drainage infrastructure in accordance with Test Valley Borough Local Plan (June 2006) policy ESN30.

5. **No development (including demolition) shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide for:**
- parking onsite for contractors and delivery vehicles;
 - the management and coordination of deliveries of plant and materials as well as the disposing of waste resulting from demolition and construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods;
 - areas for loading and unloading;
 - areas for the storage of plant and materials;
 - security hoarding position and any public viewing platforms (if necessary);
 - site office location;
 - construction lighting details;
 - wheel washing facilities;
 - dust and dirt control measures;
 - a scheme for the recycling of construction waste; and
 - vegetation clearance details;

The Construction Method Statement shall include an implementation and retention programme for the facilities hereby listed. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction period does not have a detrimental impact upon the environment or highway safety in accordance with Test Valley Borough Local Plan policies TRA01, TRA05, ENV01, HAZ03, HAZ04, AME01, AME02, AME03, AME04 and AME05.

6. **Prior to the first occupation of the building hereby permitted, the car parking spaces including disabled parking, shall be constructed, surfaced and laid out in accordance with the approved plans. The area of land so provided shall be maintained at all times for this purpose.**

Reason: To ensure sufficient off-street parking has been provided in accordance with the Test Valley Local Plan Policy TRA02 and in the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policy TRA02.

7. **The clearance of vegetation greater than 50cm in height pursuant to facilitating the development hereby approved shall only be undertaken between September and February (inclusive). Alternatively, a competent ecologist shall undertake a pre-clearance check for occupied birds' nests and if necessary the supervising ecologist shall maintain a watching brief during vegetation clearance works. Work shall cease in any areas where occupied nests are identified and a 5m exclusion zone maintained around such nests, until such time as those nests become unoccupied of their own accord.**

Reason: To avoid impacts to breeding birds in accordance with Test Valley Borough Local Plan (June 2006) policy DES09 and ENV05.

- 8. 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. 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: To ensure a safe living/working environment in accordance with Test Valley Borough Local Plan 2006 policy HAZ04.

- 9. If during the development of the site, contamination not previously identified is found to be present on the site then no further development shall be carried out until the applicant has submitted to, and obtained written approval from, the Local Planning Authority with respect to how this contamination shall be dealt with. Works shall recommence in accordance with the agreed details.**

Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Local Plan 2006 policy HAZ04.

- 10. Notwithstanding the details contained within the Landscape Concept Plan (ref ASP.13.035.106), no development shall take place until full details of a scheme 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 scheme 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.

- 11. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority.**

The schedule shall include details of the arrangements and programme for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policy DES10.

12. Prior to occupation, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the lighting shall be installed before the first occupation of the development.

Reason: To safeguard the amenities of the area and/or in the interests of road safety in accordance with Test Valley Borough Local Plan 2006 policy AME03.

13. During the period of demolition and construction, no machinery shall be operated, no process carried out and no deliveries received or despatched, outside of the following times: 07.30 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturday. No such activities shall take place on Sundays, bank or public holidays.

Reason: In the interest of the amenity of neighbouring properties in accordance with Test Valley Borough Local Plan policy AME04.

14. All meter boxes shall be housed internally unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise its visual impact and ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Local Plan 2006 policy DES07.

15. Notwithstanding the details submitted, no development (including site clearance and any other preparatory works) shall take place until a scheme detailing how the 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;
- Details of the how any existing surfacing is to be removed and reinstated where in proximity to trees to be retained;
- Details as to how the proposed new parking within the root protection area to Tree T6 (dwg ref 13227-BT2) can be achieved within adverse impact on the tree;
- Details of new surface construction and kerb construction around Tree T16 (dwg ref 13227-BT2);

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.

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

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.

17. No development shall take place until details have been submitted and approved in writing for new tree planting. The details shall include the size, species and position of such new trees; the specification of underground tree pits/structural cells and a programme for implementation. The development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity and the appearance of the locality in accordance with Test Valley Borough Local Plan policy DES08.

18. The boundary hedge to Jubilee Road shall be retained and maintained to a minimum height of 2m unless otherwise agreed in writing with the Local Planning Authority. Any parts of this hedgerow which die or are damaged shall be replaced with the same species within the current or next planting season.

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.

Notes to applicant:

1. 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.

- 2. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
 - 3. Please ensure that all development/works complies with the approved plans. Any changes must be advised and agreed in writing with the Local Planning Authority before they are carried out. This may require the submission of a new planning application. Failure to do so may result in enforcement action/prosecution.**
 - 4. Birds nests, when occupied or being built, receive legal protection under the *Wildlife and Countryside Act 1981* (as amended). It is highly advisable to undertake clearance of potential 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.**
 - 5. Bats and their roosts receive strict legal protection under the *Wildlife and Countryside Act 1981* (as amended) and the *Conservation of Habitats and Species Regulations 2010* (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**
 - 6. 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.**
 - 7. The developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 0330 303 0119).**
 - 8. Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 0330 303 0119).**
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APPENDIX A

Officer's Report to Southern Area Planning Committee – 3 June 2014

APPLICATION NO.	13/02672/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	28.11.2013
APPLICANT	Renaissance Retirement Ltd
SITE	Former Council Offices , Duttons Road, Romsey, SO51 8XG, ROMSEY TOWN (ABBEY)
PROPOSAL	Demolition of former council offices and erection of a block of 54 sheltered apartments for the elderly with access from Duttons Road and the erection of a pair of semi-detached dwelling houses with access from Station Road; and associated parking
AMENDMENTS	Amended plans received on 04 March 2014 with additional supporting information received on the 28 January 2014, 20 February 2014 and 07 March 2014.
CASE OFFICER	Miss Katherine Fitzherbert-Green

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This application is presented to the Southern Area Planning Committee (SAPC) as the Head of Planning and Building considers the application to be of significant local interest.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 This 0.42ha level site is situated within the settlement boundary of Romsey as defined by the Test Valley Borough Local Plan (June 2006) (TVBLP). Located within the town centre, the vicinity of the site contains established residential properties arranged mainly in terraces or semi-detached pairs fronting Jubilee Road to the north and Duttons Road to the west. Abutting the southern boundary of the site sit some larger detached two storey dwellings fronting Station Road together with flats arranged over 2 and 2 ½ storeys to the south east and south west respectively. The exception to this two storey development is the presence of a bungalow to the north east of the site which fronts Jubilee Road and has its side elevation forming part of the boundary to the application site.
- 2.2 The site is a self-contained plot with boundaries demarcated predominately by hedgerow containing a single 'L' shaped building set towards its southern boundary. Constructed in 1929 and extended most recently in 1975, the building comprises of brick elevations rising to three storeys with the uppermost floors siting within a mansard roof facing north or under flat roofs facing west commensurate with the period of build. The remainder of the site is given over to onsite parking with access extending through the site in a 'one-way' system from Duttons Road to the west and exiting onto Station Road to the south east.

A pedestrian link is also provided from Duttons Road. To the south of the site and parallel with the southern boundary is a small enclosed area of open space laid to grass. The site additionally contains a tree subject to a Tree Preservation Order covering an oak tree to the south west corner.

- 2.3 The site most recently provided for the offices of Test Valley Borough Council, with the premises vacated in February 2013. The site is now redundant, albeit the car park remains available for use until the property is disposed of.

3.0 **PROPOSAL**

- 3.1 Planning permission is sought for the redevelopment of the site in two parts. The principal area of the site is to be redeveloped to form 54 sheltered apartments comprising 41 one bedroom and 13 two bedroom units together with communal facilities, on-site parking and amenity space. This self-contained building has a broadly 'Z' shaped footprint rising to three storeys in height and sitting under a pitched roof. The building has been designed to present principal elevations to Duttons Road and Jubilee Road and contains a staggered front face with gable projections to visually articulate the building into smaller elements and adding interest. Vehicular access to the apartments will be taken from Duttons Road through a new access point broadly central to this highway frontage leading to a car parking area that extends along the Duttons Road and Jubilee Road boundaries. On site provision is also to be made for the storage of mobility vehicles and cycles in the form of a detached building set to the south west corner.

- 3.2 To the rear of the site and fronting Station Road, it is proposed to erect a further two properties comprising a pair of semi-detached dwellings, also with on-site parking and amenity space. Access to these properties is to be taken from Station Road.

- 3.3 The application has been accompanied by a Design and Access Statement, a Statement of Community Involvement, a Traffic Assessment, a Phase 1 Habitat Survey, a Marketing Review and Arboricultural Impact Assessment and Method Statement.

4.0 **HISTORY**

TVS.154 Additional office accommodation and car parking. Permission subject to conditions - 13/08/74.

TVS.154/1 Regulation 4 application. Alterations to fenestrations. Permission – 23.02.87.

TVS.154/1A Regulation 4 application. Additional car parking and stationing of demountable office building. Permission subject to conditions - 11/11/88. Office building temporary until – 31.10.91.

TVS.00154/2 - New entrance, 2/3 storey rear extension and provision of additional car parking spaces. Permission granted 03.09.1992

TVS.00154/3 - Provision of revised pedestrian access. Permission – 07.11.1996.

TVS.00154/4 - Installation of three light columns (Regulation 3 Application). Permission 02.03.1999.

TVS.00154/5 - Erection of porch, ramp and steps to rear entrance door to provide disabled access. Permission 03.03.1999

TVS.00154/6 - Installation of external solar blinds to windows on south and east elevations. Permission 22.08.2001

11/01559/TVBC3S - Retrospective application for retention of two way radio antenna secured to hand rail on flat roof (TVBC Regulation 3 application). Permission 23.09.2011

13/01588/ADVS - Erection of 1chevron board and 2 single display boards. Consent issued 25.09.2013.

5.0 **CONSULTATIONS**

5.1 **Planning Policy – No objection**

Comments in summary -

- The site is located within the settlement boundary. In principle there is a presumption in favour of residential development subject to compliance with the other applicable 'saved' policies of the Borough Local Plan 2006;
- The existing use (although now vacant) is 'sui generis council offices';
- Policy ESN 15 applies as the site was a major provider of jobs. Marketing should establish whether there is no commercial demand for an alternative employment use in order to address this policy conflict;
- Supporting evidence has been submitted showing that the site/premises have been appropriately marketed for a sufficient period. As a result, no such demand for the site/premises for employment use was forthcoming and requirement for compliance with Policy ESN 15 has been satisfied;
- No objection on grounds of loss of employment use;
- A material consideration in favour of the proposal is housing land supply;
- The current position in Southern Test Valley (STV) is 4.48 years. The site is currently included within 'Windfall – Identified sites' for 56 dwellings. If planning permission were to be granted, this would further increase the robustness of this provision;
- Although the premises are vacant, the car park currently remains available for public parking provision on Saturdays (81 spaces with free parking, limited to three hours). This would be lost as a result of the proposed development;
- The provision of car parking in proximity to Romsey town centre is important for its vitality and viability in economic and retail terms;
- The Council's Cabinet resolved on 5 June 2013 to progress proposals for an additional 98 long stay public car parking spaces at Romsey Rapids (planning application (13/03079/TVBC3S) submitted). Additional spaces have also been provided at the Former Magistrates Court, Church Street;
- Whilst replacement provision for the car parking which would be lost is not a formal requirement in order for the proposal to be acceptable in planning terms, it is considered that such alternative provision will adequately compensate for any impact resulting from it no longer being available and the overall number of public car parking spaces will increase. No objection on grounds of loss of public parking.
- Affordable housing should be sought in line with policy ESN04;
- A financial contribution should be sought towards public open space provision which is not achievable on-site in line with Policy ESN 22;

- Consideration is required of the potential impact upon international nature conservation designations. Should ecological advice highlight any risk of significant effects on international conservation designations, a financial contribution towards the Forest Park may provide a form of mitigation;
- Other pertinent 'saved' policies within the Local Plan should be taken into account, including those within the DES, AME, TRA and ENV chapters.

5.2 **Housing** – *comments in summary*

- The application triggers the 40% affordable housing requirement which equates to 22.4 apartments;
- There is evidence of housing need for people aged over 60 years in Romsey. When vacancies occur in existing Social Rented Sheltered Schemes they are usually difficult to let because there is an oversupply of this type of accommodation in the social sector;
- People now have different aspirations and they often want to live independently in their own homes or bungalows for as long as physically possible. Housing therefore does not have a requirement for any of the 54 sheltered apartments for affordable housing;
- There is a strong housing need for 2 bedroom houses in this location and would recommend allocating the units to affordable housing;
- It is unclear if the two units are to be affordable or open market as they do not appear in either form in the financial appraisal. This needs to be addressed because it will have an impact on the financial viability of the scheme;
- If to be affordable, then advise the applicant to enter into an agreement with a Registered Provider. The price of these units needs will then need to be input into the financial appraisal and re-submitted;
- The TVBC Affordable Housing SPD states a financial contribution may be made by the applicant to fund affordable housing off site in lieu of the on-site provision within the apartments;
- Believe that there is a surplus to be made on the site and would expect to see the 2no x bedroom units to be affordable and for the applicant to also make a financial contribution towards much needed affordable housing.

5.3 **Estates** – No comment.

5.4 **Highways** – *Initial comments* - No objection

- The submission is not consistent with regard to the location of the access;
- On the basis of the new access, visibility splays of 2m x 43m are required;
- An alteration is required to the On Street Traffic Regulation Order which is currently being reviewed so no Transport Contribution specifically for this is required;
- The site falls with a policy area where 100% reduction in parking is possible so no objection to the parking level shown.

Final comments – no objection

- As before relating to access, including visibility splays and car parking.

5.5 Landscape – *Final comments* – No objection

- Boundary detail will need to be secured in the landscaping scheme;
- The Duttons Road frontage hedge retention appears to be fairly diagrammatic, but if the stems are all retained and are all behind the sight lines then the proposal is acceptable;
- The hedge should be managed to a height of not less than 1m on Duttons Road and 1.8m on the Jubilee Road frontage.

5.6 HCC Archaeology – No comment

- The site is close to the Saxon and medieval town of Romsey, which itself seems to be associated with a focus of archaeological activity of earlier periods;
- Prehistoric and Roman evidence has been found in the wider vicinity;
- The area has an archaeological potential, but this has been compromised to some extent by the existing development;
- Believe that the application would have been more helpful had it included a heritage statement that addressed this point;
- It would appear that the footprint of the development is highly coincidental with the existing development and that on the face of it seems likely that the construction of the existing offices will have done considerable archaeological damage;
- On balance, would not raise an archaeological issue.

5.7 Environment Protection

- Request conditions to secure:
 - the provision of an assessment of the nature and extent of any contamination on the site together with a scheme of remediation;
 - means to address and remediate any unexpected contamination found on site during construction;
 - the submission of a Construction Management Plan to secure hours of work (construction and demolition) and the control of noise and dust emissions from demolition and construction activities.

5.8 Trees –

Final comments (in summary) -

- Trees on site of varying degrees of public amenity. Principle agreed with respect of which trees are worthy of retention or may be removed. The proposal respects that situation;
- One tree to be retained subject to TPO. Others to be retained worthy of inclusion within new order;
- Subject to appropriate tree protection and due diligence during work, proposed demolition can be achieved without impact to trees to be retained. Proposed new buildings remain at an acceptable separation from on-site trees to be retained;
- This proposal is supported by an arboricultural method statement. Areas remain which need to be explored/addressed:
 - Tree protection around T1 is drawn to back edge kerb of existing car park. No indication given as to how this relates to the removal and reinstatement of the existing surface;

- T5 – ground level protection needs to be provided at a radius to prevent damage to crown during construction;
- No details provided as to how the proposed new parking within the root protection area of tree T6 can be achieved without adverse impact on the tree;
- Details of new surface construction and kerb construction around tree T16 required;
- Information regarding drains, services and any other underground infrastructure needed;
- No details given for proposed tree planting – no sizes or species. Without species, size of underground tree pits/structural cells cannot be determined and therefore nor can the degree of constraint these may impose on subterranean infrastructure;
- Considerable discussion held previously with regard to Duttons Road frontage – noting on plan to indicate what is happening here;
- Relationship of mid-southern section of proposed building with off site trees in vicinity of tree T18 – not TPO'd and not worthy of TPO but large and fast growing Poplar will be due south and close to windows. Tree outside of applicant control but likely to lead to conflict with future occupier.

5.9 HCC Ecology – *(comments in summary)*

- The application is supported by an Extended Phase 1 Habitat Survey report (Abbas Ecology, July 2013). Despite what appears to be a thorough search, no realistic potential bat roosting opportunities were identified;
- The Authority can be confident that there is sufficient information to assess the impacts of the proposal on bats and bat roosts, and that the development is unlikely to result in an offence against the Conservation of Habitats and Species Regulations 2010 (as amended) that protects bats;
- Despite the relatively urban location, there are anecdotal reports of bat foraging activity in the vicinity, there are known bat roosts elsewhere in Romsey and the nearby Romsey Canal is a well-used foraging and commuting route. It is likely that there is some level of general bat foraging activity in the area.
- Additional lighting would disrupt this activity. Details of lighting should be subject to prior approval and where possible, external lighting for visibility should be designed to be low level (e.g. bollards, wall units, down lighters etc.). High-level, intense security / floodlighting should be discouraged;
- Note Landscape comments regarding the boundary hedge and its rather reduced stature. The area is known to support a range of urban bird species, and the reduction of this hedge would represent a net loss in habitat for these species, as well as others;
- There is limited – if any – biodiversity benefit provided in this development. The NPPF encourages biodiversity gains with conservation and enhancement of biodiversity is also in accordance with policy ENV01 of the local plan and the National Environment and Rural Communities (NERC) Act 2006;
- Would encourage the inclusion of measures such as in-wall bat roost units for pipistrelle bats (known to be present in the wider area of Romsey) and bird nesting features to help support local populations of house sparrows.

5.10 **Southern Water** – comments in summary -

- Following initial investigations, there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development;
- The proposed development would increase flows to the public sewerage system. The existing properties and land may be subject to a greater risk of flooding as a result;
- Additional off-site sewers, or improvements to existing sewers will be required to provide sufficient capacity to service the development;
- Section 98 of the Water Industry Act 1981 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location;
- Alternatively, the developer can discharge foul flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the foul system;
- Initial investigations indicate that there are no public surface water sewers in the area to service this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer;
- Southern Water can provide a water supply to this site which requires a formal application for connection and on-site mains to be made by the developer;
- Advise provision of a condition and notes.

5.11 **Environment Agency** – No objection.

5.12 **Architects Panel** –

The proposals for the site have been subject to consultation with the Architects Panel at a pre-application stage. The comments from the Architects Panel are summarised:

- Consider the purpose, form and materials to be in keeping with the surroundings, and therefore acceptable in general terms;
- The glazing of the gables added to the character and it is hoped that the use of the second floor either separately or as mezzanines for the upper apartments will be pursued;
- The success or failure of the scheme would depend on the detailing with particular attention to be given to the steel box frame around the windows and dormers, the glass balcony fronts, material and detailing of the panels (no objection raised to the cementitious 'boarding'), the positioning and appearance of vents, overflows and so forth and the landscape design.

6.0 **REPRESENTATIONS** Expired 03.01.2014

6.1 **Romsey Town Council** – Objection

- Overbearing on the amenity of the bungalow to the east next door and the street scene in Jubilee Road;
- Severely detrimental to the amenity of the dwellings on the opposite side of Jubilee Road in terms of height and proximity.

6.2 9 letters of objection from 20, 22, 24 75 Station Road, 6, 10 and Maali Jubilee Road (x3), on the grounds of (in summary) –

Principle

- Object to the change of use of the site;
- The density of the development exceeds the TVBC SHLAA base point of 40-50 units per hectare;
- The SHLAA (April 2013) states that the inclusion of a site within the document does not imply that the Council would necessarily grant planning permission for residential use;
- Hampshire County Council quote a maximum of 40 dwellings per hectare in line with government guidelines, but this site will have 56 dwellings on 0.42 hectares;
- The need for the development is questioned given many recent developments of this kind and two more underway in Botley Road and Winchester Road;
- Danger of flooding the town with homes for residents where there are insufficient services such as GP practices and transport;
- Would support a predominately two storey development that provided more car parking for the residents of the development and their visitors

Character of the area

- The area is low level residential housing with no overcrowding, overlooking or overdevelopment. The area is light, airy and open looking with the feel of the market town that Romsey is;
- Out of keeping with this area of Romsey;
- Part of the development is a three storey block with a pitched roof to run partially along the boundary hedge line with Jubilee Road which is an extremely narrow road with three blocks of semi-detached houses and one bungalow on it.

Design

- The development style looks lovely and sure it would be built to a high standard but too many units are being crammed into this space;
- The design looks more suited to a redeveloped marina area than a market town, mainly due to its height;
- Overdevelopment of the site;
- If it was smaller and less imposing, it would be less out of keeping with the area. In short, it is just too big;
- The former offices are currently 3 storeys with the third being a mix of flat roof and dormers. The proposed development is effectively 4 storeys by the same standards;
- The development could potentially house over 100 people;
- This development is huge, surely a smaller building would be more in keeping within the area and impact less on local wildlife;
- Other developments in the area are max 2/3 storeys thus making this proposal out of keeping with others in the area;
- Very imposing and will make the area feel overcrowded and overshadowed by its size, height and close proximity to houses around it;

- The proposed height of the building includes overhanging balconies;
- The existing building is set a significant distance back from the road and therefore the imposing height is accommodated more comfortably;
- The siting is ill-considered. It is currently used as a thoroughfare for vehicles and pedestrians alike.

Amenity

- No consideration has been shown by the developer for local residents as stated in their brochure and supporting documents;
- The proposed development is a large, intimidating, imposing, looming building close to neighbouring properties, overshadowing them in a way that would be expected in an industrial town or city.

Privacy

- The Council's working hours were aligned with the working hours of the occupier for 22 and 24 Station Road giving privacy at evenings and weekends with no overlooking the kitchen, garden and bedrooms;
- Height of the building will limit daylight into the garden of 22 Station Road and dramatically increase the level of overlooking;
- The height and close proximity to the boundaries of properties in Station Road and Jubilee Road will give a serious problem of overlooking;
- Part of the development, which includes a balcony, would appear to be at most 7m away from the boundary with 24 Station Road;
- Overlooking from balconies. In the case of north and east facing facades, this will be directly into the windows of Jubilee Road. No other building in this area has balconies;
- Views from balconies at 2nd and 3rd floors will look directly down into windows and roof lights of bedrooms and the lounge. These rooflights are at a height of only 2.6m, the highest point of the roof of the bungalow is less than 3.5m and only 2m on the flat roof. The proposed development will have a height in excess of 11m and is to be sited less than 10m from the bungalow walls. The eastern façade will therefore tower well above the bungalow;
- Maali has the main secluded family garden screened from the road and driveway to the front of the property. The height and substantially closer proximity of the proposed development will result in loss of privacy;
- 10 Jubilee Road will be faced with a three floor building coming close to the boundary hedge directly opposite the front of the house. Windows and what appears to be a full height stairwell or corridor end facing 10 Jubilee Road;
- The developer has acknowledged the need to provide a 1.8m high fence to protect privacy to Maali positioned a foot from the property wall and windows resulting in loss of light. The Agent has stated that sections of the fence could be removed when required for maintenance and access can be gained from Renaissance subject to prior authorisation. This is unreasonable with windows to clean, woodwork to maintain and flat roof and guttering that needs frequent attention.

Light

- Neighbouring properties will be over shadowed (quite literally) by this unnecessarily enormous development;
- This will invade privacy and lights left on overnight will cause disturbance by the close proximity to windows;
- Jubilee Road is south facing therefore the size, bulk, close proximity to the front of houses will result in a dramatic loss of light;
- Loss of natural day lighting may cause to an increased use of indoor lights most of the day which will increase the carbon footprint and energy costs;
- The cutting out of natural daylight from the front of the property and effect our enjoyment of homes;
- Loss of evening light to the garden of 24 Station Road.

Highways

- The Romsey Masterplan Consultation 2013 states that the net loss of car parking spaces is not considered desirable and the availability of parking is important, particularly at peak times when public car parks operate at close to capacity;
- The SHLAA contradicts the Masterplan by including the Former Council Offices being promoted for sheltered accommodation and taking account of existing and future provision of public car parking in Romsey;
- Fail to see how the loss of public car parking at the former council offices which is in heavy use cannot impact negatively upon local residents;
- Overdevelopment of the site leaving insufficient space for parking;
- There are 54 proposed flats and 28 parking spaces. This is simply inadequate. Not all units will be able to have cars;
- The only evidence that the 56+ residents will not require more than 26 car parking spaces comes from Renaissance Homes themselves;
- It is impossible to say/guarantee that not every purchaser will own a vehicle;
- The applicant's survey acknowledges an average of 90 vehicle movements in a 12 hour day could be generated. This is a lot of traffic movement;
- This does not take account of the extra traffic and parking requirements of visitors, carers, cleaners and healthcare professionals who will need parking on a regular daily basis;
- During evenings and weekends there were no cars left on the roads in the area around the former Council building. Residents were able to use the car park as an overflow for guests and visitors. This will no longer be possible;
- On street parking is already stretched to its extreme limits and cannot be forced further;
- Residents would be entitled to residents parking making overstretched on street parking in the area much worse;
- Parking bays are constantly taken up by non-residents looking for free parking. Permit holders already have difficulty in finding spaces;
- People do not want to use paying car parks and will seek to find a free spot;
- Jubilee Road is already being recommended for free parking by one local business, whose customers regularly take up spaces in the road;

- Even if there is a condition on the development that no one is allowed to park in the street, this is impossible to enforce as a recent flat build in Station Road has shown. Even though the flats have parking, Station road residents were assured that no extra street parking would be used. The reality is that on street spaces are used daily by these residents;
- There are no penalties for developers or flat owners for breaching the conditions of the build, only the residents of Station Road;
- There are disabled residents and parents of young children in Station Road often seen trekking, with difficulty, up and down and crossing this busy road to get to cars;
- Understand that more Resident Parking Permits are issued for inner Romsey than there are car parking spaces. How can adding to this be justified;
- Perhaps a way to easing this massive problem in the inner zone would be to free certain Council run car parking, like the library, to allow Zone 1 residents to park at any time of day;
- A solution to the residents parking has to come before unenforceable promises are made with regards to overdeveloping sites;
- Jubilee Road is already dangerous being used as a 'rat-run' by motorists avoiding the traffic lights to Alma Road at rush hour/school finishing times. This will only get worse with the increase in traffic due to this development;
- This situation needs to be addressed before someone is killed or injured, not made worse with extra traffic and parking needs generated by such a large development that does not provide adequate parking provision;
- Loss of the site as an overflow car park (which is also used by shoppers on Saturdays making use of the three free hours) could possibly force more shoppers out of town, rendering a detrimental effect on both the town/local traders with ultimately the possibility of further shop closures.

Natural Environment

- Surprised by the applicant's Biodiversity Report and the comment on bats;
- During summer months there are frequently bats fluttering about in the evenings. They fly between the trees and hedge feeding on insects around the trees in Jubilee Road. Unlikely that they will be there when the area they fly and feed in is covered by a huge 3 storey building;
- Birds and wildlife nest in the hedgerow and trees, and field mice live in the hedgerow. To disturb or destroy this beautiful natural habitat is disgraceful and will drive out the birds, insects and small mammals;
- It is a shame to purposely remove healthy trees even if last time they were pruned, they looked more butchered than pruned. With minimal care, the trees could be restored to their former glory;
- To replace existing trees with new semi mature trees is at best an ecological misnomer. A long established tree already supports more bio-diversity, as it is already integrated into the local eco system and is an established habitat for wildlife;
- Believe that the trees support local bats as they have been seen as resting roost when feeding in the evenings;

- As the habitat of the local insect population, the removal of the trees would disrupt the food chain. This would have a very negative effect on the wild birds and protected bats that feed there;
- No thought has been given to adequate landscaping at the rear of the building. Substantial evergreen landscaping may reduce this issue but no details have been provided at this stage.

Other

- It is unclear whether there will be an age restriction on occupancy;
- This high density accommodation will add strain to an already overburdened infrastructure;
- Lack of communal area for such a development;
- Outlook from the front of properties in Jubilee Road will be changed from a mix of roof tops, trees and sky to just a large looking building a few feet away;
- Matters raised with Renaissance at the public exhibition were clearly not considered because the application does not appear to have been changed to address the main concerns of neighbours.

7.0 POLICY

7.1 Government Guidance - National Planning Policy Framework (NPPF) – Part 4 Promoting sustainable transport; Part 6 – Delivering a wide choice of high quality homes; Part 7 – Requiring good design; Part 8 – Promoting Healthy Communities.

7.2 Test Valley Borough Local Plan (TVBLP) - SET01 (Housing in Settlements); ENV05 (Protected Species); ENV11 (Archaeology and Cultural Heritage); HAZ04 (Land Contamination); ESN22 (Public Open Space); ESN03 (Housing Types, Density and Mix); ESN04 (Affordable Housing); ESN22 (Public Open Space Provision); ESN15 (Retention of Employment Land); TRA01 (Travel Generating Development); TRA02 (Parking Standards); TRA04 (Financial Contributions to Transport Infrastructure); TRA05 (Safe Access); TRA06 (Safe Layout); TRA07 (Access for Disabled People); TRA09 (Impact on Highway Network); DES02 (Settlement Character); DES05 (Layout and Siting); DES06 (Scale, Height and Massing); DES07 (Appearance, Details and Materials); DES08 (Trees and Hedgerows); DES10 (New Landscaping); AME01 (Privacy and Private Open Space); AME02 (Daylight and Sunlight); AME04 (Noise and Vibration).

7.3 Draft Revised Local Plan (2013) - On the 8 January the Council approved the Revised Local Plan (Regulation 19) for public consultation. The statutory 6 week period of public consultation commenced on January 24 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 Supplementary Planning Documents (SPD) - 'Look at Romsey' Town Design Statement; Affordable Housing (March 2008); Infrastructure and Developer Contributions (February 2009); Cycle Strategy and Network Supplementary (March 2009), Romsey Town Access Plan.

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development;
- The loss of an employment site;
- Impact on the character and appearance of the area;
- Impact on the local highway network;
- Impact upon residential amenity;
- Impact upon the natural environment;
- Drainage; and
- Scheme viability and availability of contributions to mitigate the impact of development on local infrastructure.

Principle of development

8.2 The site is located within the settlement boundary for Romsey therefore in accordance with policy SET01 (Housing within Settlements), development and redevelopment is acceptable in principle provided that the land is not protected for other uses, would be in keeping with, and not cause harm to the character of the area nor would prejudice the development or redevelopment of adjacent sites. In this respect, the principle of development in this location is considered acceptable subject to an assessment of the detailed design against other relevant Local Plan policies.

8.3 In addition to the principle of development being deemed acceptable, it is considered that the proposal will also contribute towards the mix of housing within this part of Romsey. Whilst the size and form of the properties is limited to one and two bedrooms only, existing residential development in the wider locality is of a mixed size and type thereby retaining a choice of housing for potential occupiers. As such, it is considered that there will be sufficient variety of accommodation available to contribute towards the provision of a mixed community as to accord with policy ESN03 (Housing Types, Density and Mix).

8.4 In addition to policy SET01, housing provision within the Borough has to have regard to the requirements of the NPPF as a material consideration. At the heart of the NPPF is a presumption in favour of sustainable development indicating that where relevant policies of the Local Plan are out of date, permission should be granted 'without delay' unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme (NPPF para 14). Reference is therefore drawn to the required Housing Land Supply position for Southern Test Valley which is currently in deficit against a minimum requirement for 5.25 years. With this shortage currently in place, paragraph 14 is engaged and gives further weight in favour of the development.

Loss of an employment site

8.5 The NPPF (para 51) also gives support to changing commercial buildings (currently in Class B uses) to residential use. This is particularly applicable where there is an identified need for additional housing in the area, providing that there are not strong economic reasons why such development would be inappropriate. Whilst the building is in sui generis use as opposed to Class B, it remains to form an employment site.

The principle of assessing this loss therefore continues to be reflected by Policy ESN15 (Retention of Employment Land) which seeks to protect existing employment sites from redevelopment to alternative uses. This is unless the activities occurring cause, or could cause harm to the character of the area or neighbouring residential amenities, or that the site is no longer required to meet economic development needs. Whilst the use of the site has not been the subject of expressed harm, the application has been accompanied by details of a Marketing Exercise.

- 8.6 The Marketing Exercise indicates that formal marketing of the site commenced on the 8 October 2012 and continued through to April 2013. This has been undertaken by a commercial agent and through a variety of media, including direct mailing of approved particulars, the placing of the site on commercial property websites and in appropriate national and local publications, as well as the posting of on-site marketing boards. It is indicated that this marketing exercise generated interest from parties looking at alternative uses for the property, principally through redevelopment as opposed to retaining the site for an employment use. The Marketing Exercise also provides an indication that the property did not generate suitable interest for retention as an employment premises on the grounds of size and configuration. In this respect, it is stated that the Duttons Road building is significantly larger than the majority of office requirements in this location, would require a major reconfiguration to subdivide into smaller suites and is unlikely to be a viable undertaking with a cost to a landlord of holding accommodation until specific users can be identified.
- 8.7 On the grounds that the site has failed to demonstrate interest for its long term retention for employment purposes, it is considered appropriate to seek the reuse of the land for another use. A new use for the site would also ensure that a proactive approach is being taken by the LPA to 'drive and support sustainable development' in delivering new homes as promoted within the NPPF (para 17) and to assist with helping the development needs of the area.

Impact upon the character and appearance of the area

- 8.8 In accordance with policies SET01 and DES02, consideration is required of how the development will relate to the character of the area. In this location, the character is defined by its urban setting with residential development of varying scale, height and architectural character commensurate with the period of build. This includes single family dwellings arranged in terraces or as semi and detached properties fronting the respective streets, together with flats fronting Station Road and Duttons Road. The existing site therefore sits at odds with this character in terms of its use, scale, massing and appearance, with the building having no overriding architectural merit as to contribute significantly to the character of the area. It is therefore acknowledged that the proposed development will represent a significant alteration to the appearance of the site with the merits of the proposal considered against the remaining DES policies of the Local Plan.

Siting and layout

- 8.9 The proposal is of a siting, scale and massing that acknowledges the existing form of development on the site. The sheltered apartments have been laid out to have principal elevations fronting both Duttons Road and Jubilee Road as to provide a positive relationship with the adjacent streets, with the staggered footprint maximising the use of the available land. The development will create a new frontage to Jubilee Road with this relationship to the closest residential properties acknowledged within the design and form of the new building. To the south of the site, the development also provides for two further dwellings that can be integrated within the existing settlement and, being of two storeys in height, are commensurate with the adjacent residential plots. In accordance with the criteria to policy DES05, the layout provides for well-defined public and private space and has the built form relating positively to the street and public domain, with this domain also overlooked to provide natural surveillance.

Scale, height and massing

- 8.10 Properties abutting the site range in their scale and height from single storey through to 2 ½ storeys with the massing contained in a mix of detached, semi-detached and flatted units. Contrary to this character, the former Council offices sit with some presence in the locality given the three storey height and notable scale and massing of the building compared to its neighbours. Whilst this height and scale has been used to inform the proposed redevelopment, third party representations have raised particular concern regarding the enlargement of the footprint with the resultant massing and increase in height. These concerns are first addressed against the criteria to policy DES06 (Scale, Height and Massing) in terms of the impact upon the character of the area, with separate consideration given to the impact upon residential amenity in paragraphs 8.20-8.23.
- 8.11 Policy DES06 accepts the principle of providing a building of greater height and massing if this is 'necessary to reflect the development's function' and providing that this does not detract from the dominance of, or interrupt important views of key landmark buildings or features. The design here is specific to serve the internal arrangement of residential requirements with the overall massing and creation of an 'institutional' appearance to the public domain ameliorated through the architectural detail with inclusion of the projecting gables and recesses (which will also create shadow play) and the variations in fenestration. In addition to the massing, the height of the resultant building will increase from 9.80m to between 10.40m and 12.30m, albeit continuing to provide accommodation only over three floors. This increase in height is attributed to the provision of a pitched roof over rather than accommodating the third floor within a mansard roof. As such, the design seeks to reduce the views of the increased height through the use of the aforementioned projecting gables to add variation to the roofscape, and by also confining the tallest element of the development to the corner return to Duttons Road and Jubilee Road thereby also having regard to properties to the north and south of the site.

- 8.12 Whilst this building is not intended to be a 'landmark' building, it will indeed have some prominence in the locality by virtue of its scale and massing which is commensurate with the site history. Therefore, whilst the resultant development will alter the appearance of the site as viewed from the public domain, it is not considered that the view of a larger property is of demonstrable harm to the wider character of the area and will not interrupt key views within the town. Furthermore, whilst there will be an increased sense of enclosure to Jubilee Road by bringing the development closer, the location of the car park and the private garden seek to ameliorate adverse harm from this new relationship, retaining space within the street scene. Finally, the two properties proposed to the south east of the site will form new massing on land presently laid to parking and access. These buildings will sit across the width of the available land and rise to two storeys as to reflect the nearest neighbours on Station Road. It is therefore considered that the development will accord with policy DES06.

Detailed appearance and materials

- 8.13 Policy DES07 (Appearance, Detail and Materials) seeks to ensure that the design of new development is of a high standard and attractive appearance which adds visual interest, expresses its purpose and complements local building styles and materials. The building containing the sheltered apartments has a traditional basis but with more contemporary detailing in order to create its own identity and variation to the street scene. This detailing is continued throughout the building to retain an overall design approach. The design is also articulated through a mixed palette of materials to include facing brick to be commensurate with the character of the area with variation added through the use of weatherboarding and glazed panels which extend through to the apex of the projecting gables siting under a tiled roof. Whilst this mix will add to the overall design, this is not so diverse as to create an overall chaotic appearance that would be detrimental to the character of the area.
- 8.14 In addition to policy DES07, consideration is also given to the Romsey Town Design Statement. In accordance with stated design guidelines, the development looks to 'respect to the line of established streets', with the new built form seeking to 'incorporate an interesting roofscape', is 'urban in form, not suburban' and contains a fenestration that has 'a natural flow and rhythm'.
- 8.15 In balancing all the aspects of design, it is considered that the development would not result in demonstrable harm to open areas or features which contribute to the character of the area. The development has been informed by the scale and massing of the existing premises on the site, acknowledging also that the site and existing building sits as an anomaly to its surroundings. The design therefore seeks to respond positively to the surrounding townscape in terms of the siting, layout and detailed design in order to accord with policies DES02, DES05, DES06, DES07, as well as design guidelines presented within the Romsey Town Design Statement (Area 9 – Romsey Town Centre Outer Core).

Impact on the local highway network

- 8.16 The Local Plan contains a number of policies (TRA) that address issues of traffic and land use, examining aspects of highway safety, parking provision, access and site layouts and the impact on the highway network. The site presently provides an element of public car parking which will be lost through the change in ownership and redevelopment of the site. Since the vacation of the building, this facility has only remained available by virtue of the land ownership but is otherwise private land. However, to accommodate the wider demands upon public car parking within the town and to also compensate for the loss of public parking at Duttons Road, the Council has sought and gained planning permission (ref 13/02079/TVBC3S – Feb 2014) for the development of an additional 90+ parking spaces at Romsey Rapids together with new public parking at the Former Magistrates Court, Church Street.
- 8.17 The proposed development of sheltered apartments is one which will continue to generate traffic therefore consideration is required as to how this will impact upon existing highway users. The level of traffic to be generated has to be considered in conjunction with the former use as offices, but also as a public building attracting further trips to the premises. It is therefore expressed within the supporting information that the overall level of movements associated with the site would decrease to that previously experienced. It is additionally acknowledged that the site is in a highly accessible location in relation to local services, facilities and public transport, with a level walk available to the town centre facilitated by crossing points reducing the reliance upon a private vehicle.
- 8.18 The proposed development will seek to provide a total of 26 spaces to serve the sheltered apartments with a further 4 spaces for the two dwellings. This is despite the location being one where, in accordance with the Test Valley Borough Local Plan policy TRA02 (figure 7.3), the site is one which could be accepted for up to a 100% reduction in parking provision. The level of parking being provided together with its layout has not been the subject of any objection from the Highways Officer, with the parking on site additionally separated according to the accommodation type. The site will also see an alteration to the existing vehicular access to Duttons Road and with the provision of appropriate sight lines which has been deemed to provide for a safe access and layout without any adverse impact on the function and character of the highway network. The proposal is therefore considered to accord with the relevant TRA policies of the Local Plan.

Residential Amenity

- 8.19 Policies AME01 and AME02 consider the effect of development upon neighbouring residential amenities, addressing aspects of privacy and private open space and daylight/sunlight respectively. Concerns have been raised from adjacent properties with regard to the loss of privacy from the new residential development by new views generated from first and second floor windows, potential loss of light and in particular, from the proposed use of the building.

Privacy and private open space

Apartment building

- 8.20 Concerns regarding privacy and amenity have been considered in conjunction with the design of the development, its fenestration and the intervening distances between properties. To the north of the site are properties to Jubilee Road, with the closest dwellings of 10-12 Jubilee Road fronting the development across the public highway with intervening distances to the new development of 16m and 14.4m respectively. This closer proximity of the apartment building will significantly alter the outlook from these properties which to date have been afforded an open aspect across the office car park. It is however considered that the resultant relationship between the apartment building and 10-12 Jubilee Road will not be unacceptably overbearing in this town centre location given the intervening distances and design of the northern return of the building. To this northern return, the height of the building has been reduced to two storeys which generates an eaves level of 5.70m to better reflect the eaves height of properties in Jubilee Road at 5.20m. The roof above also pitches away from Jubilee Road with use of dormer windows set back from the eaves to further assist with protecting amenity. This design, together with a reduction in the number of windows and the removal of balconies to this elevation seeks to reduce the proximity and perception of new views across the street and towards the front elevations of the dwellings opposite, and provides for a development that is considered to have an acceptable relationship to Jubilee Road.
- 8.21 Similar concerns of privacy and amenity have also been received from 'Maali' to the east of the site. Maali is a single storey dwelling that has its south west elevation sitting parallel to the application site at a distance of 19.60m – 25m to the existing office building and has an open aspect to the existing car park. The proposed development will however bring the south east elevation of the apartment building to a distance of 12.20m – 17.60m, with the intervening space given over to private garden. Whilst in closer proximity, the new development is not considered to be of demonstrable harm to the residential amenities of Maali given the arrangement and internal layout of Maali and the design of the new apartment building.
- 8.22 In this respect, it is noted that Maali fronts onto and takes access from Jubilee Road with the original dwelling having been extended along its south west boundary for the length of the remaining plot. These additions result in the dwelling principally viewing onto private spaces to the northeast as opposed to the application site to the southwest, with openings serving principle rooms contained to the northeast, northwest and southeast elevations or from centrally placed rooflights. Whilst there are windows to the south west elevation, these are high level only and serve a hallway, study and ensuite. Any views gained of the development from these windows will be at an oblique angle therefore reducing the level of direct prominence generated from the new building height upon residential amenity. Even from the private garden space of Maali, views of the building will be at a distance, across its own roof and the intervening garden space.

- 8.23 The arrangement of Maali within its plot additionally enables an acceptable level of privacy to be retained, despite the increased proximity of the new development. The apartment building has been designed to contain a level of glazing consistent with the overall design approach, however not all glazing facing Maali serves windows, with areas also given over to opaque panelling. Where windows do face east, views will be either contained within the garden at ground level or extend across the roof and curtilage of Maali to the townscape beyond. Any demonstrable harm to the privacy of Maali is also protected by the arrangement of principle windows facing away from the site, with any views into the aforementioned high level windows or rooflights being at an oblique angle only and also filtered by the proposed tree planting within the intervening garden. These factors are considered to retain an acceptable level of privacy in accordance with policy AME01 of the BLP.
- 8.24 This same property, Maali, has additionally raised concern as to the proposed erection of a 1.8m close boarded fence to the eastern boundary parallel to this dwelling to demarcate the land. This fence, at 1.8m will sit parallel to the aforementioned small and high level windows in its east elevation and whilst this will alter views from the windows, the erection of fencing is something which could otherwise be carried out under permitted development rights once the development is completed and occupied to which the Local Planning Authority would have no control.
- 8.25 Finally, the new use of the building will bring a 24 hour operation to the property as opposed to the office facility which occurred Monday to Friday. This continuous use has been a source of concern expressed within representations received from properties within Station Road. Whilst there was no previous restriction upon the operation of the building, the proposed design has taken account of the relationship with these dwellings ensuring minimal fenestration facing south. Where upper floor windows do arise, these mainly occur within a central recess ensuring the greatest intervening distance is afforded to those properties in Station Road. For instance, the development maintains intervening distances of between 34.5m through to 50.2m to upper floor windows within the south elevation which is considered to be acceptable within an urban location and accords with policy AME01.

Pair of semi-detached dwellings

- 8.26 The pair of semi-detached properties to the south of the site are sited on land between existing residential properties. Regard to this relationship has been given within the siting and design of the new dwellings to minimise any harm from prominence of the new massing, to avoid existing side facing windows and to ensure that no undue loss of privacy occurs from intervening views. This aspect of the proposal is therefore also considered to accord with policy AME01.

Daylight and sunlight

- 8.27 Concerns have additionally been raised regarding the effect of the proposal on matters of daylight and sunlight to neighbouring residential properties.

Given the orientation of the development, shade generated by the building will principally fall across the site itself and into shade generated by the existing boundary treatments. Those properties to the south of the site will therefore be unaffected by any shade cast with those dwellings to the north and east sufficiently offset or orientated as such to ensure that the level of sunlight and daylight does not fall below acceptable levels. The proposal therefore also accords with policy AME02 of the Local Plan.

Noise

- 8.28 The AME policies continue with consideration of noise and vibration from nearby land uses and the effect of these upon the amenity of occupants. Guidance contained in the NPPF acknowledges that new development can create noise; the balance however is whether the resultant level of noise is of significant demonstrable harm to health and quality of life. The change in the use of the site from an office to residential will alter the relationship with adjacent dwellings bringing a 24hour use of the site together with associated ancillary movements. It is however considered that the noise generated from the resultant development would be of a type commensurate with the surrounding land uses and with no objection raised by the Environmental Protection Officer, the proposal is considered to accord with policy AME04 of the Local Plan.

Natural Environment

Trees and landscaping

- 8.29 The site is subject to a Tree Preservation Order covering an Oak tree to the south west corner of the site. This tree is to be retained together with better trees of more ornamental quality that have amenity value (albeit not TPO'ed). The protection of these trees during construction has been proposed and secured via a planning condition. Notwithstanding this, the development will require some tree removal across the site which in turn will be compensated for by the planting of new specimens together with hedgerow retention or new planting to the public boundaries. This new planting is to also be the subject of planning condition to ensure the final detail is appropriate to the site and can be appropriately managed. As such, the comments raised by the Arboricultural Officer and the initial objection from the Landscape Officer are to be addressed with the proposal to ensure compliance with policies DES08 and DES10 of the Local Plan.

Ecology

- 8.30 Notwithstanding the location in an urban environment, Local Plan policies ENV01 and ENV05 seek to ensure that adverse harm does not arise upon biodiversity interests and protected species respectively. These policies place a responsibility upon the applicant to demonstrate that any protected species have been accounted for within the submission. In this instance, the application was accompanied by an Extended Phase 1 Habitat Survey which demonstrates that the site offers negligible potential for supporting protected species such as bats. Notwithstanding this, the Survey recommends the incorporation of measures (e.g. bird and bat boxes) to provide net gains for biodiversity in line with the NPPF. The recommendation has therefore included a condition to this effect to ensure that the proposal complies with the aforementioned policies.

Drainage

- 8.31 The Environment Agency designates the site as falling mainly within Flood Zone 1 which has the lowest probability of fluvial flooding (i.e. 0.1% - a 1000 to 1 chance). Notwithstanding this, the proposed development is to increase flows to the local public sewerage system for which Southern Water have indicated there is inadequate capacity to receive this additional flow. It will therefore be necessary to seek additional off-site sewers or improvements to existing sewers to provide sufficient capacity to serve the development. The mechanism for seeking these improvements is through The Water Industry Act 1991 as regulated by Southern Water as the statutory undertaker. The recommendation therefore contains an appropriate condition with notes for advice.

Mitigating the impact of the development

- 8.32 TVBLP policies and accompanying SPD seek to ensure that development does not result in an adverse effect on existing infrastructure, and makes appropriate provision to mitigate such impact. It is therefore common to anticipate that development would either, by way of Obligation (legal agreement) make appropriate provision/improvements on-site or provide a financial contribution towards provision elsewhere. In this particular case the principle of mitigating the impact of development is being secured through financial contributions towards certain categories of public open space and affordable housing provision, together with the provision of two affordable units on site. In considering this need for developer contributions due consideration has been given to the three tests as set out within the Community Infrastructure Levy Regulations 2010, namely that a planning obligation must be (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. This mitigation is being secured through a legal agreement which, at the time of reporting, is being prepared. The development is therefore considered to accord with policies ESN22 (Public Recreational Open Space Provision) and ESN04 (Affordable Housing) of the Local Plan.

9.0 CONCLUSION

- 9.1 The proposal is considered to be acceptable with respect to the principle of development, with the change from a sui-generis office building to the provision of sheltered apartments and further detached properties, subject to planning conditions and completion of a legal agreement to secure financial contributions towards affordable housing and off site public open space. Furthermore, the design, scale and massing of the proposal has regard to its location and is not considered to result in adverse harm to the character of the area. The proposal also seeks to adequately address issues in relation to residential amenity, highway safety, contamination, protected species, trees and drainage.

10.0 RECOMMENDATION

Delegate to the Head of Planning and Building for:

- **completion of a legal agreement to secure -**
 - **financial contribution towards off-site public open space;**
 - **two units on site and a financial contribution towards off site affordable housing;**

then PERMISSION subject to:

- 1. The development hereby permitted shall be begun within three years from the date of this permission.**
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2. Notwithstanding the details included within the application, no development (including demolition) shall take place until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Local Plan 2006 policy DES07.
- 3. No development (including demolition) shall take place until a scheme has been submitted and approved by the Local Planning Authority for the provision of opportunities to enhance biodiversity (e.g. nest boxes or bat access) within the new building and/or site. The development shall be carried out in accordance with the approved details and retained thereafter.**
Reason: To seek improvement to biodiversity in accordance with Test Valley Borough Local Plan policy ENV05 and the NPPF.
- 4. No development (including demolition) shall commence on site until full details of the proposed means of foul and surface water sewerage disposal have been submitted to and agreed in writing by the Local Planning Authority in consultation with Southern Water. The scheme shall subsequently be implemented in accordance with the agreed details before the first occupation unless otherwise agreed in writing by the Local Planning Authority.**
Reason: To prevent a negative impact from the development on the existing drainage infrastructure in accordance with Test Valley Borough Local Plan (June 2006) policy ESN30.
- 5. No development (including demolition) shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall provide for:**

 - parking onsite for contractors and delivery vehicles;
 - the management and coordination of deliveries of plant and materials as well as the disposing of waste resulting from demolition and construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods;
 - areas for loading and unloading;
 - areas for the storage of plant and materials;
 - security hoarding position and any public viewing platforms (if necessary);
 - site office location;
 - construction lighting details;

- wheel washing facilities;
- dust and dirt control measures;
- a scheme for the recycling of construction waste; and
- vegetation clearance details;

The Construction Method Statement shall include an implementation and retention programme for the facilities hereby listed. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction period does not have a detrimental impact upon the environment or highway safety in accordance with Test Valley Borough Local Plan policies TRA01, TRA05, ENV01, HAZ03, HAZ04, AME01, AME02, AME03, AME04 and AME05.

6. Prior to the first occupation of the building hereby permitted, the car parking spaces including disabled parking, shall be constructed, surfaced and laid out in accordance with the approved plans. The area of land so provided shall be maintained at all times for this purpose.

Reason: To ensure sufficient off-street parking has been provided in accordance with the Test Valley Local Plan Policy TRA02 and in the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policy TRA02.

7. The clearance of vegetation greater than 50cm in height pursuant to facilitating the development hereby approved shall only be undertaken between September and February (inclusive). Alternatively, a competent ecologist shall undertake a pre-clearance check for occupied birds' nests and if necessary the supervising ecologist shall maintain a watching brief during vegetation clearance works. Work shall cease in any areas where occupied nests are identified and a 5m exclusion zone maintained around such nests, until such time as those nests become unoccupied of their own accord.

Reason: To avoid impacts to breeding birds in accordance with Test Valley Borough Local Plan (June 2006) policy DES09 and ENV05.

8. 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. 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: To ensure a safe living/working environment in accordance with Test Valley Borough Local Plan 2006 policy HAZ04.

- 9. If during the development of the site, contamination not previously identified is found to be present on the site then no further development shall be carried out until the applicant has submitted to, and obtained written approval from, the Local Planning Authority with respect to how this contamination shall be dealt with. Works shall recommence in accordance with the agreed details.**

Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Local Plan 2006 policy HAZ04.

- 10. Notwithstanding the details contained within the Landscape Concept Plan (ref ASP.13.035.106), no development shall take place until full details of a scheme 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 scheme 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.

- 11. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements and programme for its implementation. Development shall be carried out in accordance with the approved schedule.**

Reason: To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policy DES10.

- 12. Prior to occupation, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the lighting shall be installed before the first occupation of the development.**

Reason: To safeguard the amenities of the area and/or in the interests of road safety in accordance with Test Valley Borough Local Plan 2006 policy AME03.

13. During the period of demolition and construction, no machinery shall be operated, no process carried out and no deliveries received or despatched, outside of the following times: 07.30 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturday. No such activities shall take place on Sundays, bank or public holidays.
Reason: In the interest of the amenity of neighbouring properties in accordance with Test Valley Borough Local Plan policy AME04.
14. All meter boxes shall be housed internally unless otherwise agreed in writing with the Local Planning Authority.
Reason: To minimise its visual impact and ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Local Plan 2006 policy DES07.
15. Notwithstanding the details submitted, no development (including site clearance and any other preparatory works) shall take place until a scheme detailing how the 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;
 - Details of the how any existing surfacing is to be removed and reinstated where in proximity to trees to be retained;
 - Details as to how the proposed new parking within the root protection area to Tree T6 (dwg ref 13227-BT2) can be achieved within adverse impact on the tree;
 - Details of new surface construction and kerb construction around Tree T16 (dwg ref 13227-BT2);
- 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.
16. All service routes, drain runs, soakaways or excavations in connection with the same shall remain wholly outside the tree protective fencing without the prior written agreement of the Local Planning Authority Arboricultural Officer.
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.

17. **No development shall take place until details have been submitted and approved in writing for new tree planting. The details shall include the size, species and position of such new trees; the specification of underground tree pits/structural cells and a programme for implementation. The development shall be carried out in accordance with the approved details.**

Reason: In the interests of amenity and the appearance of the locality in accordance with Test Valley Borough Local Plan policy DES08.

Notes to applicant:

1. **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.**
2. **The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
3. **Please ensure that all development/works complies with the approved plans. Any changes must be advised and agreed in writing with the Local Planning Authority before they are carried out. This may require the submission of a new planning application. Failure to do so may result in enforcement action/prosecution.**
4. **Birds nests, when occupied or being built, receive legal protection under the *Wildlife and Countryside Act 1981* (as amended). It is highly advisable to undertake clearance of potential 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.**
5. **Bats and their roosts receive strict legal protection under the *Wildlife and Countryside Act 1981* (as amended) and the *Conservation of Habitats and Species Regulations 2010* (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**

- 6. 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.**
 - 7. The developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 0330 303 0119).**
 - 8. Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 0330 303 0119).**
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APPENDIX B

Update Report to Southern Area Planning Committee – 3 June 2014

APPLICATION NO.	13/02672/FULLS
SITE	Former Council Offices, Duttons Road, Romsey. ROMSEY TOWN (ABBEY)
COMMITTEE DATE	03 June 2014
ITEM NO.	7
PAGE NO.	11-52

1.0 VIEWING PANEL

- 1.1 A Viewing Panel was held on Friday 30 May 2014 attended by Councillors Bundy, Cooper, Collier, Finlay, Tilling, Hibberd, Hurst and Richards. Apologies were received from Councillors Boulton, Dunleavey, and Bailey.
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