

Notice of Meeting

Southern Area Planning Committee

Date: Tuesday, 18 September 2018

Time: 17:30

Venue: Main Hall, Crosfield Hall, Broadwater Road, Romsey, Hampshire, SO51
8GL

For further information or enquiries please contact:

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Legal and Democratic Service

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The recommendations contained in the Agenda are made by the Officers and these recommendations may or may not be accepted by the Committee.

PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Membership of Southern Area Planning Committee

MEMBER		WARD
Councillor A Finlay	Chairman	Chilworth, Nursling and Rownhams
Councillor I Richards	Vice-Chairman	Abbey
Councillor N Adams-King		Blackwater
Councillor J Anderdon		Chilworth, Nursling and Rownhams
Councillor G Bailey		Blackwater
Councillor D Baverstock		Cupernham
Councillor A Beesley		Valley Park
Councillor P Boulton		Broughton and Stockbridge
Councillor P Bundy		Chilworth, Nursling and Rownhams
Councillor D Busk		Broughton and Stockbridge
Councillor C Collier		Abbey
Councillor M Cooper		Tadburn
Councillor S Cosier		North Baddesley
Councillor A Dowden		North Baddesley
Councillor C Dowden		Valley Park
Councillor M Hatley		Ampfield and Braishfield
Councillor I Hibberd		Romsey Extra
Councillor P Hurst		Tadburn
Councillor I Jeffrey		Dun Valley
Councillor A Johnston		Romsey Extra
Councillor J Ray		Cupernham
Councillor C Thom		Valley Park
Councillor A Tupper		North Baddesley
Councillor A Ward		King's Somborne, Michelmersh and Timsbury

Southern Area Planning Committee

Tuesday, 18 September 2018

AGENDA

The order of these items may change as a result of members
of the public wishing to speak

- 1 Apologies
- 2 Public Participation
- 3 Declarations of Interest
- 4 Urgent Items
- 5 Minutes of the meeting held on 28 August 2018
- 6 Information Notes
- 7 **18/01391/FULLS - 01.06.2018** **10 - 25**
(OFFICER RECOMMENDATION: PERMISSION)
SITE: Land known as AP6 Adanac Park (North and East of Hotel), Adanac Drive, Nursling, SO16 0AT, **NURSLING AND ROWNHAMS**
CASE OFFICER: Mr Paul Goodman
- 8 **18/02058/FULLS - 10.08.2018** **26 - 50**
(OFFICER RECOMMENDATION: PERMISSION)
SITE: Land adjacent to 5 Riverside Green, King's Somborne, Stockbridge, SO20 6NG, **KING'S SOMBORNE**
CASE OFFICER: Mrs Sarah Appleton
- 9 **18/01437/FULLS - 07.06.2018** **51 - 73**
(OFFICER RECOMMENDATION: PERMISSION)
SITE: Starlings, Whinwhistle Road, East Wellow, SO51 6BN, **WELLOW**
CASE OFFICER: Miss Sarah Barter

ITEM 6

TEST VALLEY BOROUGH COUNCIL
SOUTHERN AREA PLANNING COMMITTEE
INFORMATION NOTES

Availability of Background Papers

Background papers may be inspected up to five working days before the date of the Committee meeting and for four years thereafter. Requests to inspect the background papers, most of which will be on the application file, should be made to the case officer named in the report or to the Development Manager. Although there is no legal provision for inspection of the application file before the report is placed on the agenda for the meeting, an earlier inspection may be agreed on application to the Head of Planning and Building.

Reasons for Committee Consideration

The majority of applications are determined by the Head of Planning and Building in accordance with the Council's Scheme of Delegation which is set out in the Council's Constitution. However, some applications are determined at the Area Planning Committees, or the Planning Control Committee instead, and this will happen if any of the following reasons apply:

- Applications which are contrary to the provisions of an approved or draft development plan or other statement of approved planning policy where adverse representations have been received and which is recommended for approval.
- Applications which the Head of Planning and Building Services considers are of significant local interest or impact.
- Applications (excluding notification(s)) where a Member requests in writing, with reasons, within the stipulated time span that they be submitted to Committee.
- Applications submitted by or on behalf of the Council, or any company in which the Council holds an interest for its own developments except for the approval of minor developments.
- Notifications on which material planning objection(s) has been received within the stipulated time span (the initial 21 day publicity period) and no agreement with the Chairman of the appropriate Committee after consultation with the appropriate Ward Member(s) has been reached.

- Determination of applications (excluding applications for advertisement consent, listed building consent, and applications resulting from the withdrawal by condition of domestic permitted development rights; Schedule 2, Part 1, Classes B, C, D, E, F, G, and H of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended) on which a material planning objection(s) has been received in the stipulated time span and which cannot be resolved by negotiation or through the imposition of conditions and where the officer's recommendation is for approval, following consultation with the Ward Members, the latter having the right to request that the application be reported to Committee for decision.

Public Speaking at the Meeting

The Council has a public participation scheme, which invites members of the public, Parish Council representatives and applicants to address the Committee on applications. Full details of the scheme are available from Planning and Building Services or from the Committee Administrator at the Council Offices, Beech Hurst, Weyhill Road, Andover. Copies are usually sent to all those who have made representations. Anyone wishing to speak must book with the Committee Administrator within the stipulated time period otherwise they will not be allowed to address the Committee.

Speakers are limited to a total of three minutes per item for Councillors with prejudicial interests, three minutes for the Parish Council, three minutes for all objectors, three minutes for all supporters and three minutes for the applicant/agent. Where there are multiple supporters or multiple objectors wishing to speak the Chairman may limit individual speakers to less than three minutes with a view to accommodating multiple speakers within the three minute time limit. Speakers may be asked questions by the Members of the Committee, but are not permitted to ask questions of others or to join in the debate. Speakers are not permitted to circulate or display plans, photographs, illustrations or textual material during the Committee meeting as any such material should be sent to the Members *and* officers in advance of the meeting to allow them time to consider the content.

Content of Officer's Report

It should be noted that the Officer's report will endeavour to include a summary of the relevant site characteristics, site history, policy issues, consultations carried out with both internal and external consultees and the public and then seek to make a professional judgement as to whether permission should be granted. However, the officer's report will usually summarise many of the issues, particularly consultations received from consultees and the public, and anyone wishing to see the full response must ask to consult the application file.

Status of Officer's Recommendations and Committee's Decisions

The recommendations contained in this report are made by the officers at the time the report was prepared. A different recommendation may be made at the meeting should circumstances change and the officer's recommendations may not be accepted by the Committee.

In order to facilitate debate in relation to an application, the Chairman will move the officer's recommendations in the report, which will be seconded by the Vice Chairman. Motions are debated by the Committee in accordance with the Council's Rules of Procedure. A binding decision is made only when the Committee has formally considered and voted in favour of a motion in relation to the application and, pursuant to that resolution, the decision notice has subsequently been issued by the Council.

Conditions and Reasons for Refusal

Suggested reasons for refusal and any conditions are set out in full in the officer's recommendation.

Officers or the Committee may add further reasons for refusal or conditions during the Committee meeting and Members may choose to refuse an application recommended for permission by the Officers or to permit an application recommended for refusal. In all cases, clear reasons will be given, by whoever is promoting the new condition or reason for refusal, to explain why the change is being made.

Decisions subject to Completion of a Planning Obligation

For some applications, a resolution is passed to grant planning permission subject to the completion of an appropriate planning obligation (often referred to as a Section 106 agreement). The obligation can restrict development or the use of the land, require operations or activities to be carried out, require the land to be used in a specified way or require payments to be made to the authority.

New developments will usually be required to contribute towards the infrastructure required to serve a site and to cater for additional demand created by any new development and its future occupants. Typically, such requirements include contributions to community facilities, village halls, parks and play areas, playing fields and improvements to roads, footpaths, cycleways and public transport.

Upon completion of the obligation, the Head of Planning and Building is delegated to grant permission subject to the listed conditions. However, it should be noted that the obligation usually has to be completed sufficiently in advance of the planning application determination date to allow the application to be issued. If this does not happen, the application may be refused for not resolving the issues required within the timescale set to deal with the application.

Deferred Applications

Applications may not be decided at the meeting for a number of reasons as follows:

- * The applicant may choose to withdraw the application. No further action would be taken on that proposal and the file is closed.

- * Officers may recommend deferral because the information requested or amended plans have not been approved or there is insufficient time for consultation on amendments.
- * The Committee may resolve to seek additional information or amendments.
- * The Committee may resolve to visit the site to assess the effect of the proposal on matters that are not clear from the plans or from the report. These site visits are not public meetings.
- * Where the Committee has resolved to make a decision, which in the opinion of the Head of Planning and Building, has a possible conflict with policy, public interest or possible claims for costs against the Council, those applications shall be referred to the Planning Control Committee for determination.

Visual Display of Plans and Photographs

Plans are included in the officers' reports in order to identify the site and its surroundings. The location plan will normally be the most up-to-date available from Ordnance Survey and to scale. The other plans are not a complete copy of the application plans and may not be to scale, particularly when they have been reduced from large size paper plans. If further information is needed or these plans are unclear please refer to the submitted application in the reception areas in Beech Hurst, Andover or the Former Magistrates Court office, Romsey. Plans displayed at the meeting to assist the Members may include material additional to the written reports.

Photographs are used to illustrate particular points on most of the items and the officers usually take these. Photographs submitted in advance by applicants or objectors may be used at the discretion of the officers.

Human Rights

The European Convention on Human Rights" ("ECHR") was brought into English Law, via the Human Rights Act 1998 ("HRA"), as from October 2000.

The HRA introduces an obligation on the Council to act consistently with the ECHR.

There are 2 Convention Rights likely to be most relevant to Planning Decisions:

- * Article 1 of the 1st Protocol - The Right to the Enjoyment of Property.
- * Article 8 - Right for Respect for Home, Privacy and Family Life.

It is important to note that these types of right are not unlimited - although in accordance with the EU concept of "proportionality", any interference with these rights must be sanctioned by Law (e.g. by the Town & Country Planning Acts) and must go no further than necessary.

Essentially, private interests must be weighed against the wider public interest and against competing private interests. Such a balancing exercise is already implicit in the decision making processes of the Committee. However, Members must specifically bear Human Rights issues in mind when reaching decisions on all planning applications and enforcement action.

Natural Environment and Rural Communities Act 2006 (NERC)

The Council has a duty under the Natural Environment and Rural Communities Act 2006 as follows: "*every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*".

It is considered that this duty has been properly addressed within the process leading up to the formulation of the policies in the Revised Local Plan. Further regard is had in relation to specific planning applications through completion of the biodiversity checklists for validation, scoping and/or submission of Environmental Statements and any statutory consultations with relevant conservation bodies on biodiversity aspects of the proposals. Provided any recommendations arising from these processes are conditioned as part of any grant of planning permission (or included in reasons for refusal of any planning application) then the duty to ensure that biodiversity interest has been conserved, as far as practically possible, will be considered to have been met.

Other Legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination of applications be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the Borough comprises the Test Valley Borough Revised Local Plan (2016). Material considerations are defined by Case Law and includes, amongst other things, draft Development Plan Documents (DPD), Supplementary Planning Document (SPD) and other relevant guidance including Development Briefs, Government advice, amenity considerations, crime and community safety, traffic generation and safety.

On the 27 March 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF does not change the statutory status of the development plan as a starting point for decision making. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework sets out that where the development plan is absent, silent or relevant policies are out of date permission should be granted unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- Specific policies in the Framework indicate development should be restricted.

However, account can also be taken of policies in emerging development plans, which are going through the statutory procedure towards adoption. Annex 1 of the NPPF sets out that greater weight can be attached to such policies depending upon:

- The stage of plan preparation of the emerging plan;
- The extent to which there are unresolved objections to relevant policies; and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF.

The National Planning Policy Framework states that ‘In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.’

ITEM 7

APPLICATION NO.	18/01391/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	01.06.2018
APPLICANT	Mr Harry Hutchinson, Oceanic Gateway Ltd
SITE	Land known as AP6 Adanac Park (North and East of Hotel), Adanac Drive, Nursling, SO16 0AT, NURSLING AND ROWNHAMS
PROPOSAL	Temporary park and ride facility for University Hospital Southampton (UHS) which will provide up to 1,010 staff car parking spaces for a period of 4 years.
AMENDMENTS	Additional information received 27/07/2018 & 31/07/2018.
CASE OFFICER	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is presented to Southern Area Planning Committee because it is contrary to the provisions of an approved Development Plan or other statement of approved planning policy, adverse third party representations have been received- and the recommendation is for approval.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 Adanac Park is a 29 hectare site located to the east of the M271 and extends in a southerly direction from the Nursling Street to adjoin Brownhill Way from which vehicular access is taken. This access also serves the adjacent Holiday Inn which abuts, but is excluded from, the application site. The site is separated from the M271 by mature hedgerow planting and, with the exception of the presence of the Ordnance Survey, is predominately laid for grazing. The site also includes land to Yew Tree Farm and Bargain Farm (both listed buildings). To the east of Adanac Park sits Home Covert (a Site of Importance for Nature Conservation) and the residential areas of Hillyfields and Nursling.
- 2.2 The application site is an approx. 4.66ha plot (referenced as AP6 in the previous permissions) which sits to the south of Adanac Park. The site extends northwards from Brownhill Way sitting parallel to Adanac Drive to the east and wraps around the perimeter of the Holiday Inn, Yew Tree Farm (AP5) and the Adanac Drive roundabout. The site predominately has an open appearance comprising improved grassland used for horse grazing albeit with mature planting to the north east corner (which contains a tree subject to a Tree Preservation Order) and a woodland plantation to the south parallel to Brownhill Way. Vehicular access to both the Holiday Inn and Yew Tree Farm is provided via the Brownhill Way/Adanac Drive and the Adanac Park roundabouts respectively.

3.0 **PROPOSAL**

- 3.1 The application proposes the use of the site as a temporary park and ride facility for University Hospital Southampton (UHS) which will provide up to 1,010 staff car parking spaces for a period of 4 years.

4.0 **HISTORY**

- 4.1 14/00141/OUTS - Outline - Erection of up to 20,583 square metres of business floorspace (B1), together with associated works including drainage, vehicular accesses, realigned access to the adjacent Holiday Inn Hotel, car parking and landscaping. Outline Permission 14.03.2016.
- 4.2 10/02614/OUTS - Outline application for the erection of a medical facility providing up to 12,800 sqm of accommodation for a compact hospital/clinic (Use Class C2 and/or D1) with ancillary uses. Allowed on appeal – 17 November 2011.
- 4.3 07/02872/OUTS - Outline planning permission with all matters (i.e. layout, scale, appearance, access and landscaping) reserved for subsequent approval for that part of the application site shown hatched green on drawing number APP/001/BARW002/Rev D. Demolition of Adanac Farmhouse, site preparation works and the erection of up to 59,118 sqm m of Class B1 offices, research and development and manufacturing premises for occupation by a small number of large space users together with car parking, landscaping, drainage and access roads (including spine road to the north of Plot 4). Outline planning permission with no matters reserved for subsequent approval for the new roundabout at the point of entry into the site from Brownhill Way and the spine road up to the northern edge of the wildlife corridor on Plot 4, the adjacent landscape works and the temporary haul road and the closure of Redbridge Lane between the proposed spine road and Brownhill Way, as shown on the General Layout Parameter Plan and the relevant detailed drawings submitted for approval. Outline planning permission with no matters reserved for subsequent approval for that part of the application site shown as Plot 4 on the General Layout Parameter Plan for the following development. New Class B1 Head Office building (16,409 sqm.) with ancillary cycle, refuse storage and electricity transformer building together with a Children's Nursery (308 sqm.) with associated access, car parking, drainage and landscape works. Permission granted 16 June 2008.

5.0 **CONSULTATIONS**

5.1 **Planning Policy & Transport (Policy) – Comment;**

- Permission should be time limited (temporary) in relation to the timescale for construction works at Southampton General Hospital to ensure that the park and ride development does not prejudice the future (Class B1) employment use for which the site is allocated (Policy LE6) and has planning permission (14/00141/OUTS).
- Consider limited the use of the car park to either only specifically in association with the Southampton General Hospital, and/or a personal permission to the University Hospital Southampton NHS Foundation Trust, in order that car parking use is not established and since the development would only be permitted as a departure on the basis of an

identified need, which is specific in nature and time limited. In this regard, it is noted that the use of barriers is proposed, which could potentially be formalised by condition alongside the display of a vehicle permit or similar requirement.

- Whilst noting that the park and ride facility itself does not extend beyond the 'development zone' of Plot AP6, this plot is the 'gateway' plot to Adanac prominent in the Adanac Drive street scene, boundary treatment should be appropriate and not detract from respecting the characteristics of the wider Adanac site (Policy LE6, criterion a), which requires development to be of a high standard. The temporary use should be designed such that it does not potentially act to deter investment and occupation for Class B1 use for the remaining undeveloped plots or of Bargain Farm, (Policy LE5) which adjoins the site to the east.

5.2 Planning & Building (Landscape) – Comment;

- Soft landscaping required within the site and around the perimeter to soften the development and break up the vast tarmac. Details to be submitted within a landscape plan.

5.3 Planning & Building Trees – No objection, subject to submission of details in relation to 'no-dig' methodology adjacent protected tree.

5.4 Highways England – No objection, subject to condition.

5.5 HCC Highways – Written comments awaited at the time of reporting but no objection likely to be raised.

5.6 HCC Lead Flood Authority – Comments awaited in response to additional drainage information.

5.7 Ecology – No objection.

5.8 Southampton City Council – Comment;

- At a high level there is an extant permission for commercial use on that site (AP6) as part of the wider Adanac Park development and the TA indicates that trips generated by the proposed P&R in the weekday peaks is less than the permission for AP6. The permitted Adanac Park trip generation is approximately 1,000 peak hour and the P&R is expected to generate 177 AM Peak and 158 PM Peak. This is because shift patterns for SGH are different to that of the permitted uses and there will most likely be a mix of clinical and non-clinical staff using the site. A majority of these trips will be on the network anyway as part of the trips to existing Hospital P&R sites at B&Q Nursling and Sainsbury's in Lordshill but the TA is quiet on these and needs explaining. It might mean an intensification of trips on Brownhill Way from M271 J1 to Adanac Park roundabout but reduction further on Brownhill Way.

- However, it is important to note that the existing AP6 (as well as the wider overall Adanac Park site) has consent for a B1 use which generates more trips than the proposal as well as the fact that those trips would be entirely new trips whereas the trips to the P&R site would mostly be on the network already. The consented scheme has already provided mitigation measures for those 1000 peak hour trips but we will push for further improvements to cycle and pedestrian links.
- Although there is the situation with the extant permission, this proposal will have a change and additional impact with trips travelling from the site to the hospital. The extant permission considers trips to and from the site alone. However, the current proposal will also generate these trips (albeit lower levels during the peaks) plus the additional bus movements and any staff potentially wanting to walk, bus or cycle to the Hospital.
- We do have some queries from the TA as it doesn't state how the bus will serve the site, what type of vehicle is going to be used (a mini bus as present or a conventional bus) and states that the First 1 public bus could be used however this was pulled from Adanac Park/Brownhill Way some months ago and partially replaced by the Bluestar 17 but that doesn't serve Adanac Park. We would like information on parking accumulation during the day. The concern would be insufficient bus services to shuttle the staff to the hospital and therefore the staff would overspill onto the local bus services which would have an impact on bus capacity for the existing local residents using the bus services.
- In policy terms this meets our aspiration in LTP3 around working with employers who have constrained sites and parking issues, such as SGH, to develop P&R proposals and Bargain Farm/Adanac has always been on the long list of strategic sites. So has support that way.
- In the long term we have had discussions with SGH about the potential of leasing the site at weekends for city based P&R operations either to support city centre shopping or specific events such as football matches. The application is for 7 days a week operation but most likely a subsequent application may need to be made if it operated at the weekend for Southampton. The emerging LTP4 and recent DfT Transforming Cities bid look to support P&R for Hospital and City. There are longer term plans for a more permanent P&R on the Bargain Farm site which will require more detailed modelling and design work as part of a comprehensive package for the masterplan on that site.

5.9 **Planning & Building (Conservation) – Objection;**

- No objection in principle. However, the proposed development would be likely to result in harm (less than substantial) to the significance of the designated heritage asset.
- The conservation concern here is the potential for any harm to the significance of the listed Yew Tree Farmhouse, north of the site, particularly in respect of its setting. The Design and Access Statement asserts that the proposed development will not impact on the listed building. However this is not backed up by any evidence.
- More information required about the level of screening offered by the existing planting and of any further planting required to improve it.

6.0 **REPRESENTATIONS** Expired 29.06.2018

6.1 **Nursling & Rowhams PC – Objection;**

- This Application is contrary to the Test Valley Borough Council Local Plan (2011-2019) in respect of Policy T3: Park & Ride at Bargain Farm, Nursling. This site was designated as a permanent site for the University Hospital Southampton to replace the temporary site currently at B & Q, Nursling Estate, and Nursling.
- This land known formerly known as AP6 has already received outline planning permission (14/00137/FULLS) for B1 Office/ Research and my Parish Council request it remain as such as this Application will contravene Policy LE6.

6.2 **1 representation of Support received from Go South Coast**

- Policy T3 of the Local Plan allocates adjacent land for Park & Ride;
- Whilst the proposals would be a departure from Policies LE6 and LE10 of the adopted Local Plan, the temporary nature of the development does not prejudice future use of the site for Class B1 use. In addition, the temporary nature of the proposal allows the demand to be proved
- The proposal supports our “success factors” regarding Park & Rides which are: They need to have a defined use and which are located in position that will attract use ideally of existing commercially viable services to reduce the cost to the public sector and make sure that the wider network can flourish; They need to be located along main transport corridors with a journey time to the destination of less than twenty minutes by bus.
- The Park & Ride proposals support the aim of the UHS Travel Plan by reducing vehicle congestion on the local highway network, particularly around the Hospital;
- The Park & Ride also supports the objectives of reducing carbon and NOx emissions by reducing the volume of vehicle miles on the highway network which shall assist the aims of the emerging Southampton Clean Air Zone.
- Allows UHS to concentrate core health care uses on their main site rather than car parking.

6.3 **1 representation received on behalf of Ordnance Survey – Comment;**

- In summary, OS has no objection in principle to the temporary use of land at Adanac Park as a ‘park and ride’ facility by UHS, as long as the proposal for a park and ride facility at Bargain Farm is not developed within the same four-year period and its concerns regards the impact on the local road network are addressed, although they would be unsupportive of the permanent use of the site for such. It is requested that further information is submitted in respect of UHS’s longer term car parking strategy and to demonstrate that the proposals for the temporary park and ride, together with the other planning applications at AP and Lidl, would not have an adverse impact on the local road network and the safety of OS staff. We would also request that the suitability of using PC access to the south of the application site is given serious consideration, particularly as this was HCC’s preferred point of access at the time outline planning permission was granted for AP6.

7.0 **POLICY**

7.1 **National Planning Policy Framework 2018** National Planning Policy Framework.

7.2 **Test Valley Borough Local Plan 2016** COM2 (Settlement Hierarchy), E1 (High Quality Development in the Borough), E2 (Protect, Conserve and Enhance the Landscape Character of the Borough), E5 (Biodiversity), E9 (Heritage), LHW4 (Amenity), T1 (Managing Movement), T2 (Parking Standard), T3 (Park and Ride at Bargain Farm), LE6 (Land at Adanac).

8.0 **PLANNING CONSIDERATIONS**

The main planning considerations are the principle of development, the character of the site and surrounding area, the setting of heritage assets, highways impact, the amenities of neighbouring properties, and ecology.

8.1 **Principle of Development**

The site (Plot AP6) has outline planning permission for up to 20,583sqm Class B1 business floorspace development (14/00141/OUTS). A previous outline permission (07/02872/OUTS) (superseded by 14/00141/OUTS) also permitted Class B1 use.

8.2 The proposed development of the site as a car park falls outside the scope of Policy LE6 and does not comprise an employment use (Policy LE10) for which the site is allocated and has an extant planning permission. It would therefore be a departure from Policies LE6 and LE10. In order to comply with policy it is necessary to demonstrate that the land is not required for economic development needs during the temporary period, and that there is a demonstrable need for the park and ride use to be provided.

8.3 The NPPF 2018 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision taking. It goes on the advice that development that accords with an up to date development plan should be approved and proposed development that would conflict with it should be refused unless other material considerations indicate otherwise.

8.4 Paragraph 30 of the NPPF states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Local Authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. It is considered that the proposed park and ride facility, whilst reliant on individual car transport to the site would reduce the number of onward journeys thereby reducing congestion and greenhouse gas emissions.

8.5 Need for Park and Ride Facility

University Hospital Southampton NHS Foundation Trust (UHS) is understood to operate a number of smaller park and ride facilities within the Southampton area serving the general hospital. Those facilities include the site within the B&Q car park on the western side of the M271 junction adjacent the application site. The proposed facility would enable the consolidation and closure of several smaller, expensive and more disparate park and ride facilities located around the city.

8.6 The timing of the construction and opening of this temporary park and ride is stated to be linked to major developments of additional healthcare facilities on the main hospital site. Specifically the supporting information refers to a cancer support centre (December 2018), with the need to the Trust to decant at least 100 staff cars to the new temporary park & ride, and Transitional Care Unit (Spring 2019) with the need to the Trust to decant at least 120 staff cars to the new temporary park & ride.

8.7 The UHS has stated that “Any delay in determining this application will impact on the NHS ability to deliver the additional healthcare facilities for patients, costly delays in construction programmes and extensions to expensive smaller park and ride land contracts.”

8.8 Future Provision of Permanent Park and Ride Facilities

Concern has been raised that the proposed temporary facility could become permanent, resulting in the loss of the allocated park and ride site at Bargain Farm, and that no expression of the long term arrangements for UHS has been made. The supporting documents indicate that UHS intends to pursue development of a permanent facility at the Bargain Farm site. Whilst no planning application has been submitted an EIA Screening Opinion (18/01853/SCRS) has been requested. However any development could not be permitted and built in the timeframe identified above for the works at the general hospital.

8.9 Loss of Employment Land

Concern has been raised that the proposed development could lead to the long term loss of the site being developed for employment purposes as is required by Policy LE6. The applicants have confirmed that Oceanic Gateway Ltd purchased the land known as AP6 to carry out a B1 development, and have subsequently purchased two other sites (AP2, 3, 4 & 5) extending to approximately 50 acres of the allocated land at Adanac. The applicants have clearly stated their intention to develop the land for employment in part with phased speculative development and with pre-let interest. The first phase of the development is proposed to the north of the Ordinance Survey building. A current application (18/01543/OUTS) has been submitted for that development.

8.10 The applicants have further confirmed that the lease granted to UHS is outside of the landlord and tenant act, meaning there are no rights for renewal and that there is a specific clause within the lease that allows Oceanic Estates to apply for a B1 employment scheme and enter the site to dig footings to implement the consent during UHS occupation.

8.11 Conclusion on the Principle of Development

As is identified above the proposed development falls outside the scope of Policy LE6 and does not comprise an employment use (Policy LE10) for which the site is allocated and has an extant planning permission.

- 8.12 However the temporary period of four years will allow the University Hospital Southampton NHS Foundation Trust to consolidate its existing smaller park and ride sites, onto this one site, and to enable healthcare expansion on the Southampton General Hospital campus which represents a considerable social benefit. Furthermore there is a clear intention from the applicant to develop the land to the north of the Ordnance Survey building before the application site. Whilst the permanent loss of the allocated employment land would not be acceptable, given that the evidence submitted in support of the Local Plan Policy that indicates a need to provide suitable employment provision in the plan period temporary permission (restricted to UHS) on the grounds of an identified need for the facility is considered to represent an acceptable and justified departure from local plan policy.

Highways

8.13 Highways England

In response the application as originally submitted Highways England made a number of recommendations regarded as important but not critical to the acceptability of the application. In response the applicant has provided further technical information to address the points raised.

- 8.14 Subsequently Highways England has raised no objection subject to a condition to secure details of a robust and effective permit system, for both the car park and the bus service. Such a system to be implemented as the Park & Ride facility is brought into use. It is understood that the Trust already operates a similar permit system in conjunction with the smaller site to be replaced by the new facility, and a condition is recommended.

8.15 HCC Highways

HCC Highways raised a number of similar points to Highways England which have been addressed in the additional information. The principal concern was that vehicle movements associated with staff returning from the night shift had not been properly accounted.

- 8.16 However the applicant has confirmed that staff who always work night-shifts are not going to be using the park and ride facility as they are able to use cheaper off peak parking at the hospital site. It is understood that only employees whose shifts finish prior to 2130 will use the site in order to have sufficient time to return to the park and ride before it closes at 2200. Detailed comments from HCC are awaited but it is anticipated that a condition to restrict any overnight parking will be required. This position also means that the accompanying Transport Assessment does not quantify such vehicle movements. This justifies the imposition of a condition restricting night time use of the facility.

- 8.17 Members will be advised further at SAPC following receipt of the formal consultation response. In summary contributions secured from the previous permissions have been provided and the relevant infrastructure secured. Subject to the required restrictions the proposed use would generate less vehicle movements than the extant permissions and as a result would not have any additional unmitigated impact on the highway network.

Character and Appearance

8.18 Landscape Character

Policy LE6 (Adanac Park) provides for development for office/research/manufacturing (Class B1) and exceptionally support facilities will be permitted provided that they are designed to a high standard to respect the characteristics of the site, including its existing development, and neighbouring land uses. The extent of the park and ride reflects the 'development zone' of Plot AP6 and will not encroach on the strategic landscaping/plating belt which surrounds the plot.

- 8.19 The site is an undeveloped plot which sits between the Holiday Inn Hotel (to the south) and Yew Tree Farm to the north, which is a grade II listed building. Beyond the farm are the Ordnance Survey offices which can be clearly seen from the site. A Public Right of Way is shown adjacent the site, however due to industrial construction, infrastructure and vegetation any public views are very limited.

- 8.20 Although the proposals are temporary, the car park will be in place for a period of 4 years. The application as submitted utilises the full extent of the development parcel and no landscaping has been proposed to help soften the appearance of the car park or integrate the site with the local or wider landscape. Outside of the development parcel landscape buffers have been applied and it is the advice of the Landscape Officer that there is potential around both the perimeter and within the site to establish a landscaping scheme to mitigate the impact. Whilst the proposed development is temporary it is across a large site and for a period of 4 years. As a result it is considered that some short term landscape mitigation should be provided. Such a scheme would not be as long term as that secured by a permanent use but would mitigate against the impact and assist the park and ride use to integrate within the landscape. In accordance with the Landscape Officers advice details of mitigation planting are to be secured.

8.21 Arboriculture

One of the very few landscape features on or adjacent to this site is a veteran Oak to the north east which is subject to a preservation order. The Arboricultural Officer has advised that the proposal includes parking bays sufficiently close to the tree, beneath its crown, to impacting upon its root protection area. The loss of the tree in the context of a temporary permission is not considered to be acceptable.

- 8.22 The applicants have proposed to utilise a ‘no dig’ form of construction in the area around the tree. The Arboricultural Officer has advised that such a solution is acceptable in principle but further details of the finished ground levels in relation to adjacent parking bays and access manoeuvring space is required. After further consideration the applicants have elected to omit the 11 bays from the scheme in the interests of the protected tree and submitted amended plans to that effect. As a result the proposed development would have no adverse impact on the protected tree and complies with Policy E2.
- 8.23 Setting of heritage assets
The Conservation Officer has raised no objection in principle but has advised that the proposed development would be likely to result in harm (less than substantial) to the significance of the designated heritage asset.
- 8.24 The conservation concern relates to the potential for any harm to the significance of the listed Yew Tree Farmhouse, north of the site, particularly in respect of its setting. The Design and Access Statement asserts that the proposed development will not impact on the listed building, however this is not evidenced by a historic assessment.
- 8.25 The application site benefits from planning permission for office development and clearly such development will be likely to have an impact on the setting of the listed building. Given the proximity of the motorway and the OS building to the north of the listed building, as well as the road infrastructure and other planned developments, the former farmhouse no longer has a rural setting. Indeed this area has been the subject of Development Plan allocation for commercial development for some time and some degree of change to the character of the area was anticipated. The Conservation Officer has commented that the stretch of the former lane to the south of the house retains on its southern side an old field boundary hedge with trees. This is an historic feature which will serve to provide some screening between the development site and the listed building and that the planting on this hedge line should be reinforced and, if necessary, the depth of screening increased as the existing planting does not provide a complete screen between the two sites, particularly in the winter months.
- 8.26 In addition to the extant permission on the application site there is an extant permission for the redevelopment of the site including the listed building. That development would also have a permanent impact on its setting. As noted in the Conservation Officers comments there remains an existing hedgerow that would not be affected by the proposed park and ride use. Given that the proposed use is for a temporary period and does not propose any of the significant buildings that would result from the extant permissions for redevelopment the harm has been correctly identified as less than substantial. There is an existing boundary hedgerow between the sites that would not be impacted by the proposals. Any long term permanent landscape works to both sites are secured by the extant permissions for their redevelopment. As a result there is not considered to be justification for securing further landscape works in association with the proposed temporary use. The proposed development is considered to comply with Policy E9.

8.27 Ecology & Protected Species

The application is supported by an ecological appraisal (4Woods Ecology Ltd, January 2018). The Ecology Officer has advised that the construction phase of the development is unlikely to result in significant adverse impacts to biodiversity, and indeed much of the site has been subject to recent clearance and disturbance prior to and during its use as a construction compound. The development will clearly result in a net loss of biodiversity as it is essentially resulting in an expanse of tarmac with a fairly high degree of new lighting. It is difficult to conclude therefore that the development would not have an impact.

8.28 However, the proposed temporary nature of the development means that there is little opportunity to provide any measures that would offset this. The existing Outline permission for the site does incorporate a range of permanent biodiversity features, so provided this was a temporary development, the Ecology Officer has not raised any concerns. Any permanent development would require a comprehensive biodiversity-focussed landscape scheme.

8.29 The Ecology Officer has expressed concerned regarding the extent of the proposed lighting in the context of ongoing development in the area eroding the value of the area for wildlife, particularly nocturnal wildlife. While the current levels of bat use appear to be low, the area to the immediate south has been used periodically by rare Nathusius' pipistrelles, while Yew Tree Farm to the immediate north did support a bat roost. (The ecology report for Yew Tree Farm noted that the reduction in use of that site by bats was likely due to the intensification of development in the area).

8.30 The Ecology Officer has advised that, despite concerns regarding the overall decline in local biodiversity, there appears to be no real way of securing any measures to address this as a part of the application; any impacts from this development would be part of on-going wider development that is likely to be having an impact on local biodiversity (and if AP6 comes forward as proposed at the previous Outline and as a part of the wider strategic Adanac Park site, much of these wider impacts would be addressed through the site-wide biodiversity / GI network), but the impacts from this application on its own do not appear significant and there is no objection to permission being granted on a temporary basis.

8.31 Flooding & Drainage

HCC as the Lead Flood Authority requested the submission of details relating to the surface water drainage at the site. The applicants have subsequently submitted a surface water drainage strategy for the UHS Temporary Car Park and a further consultation sent to the LFA. Comments were awaited at the time of reporting and members will be updated at SAPC and the recommendation includes provision to conclude this process.

8.32 Amenities of Neighbouring Properties

The nearest residential properties within the new development at Bargain Farm and the properties fronting Yew Tree Lane are situated approximately 100m east/northeast of the proposed development at the nearest point. There are no nearby properties to the north, west or south of the site. Given the substantial distance to neighbouring properties the proposed temporary use is not considered to have any significant adverse impact on amenity and complies with policy LHW4.

9.0 CONCLUSION

9.1 The proposed temporary permission for restricted use of the site for park and ride serving the hospital is considered to be an appropriate departure from the local plan policies, would have no significant detrimental impact on the highways network or highways/pedestrian safety and is therefore considered acceptable.

10.0 RECOMMENDATION

Delegate to the Head of Planning and Building for successful completion of consultations with the Lead Flood Authority then PERMISSION subject to:

- 1. The use hereby permitted shall be ceased and the land restored to its former condition on or before 31st August 2022 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority prior to the expiry of the approved use. Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of employment land protection and delivery of medical services at the University Hospital Trust site in accordance with Test Valley Borough Local Plan 2016 policy LE6.**
- 2. The use hereby permitted shall be restricted to park and ride facilities directly related to University Hospital Southampton NHS Trust, unless otherwise agreed in writing by the Local Planning Authority. Reason: In order that car parking use is not established beyond any identified need and since the development would be permitted as an exemption to development plan policy only on the basis of an identified need, which is specific in nature and time limited in accordance with Test Valley Borough Revised Local Plan Policy LE6.**
- 3. Prior to the laying of the final wearing course of the development hereby permitted full details of hard and soft landscape works shall be submitted and approved. Details shall include-where appropriate: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting, etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.); retained historic landscape features and proposals for restoration, where relevant.**

Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan.

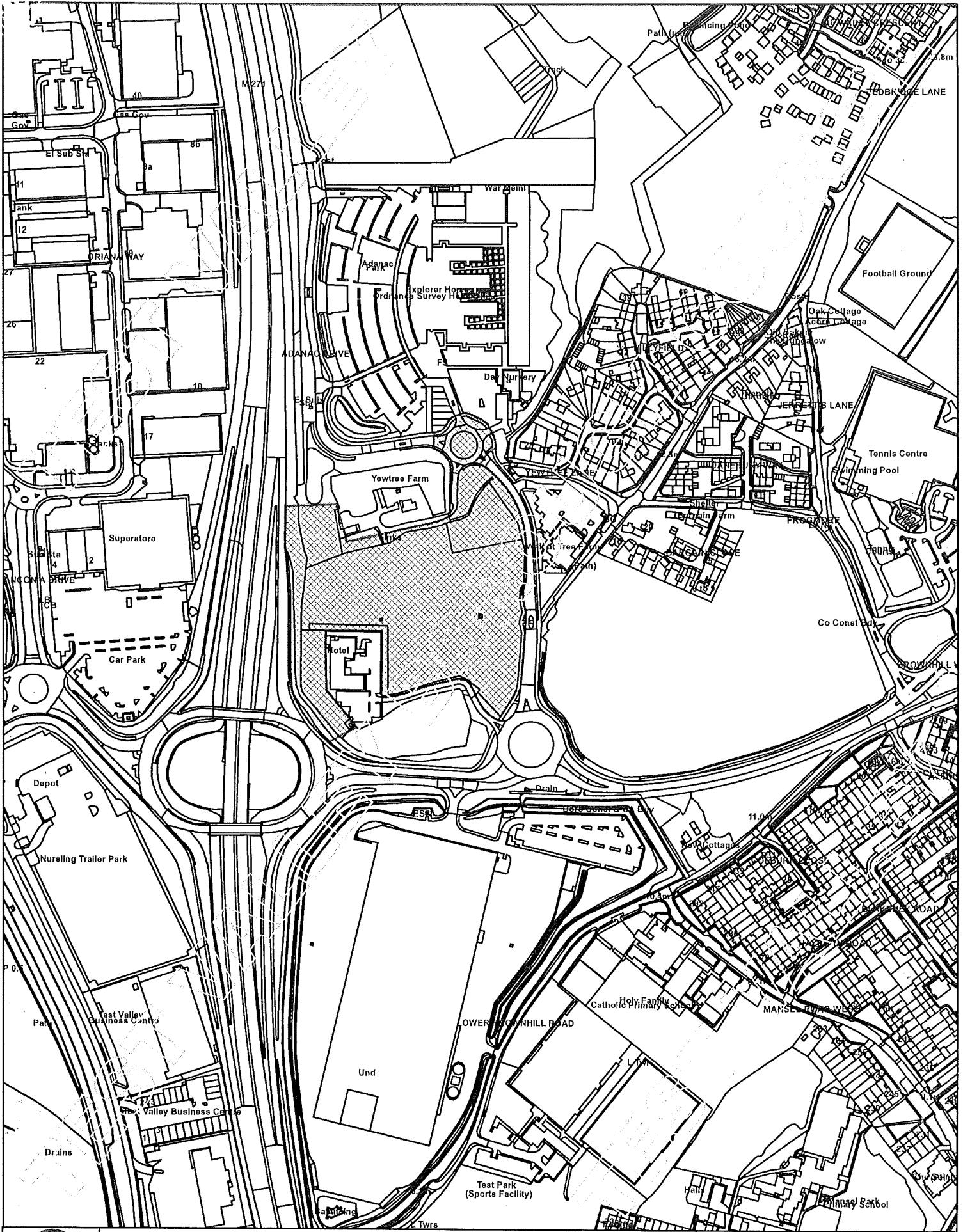
Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.

- 4. The proposed Park & Ride car park shall not be brought into use unless and until details of a permit system that shall be operated at the site, for both the users of the car park and the bus service, have been submitted to and agreed in writing by the Local Planning Authority. Such a system shall be implemented as the Park & Ride facility is brought into use.**

Reason: to minimize any potential impact to the Strategic Road Network (SRN), the M271 in accordance with Valley Borough Revised Local Plan (2016) Policy T1.

Notes to applicant:

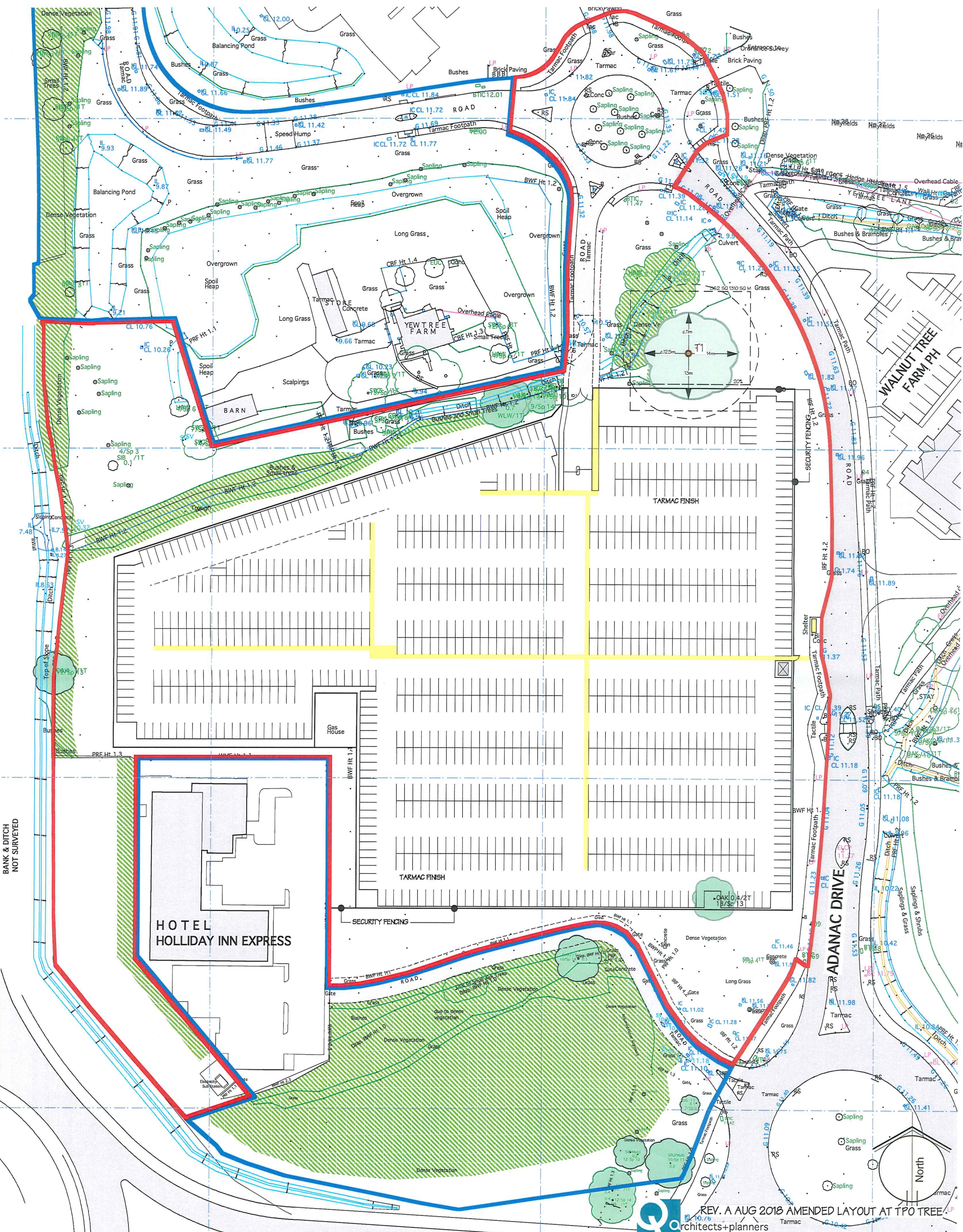
- 1. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
 - 2. In reaching this decision Test Valley Borough Council (TVBC) has had regard to 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.**
-



Siteplan

Test Valley
Borough Council

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BANK & DITCH NOT SURVEYED

HOTEL HOLLIDAY INN EXPRESS

SECURITY FENCING

TARMAC FINISH

TARMAC FINISH

WALNUT TREE FARM PH

ADANAC DRIVE

BROWNHILL WAY

0 20M 40M 60M 80M 100M

APPLICATION SITE AREA 44646 SQ M
ADJOINING LAND OWNED BY APPLICANT

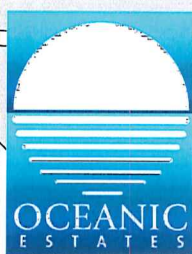
REV. A AUG 2018 AMENDED LAYOUT AT TPO TREE
 Architects+planners

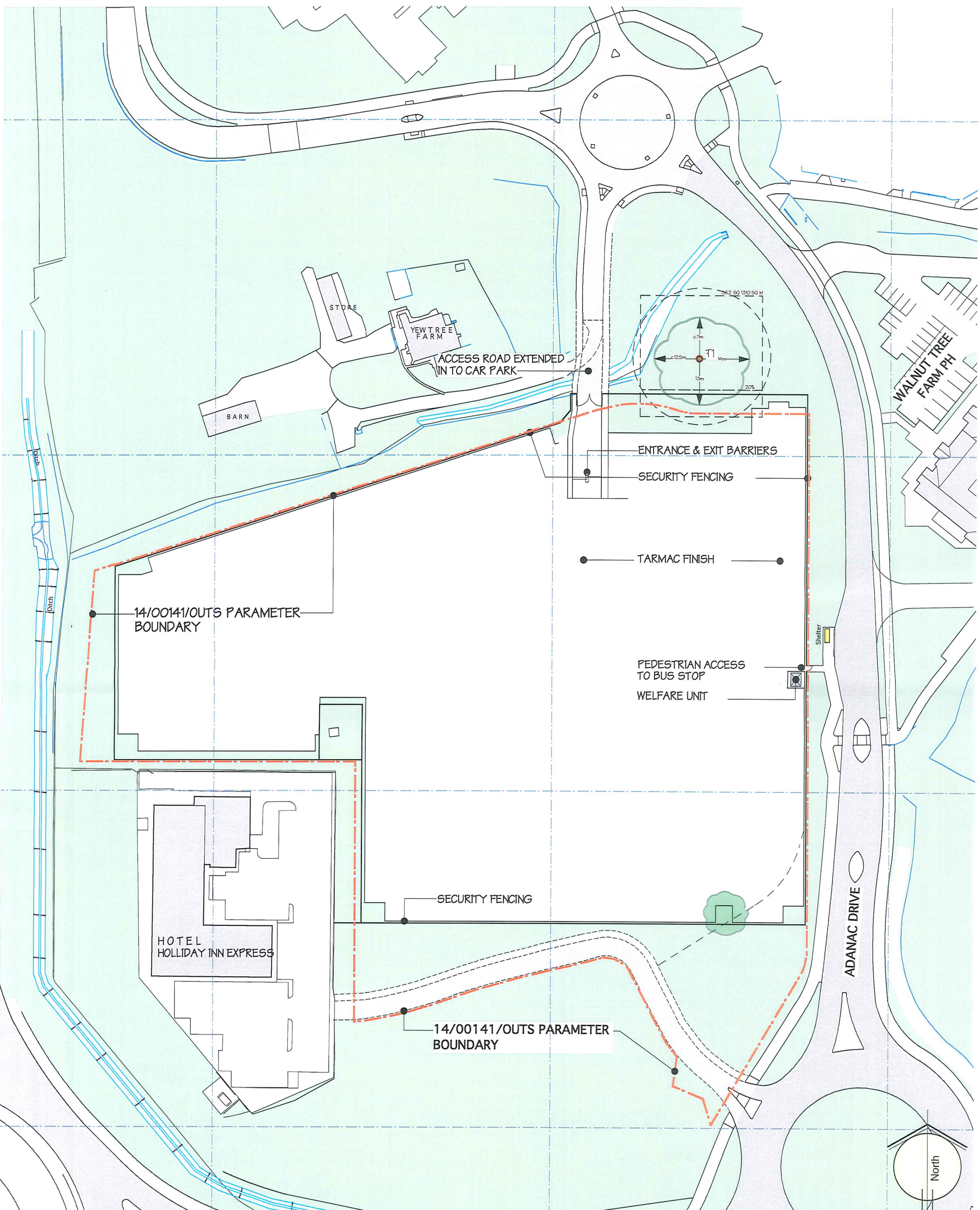
Tel 08450 551135 mail@quaysidearchitects.com

ADANAC PARK PLOT AP6
For Oceanic Gateway Ltd
TEMPORARY UHS CAR PARK
SITE LAYOUT PLAN

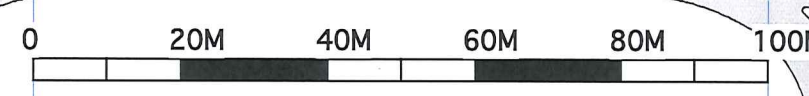
Scale 1: 1000@ A3 Drawing No. 988- AP6-PL02
 Date May 2018 issue August 2018

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ADANAC PARK PLOT AP6
 For Oceanic Gateway Ltd
TEMPORARY UHS CAR PARK
DEMISE & ACCESS PLAN
 Scale 1: 1000@ A3 Drawing No. 988- AP6-PL03
 Date May 2018 issue August 2018
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ITEM 8

APPLICATION NO.	18/02058/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	10.08.2018
APPLICANT	Mr and Mrs A Tidd
SITE	Land adjacent to 5 Riverside Green, Kings Somborne, Stockbridge, SO20 6NG, KINGS SOMBORNE
PROPOSAL AMENDMENTS	Erection of 2 bed dwelling
CASE OFFICER	Mrs Sarah Appleton

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is presented to Southern Area Planning Committee at the request of a Member.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site is located within a settlement boundary (as defined by the Test Valley Borough Revised Local Plan 2016) in the village of Kings Somborne. The site is located to the north west of an established residential area known as Riverside Green. Riverside Green is accessed off Winchester Road and consists of a mixture of detached, semi-detached and terraced dwellings located within a cul-de-sac arrangement. Dwellings are two storeys in height and are of a traditional design. Materials used in the construction of the dwellings include brick and tile hanging under tiled roofs. The area also includes two separate blocks of garages, one of which is located directly adjacent to the site on its eastern boundary. Boundary treatments are mainly vegetative, however there are examples of close boarded fences within the vicinity of the site. The ground levels of the area rise slightly as you move further north into Riverside Green.

- 2.2 The site is located within the Kings Somborne conservation area. When discussing the character of the Stockbridge Road/Old Vicarage Lane/Nutchers Drove/Winchester Road area of the village the 'Kings Somborne Conservation Policy' adopted in 1987 states:

"The Stockbridge Road forms the northern approach to the village centre together with important open areas bounded to the south by Old Vicarage Lane and Nutchers Drove. Winchester Road defines the liner extension of the medieval settlement and includes a number of listed buildings along its length eastwards to Manor Farm."

The site is not immediately adjacent to any listed buildings. Butcher's End and Spencers Farm are the nearest listed buildings and these are located along Winchester Road adjacent to the entrance of Riverside Green.

2.3 The site is adjacent to a site to the north that has recently been granted planning permission for a single dwelling. Details of this are included in paragraph 4.0 below.

3.0 **PROPOSAL**

3.1 The proposal involves the erection of a single detached, 2 bedroom dwelling which would be located centrally within the site towards the south western boundary. The main garden area of the property would be located to the north, with a smaller area of garden located to the south. Parking would be located to the east of the dwelling. The dwelling would be of a traditional design and would include a gabled projection on its front (east) elevation. The materials to be used in the construction of the external surfaces of the property would be brick under a concrete tile roof. The front gable would include a brick corbelling pattern. The proposed dwelling would include a mono-pitched porch to the front (east) elevation.

3.2 The proposed dwelling would have a footprint of approximately 55.6 square metres, would have an eaves height of approximately 4.9 metres and a ridge height of approximately 8 metres. Photovoltaic solar panels would be installed on both the east and west roof slopes.

4.0 **HISTORY**

4.1 The following planning applications relate to this site:

18/00546/FULLS – Erection of 2 bed dwelling – CLOSED AS INVALID 23/07/2018.

17/03041/FULLS – Erection of 3 bed dwelling – WITHDRAWN 05.02.2018.

07/01030/FULLS – Erection of new dwelling – WITHDRAWN 25.05.2007.

4.2 The following applications relate to the neighbouring site to the north:

17/03021/FULLS – Erection of a detached three bedroom dwelling and detached garage (Amended scheme) – PERMISSION subject to conditions 23.01.2018.

TVS.08129/3 – Erection of two detached 5-bedroom dwellings with associated garages and works – REFUSE 20.08.1999 DISMISSED at appeal 16.02.2000.

5.0 **CONSULTATIONS**

5.1 **Trees** – No comment.

“My comments of 24 May 2018 with regard to the proposals remain pertinent.”

5.2 **Conservation** – No objection subject to condition.

5.3 **Highways** – No objection subject to condition:

“The proposal would be provided with sufficient parking provision in line with adopted standards and sufficient manoeuvring space exists for vehicles to access and egress the site in a safe and efficient manner.”

6.0 **REPRESENTATIONS** Expired 07.09.2018

6.1 **5 x letters** objecting to proposals on the following grounds (summarised):

Highways

- Access and parking are a major concern both during and after the build. Access drive to nos 7-15 is very narrow and already causes problems for larger vehicles such as refuse lorries, delivery vans, Flogas tankers, furniture removal vans, emergency services etc. particularly when cars are parked in front of the garages to the east of the plot. This proposal, whose access would be at the narrowest point, would be an even greater issue, especially as there is no turning space allowed for on the site.
- Due to issue of increased parking in Riverside Green, there is very little room for manoeuvre, with the addition of more cars, there would be a very real safety issue for both drivers and pedestrians.
- Application was previously refused on adjacent site for impact on highway safety and dismissed at appeal on these grounds.
- In relation to problems of “site” traffic blocking roads, this has happened several times on Old Vicarage Lane, when pick up lorries have been to collect building materials and completely blocked off the road in either direction for 30 minutes.
- Should ensure that conditions are put in place about parking of site traffic to avoid the type of problems we have had to live with on Winchester Road.
- Access to the proposed property will have a major impact on the garages and parking area.
- Adding another property in Riverside Green will exacerbate existing parking problems in the area.
- Proposed new position of the parking spaces make it impossible for the applicant to be able to exit their property easily. They would need most of the space outside their property to be able to exit, causing any vehicles to vacate the area adjacent to No.5’s fence therefore causing parking problems further down the road.
- Reversing into their plot would be hazardous as there is a blind spot when entering the gravel area from the road.
- Parking is shown staggered, indicating that there is insufficient space for two car parking space required by TVBC policy. Any vehicle larger than a standard saloon would take up both spaces shown.
- Space shown for storage of building materials is not adequate and would result in access problems to nos 7-17 along with causing disruption and access problems to the owners of the garage block and the rest of the Close. Berkley Homes who built Nos 7-15 had problems of access to their large site and were forced to off-load materials and heavy machinery onto the gravel garage area.

- Drivers all express their exasperation at trying to manoeuvre within this 'enclave'.
- The use of this access for parking is already overloaded.
- Since Walnut Cottage (north of the application site) has been under construction, it has demonstrated that a further dwelling would have significant issues for highway safety as stated by the Planning Inspector in a previous appeal decision.

6.2 Design/impact on character and appearance of the surrounding area

- Proposed design would not be in keeping with the rest of Riverside Green – raised roof height and inclusion of a large front gable bears no relation to any other building within the area.
- Plot size - planning officer stated that the proposal was similar to No.10 which is not the case. No.10 is a mid-terrace with parking off site within a garage block. The proposal is closer in size to either No.4 (4 bedrooms) or No.22 (3 bed semi-detached) both of which are within larger sites. Comparison with no.10 is not a valid *'like with like'* comparison of plot sizes.
- Conifer screen – loss of the conifer screen would be detrimental not only to the residents but the area as a whole. These conifers have been managed by residents for twenty years to protect their outlook. They present a mature, verdant screen to assist their immediate environment. Seems unreasonable and against the rules of natural justice that the Planning Authority should endorse a proposal which definitively secures the destruction of trees outside the ownership of the developer.
- Proposal represents overdevelopment of the site. The house is too big for the plot and has insufficient safe garden land for a family home.
- Proposal has a contrived, cramped parking and turning arrangement which cannot be achieved in practice.
- Proposal is out of character with the pattern of development in the area, and due to its site coverage, will create a cramped appearance and unneighbourly visual relationship with nos. 11 and 15 Riverside Green.
- Close proximity of the proposal with nos. 11 and 15 presents an unneighbourly and overbearing face to those dwellings and the loss of outlook.
- The development is so cramped it is unable to take advantage of its optimal south and west orientations, it leaves no opportunity for new planting to replace the vegetation and boundary hedging previously cleared from the site.
- Proposal is out of character with the scale and pattern of development in Riverside Green.
- Supporting statements emphasise that the proposed house is a modest two bed starter home to enable a young family to access the property ladder. The floorspace of the proposed dwelling is 25% larger than no.10 Riverside Green (a 3- bedroom property). Suggest that the footprint of the proposed house is very generous and more comparable with no.4
- The close boarded fence adjacent to the footpath would eliminate the rural feel of the route creating a narrow, urban corridor. It also has implications for public safety.

6.3 Impact on neighbour amenities

- Proposal is in a position to overlook the garden of No.24 as it would be much higher than the adjacent garage block.
- If the proposed solar panels are in the future replaced by velux style rooflights, to facilitate a future loft conversion, privacy would be further compromised.

6.4 Land ownership

- Applicant does not own all of the land they are claiming. Deeds for number 18 are very clear to the fact that we own a triangle of land alongside the garages. We are in the process of correcting the boundary with the Land Registry, we have been advised that this is likely to take several months.
- Anomaly means that the applicant cannot achieve their vehicular access without crossing land outside their ownership – the red line on the submitted plans is therefore incorrectly drawn.
- Maintain that the site has not been properly surveyed in relation to surrounding properties. Boundary wall of number 5 is not accurately drawn, with the dogleg opposite the application site incorrectly shown.

6.5 Covenant

- Covenant on the site clearly states that the land shall not be built on apart from a garden shed. Do not understand why you are considering a building application on this land.
- Covenant places the Authority in an invidious position having previously taken the corporate view that this land was not suitable for development. Should planning consent be granted against the overwhelming wishes of the locality, we expect that the Council will ensure that in lifting the covenant any development gain arising from the uplift in value, due to its planning decision, will be returned to the public 'purse in accordance with its obligations to ensure the maximum returns from its assets.

6.6 At the time of writing this report, the publicity period in relation the application had not lapsed. Any further representations received in relation to the application will be reported in the update paper.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

COM2 – Settlement hierarchy

E1 – High quality design in the Borough

E2 – Protect, conserve and enhance the landscape character of the Borough

E5 – Biodiversity

E9 – Heritage
LHW4 – Amenity
T1 – Managing movement
T2 – Parking standards

7.3 Supplementary Planning Documents (SPD)

- Kings Somborne Conservation Policy (adopted September 1987)

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Impact on the character and appearance of the surrounding area and conservation area
- Rights of way
- Trees
- Impact on neighbour amenities
- Highways
- Ecology
- Other matters
 - Covenant
 - Gas tanks
 - Storage of building materials/issues resulting from construction vehicles

8.2 **The principle of development**

The site is situated in a settlement boundary as designated by the Test Valley Borough Revised Local Plan 2016 (RLP). As a result, the proposed development is considered acceptable in principle under policy COM2 of the RLP provided the proposals comply with the other relevant policies contained within the RLP.

8.3 **Impact on the character and appearance of the surrounding area and conservation area**

The dwelling is located in an established residential cul-de-sac. The immediate surrounding area consists of a mixture of detached, semi-detached and terraced dwellings which are two storeys in height and whilst the surrounding dwellings are traditional in their design, there is a mix of designs in the area in terms of detailing, particularly in relation to the detached dwellings in the area which are generally individually designed. Materials used in the construction of the external surfaces of surrounding dwellings include brick and tile hanging under tiled roofs. The area also includes two separate blocks of garages, one of which is located directly adjacent to the site on its eastern boundary. Boundary treatments are mainly vegetative, however there are examples of close boarded fences within the vicinity of the site.

8.4 Public views into the site are available from the public footpath along the northern boundary of the site and from Riverside Green.

- 8.5 In terms of its design, the proposed dwelling would be traditional in its form and appearance and would utilise materials that are seen in the immediate vicinity. The proposed dwelling, being detached, and individually designed is considered to be in keeping with the general design approach in the surrounding area. Concerns have been raised in relation to the proposed front projecting gable feature, however, projecting gable features are seen on neighbouring properties within Riverside Green and as such, it is not considered that this feature would be incongruous in the surrounding area.
- 8.6 Concerns have also been raised with regards to the overall height of the proposed dwelling. The dwelling would have a ridge height of approximately 8 metres. This would be similar in height to surrounding dwellings and as such, it is not considered that the proposed height of the dwelling would result in it being unduly prominent in the street scene.
- 8.7 With regards to the layout of the proposed dwelling within the site, the front of the property would face eastwards. The proposed dwelling would have the same orientation as the dwellings at 1, 3 and 5 Riverside Green and the dwellings at 11 and 15 Riverside Green. As such, it is not considered that the orientation of the dwelling within the plot would be incongruous in the street scene.
- 8.8 With regards to plot size, these vary in the surrounding area. Whilst there are concerns that the resultant size of the plot would be small, it is considered that it would be comparable to the smaller plot sizes in the immediate vicinity of the site. For example, the size of the proposed plot amounts to approximately 168 square metres. The plot size for 10 Riverside Green is approximately 139 square metres. As a result, it is not considered that the proposed resultant plot size would result in an adverse impact on the character and appearance of the surrounding area.
- 8.9 As a result of the above, it is considered that the proposed development would integrate, respect and complement the character of the area and would therefore accord with policies E1 and E2 of the RLP.
- 8.10 Impact on conservation area
The site is located within a conservation area and as such there needs to be consideration as to whether the proposed development would result in any harm to this designated heritage asset or whether the character and appearance of the conservation area is preserved or enhanced. The proposed dwelling would be seen in context with the surrounding, modern, housing development from surrounding public vantage points, including from the public footpath which runs to the north of the site. As such, it is considered that the proposed dwelling would not adversely affect the character of the conservation area.

- 8.11 During the previous application (18/00546/FULLS), the Council's conservation officer had concerns over the impact the proposed boundary treatment to the north of the site, adjacent to the public footpath and important hedgerow (as defined in the Kings Somborne Conservation Policy), would have on the character of the conservation area. The conservation officer confirmed that a 2 metre high fence as originally proposed would result in harm at the lower end of less than substantial and that there is no corresponding public benefit to outweigh this harm.
- 8.12 As a response to the previous comments raised by the conservation officer, the applicant agreed to provide a lower fence along this boundary (maximum height of 1 metre), along with some screening vegetation. This was subsequently considered acceptable by the conservation officer. The plans submitted with this current application show a 1 metre high fence along the northern boundary but do not show any proposed screening vegetation. As such, it is recommended that a condition be imposed on any permission requiring the developer to submit further details of the treatment of this boundary to the local planning authority for approval. Subject to such a condition being imposed, it is considered that the development would respect the character of the conservation area and would therefore positively contribute to sustaining the character and significance of the conservation area in accordance with policy E9 of the RLP. It is considered that the proposals would preserve the character and appearance of the conservation area.

8.13 **Rights of way**

Kings Somborne footpath 14 is adjacent to the northern boundary of the site and provides an off-road route between Muss Lane and New Road. Hampshire County Council (HCC) have confirmed that the section of the route adjacent to the site is described as:

“though 6 ft. wide gap between cottage wall and hedge, eastwards along grass and earth path enclosed between hedges.”

The rights of way officer at HCC has previously raised concerns that the proposed close board fencing along the northern boundary of the site would impact on the amenity value of the right of way, contrary to policy T1 of the RLP. Since the comments from HCC, the applicant has agreed to amend the boundary treatment adjacent to the footpath (as discussed in paragraph 8.12 above). Subject to a condition requiring further details of the proposed treatment along the northern boundary of the site, it is not considered that the proposals would have an adverse impact on the amenity value of the right of way.

8.14 **Trees**

The application is supported by 'Findings of BS5837 Tree Quality Survey and Arboricultural Method Statement (WRC Ecology & Arboriculture)'. This was submitted after issues previous issues were raised on the potential impact the proposed development could have on an off-site Walnut tree. The Council's tree officer has studied the submission and has confirmed that they have visited the site and have been in discussions with the agent and their tree advisor.

- 8.15 At 520mm diameter, the Walnut tree's root protection area (RPA), calculated in accordance with BS5837 is 12.33 metres which is equal to a circle of 6.24 metres radius. The proposed development on the land from which the Walnut grows (the site to the north of application site) has resulted in root disturbance closer than this radius to the tree. Allowing for this disturbance results in a revised RPA radius of 6.73 metres.
- 8.16 The revised plans indicate the nearest point of approach of the proposed building's foundation slab at 5.8 metres from the tree. The north western corner of the building would project into the south eastern area of the RPA. The Council's tree officer has calculated that the extent of this intrusion as just under 2.5% of the total RPA and is of the view that this level of intrusion would not result in a significant additional impact on the overall health or longevity of the tree.
- 8.17 The northern elevation of the building would remain clear of the Walnut tree's canopy, and could be constructed without pruning being required. It is recommended that a condition be added to any permission requiring the submission of an Arboricultural Method Statement which sets out exactly how the proposed development would be set out and all aspects of site works (excavation for footings, placement of foundations, scaffold placement, construction, drainage, services and final landscaping) to ensure that the Walnut is not adversely affected during the construction process.
- 8.18 The conifers to the eastern boundary of the site comprise a hedge and are These trees are likely to be lost as a result of the development, however, they are not considered to be worthy of protection under a Tree Preservation Order (TPO).
- 8.19 As a result of the above, it is considered that the proposed development, subject to conditions, would not result in any adverse impacts on trees. The proposals are therefore considered to comply with policy E2 in this regard.
- 8.20 **Impact on neighbour amenities**

Impact on 5 Riverside Green

The southern side wall of the proposed dwelling, as re-sited, would be located approximately 10 metres from the boundary of the garden of number 5 Riverside Green. The proposed dwelling would be separated by the existing access road and boundary wall from the more westerly side of number 5's rear garden. Whilst the proposed dwelling may be visible from the garden of number 5, as a result of the separation between the proposed dwelling and the garden boundary, it is not considered that the proposal would result in any adverse overbearing impacts. With regards to over shadowing, the proposed dwelling would be located due north of the garden of number 5. As a result of this, along with the separation mentioned above, it is not considered that the proposed development would result in any adverse overshadowing impacts on the garden area of number 5.

- 8.21 With regards to overlooking, no windows are proposed on the southern side elevation of the proposed dwelling. As such, it is not considered that the proposals would result in any adverse overlooking towards number 5 Riverside Green.
- 8.22 Impact on 3 Riverside Green
The southern side wall of the proposed dwelling, as re-sited would be located approximately 25 metres from the garden boundary of number 3 Riverside Green. Whilst the proposed dwelling may be visible from the garden of number 3, as a result of the separation between the proposed dwelling and this neighbouring property, it is not considered that the proposal would result in any adverse impacts on the occupiers of this dwelling.
- 8.23 Impact on 24 Riverside Green
The neighbouring dwelling at 24 Riverside Green is located to the east of the proposed dwelling. The proposed dwelling would be separated from number 24 by a row of 4, pitched roof garages, however, due to the shape of number 24's garden, part of it is directly adjacent to the eastern boundary of the site. In relation to this part of number 24's garden, the proposed dwelling would be located approximately 7 metres to the south west. The proposed dwelling would be partially screened from this area of garden by the presence of the existing garage block. As a result, it is not considered that the proposal would be unduly overbearing on this area of the neighbouring property's garden.
- 8.24 With regards to overshadowing, the proposed dwelling would be located due west of the garden area in question, due to this orientation and due to the distance between this part of the neighbouring garden and the proposed dwelling, it is not considered that the proposals would result in any additional overshadowing or loss of light to this small part of a larger garden that would adversely impact on the amenities of the occupiers of this property.
- 8.25 With regards to overlooking, the proposed dwelling would include 2 bedroom windows at first floor level on its front (east) elevation. The window for bedroom 1 would have an oblique view of this area of garden which would be screened by the adjacent garage roofs. As a result, it is not considered that the proposed dwelling would result in any adverse overlooking into the garden of number 24.
- 8.26 Impact on 11 and 15 Riverside Green
Numbers 11 and 15 Riverside Green are located to the west of the site. The front elevations of these neighbouring dwellings are located approximately 14 metres from the rear wall of the proposed dwelling. The boundary between numbers 11 and 15 and the site currently consists of tall conifer trees, although it is noted that these trees are likely to be lost as a result of the proposed development.

8.27 Overbearing

The rear elevation of the proposed dwelling would have an eaves height of approximately 4.8 metres, the roof of the dwelling would then slope away from the boundary thereby limiting the impact the dwelling would have in terms of overbearing. As a result of this, in combination with the separation distance between numbers 11 and 15 and the site, it is not considered that the proposed dwelling would result in overbearing that would adversely impact on the amenities of the occupiers of these neighbouring properties.

8.28 Overshadowing and loss of light

The existing high conifer trees on the boundary cast some shadow to the area to the front of numbers 11 and 15 Riverside Green. This area consists of a driveway and small area of front garden. Considering that existing shadowing is already being experienced by the presence of the boundary trees and considering the distance between the neighbouring dwellings and the site (as above), it is not considered that the proposed dwelling would result in any additional overshadowing that would have an adverse impact on the amenities of the occupiers of the neighbouring dwellings. As a result of the separation distance between the proposed dwelling and the neighbouring dwellings at numbers 11 and 15, it is not considered that the proposal would result in any adverse loss of light.

8.29 Overlooking

The proposed dwelling would include two windows at first floor level on its rear (west) elevation which would, due to the loss of the boundary trees, look directly towards numbers 11 and 15 Riverside Green and would, if not controlled by the local planning authority, result in an adverse impact in terms of overlooking.

8.30 The windows in question would serve a bathroom and en-suite and have been shown on the plans to be glazed with obscure glass and be top hung. Provided that a condition is added onto any permission requiring this to be the case in perpetuity, it is not considered that these windows would result in any adverse overlooking.

8.31 Concern has been raised with regards to the potential for inserting further windows/dormer windows into the proposed dwelling, in the future under permitted development and that this could have a detrimental on surrounding neighbour amenities in terms of overlooking. It is considered that the insertion of windows/addition of dormer windows into the roof space of the proposed dwelling would result in additional windows facing directly into neighbouring dwellings that could adversely impact the amenities of the occupiers of these dwellings. It is therefore considered appropriate that the local planning authority retain control over the insertion of windows not proposed by this application. As a result, it is considered appropriate to add a condition removing permitted development in relation to further windows/dormer windows.

8.32 Impact on proposed new dwelling to the north of the site

Whilst not fully constructed, permission has been granted for a single dwelling on a site to the north west. The dwelling proposed under this application will be located approximately 15 metres from the south eastern corner of the unfinished dwelling to the north west. As a result of this distance and as there would be an oblique relationship in terms of the layout of the two dwellings it is considered that the proposals would not result in any adverse impacts in terms of overbearing, overshadowing or loss of light. With regards to overlooking, it is not considered that the proposed bathroom and en-suite windows to the rear of the proposed dwelling would result in any adverse overlooking due to them being glazed with obscure glass, top hung and as a result of the oblique angle these windows are in relation to windows proposed on the dwelling to the north west. It should also be noted that this dwelling would be screened from the dwelling proposed under this application by existing boundary vegetation that is proposed to be retained.

8.33 Neighbour amenity summary

As a result of the above, it is considered that the proposals would not result in any adverse impacts on surrounding residential amenities. The proposals are therefore considered to comply with policy LHW4 in this regard.

8.34 Provision of private amenity for the proposed occupiers of the dwelling

Point (b) of policy LHW4 of the RLP requires residential development to provide for private open space in the form of gardens or communal open spaces which 'are appropriate for the needs of residents'. The policy wording does not specifically define what would constitute private open space being 'appropriate for the needs of residents' however the background text to policy LHW4 at paragraph 8.20 states:

"Permanent residential development should be provided with adequate private open space to meet the needs of the people likely to occupy the properties. The amount of private open space required will depend on the type of residential development being proposed and the topography and character of the area in which it is located."

In this instance, the proposed development would provide private open space in the form of gardens located to the north/north east of the building and to the south. These areas of garden would have a total area of approximately 70.4 square metres. The proposed dwelling would have two bedrooms and would be of a size where it could be occupied by a family with or without children. The proposed garden area to the north would be sloped but not so steeply that it would be unusable and would be located away from potential sources of noise and smell. The garden areas would also not be unduly overlooked by neighbouring dwellings and would be screened from views from the adjacent public footpath by some existing vegetation and the proposed boundary treatment. The private garden areas would provide space to dry washing and to allow children to play. As a result, whilst some may consider that the proposed amount of private amenity space provided to the dwelling would be small, it is considered that it would be of a character and size that would be appropriate for the needs of the potential residents of the proposed dwelling.

As such, it is considered that the proposals would comply with policy LHW4(b) of the RLP.

8.35 Notwithstanding the above, in order to prevent the loss of the area of private amenity space provided and thus protect the future amenities of the occupier of the dwelling, to enable the development to provide adequate private amenity space in accordance with policy LHW4 in perpetuity, it is considered appropriate to add a condition preventing the occupier of the dwelling to erect extensions and other outbuildings/structures on the private amenity space under permitted development.

8.36 **Highways**

The application proposes 2 off-street parking spaces. As the proposal is for a 2 bedroom property such parking provision is considered to accord with the parking standards set out in Annex G of the RLP. It is recommended that a condition be added to any permission requiring the provision for cycle parking, the retention of the parking spaces along with the provision of a non-migratory surface for the first 6 metres of the access. Subject to these conditions, it is considered that the proposal complies with policy T2 of the RLP.

8.37 During the previous planning application, concerns were raised in relation to the adequacy of the parking/manoeuvring space proposed. During the course of the previous application, the applicant discussed these matters with the Council's highway officer and amendments were submitted as a result. These plans have been subsequently submitted as part of this current application and show two parking spaces side by side to the front of the dwelling with manoeuvring space being provided by the access road. It is considered that such a layout would be appropriate in this instance and would accord with policies T1 and T2 of the RLP. The utilisation of the access road for manoeuvring in this instance is considered appropriate and would allow for the parking of two vehicles on the site and space for vehicles to manoeuvre with either of these spaces being occupied. This is a situation that is not unusual on unrestricted/unclassified roads, where cars need to use the road to manoeuvre into and out of a driveway (e.g. reversing into the road from a driveway space).

8.38 With regards to traffic generation, it is not considered that the amount of additional vehicular movements associated with a 2 bedroom dwelling would have an adverse impact on the surrounding highway network. The proposals are therefore considered to comply with policy T1 of the RLP.

8.39 **Ecology**

In relation to ecology, the site is a relatively small area of land previously used as a cesspit and more recently a vegetable plot but is now unmanaged. There is small potential for the site to support the occasional reptile such as slow worm or common lizard however, the Council's ecologist is not of the view that a formal survey is warranted given the size of the site and likely significance of any population that would be affected. As a result, the Council's ecologist has confirmed no objections in relation to the proposals. The application is therefore considered to comply with policy E5 of the RLP in this respect.

8.40 Trees and other vegetation around the site may support nesting birds in the spring and summer. As such, the Council's ecologist has recommended that a note be added to any permission informing the applicant of their duty under the Wildlife and Countryside Act 1981 (as amended) and that they should undertake clearance of bird nesting habitat outside of the bird nesting season.

8.41 **Other matters**

Previous appeal decision

Attention is drawn to a previous appeal decision in relation to the plot to the north of the site (currently being developed – see paras. 4.4 and 4.5). The appeal was dismissed on a number of grounds. The Inspector concludes:

“Having considered all the evidence, I have concluded that the proposal would be detrimental to the character and appearance of the locality, which is within the Conservation Area, and harmful to the long term health and well being of surrounding vegetation. It would also have significant negative implications for highway safety and the living conditions of local residents. In my judgement, the scheme is contrary to policies H4, E5, E9 and D1 of the TVBLP and therefore unacceptable.”

8.42 Trees

In relation to trees, the Inspector considered that the proposals for two dwellings on the adjacent site would compromise the long term health and retention of mature trees, particularly trees that were included in the northern/southern boundary treatments. The northern boundary, which included a hedgerow and line of tree cover was proposed to be removed in its entirety. There were also concerns that the provision of the access road would have likely resulted in the loss of the Walnut tree (the impact the proposals would have on this same tree are discussed at para. 8.14-8.19 of this report). It is noted that in this instance, neither the application and subsequently the appeal statement submitted by the appellant, were supported by a full arboricultural survey and as such, the Inspector was not satisfied that the proposals were capable of being accommodated without *‘serious damage to the trees and vegetation around the site’*.

8.43 In this instance, the application is supported by ‘Findings of BS5837 Tree Quality Survey and Arboricultural Method Statement (WRC Ecology & Arboriculture)’ which satisfactorily demonstrates that in relation to this site, the proposals would not result in any adverse impacts on trees (see paras. 8.14-8.19 above). The Council's tree officer has also raised no objections to the proposals subject to conditions. The appeal decision is therefore not considered relevant in relation to the discussion on trees as in this instance, sufficient information has been submitted by the applicant to demonstrate that the proposals can be accommodated on the site without compromising important trees/vegetation in the surrounding area.

8.44 Highway safety and residential amenity

In relation to the access road, the Inspector had concerns that the new dwellings would be approximately 75 metres from an adopted highway, thus creating difficulties for large service vehicles:

“The narrow unsurfaced drive would be shared with not only four recently built dwellings (plots 3-6) but also the only access to the four garages at the side of no.24 Riverside Green, serving nos. 18-24 inclusive. Vehicles to and from the site would not only have to negotiate the length of the drive by also a 90 degree turn and interact with movements generated by the other houses, including turning and parking in front of the garages. The drive is also shared by pedestrians. To my mind, these arrangements would be detrimental to highway safety.

Whilst the proposal in this instance would share the access road with the same properties/garages as indicated by the Inspector, the site is positioned closer to an adopted highway and vehicles would not need to negotiate the 90 degree turn to access it. Whilst the occupiers of the proposed dwelling would need to interact with movements generated by other houses and garages, this interaction would take place on a shorter section of driveway than that proposed in the appeal scheme and the traffic movements associated with the proposed dwelling in this instance would not directly interact with the parking/garages and associated manoeuvring spaces relating to the adjacent 4 dwellings to the west (plots 3-6 identified by the Inspector). As a result, it is considered that the current proposal is not comparable to the appeal scheme in this regard. The impact the proposals in this instance would have on highways is considered at paras. 8.36-8.38 above.

8.45 In relation to residential amenity, the Inspector states:

“Moreover, the traffic movements from the new houses would pass directly in front of the pair of semi-detached dwellings to the south east. In my opinion, this would have a detrimental effect on the living conditions of occupiers through increased noise and disturbance.”

The pair of semi-detached dwellings referenced to by the Inspector is 11 and 15 Riverside Green. Since the Inspector dismissed the appeal, permission was granted for one dwelling on the appeal site (see para. 4.4). Thus it was considered that the traffic movements associated with one dwelling was considered acceptable from an amenity point of view. More pertinent is that the proposal in this instance would not result in traffic movements passing directly in front of numbers 11 and 15 Riverside Green. As such the current application is not comparable to the appeal scheme in this regard.

8.46 Previous appeal scheme summary

The previous appeal decision is a material planning consideration in the determination of this application. Taking into account the discussion in paras. 8.41-8.45 above, it is not considered that the Inspector’s decision carries any weight in the determination of this application.

8.47 Covenant

The local planning authority are aware that there is a covenant on the site which prevents the applicant from:

- a) using the land for any other purpose other than garden land
- b) not to erect any buildings of any other nature whatsoever on the land other than a garden shed and/or greenhouse with a total floor area not exceeding 7.5 square metres to be used only in conjunction with the adjoining garden.

There being a covenant on the land is not a material planning consideration and therefore it cannot be part of the considerations of the merits of the proposed development. If the proposed development is permitted, the covenant would remain on the land. The applicant would need to address this as a separate, civil matter which is between the parties involved.

8.48 Gas tanks

It is noted that the site is adjacent to where there are underground gas storage tanks that were installed to supply the neighbouring dwellings to the west/south west of the site. There are concerns about the proximity of the proposed dwelling to these gas tanks and the potential safety implications this would have.

8.49 The location of the gas tanks in relation to the proposed dwelling is dealt with under Building Regulations (Part J). The Council's Building Control Officer has confirmed that the applicant/developer would need to comply with Part J with regards to the relationship between the proposed dwelling and the existing LPG tanks.

8.50 As the relationship between the existing LPG tank and the proposed development would be dealt with under separate, building regulation legislation, it is not a matter that is material to the consideration of this planning application.

8.51 Storage of building materials/issues resulting from construction vehicles

Concern has been raised in relation to the storage of buildings materials and the impact the presence of construction vehicles would have on highways and accessibility to neighbouring dwellings. In relation to the storage of building materials, an area has been shown on the site to indicate where building materials are to be stored, this has been shown to demonstrate that materials can be stored within the site, away from an adjacent Walnut tree and thus prevent harm to the tree. The Council's tree officer has confirmed that he is content with the storage area shown.

8.52 With regards to the presence of construction vehicles, this is not a material planning consideration and as such is not a matter that can be considered as part of this application.

8.53 Ownership

There have been various queries in relation to the ownership of the site throughout the previous application and through this current application. In relation to ownership, the Local Planning Authority can only be involved in relation to the ownership certificates that have been signed on the application form. It is not the Local Planning Authority's role to arbitrate between parties who are disputing ownership. This is a separate, civil matter between the parties involved.

8.54 In this instance, Officers have spent a great deal of time investigating various ownership claims on the site to ensure that the appropriate ownership certificate has been signed. After thorough discussions with the applicant, the Local Planning Authority is satisfied that at the time of writing this report, the correct ownership certificates have been signed and that the application is valid.

9.0 **CONCLUSION**

9.1 The proposed development is considered acceptable in principle. It is considered that the proposals would not have any adverse impacts on the character and appearance of the surrounding area and, subject to conditions, would not adversely impact on the character and appearance of the conservation area, which would be preserved. Subject to conditions, it is not considered that the proposals would adversely impact on the right of way or trees. It is considered that the proposals would not result in any adverse impacts on neighbour amenities, the residential amenities of future occupiers and ecology. In relation to highways, subject to a condition in relation to parking, it is not considered that the proposals would have any adverse impacts on highway safety. As a result, it is considered that the proposals would comply with the relevant policies contained within the Test Valley Borough Revised Local Plan 2016.

10.0 **RECOMMENDATION**

PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.**
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. **No development shall take place above DPC level of the development hereby permitted 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 Revised Local Plan (2016) Policy E1.

3. **Notwithstanding the details shown on the submitted plans, no development shall take place above DPC level of the development hereby permitted until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. Such details shall show that the proposed boundary treatment along the northern boundary of the site is to consist of a fence with a maximum height of 1 metres along with vegetation. The boundary treatments shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.**

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 Revised Local Plan (2016) Policy E1, E9 and T1.

4. **No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include- car parking layouts; other vehicle and pedestrian access and circulation areas and hard surfacing materials. Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities.**

The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan.

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 Revised Local Plan (2016) Policy E1 and E2.

5. **No development shall take place above DPC level of the development hereby permitted until a schedule of landscape management and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be carried out in accordance with the implementation programme.**

Reason: To ensure the provision of amenity afforded by proper maintenance of existing and new landscape features as an improvement of the appearance of the site and to 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 Revised Local Plan (2016) Policy E1 and E2.

- 6. 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. Development shall be undertaken in accordance with the approved details.**

Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.
- 7. Notwithstanding the submitted arboricultural information, no development shall take place within the site until there has been submitted to and approved in writing by the Local Planning Authority a thorough Arboricultural Method Statement to set out exactly how the development is to be set out and all aspects of the site works (excavation for footings, placement of foundations, scaffold placement, construction, drainage, services and final landscaping) are to be achieved without adversely impacting upon the offsite Walnut tree.**

Reason: To prevent the loss during development of trees and natural features and to ensure, so far as is practical, that development progresses in accordance with current Arboriculture best practice, in accordance with Policy E2 of the Test Valley Borough Revised Local Plan 2016.
- 8. The bathroom and en-suite windows at first floor level on the west elevation of the dwelling hereby permitted shall not be installed until there has been submitted to and approved in writing by the Local Planning Authority details showing that these windows will be obscurely glazed and top hung. Information submitted shall include details on the degree of obscurity to be offered by the windows (the grade of obscure glazing proposed) and details on how far the windows can be opened. The bathroom and en-suite windows shall be installed in accordance with the approved details and thereafter retained in perpetuity.**

Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LWH4.
- 9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows or roof lights [other than those expressly authorised by this permission] shall be installed or constructed in/on the dwelling hereby permitted.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of residential amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.

- 10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no building, structure, walls or fences of any kind shall be erected without the prior written consent of the Local Planning Authority.
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.**
- 11. The development shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles in accordance with plan number KS/BP/18R1 dated May 2018. 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 Revised Local Plan (2016) Policy T1.**
- 12. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:
KS/04/18 - New 2 bed detached house - revised
KS/BP/18R1 - Block and site location plans (revised location)
Reason: For the avoidance of doubt and in the interests of proper planning.**

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. Birds nests, when occupied or being built, and the widespread species of reptile 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 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. Reptile habitat such as compost heaps should be carefully cleared by hand during warmer months as if hibernating reptiles are disturbed they will die. Any reptiles revealed should be moved to adjacent retained rougher/boundary habitat or allowed to move off of their own accord.**

- 3. There must be no surface alterations to the right of way, nor any works carried out which affect its surface, without first seeking the permission of Hampshire County Council, as Highway Authority for Public Rights of Way. The adjacent right of way must remain available for public use at all times and no builders or contractors vehicles, machinery, equipment, materials, scaffolding or anything associated with the development should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers. If there is likely to be an effect on the right of way in terms of dust, noise or other obstruction during the development, it is suggested that a Health and Safety Risk Assessment be carried out, and if there is deemed to be a risk to users, the applicant should contact Hampshire County Council directly to discuss the Temporary Closure of the route for the duration of the works.**
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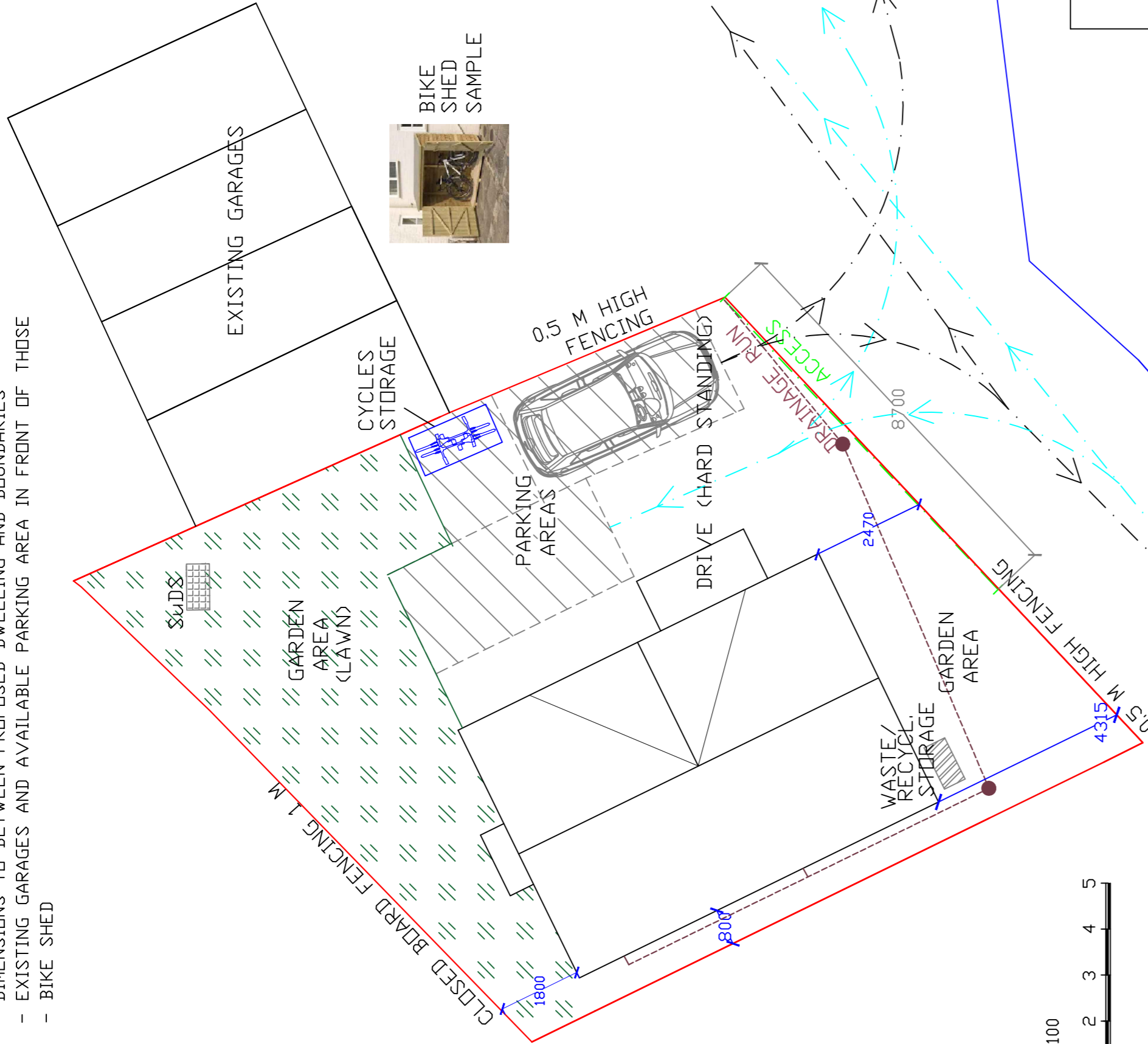


Siteplan

Test Valley
Borough Council 

GENERAL BLOCK PLAN

- BLOCK PLAN SHOWS:
- PARKING AREAS
 - RECYCLING AND WASTE COLLECTION
 - GARDEN AREA WITH SOUS FDR SURFACE
 - WATER RUNOFF
 - PROPOSED SOIL DRAINAGE RUNS
 - PROPOSED BOUNDARY TREATMENT/FENCING
 - DIMENSIONS TO BETWEEN PROPOSED DWELLING AND BOUNDARIES
 - EXISTING GARAGES AND AVAILABLE PARKING AREA IN FRONT OF THOSE
 - BIKE SHED

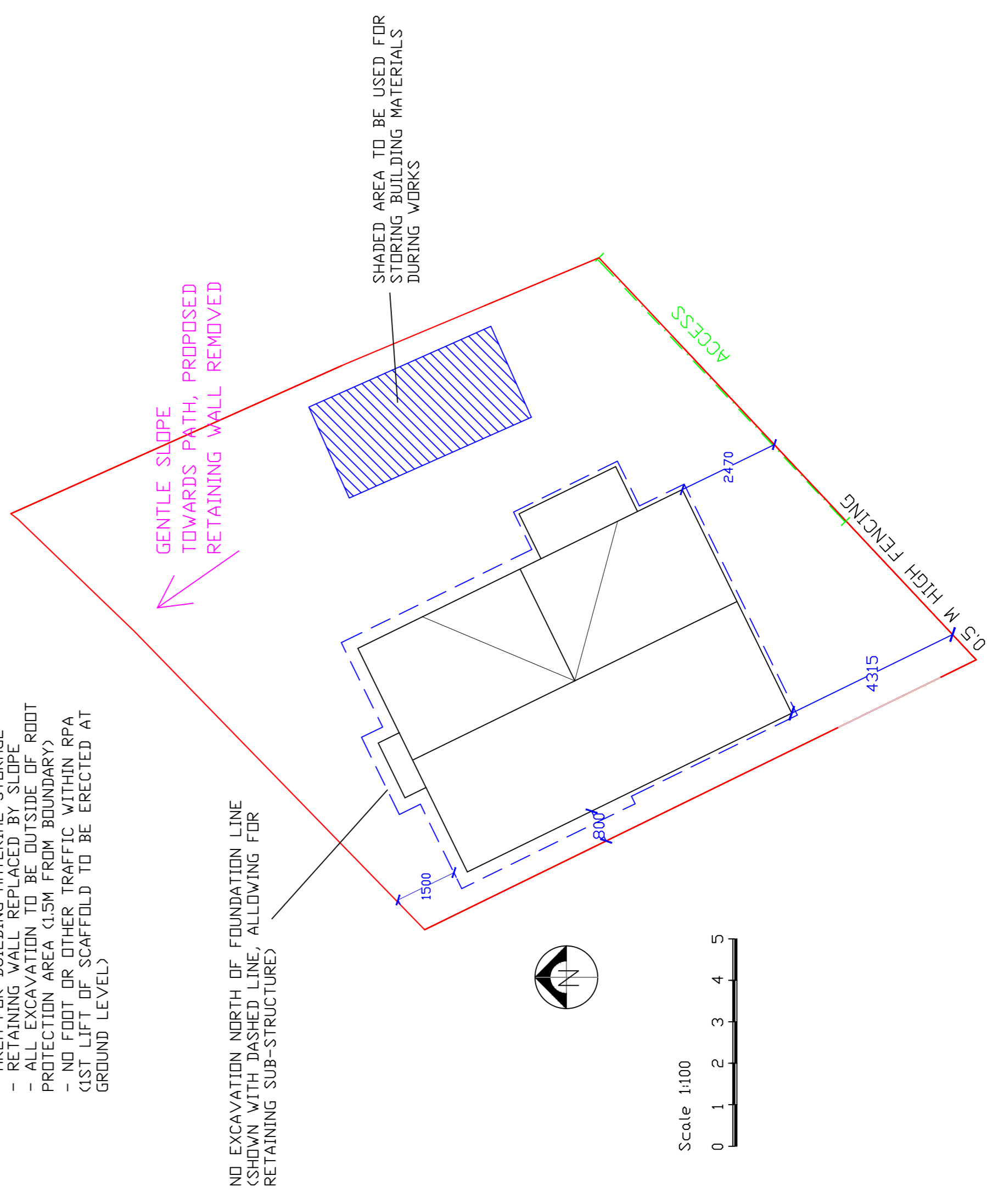


SITE LOCATION PLAN



BLOCK PLAN WITH TREE PROTECTION NOTES

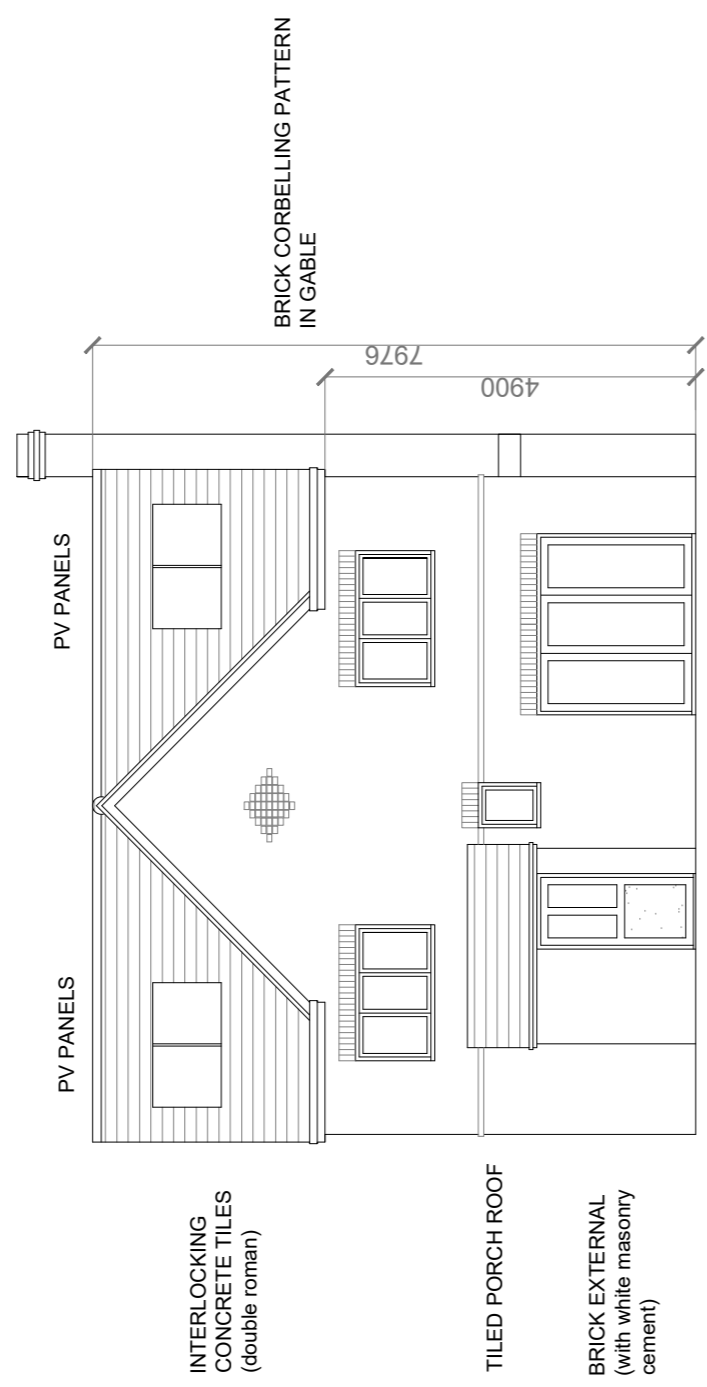
- BLOCK PLAN FOR TREE PROTECTION SHOWS:
- FOOTING OF DWELLING INC RETAINING SUB-STRUCTURE
 - AREA FOR BUILDING MATERIAL STORAGE
 - RETAINING WALL REPLACED BY SLOPE
 - ALL EXCAVATION TO BE OUTSIDE OF ROOT PROTECTION AREA (1.5M FROM BOUNDARY)
 - NO FOOT OR OTHER TRAFFIC WITHIN RPA (1ST LIFT OF SCAFFOLD TO BE ERRECTED AT GROUND LEVEL)



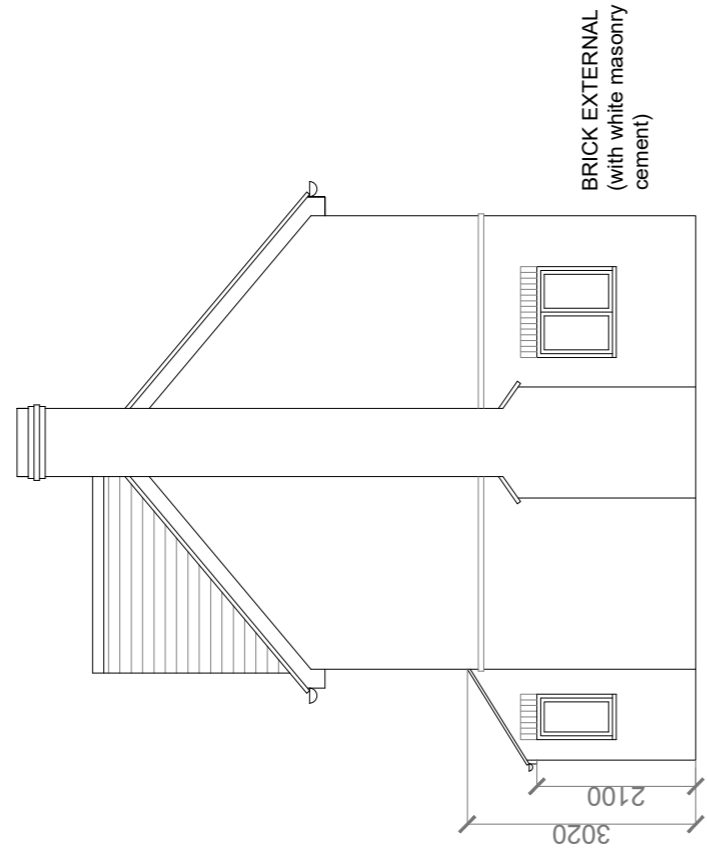
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<p>POPE <small>planning build</small></p> <p>Boxhedge Cottage High Street Parton, SP4 0LH</p>	
Client:	Mr and Mrs Tidd Land adjacent to 5 Riverside Green King's Somborne SO20 6NG
Title:	Block and site location plans (revised location)
Date:	MAY 2018
Scale:	AS SHOWN
Drawing no/Drawn by:	KS/BP/18R1 R Pope

Proposed new build

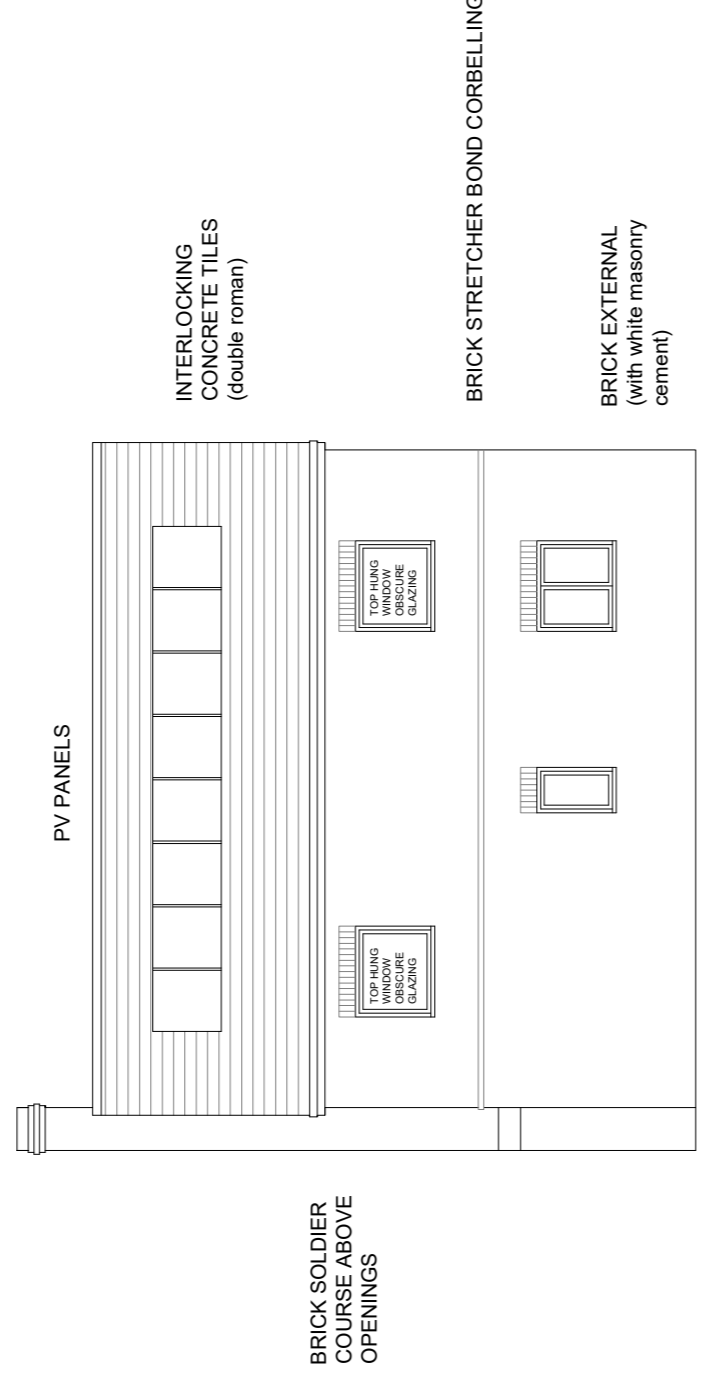


FRONT ELEVATION - EAST

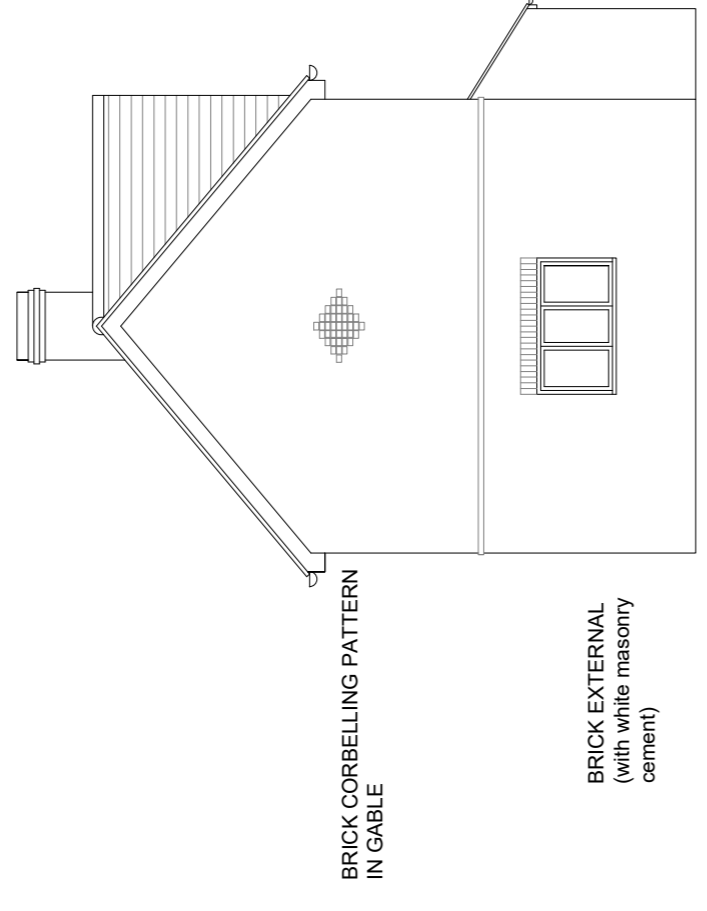


SIDE ELEVATION - NORTH

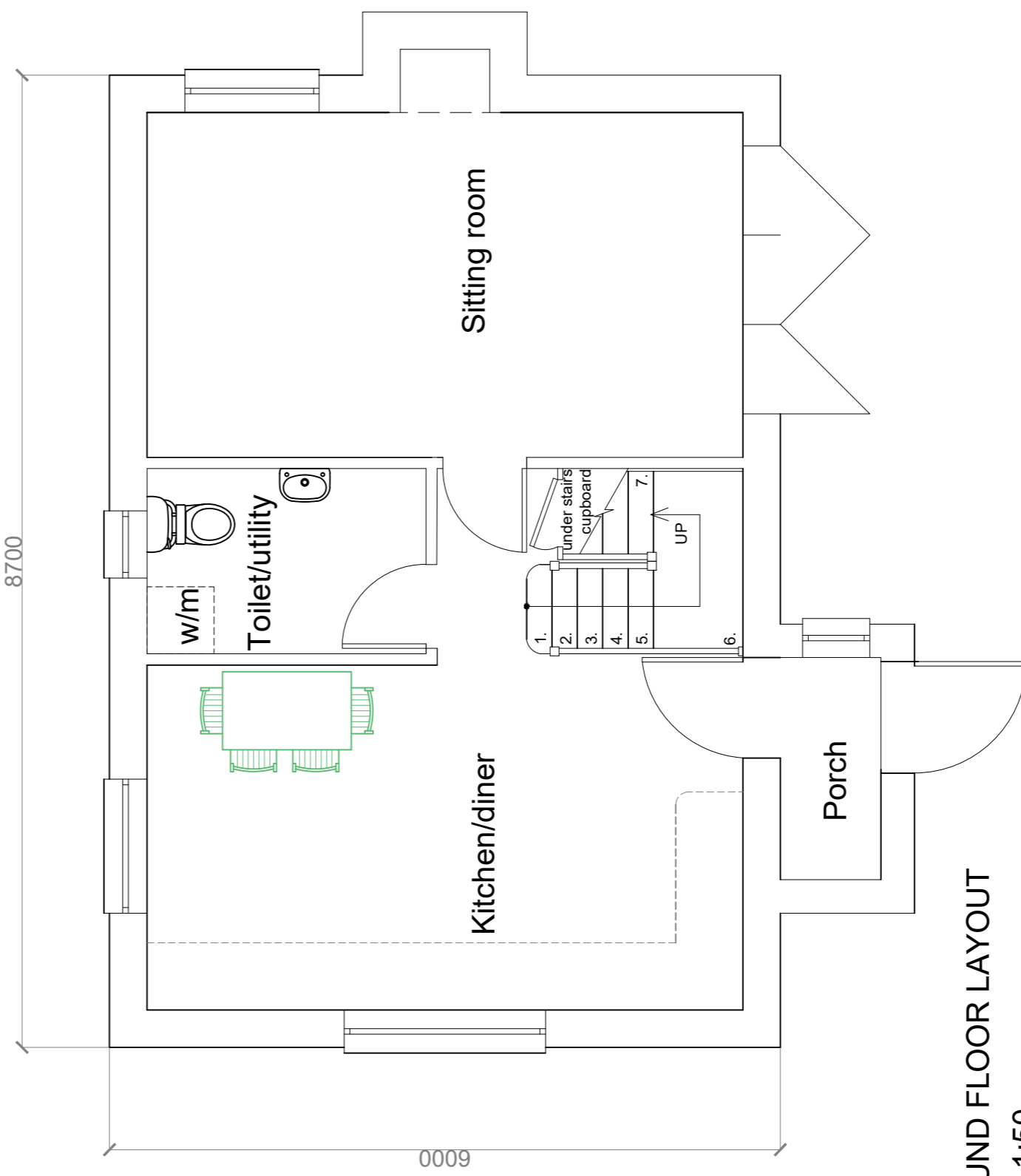
DOUBLE GLAZED UPVC WINDOWS AND DOORS
BRICK SOLDIER COURSE ABOVE OPENINGS AND
STRETCHER BOND CORBELLS CAN BE SEEN ON
SURROUNDING HOUSES



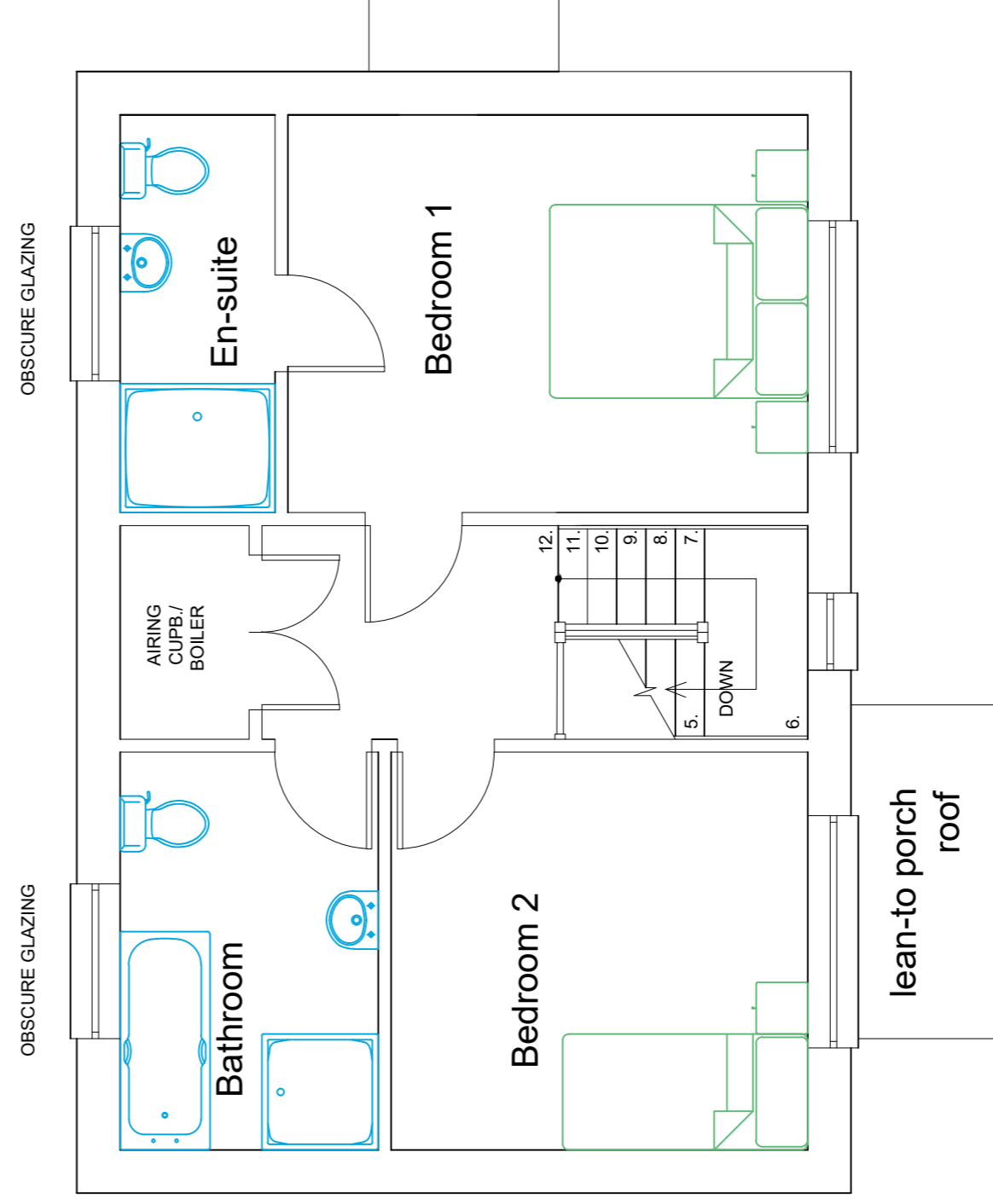
REAR ELEVATION - WEST



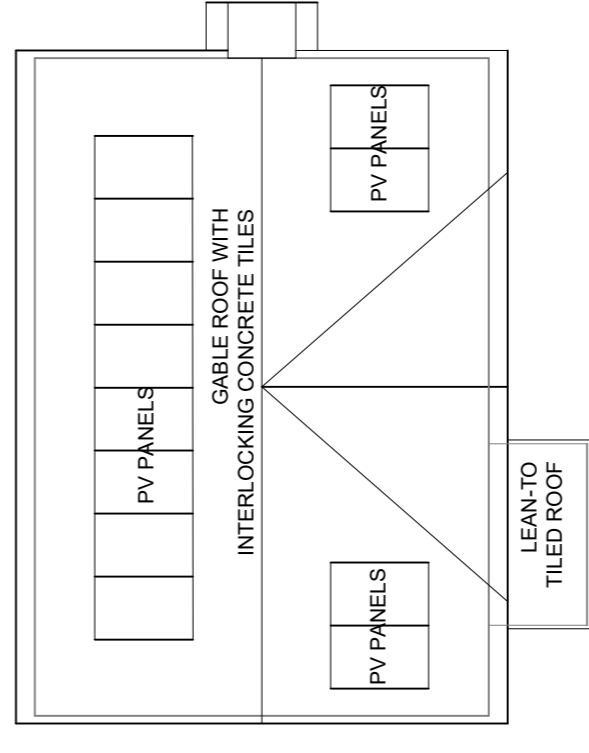
SIDE ELEVATION - SOUTH



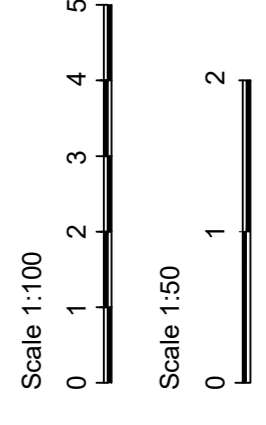
GROUND FLOOR LAYOUT
Scale 1:50



UPPER FLOOR LAYOUT
Scale 1:50



ROOF LAYOUT



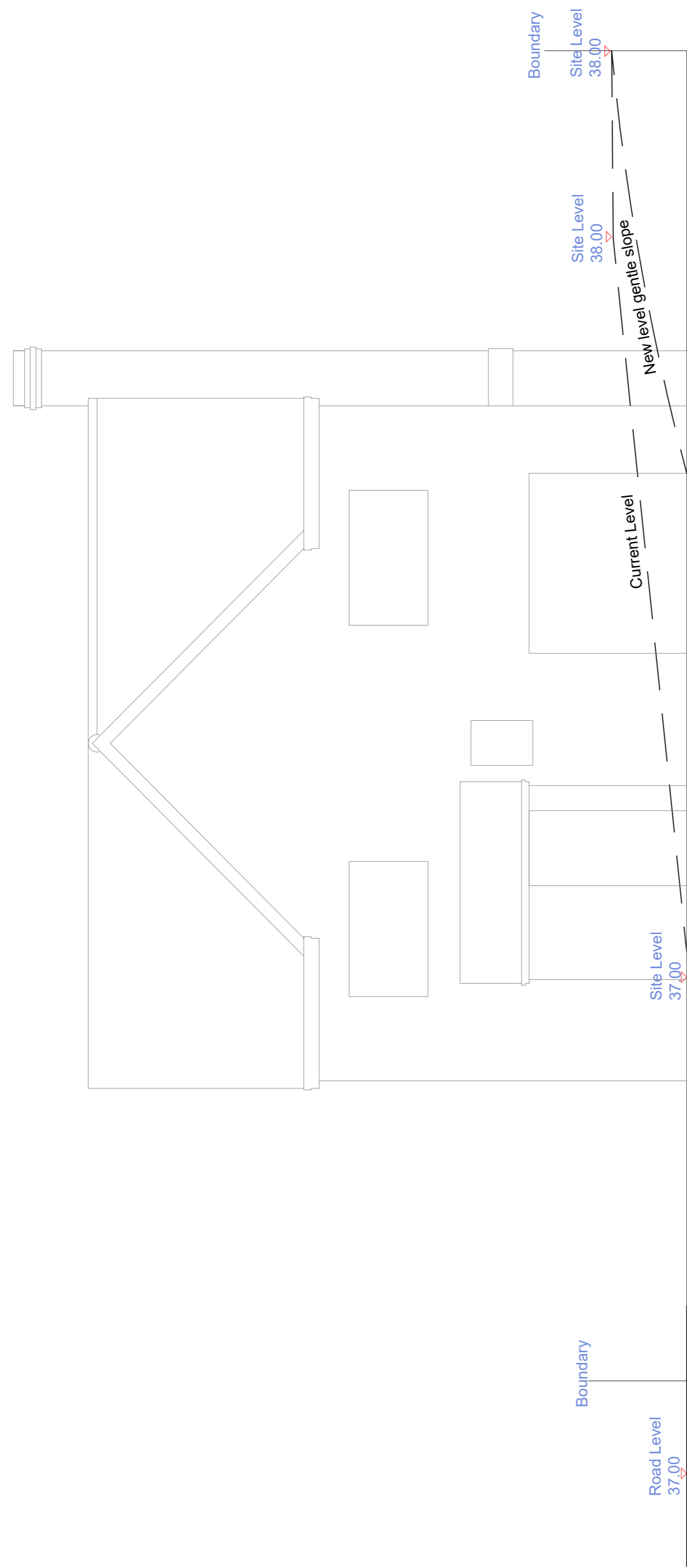
POPE *plan & build*
Boxhedge Cottage
High Street
Porton, SP4 0LH

Client: Mr and Mrs Tidd
Land adjacent to 5 Riverside Green
King's Somborne
SO20 6NG

Title: New 2 bed detached house - revised

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Date: May 2018
Scale: 1:100
Drawing no: KS/04/18
Drawn by: Rita Pope



Site to be excavated to level it

Scale 1:50



SITE LEVELS (SOUTH TO NORTH)

ITEM 9

APPLICATION NO.	18/01437/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	07.06.2018
APPLICANT	Mr David Harrison
SITE	Starlings, Whinwhistle Road, East Wellow, SO51 6BN, WELLOW
PROPOSAL	Erection of one 4 bedroom detached house with separate car port
AMENDMENTS	<ul style="list-style-type: none">• 1817 01 E• 1817 02 B• 1817 03 C• 1817 05• Footprint comparison• St/005• 1817-01 c• Updated proposal wording from 5 bed to 4 bed and from garage to car port
	Received 10 July 2018, 8 August 2018, and 30 August 2018.
CASE OFFICER	Miss Sarah Barter

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee because the Head of Planning and Building considers it to be of significant local interest or impact.

2.0 SITE LOCATION AND DESCRIPTION

2.1 Starlings is a detached two storey property located on Whinwhistle Road in the parish of East Wellow. The application site is located within the settlement boundary as set out within the Revised Borough Local Plan 2016.

3.0 PROPOSAL

3.1 The proposal is for the erection of one 4 bedroom detached house with separate car port to the rear of the existing Starlings dwelling. The application site would be accessed via a driveway to the south west of the site along the side of Starlings.

4.0 HISTORY

4.1 18/01085/FULLS - Demolition of existing garage at side of property, erection of detached garage and car port to front of property – 16.07.2018 – Permission subject to conditions and notes.

4.2 18/00222/CLPS - Application for lawful development certificate for single storey extension to the rear of the property – 05.03.2018 – Issue Certificate.

4.3 TVS.01108/3 – House in rear garden of Starlings – 16.03.1978 – Refuse
Reasons:

01. Having regard to the size and shape of the plot and its relation with adjoining development it is considered that development as proposed would be detrimental to the visual amenities and the quiet enjoyment of the existing nearby property but its occupiers.
02. The proposal would create an undesirable precedent which would make it difficult to refuse further similar development.

4.4 TVS.01108/2 - Detached house and garage - rear of Starlings - Approved subject to conditions – 17.05.1977.

4.5 TVS.01108 - House and garage - land rear of Starlings - Outline Permission subject to conditions – 30.03.1976.

5.0 **CONSULTATIONS**

5.1 Highways – No Objection subject to conditions.

5.2 Trees – No Objection subject to conditions.

5.3 Ecology – No Concerns subject to condition.

6.0 **REPRESENTATIONS** Expired 24.08.2018

6.1 Wellow Parish Council – Objection

- Overdevelopment of the countryside.
- Need
- Although the number of bedrooms has reduced from 5 to 4 the actual footprint of the building has not changed so we would re-iterate that the proposed building represents overdevelopment of the site.
- The measures the developer has taken to try and address some of the concerns previously raised are not sufficient.
- The added front gable effectively provides a viewing platform which overlooks neighbouring properties.
- Windows from bedrooms 3 and 4 possibly overlook the neighbouring property.
- The proposed work will put other mature trees on site at risk.
- Plans have had to be amended at other neighbouring properties to avoid the disturbance of tree roots.
- There are bats in the area and officers are urged to recommend the requirement of a bat survey.
- The PC also query if this application falls within a RAMSAR area.
- Concern regarding increased traffic movement in and out of the site. This will add to noise and pollution affecting neighbouring properties and it is likely that due to on site parking overspill could result in cars parking along the busy Whinwhistle Road.
- Please note the 1978 refusal at this site for a dwelling.

6.2 2, 3, 5, 6 x2, 7, 9 Florence Close, Farthingdale, Sonaisali (Formally St Kitts) Whinwhistle Road, 15 Fielders Way, Havasu Hamdown Crescent – Objection (Summarised):

- There is no need for development in Wellow.
- The measurements provided appear to be inaccurate.
- A footprint comparison with Whinwhistle Road houses would tell a very different story.
- The turning circle would be right next to number 6 Florence Closes patio.
- The second turning area at the front of Starlings would create a blind spot to vehicles leaving the proposed new build.
- There could be up to 9 residents vehicles plus visitors cars, delivery vehicles using this single lane driveway day and night with the associated noise and exhaust fumes pollution and car lights.
- No mention of a pavement for pedestrians along the side of the proposed driveway or a safe walkway.
- The proposed development is garden grabbing with no thought for the adjoining 5 properties.
- The three pane floor to ceiling window for the landing shows what little respect for the privacy of adjacent properties the applicant has.
- The proposed residents would be able to look into the properties of Starlings back garden and windows, Farthingdales back garden and also St Kitts and number 6 Florence Close. It would be totally unacceptable.
- The design is not in keeping with Florence Close it is back to front with gigantic windows.
- The acoustic fence proposed would not make any difference it would also not stop dangerous toxic vehicle fumes building up and coming over the fence.
- Overdevelopment
- Threat and damage to trees from the garages and driveway
- Nobody has measured the diameter of any protected trees in the garden of Sonaisali. The occupants of Sonaisali have had to go to great lengths to protect these trees before starting there extension.
- The Silver Birch trees will not offer a screen to Sonaisali these trees have long thin trunks and are not evergreen.
- The proposed block plan does not show Sonaisalis rear extension currently under construction there would be a greater proximity to the proposed development.
- There would be loss of light into the rear garden at Sonaisali as the new build would be located directly south of this neighbours garden.
- The development is contrary to policy pg 54 para 5.39 of the RBLP, the development does not fall under permissive development for community need or affordable housing.
- The materials proposed are out of character and contrary to advice given in the Wellow Village Design Statement.
- Most properties on Whinwhistle Road are long plots with a single dwelling many of which are two storey.
- The criteria for the refusal from TVS.01108/3 in 1978 is still relevant.

- Contrary to policy E1 of the RBLP relating to poor design.
- Contrary to the NPPF 2012 para 64 which states that permission should be refused for development of poor design.
- If this back garden is approved there is no reason why every other back garden should not be developed. Is this something TVBC are keen to encourage.
- Confirmation that St Kitts have not agreed to this proposal despite comments in the Design and Access Statement.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

COM2 – Settlement Hierachy

E1 – High Quality Development in the Borough

E2 – Protect, Conserve, and Enhance the Landscape Character of the Borough

E5 – Biodiversity

LHW4 – Amenity

T1 – Managing Movement

T2 – Parking Standard

7.3 Supplementary Planning Documents (SPD)

Wellow Village Design Statement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the surrounding area
- Impact on neighbouring properties
- Trees
- Highway safety and parking provision
- Ecology
- Water Management
- Planning History

8.2 **Principle of development**

The site is located within one of the settlement boundaries of Wellow, as defined within the Local Plan inset maps. Policy COM2 of the TVBLP allows for development within the boundaries of settlements, provided that it is appropriate to the other policies of the TVBLP. An assessment of the proposal against those policies is undertaken below.

8.3 **Impact on the surrounding area**

Whinwhistle Road

The character in this area of Whinwhistle Road is formed of a wide range of building types, many have individual design treatments with a variety of finished roof styles and fenestration. The road is formed of denser development towards the A36 junction and extends to the north where more sporadic single and clusters of dwellings are present. The Wellow Village Design Statement (VDS) makes reference to the settlement pattern in the area referring to ribbon development occurring along Whinwhistle Road between 1930 and 1939. Furthermore the VDS references the second world war period in terms of the temporary shacks which were developed along this road to provide overnight accommodation for Southampton residents seeking to escape the bombing of the city. Further development was seen after 1945 with construction by local builders the majority of development was bungalows. The VDS then sets out that further development began to appear in the 1970s with the installation of mains sewerage and the first housing estates including Fielders Way in East Wellow which is located to the south of the application site and is used to access Florence Close.

- 8.4 The application site is located between the Fielders Way and Hamdown Crescent junctions to the north west of the Whinwhistle Road within a residential built up area part of the Road. There are 5 properties between these two junctions which are detached and front facing Whinwhistle Road with long front gardens set back between approx. 23m and 30m from the highway and large mature trees creating a verdant character. The neighbour to the south west of the application site at Starlings is Farthingdale. This property has the appearance of a chalet style dwelling with a long dormer window within the roof space and a shorter rear garden than Starlings to allow for neighbouring properties numbers 6 and 4 Florence Close plots. Killyglen which is brick built bungalow located to the north east on the corner of Whinwhistle Road and Hamdown Crescent also has a shorter garden than the three other properties on this part of the road with another property located to the rear fronting Hamdown Crescent called Tuscan within this area.
- 8.5 Four Winds located next to Killyglen is also a bungalow with parking located along the side and front of the dwelling. This neighbour benefits from a rear garden of similar depth to the application site. Sonaisali (formally St Kitts) is located between the application site and Four Winds. This neighbouring dwelling has recently been subject to planning permission for extensions to the rear and side and these extensions are currently under construction (planning ref: 16/02481/FULLS). The resultant dwelling at Sonaisali is of a chalet style dwelling with substantial roof massing particularly to the rear. Parking is available to the side and front of the dwelling.
- 8.6 The application site at Starlings is a detached two storey dwelling, brick built with a gable roof, it is currently undergoing refurbishment. It currently has a large parking area to the front and a double garage to the side. Planning permission has recently been granted for a new garage to the front of the dwelling, see paragraph 4.1 above. It is proposed to remove the double garage and provide a drive to the rear of Starlings for access to the proposed dwelling in this location.

- 8.7 Views from the public realm of the proposed development to the rear would be of a shared access to the front which would include a visibility splay across the front garden boundary to ensure no screening of anything over 600mm in height. Set back from Whinwhistle Road the proposed dwelling would be located approx. 62m from the public realm. Visible when viewed from the access point would be part of the front elevation of the proposed dwelling formed of two storeys with glazing, cladding and a gable roof. The presence of other dwellings in the background of dwellings in Whinwhistle Road forms part of the established character of the area. The dwellings at Florence Close are sporadically visible through gaps in development here. Further along the road and on Hamdown Crescent these two storey structures are also sporadically seen.
- 8.8 The introduction of a dwelling in this location when viewed from the public realm at Whinwhistle Road is considered to make efficient use of land whilst respecting the character to the surrounding area. Whilst none of the driveways seen at other dwellings extend past the existing dwellings as the proposed access would the driveways do sit adjacent the side elevations providing the perception of long driveways at the side of dwellings. As such it is not considered that the accessing of the new dwelling via a driveways to the side is out of character with this part of Whinwhistle Road.
- 8.9 Florence Close
The application site is located adjacent number 6 Florence Close and is visible from the public realm within this Close. The application site is bounded by a 2m high close board fence adjacent number 6 Florence Close and to the rear next to number 7 Florence Close. Florence Close was developed in the 1970s and all of the dwellings are of a similar style. Two storey, gable roofs, tile hung at first floor and integral garages. The plots are smaller than those on Whinwhistle Road and the front gardens are open plan with driveways and gardens. The application site offers no other screening other than the fencing described from this view point. The proposed dwelling would be seen from the Close and would be orientated with its rear elevation facing to the north west towards number 7 Florence Close. The proposed dwelling would be approximately 1.8m from the existing boundary fence with number 6 Florence Close. The view given from the public realm within the Close would be of the first floor and gable roof and the lantern light over the single storey flat roof extension to the rear. The proposed dwelling would be located on a similar line of development with dwellings in the Close. The two storey element of the proposed dwelling would be positioned at between approx. 1m and 50cm forward of the existing two storey line of number 6 Florence Close with the single storey extension projecting a further approx. 2.5m towards the rear and the Close. The total height to the ridge of the dwelling would be approx. 7.5m with an eaves height of approx. 5m. Drawing 1817 03 C indicates number 6 adjacent and a difference of 10cm in ridge height in comparison with the proposed dwelling. Having reviewed the recent application at Starlings for a rear extension, see para 4.2 above, the existing starlings dwelling is approx. 7.4m high to the ridge also resulting in a difference of approx. 10cm in height.

- 8.10 The applicant has provided detail on neighbouring plot sizes at Florence Close and the proposed dwelling plot size as follows:

Footprint of dwelling compared to the overall plot size as a percentage within Florence Close

House Number	Plot Size m2	Dwelling Footprint (M2)	%
1	642	67	10.4
2	510	119	23.3
3	280	66	23.6
4	342	75	21.9
5	312	66	21.2
6	321	77	24.0
7	649	121	18.6
9	574	130	22.6
New Plot	672	112	16.7

In order to understand the accuracy of these figures (provided by the applicant) the Case Officer has also made the same assessment:

House Number	Plot Size m2	Dwelling Footprint (M2)	%
1	640.2	67.4	10.5
2	514	123.2	23.9
3	280.3	67.1	23.9
4	340.7	75	22
5	310.8	66.3	21.3
6	324	76.4	23.5
7	646	120.7	18.6
9	575	127.2	22.1
New Plot	594	115 (+12 Single Storey ext)	19.3 (21.3)

- 8.11 The verification process has revealed minor differences between the two presented. Comments have been received regarding an assessment of other plots in the immediate area given the plots location adjacent larger plots at Sonaisali and Farthingdale. As such the following assessment has also been made by the case officer.

House Name	Plot Size m2	Dwelling Footprint (M2)	%
Farthingdale	920	106.5	11.5
Starlings (As proposed)	925	75	8.1
Sonaisali	1419.2	89.9 (+36 ext)	6.3 (8.8)
Four Winds	1594.8	175.2	10.9
Killyglen	808.9	111.9	13.8
Tuscan	649.7	84.6	13
New Plot	594	115 (+12 Single Storey ext)	19.3 (21.3)

Revised Borough Local Plan Policy in this area does not specifically consider plot sizes in the area. However, policy E1 requires development to integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles and therefore surrounding plot sizes are relevant to this consideration. Paragraph 7.6 of the Revised Local Plan states that much of the identity of an area is derived from a combination of the considerations set out above. As such whilst there is a clear difference in dwelling footprint to plot size percentage when considering the dwellings fronting Whinwhistle Road and the dwellings within Florence Close it is considered that this proposed development offers a successful combination of layout, appearance, scale, materials and building style which follows the pattern of development provided by Florence Close and whilst also ensuring a similar design relationship with the existing dwelling at Starlings which fronts Whinwhistle Road. Therefore it is considered that this combination ensures the development is in accordance with the existing characteristics of the area and provides successful relationships with both Florence Close and Whinwhistle Road whilst respecting the other requirements of policy E1. As such it is considered that the development would be provided in accordance with relevant Local Plan policy in terms of impact on the surrounding area.

8.12 **Impact on neighbouring properties**

Farthingdale

This neighbour is located to the south west of the application site. The Farthingdale plot is similarly proportioned to the resultant Starlings plot with the rear garden boundary on a similar line to the new Starlings rear boundary. Farthingdale is bounded by a close board fence of approx. 2m in height to the rear. At the front is a hedge of varying heights and a mature tree. The proposed access to the proposed dwelling would be located adjacent this neighbours side elevation and rear garden. The applicant has confirmed that the access drive would be surfaced in a non migratory material to reduce noise impacts in this respect, this requirement is included in condition 6. Furthermore it is not considered that vehicle movements to a domestic dwelling would be of a level that would create a significant noise nuisance which would result in a reason for refusal in this respect.

- 8.13 The proposed dwelling would be located approx. 12m from the rear boundary with this neighbour on an oblique angle. The front elevation of the proposed dwelling would be located approx. 27m from the rear elevation of Farthingdale. Given these separation distances it is not considered that there would be any impacts in terms of loss of light or overshadowing at this neighbouring property as a result of the proposed development. In terms of overlooking views from the first floor windows at the front of the proposed dwelling towards Farthingdale would be given. However, given the separation distance described and the existing overlooking from the neighbours at numbers 4 and 6 Florence Close it is not considered that there would be any significant additional impacts created in terms of overlooking at this neighbouring property.

8.14 6 Florence Close

This neighbour is located to the south west of the application site directly adjacent the proposed dwelling. The proposed dwelling would be located approx. 1.8m from the boundary fence with this neighbour. The side elevation facing this neighbour would have one first floor window serving an en-suite. This window would face the blank side wall of this neighbour only but would be obscurely glazed and would be required to be top hung opening only. The front elevation of the proposed dwelling would be positioned approx. 1m back from the rear elevation of number 6 Florence Close even so windows at first floor which would serve two bedrooms and a landing would offer oblique overlooking towards this neighbouring properties rear garden area. However, mutual overlooking between properties from first floor windows into rear private gardens is not uncommon in this location. It is acknowledged that trees and foliage has recently been removed from the plot creating more open views but as a result first floor windows at all surrounding neighbouring properties offer a degree of mutual overlooking between plots. The proposed dwelling is not considered to offer any more significant additional impact in this respect.

8.15 The proposed dwelling would be located to the north east of this neighbour and therefore there is not considered to be any impacts in terms of overshadowing at this neighbouring property. With regards loss of light there are two ground floor windows and a side doorway at no 6 facing the proposed development but given that these serve secondary rooms and are located underneath a covered canopy area it is not considered that there would be any significant loss of light created as a result of the proposed development.

8.16 The parking and turning area would be located at the front of the proposed dwelling. This results in the turning area for cars being located adjacent the rear garden of no 6. Whilst it is acknowledged that the turning area is adjacent the entire length of rear garden at this neighbouring property it is not considered on balance that there would be any significant impacts in terms of noise and smell given the domestic dwelling proposed within an existing built up residential area. The applicant has confirmed that the access drive would be surfaced in a non migratory material to reduce noise impacts in this respect, this surface is included in condition 6. It is noted that the drawings include annotation for an acoustic fence adjacent the garden at number 6. It is not considered that vehicle movements to a domestic dwelling would be of a level that would create a significant noise nuisance which would result in a reason for refusal in this respect and as such the placement of an acoustic fence in this location is not relied upon in order to make this proposal acceptable.

8.17 7 Florence Close

This neighbour is located to the rear of the application site and is bounded by approx. 2m high close board fence. This neighbours driveway and access is located immediately adjacent the fence. The front elevation of this property would be located approx. 22m away from the closest part of the new development, the single storey rear projection. The distance between the first floor windows at the front of number 7 and the rear of the proposed dwelling

would be approx. 25m. This separation distance is considered to offer an acceptable distance between these properties to ensure no significant overlooking occurs. Given these separation distances it is also considered that there would be no significant impacts at this neighbouring property in terms of overshadowing or loss of light.

8.18 Sonaisali (Formally St Kitts)

This neighbour is located to the north east of the application site fronting Whinwhistle Road. It is understood that a lot of boundary screening has been recently been removed along the boundary with the application site and as a result the boundary treatment here is sporadic with some new specimens and the retention of some trees which are now subject to TPO. The proposed dwelling would be located approx. 5.5m from the boundary with this neighbour within the rear part of the garden at Sonaisali. The Occupiers of Sonaisali are currently building a 4m extension to the rear at two storey and therefore the Officer has taken this into account when considering the impacts of the development. At the closest point the proposed dwelling would be located approx. 23m away from this neighbour. Also proposed adjacent the boundary with this neighbour is a car port which would be positioned in front of the dwelling approx. 12m at the closest point from this neighbouring properties extension.

8.19 The proposed car port would be approx. 2.3m high with open sides. Given this height it is not considered that this element of the proposed development would create any significant impacts on this neighbouring property in terms of loss of light, overshadowing, or overlooking. Due to the proposed dwelling being located approx. 5.5m away from the boundary with this neighbour it is also not considered that the resultant impact in terms of loss of light or overshadowing would have any significant impacts on this neighbouring properties amenity.

8.20 The proposed dwelling would have one first floor side window facing this neighbours rear garden. This would serve a bathroom and would be obscurely glazed. It is considered appropriate to apply a condition ensuring that this is provided as such with top hung opening only. The front elevation windows at the proposed development would offer oblique views towards this neighbouring property but given the distance of approx. 23m between the front elevation of the proposed dwelling and rear elevation of Sonaisali it is not considered that on balance this creates an unacceptable level of overlooking.

8.21 Starlings

The existing Starlings dwelling would be located to the south east of the application site. The sub division results in a rear garden of 10m provided at Starlings adjacent to the access, driveway and car port. There would be a separation distance of approx. 24m between the rear elevation of Starlings and front elevation of the proposed development. This separation distance is considered to be appropriate and would not result in any significant overlooking towards the Starlings windows or rear garden.

8.22 To protect any higher elevated views within the roof space or a proliferation of fenestration on the front and rear of the proposed dwelling which would be to the detriment of surrounding neighbours it is considered appropriate to add a condition ensuring that permitted development for this is removed. Taking into account each neighbour's relationship with the site it is considered that the development can be provided within significant harm to the amenities of the surrounding neighbouring properties and subject to conditions the development can be provided in accordance with policy LHW4.

8.23 **Trees**

The Tree Officer has no objection to the principle of this proposal subject to appropriate conditions. The applicant has provided information on the car port foundation which is within the Birch tree RPA. Based upon 150mm square posts the size of each pad will be no greater in size than 600mm. Notwithstanding this dimension, the course of action will be to expose the roots of the tree's and then take advice from Barrell Treecare as to any potential impact. As the proposal is now for a car port and not a garage, there will not be the need for continuous strip foundations and as such there is a flexibility to the positioning of the pads to include supporting lintels if need be.

8.24 The submitted site layout plan 01B shows a foul drain, which would conflict with the tree protection which the Tree Officer required further clarification on. The dwelling has now been moved forward slightly and as such the applicant has advised it is very unlikely that the sewer would conflict with this area. Drawing 1817/01/e has removed a note from previous revisions which referred to a sewer diversion. In effect by altering its position this affords sufficient easement for the existing drain and as such it is not anticipated that Southern Water would request the sewer to move thus avoiding any works within the RPA. A condition ensuring all service routes, drain runs, soakaways or excavations in connection with the development permitted shall remain wholly outside the tree protective barrier is considered reasonable to apply to ensure the RPA of this tree and others on site is protected.

8.25 Subject to conditions ensuring the development is carried out appropriately it is considered that the development can be carried out in accordance with policy E2 which concerns the retention of important landscape features.

8.26 **Highway Safety and Parking Provision**

The Highways Officer has no objection to the proposals. The development provides for 3 car spaces in accordance with the Council's parking Standards. 2 cycle storage spaces are not currently proposed but it is considered that this can be secured via condition. The Highways Officer considers that visibility requirements are provided on the land extended to the north within the control of the applicant. To the south this is provided by the neighbouring property Farthingdale for their own access. It is considered appropriate to add a condition ensuring the visibility splay shown on the approved plan is provided. It is also considered appropriate to add a condition ensuring the parking shown on the plans is provided prior to occupation of the new dwelling. Subject to these conditions it is considered that the development can be provided in accordance with policies T1 and T2 of the Revised Borough Local Plan 2016.

8.27 Ecology

The application is supported by an ecology survey (David Leach, June 2018), and the County Ecologist agrees with the findings of the report. The development is unlikely to adversely affect any biodiversity features and the County Ecologist would not raise any concerns. The report makes sensible recommendations regarding biodiversity enhancements, which the County Ecologist supports. Subject to an appropriate condition ensuring the development proceeds in accordance with the measures relating to bird and bat boxes it is considered that the development complies with policy E5 in this respect.

8.28 The Parish Council queried whether this site is within a RAMSAR area. It is not. The closest RAMSAR area is within the New Forest.

8.29 New Forest SPA

The development will result in a net increase in residential dwellings within 13.6km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit the New Forest. The New Forest SPA supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the Forest that result from new housing development. While clearly one new house on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England (the government's statutory nature conservation advisors) that any net increase (even single dwellings) would have a likely significant effect on the SPA when considered in combination with other plans and projects.

8.30 To address this issue, Test Valley Borough Council has adopted an 'interim mitigation strategy' whereby a scale of developer contributions of £1300 per new dwelling has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. This payment has not been secured so this recommendation is made subject to receipt of this payment and agreement.

8.31 Water Management

Under Policy E7 all new residential dwellings must achieve a water consumption standard of no more than 100 litres per person per day. This reflects the requirements of part G2 of the 2015 Building Regulations. It is recommended that a condition be added in order to address this.

8.32 Planning History

The planning history for this site includes the division of the Starlings plot under TVS. 01108 in 1976 to provide what is now number 7 Florence Close. A further application for the plot currently under consideration was refused ref: TVS.01108/3 for the outline erection of a house to the rear of Starlings. This application is over 40 years old dated 16.03.1978. There has been a significant change in planning policy in 40 years with each application judged on its own merits. No weight is afforded to this previous decision in this instance.

9.0 CONCLUSION

9.1 It is considered that the development can be provided in this location without significant impacts on the surrounding area, highway safety and parking provision, neighbouring properties, ecology and trees. As such it is considered that the development is acceptable and in accordance with the development plan.

10.0 RECOMMENDATION A

DELEGATE to the Head of Planning and Building for the completion of agreement, by the 18 September 2018, to secure the following contribution:

- i) financial contribution towards the New Forest SPA mitigation measures;**

and 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. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:
1817 02 B
1817 03 C
1817 04 A
1817 05
1817 01 E
18105-BT5
1817 01 D
ST/005
Reason: For the avoidance of doubt and in the interests of proper planning.**
- 3. No development shall take place above DPC level of the development hereby permitted 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 Revised Local Plan (2016) Policy E1.**
- 4. Prior to the commencement of development the access shall be constructed with the visibility splays shown on approved plan and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1m; metres above the level of the existing carriageway at any time.**

Reason: In the interest of highway safety in accordance with Revised Local Plan DPD 2011-2029 Policy T1.

5. **The development hereby permitted shall not be occupied until provision for 2 cycle parking/storage has been made, in accordance with details to be submitted and approved in writing with the Local Planning Authority has been made. The approved scheme shall be maintained for this purpose at all times.**

Reason: In the interest of providing sufficient safe parking for cyclists and in accordance with the Test Valley Local Plan 2016 policy T2.

6. **The development hereby approved shall not be occupied until space with a non-migratory surface 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 2016 policies T1, and T2.

7. **Development shall proceed in accordance with the measures relating to bird and bat boxes in Section 5.4 Enhancements of the Ecology Survey report (David Leach, June 2018).**

Reason: To conserve and enhance biodiversity in accordance with Policy E5 of the Test Valley Revised Local Plan DPD.

8. **The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.**

Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

9. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows in the south eastern front or north western rear elevations of the proposal hereby permitted [other than those expressly authorised by this permission] shall be constructed.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.

10. **The first floor windows in the south western and north eastern side elevations of the development hereby permitted shall be fitted with obscured glazing and shall be top hung opening only, and thereafter retained as such, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LWH4.

11. **The development hereby approved shall be undertaken in full accordance with the provisions set out within the Barrell Tree Consultancy Arboricultural Assessment and Method Statement reference 18105-AA-PB dated 28th June 2018.**
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 Revised Local Plan policy E2.
12. **Tree protective measures installed (in accordance with the tree protection condition) 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, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.**
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
13. **All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.**
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.

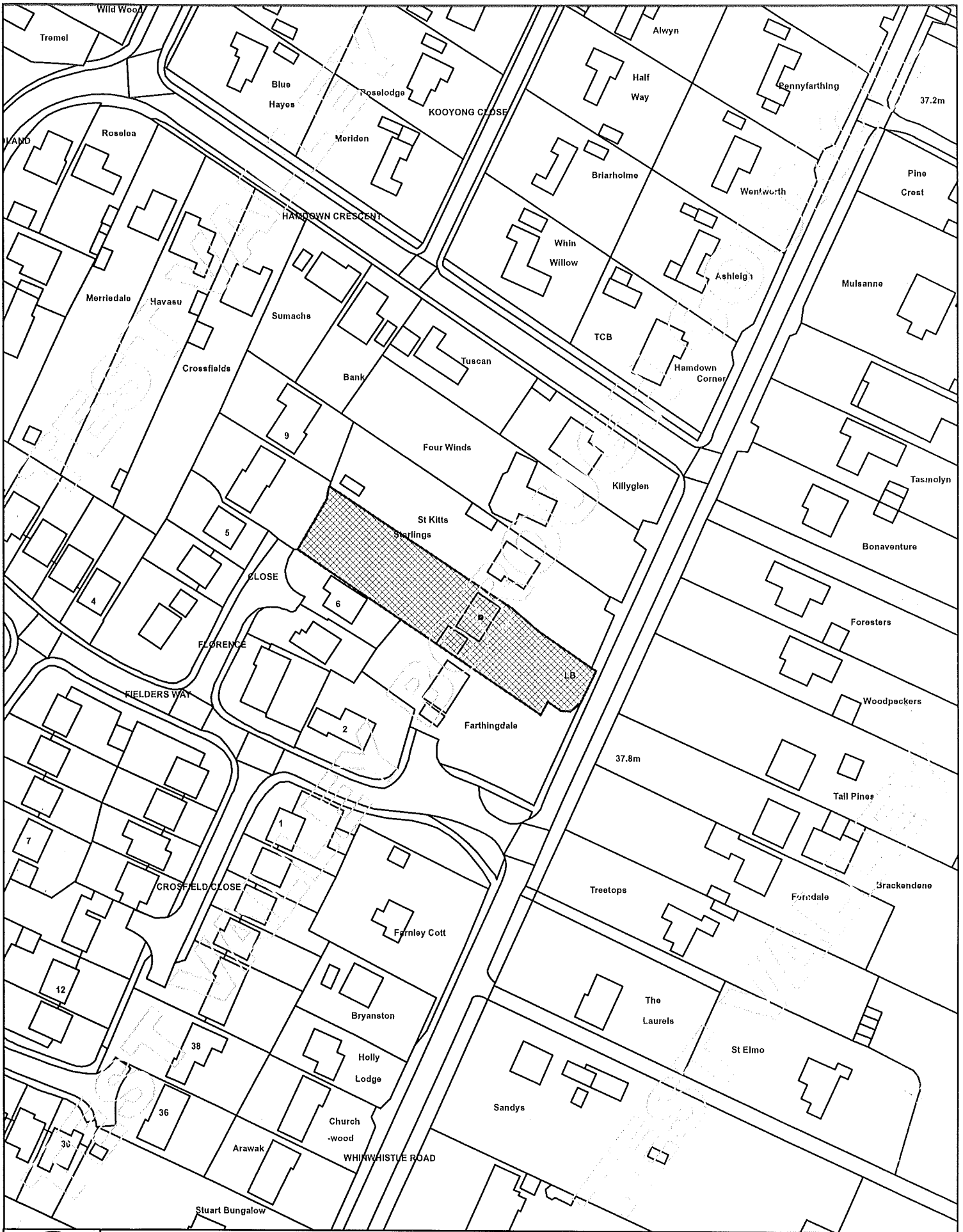
Notes to applicant:

1. **The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
2. **In reaching this decision Test Valley Borough Council (TVBC) has had regard to 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.**

11.0 RECOMMENDATION B

REFUSE, for the following reason after 18 September 2018:

1. **The site is included within the catchment area of the New Forest SPA. In accordance with 'The Conservation of Habitats and Species Regulations 2017' insufficient information has been provided in relation to the impact on the New Forest Special Protection Area and no contribution in line with the 'New Forest SPA Mitigation - Interim Framework' has been secured.**
-



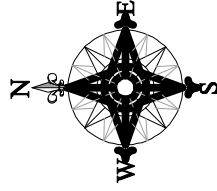
Siteplan



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adp architects & urban designers
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 Email: mail@adp-uk.co.uk
 www.adparchitects.co.uk
 Richmond Court, 94 Botley Road, Park Gate, Southampton, SO31 1BA

rev: date: rate:
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LINEAR SCALE 1:1000
 A4@1:1000



SITE LAYOUT 1:250



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architects & urban designers

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note:
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LEGEND

- Existing trees + RPA's
 - Existing trees to be removed
 - Existing hedges/planting
 - Existing hedges/planting to be removed
 - Proposed planting (subject to detailed landscape design)
 - Existing Levels
 - Proposed levels - dpc/finished floor & height to ground levels (subject to engineers design)
 - Proposed SW drainage
 - Existing foul drainage
 - Proposed foul drainage
 - Proposed foul drainage
- Foul & sw drains where shown are for guidance purposes only & may vary due to site conditions, SWA & building control approval, etc. required when SWA is proposed. SWA should be installed building over or close to a sewer. Previously shared private drains are now likely to be considered public sewers.

- rev. code: note:
- E 06.08.18 Planning update
 - D 09.07.18 Highway comments update
 - C 27.06.18 Drain diversion amend
 - B 03.06.18 Planning Issue
 - A 24.05.18 Parking update/front gable removed

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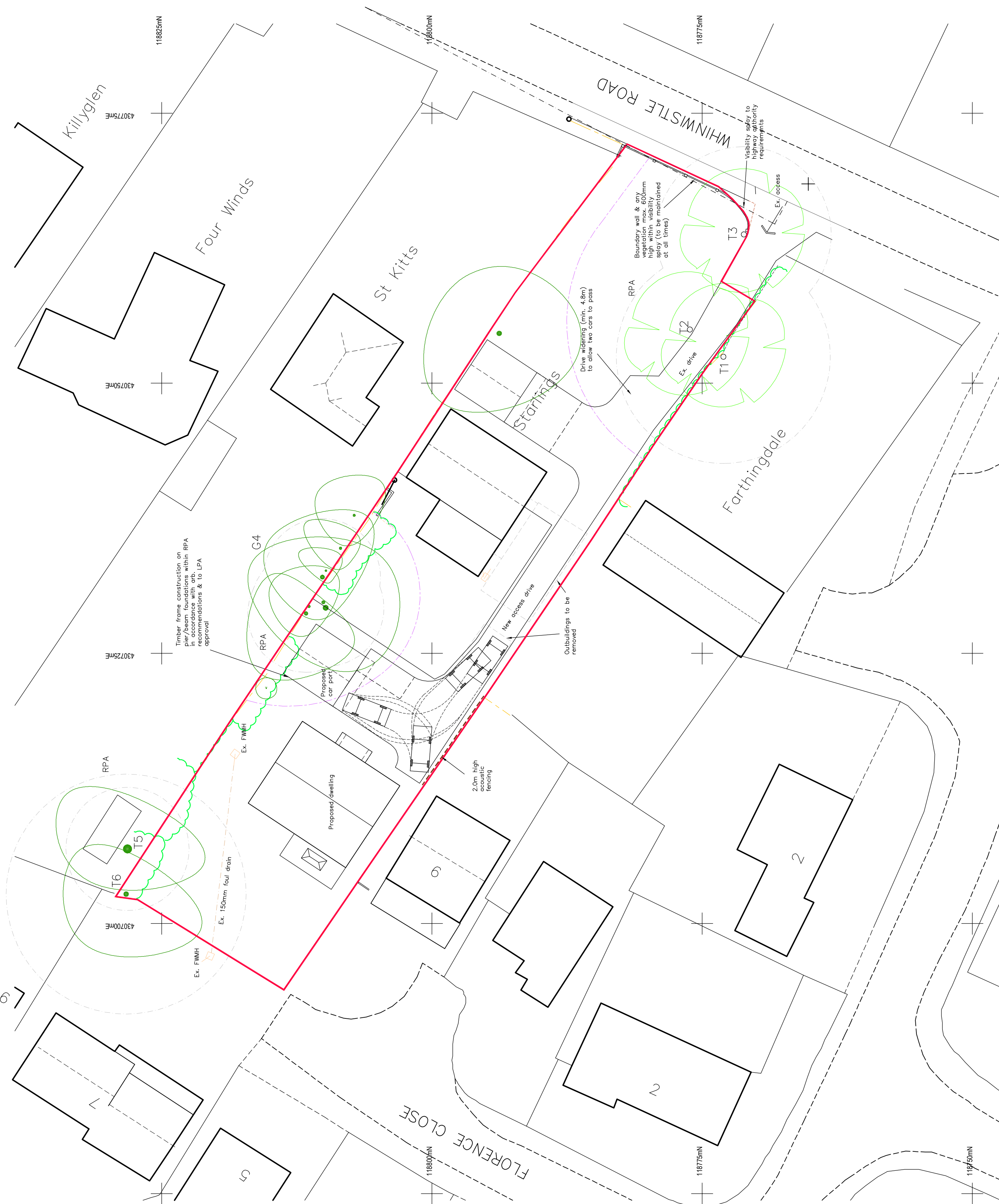
project name/address:
Proposed Dwelling
Starlings
Whinwhistle Road
East Wellow

client:
Romsey Developments Ltd

drawing title:
Site Layout

job number: drawing number: revision:
1817 01 E

drawing scale/size: date: drawn:
1:250 (A2) Apr 18



PROPOSED ELEVATIONS



LINEAR SCALE 1:100
A3 @ 1:100

RIBA #
Chartered Practice

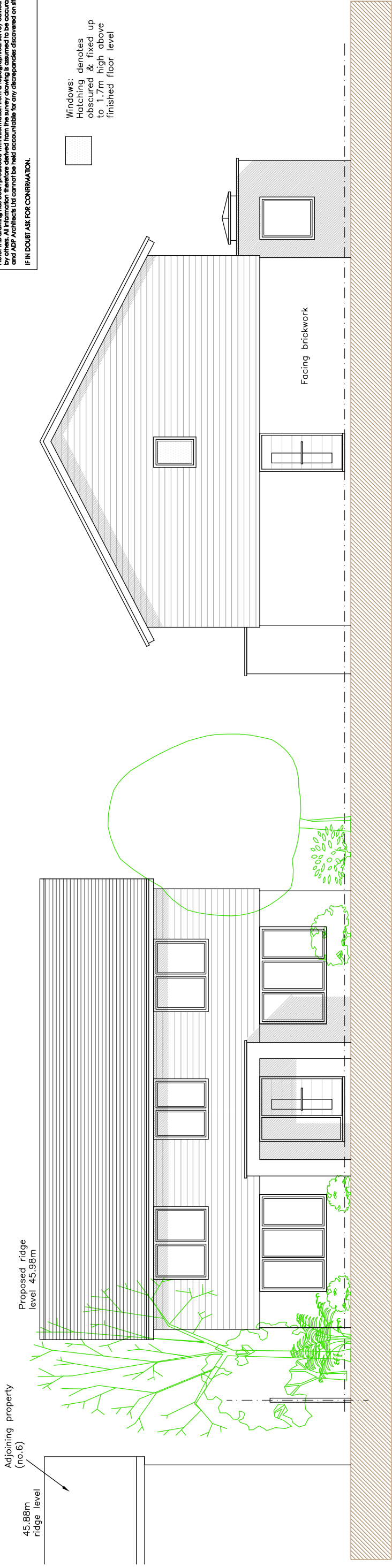


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Front Elevation 1:100

Side Elevation

C	30.08.18	Landing window smaller
B	08.08.18	Ridge level/house no amend
A	06.08.18	Smaller dwelling/Planning revisions

rev: date: note:

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Email: mail@adp-ld.co.uk
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Richmond Court, 94 Botley Road, Park Gate, Southampton, SO31 1BA

project name/address:

Proposed Dwelling
Starlings
Whinwhistle Road
East Wellow

client:

Romsey Developments Ltd
drawing title: **Elevations**

job number:

1817

drawing number:

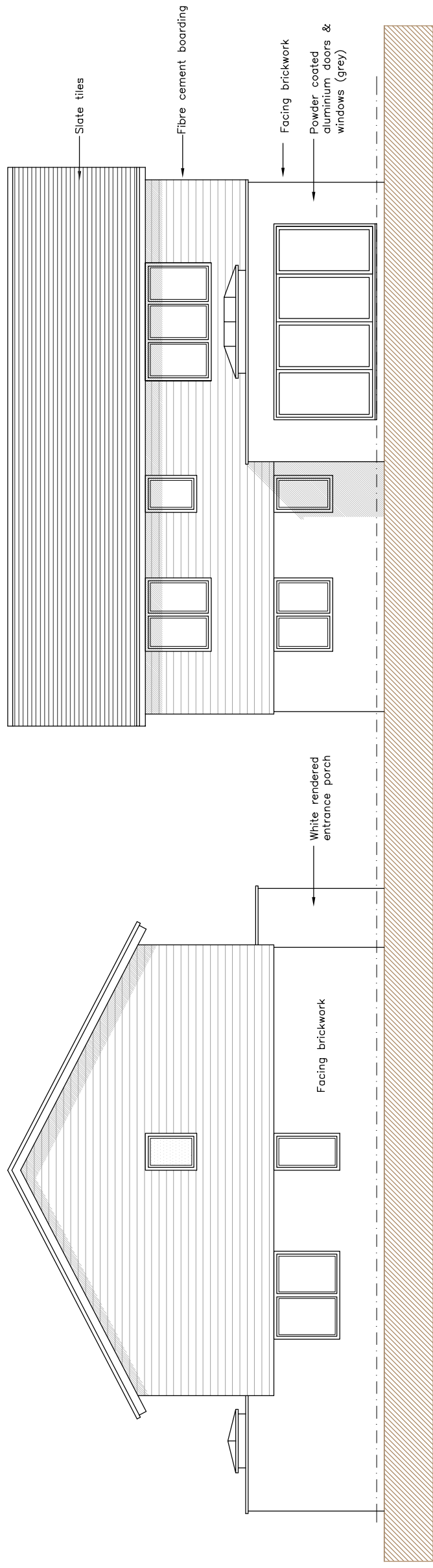
03

revision:

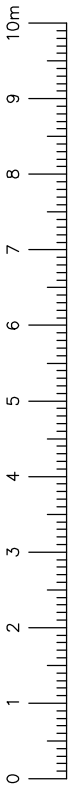
C

Side Elevation

Rear Elevation



PROPOSED PLANS



LINEAR SCALE 1:100
A3 @ 1:100

RIBA #
Chartered Practice

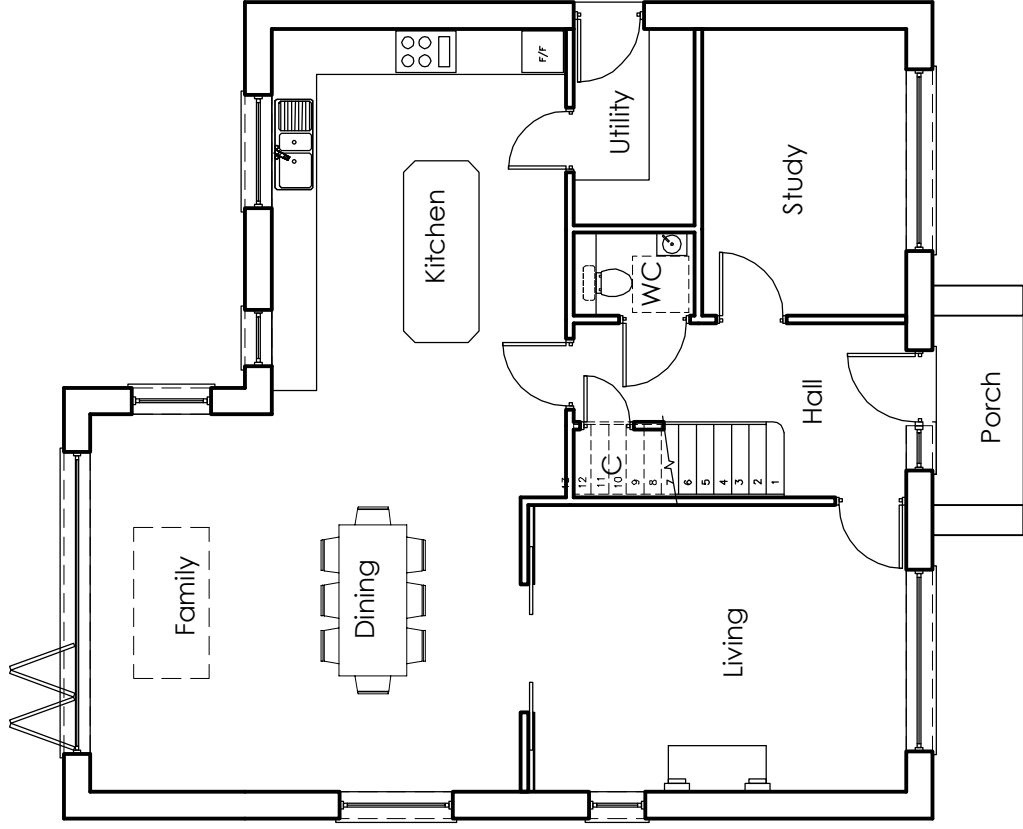


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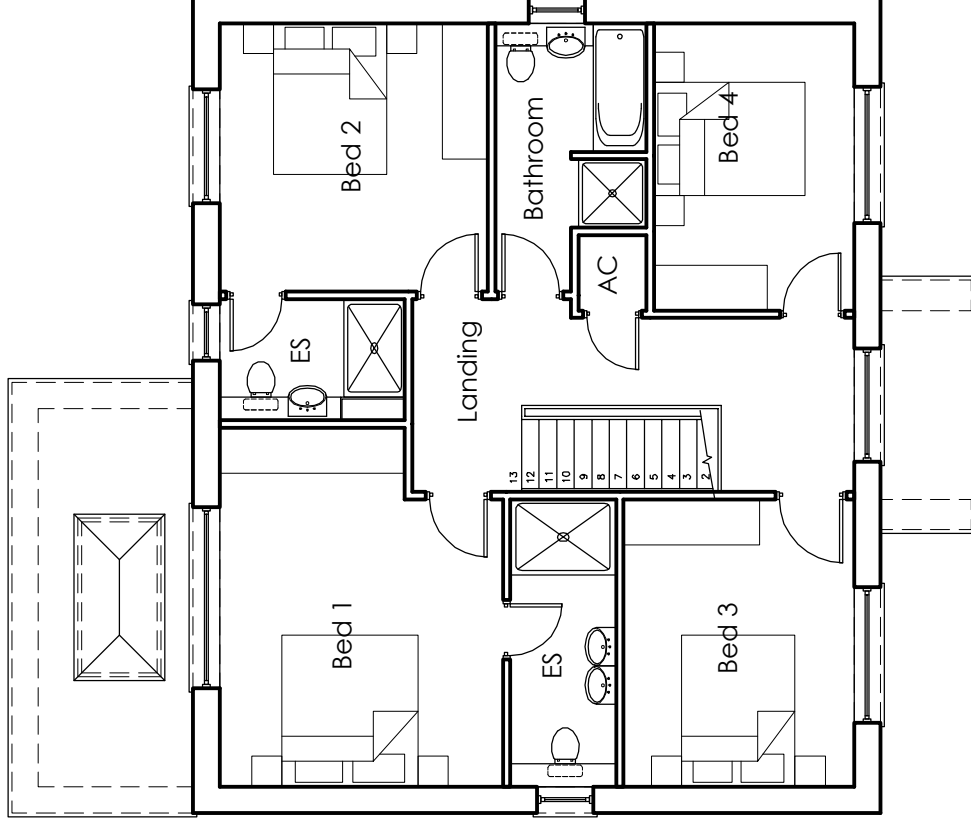
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Ground Floor Plan 1:100

GIA:
181.7 sqm
(1955 sqft)



First Floor Plan

B 30.08.18 Landing window smaller
A 06.08.18 Smaller dwelling/Planning revisions

rev: date:

note:

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project name/address:

Proposed Dwelling
Starlings
Whinwhistle Road
East Wellow

client:

Romsey Developments Ltd

drawing title:

Floor Plans

job number:

1817

drawing number:

02

revision:

B

drawing scale/size:

1:100 (A3)

date:

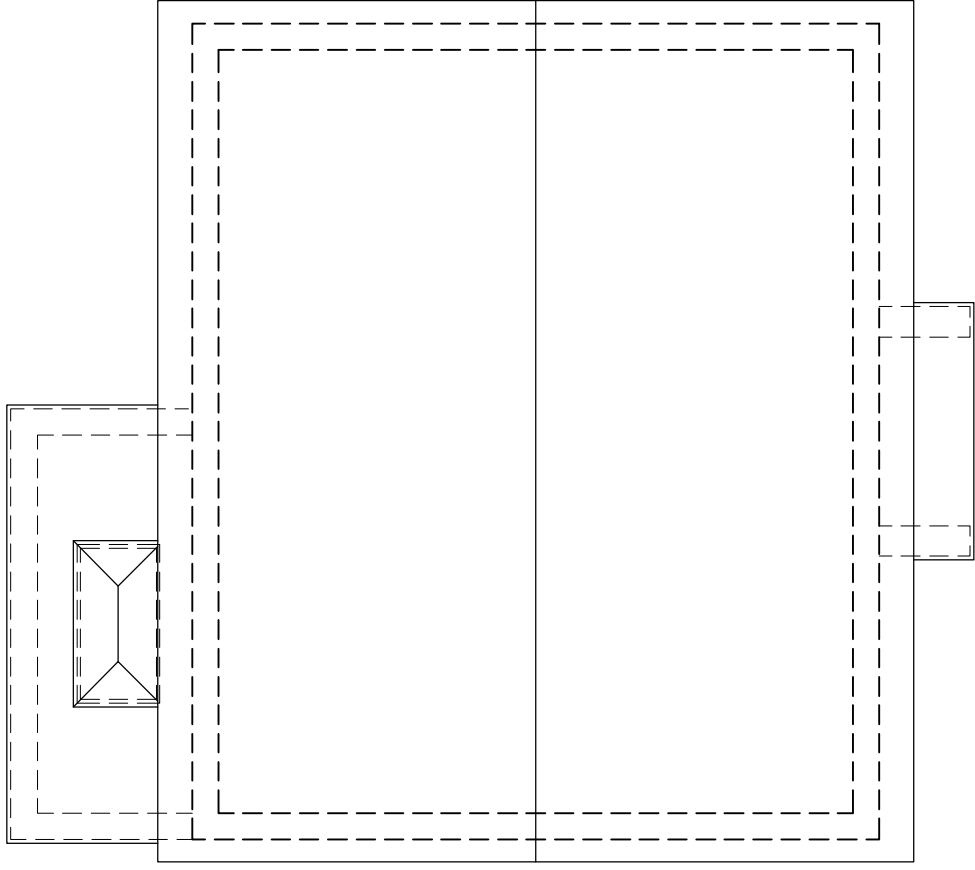
May 18

drawn:

PROPOSED PLAN



LINEAR SCALE 1:100
A3 @ 1:100



Roof Plan 1:100

RIBA #
Chartered Practice



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no:	date:
A	06.08.18

Smaller dwelling/Planning revisions

no:

date:

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project name/address:

Proposed Dwelling
Starlings
Whinwhistle Road
East Wellow

client:

Romsey Developments Ltd

drawing title:

Roof Plan

job number:

1817

drawing number:

04

revision:

A

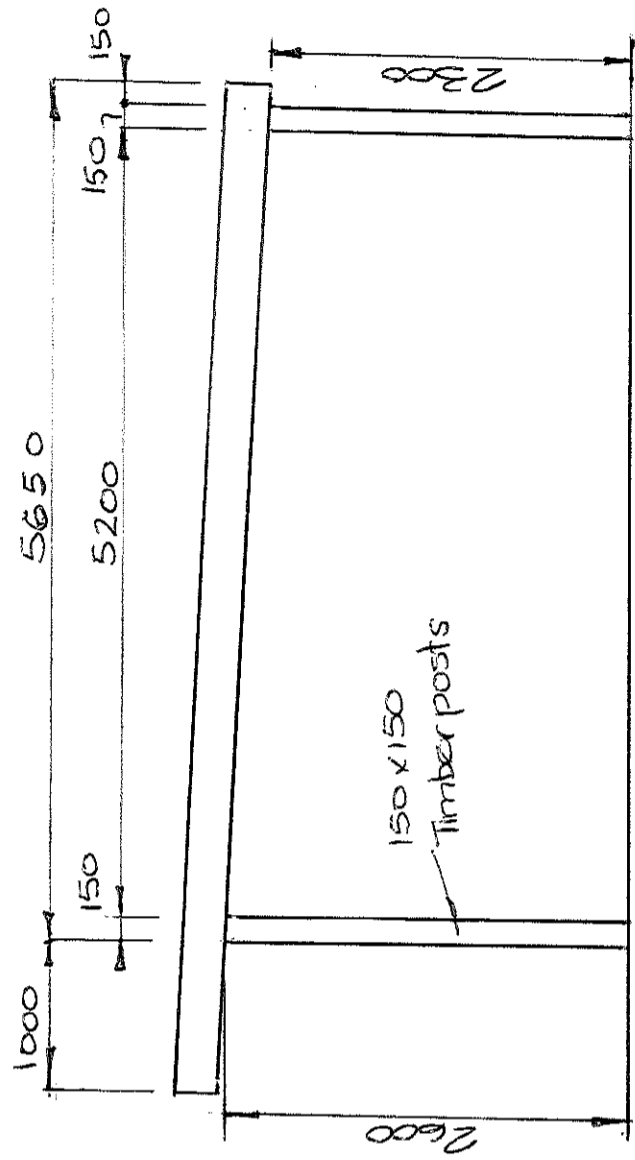
drawing scale/size:

1:100 (A3)

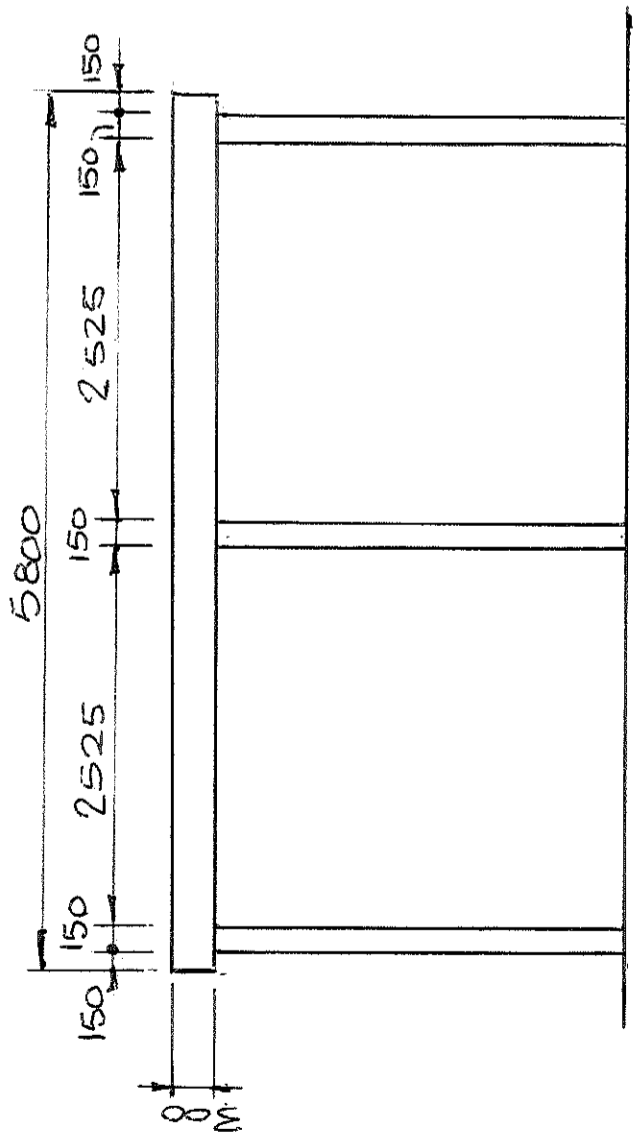
date:

May 18

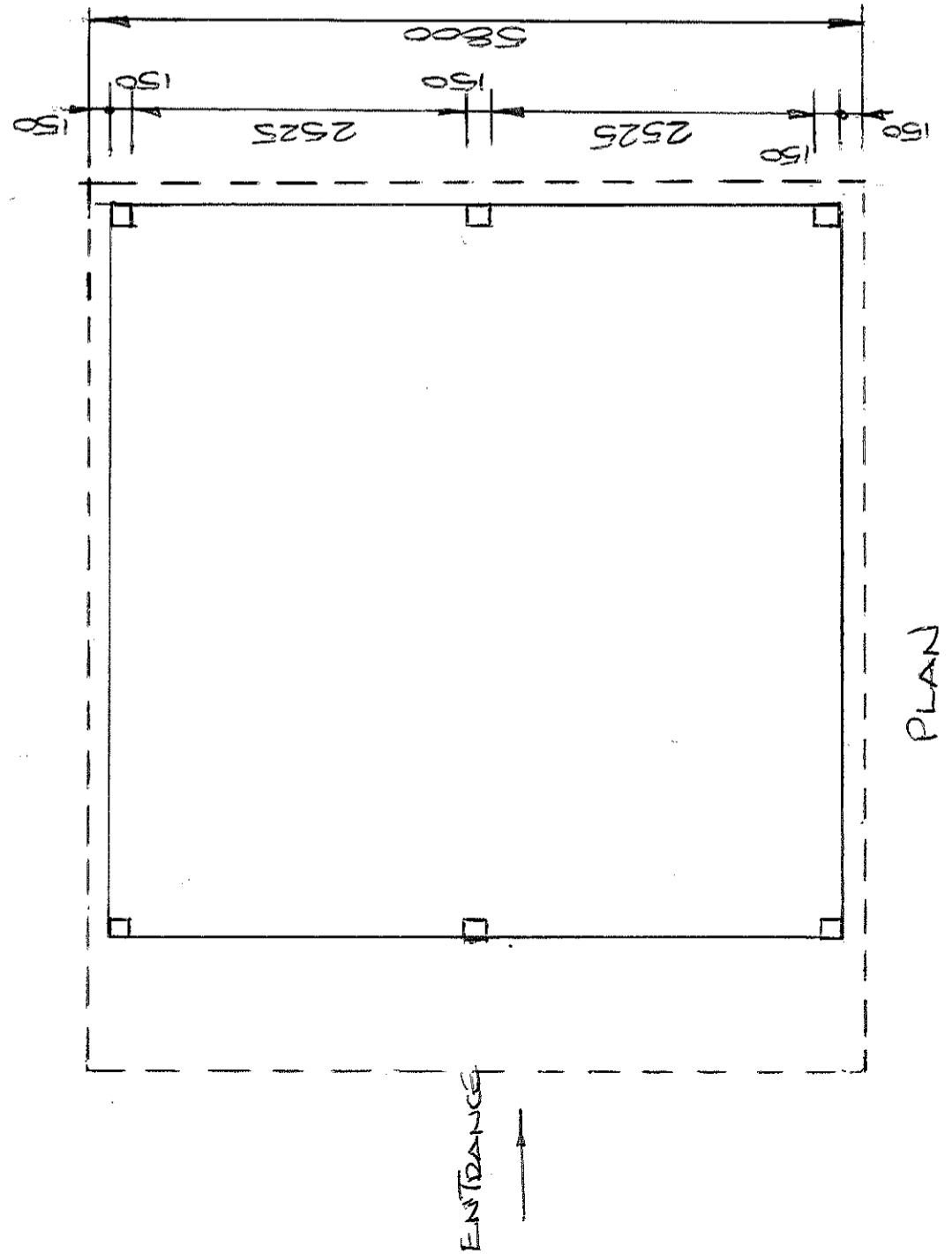
drawn:



SIDE ELEVATION



FRONT ELEVATION



'STARLING'S', EAST WELLOW.
OPEN SIDED CAR PORT
Dwg No ST/005

STARLINGS
Whinwhistle Road
East Wellow

FOOT PRINT of DWELLING compared to the OVERALL PLOT SIZE as a percentage within Florence Close.

House Number	Plot Size (m2)	Dwelling Footprint (m2)	%
1	642	67	10.4
2	510	119	23.3
3	280	66	23.6
4	342	75	21.9
5	312	66	21.2
6	321	77	24.0
7	649	121	18.6
9	574	130	22.6
New Plot	672	112	16.7

This exercise demonstrates that as a percentage, the proposed new dwelling is in keeping with the houses within Florence Close and as such is not considered as over development of the land.



Scale 1:500