

Minutes of the **Planning Control Committee**
of the **Test Valley Borough Council**
held in The Council Chamber, (Guildhall, Andover), High Street, Andover
on Tuesday 12 August 2014 at 5:30 pm

Attendance:

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

Also in Attendance:

Councillor J Anderdon	Councillor S Hawke
Councillor I Andersen	Councillor G Stallard
Councillor I Carr	

98

Declarations of Interest

Councillor Boulton declared that he was a colleague of Councillor Busk and knew a number of the speakers on application 13/02735/FULLS. He remained in the room and spoke and voted thereon.

Councillor Bundy declared that one of the speakers on application 13/02735/FULLS was known to him. He remained in the room and spoke and voted thereon.

99

Minutes

Resolved:

That the minutes of the meeting held on 1 July 2014 be confirmed and signed as a correct record.

100

Schedule of Development Applications

Resolved:

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

Note:

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

<u>Agenda Item No.</u>	<u>Page No.</u>	<u>Application</u>	<u>Speaker</u>
7	10-79	13/02735/FULLS	Mr P Page (Houghton Parish Council) Mr J Boggis (Objector) Mr K Lancaster (Objector) Mr S L Tidy (Supporter) Mrs S Beckley (Supporter) Dr A Arache (Applicant)
8	80-119	14/00245/FULLN	Councillor B Long (Andover Town Council) Mr D Furby (Objector) Mrs S Brown (Applicant's Agent)
9	120-130	14/00485/OBLN	Mr A High (Objector) Mr G Glennie (Applicant's Agent)

(The meeting terminated at 9.17pm)

Schedule of Development Applications

7	APPLICATION NO.	13/02735/FULLS
	APPLICATION TYPE	FULL APPLICATION - SOUTH
	REGISTERED	11.12.2013
	APPLICANT	KS SPV32 Ltd
	SITE	Land At Eveley Farm, Stevens Drove, Houghton, SO20 6SA, HOUGHTON BROUGHTON
	PROPOSAL	Construction of solar photovoltaic park with attendant infrastructure.
	AMENDMENTS	<ul style="list-style-type: none">• Amended/Additional plans received: 20 December 2013; 15 April 2014• Amended/additional information received 2, 7, 10 and 31 March, 8, 15, 16 April 2014, 9 and 10 July 2014.
	CASE OFFICER	Miss Katherine Fitzherbert-Green

REFUSED for the reasons:

1. The proposed development, by reason of its size and scale would have an unacceptable impact upon the landscape character of this location with the magnitude of change imposed upon the character of the area having an adverse visual impact detrimental to the enjoyment of the countryside as experienced by users of public rights of way sitting in close proximity to the application site. The development conflicts with the Test Valley Borough Local Plan policies ESN32 (Renewable Energy Developments) and DES01 (Landscape Character).
 2. Insufficient information has been submitted within the application to confidently conclude that the application is located solely on land classified as agricultural Grade 3b. The application also fails to demonstrate that there are no other alternative sites of poorer agricultural quality land which could be used in preference to the application site for the siting of this large scale solar development. The development therefore does not accord with the National Planning Policy Framework (paragraph 112) and Planning Policy Guidance.
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8	APPLICATION NO.	14/00245/FULLN
	APPLICATION TYPE	FULL APPLICATION - NORTH
	REGISTERED APPLICANT SITE	31.01.2014 Gemcroft Ltd Former Anton Laundry, Marlborough Street, Andover, SP10 1DQ, ANDOVER TOWN (ST MARYS)
	PROPOSAL	28 apartments (comprising 14 no. 1 bed and 14 no. 2-bed units) with alterations to access, cycle and bin stores, car parking, landscaping and formation of riverside boardwalk
	AMENDMENTS	Amended plans: 30.05.2014 Additional Information: 30.05.2014
	CASE OFFICER	Mr Jason Owen

Delegated to the Head of Planning and Building that:

- **Subject to the completion of a legal agreement to secure contributions towards local infrastructure, and**
- **The receipt of satisfactory amended plans identifying the allocation of car parking spaces for both residential and commercial uses on site.**

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. Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
Reason: To protect the major aquifer beneath the site. If used, piling may provide direct pathways for contaminants to groundwater, in accordance with Policies ENV09, HAZ03 and HAZ04 of the Test Valley Borough Local Plan (2006).**
- 3. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.**

Reason: To protect the major aquifer beneath the site as Sustainable Urban Drainage can increase the potential for pollution if located in contaminated ground in accordance with Policies ENV09, HAZ03 and HAZ04 of the Test Valley Borough Local Plan (2006).

- 4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.**

Reason: To protect the major aquifer beneath the site. There may be areas of the site which cannot be fully characterised by a site investigation and unexpected contamination may be identified in accordance with Policies ENV09, HAZ03 and HAZ04 of the Test Valley Borough Local Plan (2006).

- 5. Development shall be carried out in accordance with the conclusions and recommendations contained in the Such Salinger Peters "Flood Risk Assessment" dated July 2007 and the FRA Addendum (Solent Panning) dated 24 January 2014, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To provide appropriate form of development relative to flood risk at the site, and to accord with Policy HAZ02 of the Test Valley Borough Local Plan (2006).

- 6. Notwithstanding the details submitted, no development shall take place until full details (design and siting) of the safety barriers to be erected alongside the scout hut have been submitted to, and approved in writing by, the Local Planning Authority. The safety barriers and any other means of protecting users of the adjacent Scout Hut shall be installed prior to first use of the vehicular access into car parking area (no's 1-9 as shown on Drw.No.1100 Rev.H) and thereafter retained, in accordance with the approved plans.**

Reason: In the interests of protecting the amenities of users of the scout hut in accordance with Policy TRA06 of the Test Valley Borough Local Plan (2006).

- 7. (i) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:
 - (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 -Investigation of Potentially Contaminated Sites - Code of Practice;**and (unless otherwise agreed in writing by the local planning authority)**

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175;

and (unless otherwise agreed in writing by the local planning authority)

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminated land and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the local planning

authority verification by a competent person approved under the provisions of condition (I)c that any remediation scheme required and approved under the provisions of condition (I)c has been implemented fully in accordance with the approved details (unless with the written agreement of the local planning authority in advance of implementation). Unless agreed in writing by the local planning authority such verification shall comprise:

a) as built drawings of the implemented scheme;

b) photographs of the remediation works in progress;

c) certificates demonstrating that imported and/or material left in situ is free from contamination;

d) thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition (I)c.

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

- 8. No development shall take place until full details of hard and soft landscape works including planting plans; written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme has been submitted to and approved in writing by the Local Planning Authority. These details shall also include; proposed finished levels or contours; means of enclosure and hard surfacing materials (where appropriate). The landscape works shall be carried out in accordance with the implementation programme and maintained thereafter in accordance with the approved details.**

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.

- 9. Details of the siting and design of any proposed external meter boxes/metal ducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.**
Reason: To protect the character of the listed building in accordance with Test Valley Borough Local Plan 2006 policy ENV13 and ENV15.
- 10. No development shall take place unless or until the access road linking the site to Marlborough Street from the proposed car parking area (no's 1-9 as shown on Drw.No.1100 Rev.H) has been provided to binder course.**
Reason: To ensure suitable access is provided to serve the development and to ensure a suitable level of car parking is provided to serve the development, in accordance with Policies TRA02 and TRA05 of the Test Valley Borough Local Plan (2006).
- 11. No residential units shall be occupied unless or until the access road linking the site to Marlborough Street from the proposed car parking area (no's 1-9 as shown on Drw.No.1100 Rev.H) has been provided to final wearing course.**
Reason: To ensure suitable access is provided to serve the development and to ensure a suitable level of car parking is provided to serve the development, in accordance with Policies TRA02 and TRA05 of the Test Valley Borough Local Plan (2006).
- 12. Prior to the commencement of development detailed proposals for the sustainable disposal of foul and surface water and any trade effluent shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the use commence/occupation of the building(s).**
Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.
- 13. The development shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.**
Reason: In the interests of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05, TRA09, TRA02.
- 14. Prior to development taking place the tree protective measures and recommendations contained in the Barrell Tree Consultancy "Arboricultural Impact Appraisal and Methods Statement" dated 15 August 2006 shall be carried out. Any such fencing shall be erected prior to any other site operations and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained 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.

- 15. No development shall take place until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

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

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

- 17. No development shall take place (including site clearance within the application site/area indicated red, until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work, in accordance with a written brief and specification for a scheme of investigation and mitigation, which has been submitted by the developer and approved in writing by the Local Planning Authority.**

Reason: The site is potentially of archaeological significance in accordance with Test Valley Borough Local Plan 2006 policy ENV11.

- 18. Full details of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The windows and doors shall be installed in accordance with the approved details.**

Reason: To protect the character and appearance of the building in accordance with Test Valley Borough Local Plan 2006 policies ENV13 and ENV15.

- 19. No residential units shall be occupied unless or until the 5 car parking spaces, as shown on Drw.No.[to be inserted upon receipt of amended plan for 2. Above] to serve the future requirements of No.24 Marlborough Street have been laid out in accordance with the approved plans. Thereafter the spaces shall be reserved for occupants of 24 Marlborough Street.**

Reason: To ensure appropriate level of car parking is provided to serve the future needs of commercial activities undertaken within the building at No.24 Marlborough Street, in accordance with Policy TRA02 of the Test Valley Borough Local Plan (2006).

- 20. No residential units shall be occupied unless or until the 5 car parking spaces and loading area, as shown on Drw.No. *[to be inserted upon receipt of amended plan for 2. Above]* to serve the future requirements of the existing chalk-cob building located along the north eastern boundary of the site, have been laid out in accordance with the approved plans. Thereafter the spaces shall be reserved for occupants of the Chalk-cob building.**

Reason: To ensure appropriate level of car parking is provided to serve the future needs of commercial activities undertaken within the Chalk-cob building, in accordance with Policy TRA02 of the Test Valley Borough Local Plan (2006).

- 21. No residential units shall be occupied unless or until the 2m wide timber boardwalk footpath, as shown on Drw.No.1100 Rev.H), has been constructed/laid-out and subsequently made available to allow the free flow of pedestrians through the site, in accordance with a scheme that shall first be submitted to, and approved in writing by the Local Planning Authority. Thereafter the route of the footpath shall be retained.**

Reason: To ensure suitable pedestrian access is provided to serve the development and to ensure a link is made to the existing footpath network to the northeast of the site boundary, in accordance with Policies TRA06 and ESN22 of the Test Valley Borough Local Plan (2006).

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.**
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- 9 **APPLICATION NO.** 14/00485/OBLN
APPLICATION TYPE DISCHARGE/MODIFY OBLIGATION - NORTH
REGISTERED 11.03.2014
APPLICANT Goodman
SITE Andover Business Park, Andover, Hampshire, SP11
 8EZ, **PENTON MEWSEY**
PROPOSAL Modification of Schedule 6; Part IV of the planning
 Obligation attached to planning permission
 09/02392/OUTN for the Erection of business park
 with both outline and full details comprising: Outline
 - Plots 1, 2, 3, 5 and 6 for uses comprising business
 (Class B1), storage and distribution (Class B8),
 hotel (Class C1) and community building (class
 A1/D1), biomass plant and associated works and
 Full Permission for Plot 4 for uses comprising
 storage and distribution (class B8), access roads,
 vehicle maintenance building, car and lorry parking,
 landscaping and associated works, to allow cars to
 access development located within Plot 1 of the
 Business Park (as defined by the Framework Plan
 Drw.No.14961/A1/461) via Monxton Road, and for
 Heavy Commercial Vehicles (HCVs) to access
 development located within Plot 1 (as defined by the
 Framework Plan Drw.No.14961/A1/461) via roads
 that are currently defined as 'barred routes'.
AMENDMENTS None
CASE OFFICER Mr Jason Owen

REFUSE the proposed modification to the legal agreement to allow cars to access development located within Plot 1 of the Business Park (as defined by the Framework Plan Drw.No.14961/A1/461) via Monxton Road, and for Heavy Commercial Vehicles (HCVs) to access development located within Plot 1 (as defined by the Framework Plan Drw.No.14961/A1/461) via roads that are currently defined as 'barred routes', as the relevant Obligation continues to serve a useful purpose in that it prevents what would otherwise be a significant impact on the local road network to the detriment of the amenities and safety of residents, in accordance with Policies TRA01, TRA09, AME04 and AME05 of the Test Valley Borough Local Plan (2006).
