

7. **17/01615/OUTS (PERMISSION) 26.06.2017** **10 – 83**
SITE: Former North Hill Sawmill Yard, Baddesley Road,
Flexford, **AMPFIELD**

CASE OFFICER: Sarah Appleton

8. **18/01568/FULLS (PERMISSION) 18.06.2018** **84 – 92**
SITE: 85 Upton Crescent, Nursling, **NURSLING**
AND ROWNHAMS

CASE OFFICER: Jacob Cooke

APPLICATION NO.	17/01615/OUTS
SITE	Former North Hill Sawmill Yard, Baddesley Road, Flexford, SO52 9BH, AMPFIELD
COMMITTEE DATE	25 th September 2018
ITEM NO.	7
PAGE NO.	10 - 83

1.0 REPRESENTATIONS

- 1.1 1 x additional letter of objection raising the following, additional concerns (concerns that have not previously been recorded):
- Loss of employment land – No evidence or justification to comply with policy LE10 has been provided.
 - Traffic – Development would generate a large increase in number of traffic movements in the local area. No evidence of any measures required to eliminate congestion arising from this development has been provided.

2.0 PLANNING CONSIDERATIONS

- 2.1 The following comments are in relation to loss of employment and traffic which has been raised by the additional representation received (detailed above).

2.2 Loss of employment

This was considered at paragraphs 8.4 – 8.12 of the agenda report for the committee on the 15 May 2018. It was concluded that:

“In order to comply with policy LE10, the application has to comply with either point (a) or point (b). The proposal must also comply with point (c). The above paragraphs demonstrate that the current activity could cause significant harm to the character of the area and the amenities of surrounding area. As a result, it is considered that the application complies with policy LE10(b). The applicant has also demonstrated that the proposals would not result in a significant detrimental impact on the operation of the remaining occupiers of the site in compliance with LE10 (c). As a result, it is considered that the proposals comply with policy LE10. This weighs in favour of the scheme.”

2.3 Traffic

This was considered at paragraphs 8.83 – 8.96 of the agenda report for the committee on the 15 May 2018. In relation to traffic generation (paragraphs 8.86 – 8.9) it was concluded that:

“Based on the above figures an in relation to the impact the proposed increase in trips would have on the highway network, the TS concludes that:

“the number of additional vehicle trips predicted to be generated by the development is considered negligible, and will have minimal discernible impact on the operation of the local highway network.”

The highways officer at Hampshire County Council agrees with the findings of the report, confirming that given the trip generation, it is not anticipated the

development will result in a severe impact on the highway network in either capacity or safety terms.”

As a result of the above, the proposals are considered to comply with policy T1 of the RLP and this weighs in favour of the proposed development.”

2.4 Opening hours

The applicant has confirmed that the opening hours stated on the application form are not relevant to this proposal, that they were left on the application form after the previous application which included a shop (this proposal does not include a shop). The applicant has confirmed that the care village will be open 24 hours a day, 7 days a week for care related needs and that the communal day-care facilities will likely be time limited to circa 0800-1800. Members will note that a restriction on deliveries to the care village is set out in recommended condition 14 below.

3.0 **AMENDED/ADDITIONAL CONDITIONS**

3.1 *Additional condition – Trees*

Paragraph 5.4 of the update paper relating to when the application was originally considered by the Southern Area Planning Committee (SAPC) on the 15 May 2018 (page 79 of the agenda report) details an additional condition in relation to trees. This has not been included in the agenda report for this SAPC. As such condition 21, is added to the recommendation.

3.2 *Undergrounding of overhead cables*

Paragraph 5.5 of the update paper relating to when the application was originally considered by the SAPC on the 15 May 2018 (page 79 of the agenda report) discusses how best to control the proposed undergrounding of overhead cables. It was concluded that this matter can be dealt with by way of a condition rather than as an obligation within the legal agreement. This has not been reflected in the agenda report for this SAPC. As such condition 22 is added to the recommendation.

3.3 *Amended conditions 8, 9 and 14*

The wording of conditions 8, 9 and 14 of the agenda report do not accurately reflect the wording of the conditions considered at the SAPC on the 15 May 2018 (see paragraphs 5.1 and 5.2 of the update report presented to SAPC on the 15 May). The recommendation has therefore been amended to correct these discrepancies.

3.4 *Amended condition 18*

Since the SAPC on the 15 May, the applicant has submitted further information in relation to how contamination should be dealt with on the site. As originally worded, condition 18 required the applicant to submit contamination information based on the site/development as a whole. The applicant has asked that this be amended to allow a phased approach. Such an approach would ensure that if the development is to be delivered in phases, information is submitted in relation to each phase with any contamination being dealt with before development on an individual phase commences. Verification that contamination in any phase has been removed before the occupation of the units will then be required. The Council's environmental health officer has been made aware of the applicant's request and has advised that as this is a large, complicated site with different

remediation requirements on different portions, they would be happy to proceed on the basis of a phased approach.

3.5 As a result of the above, condition 18 has been amended to allow for a phased approach.

4.0 **LEGAL AGREEMENT**

4.1 The legal agreement required by the SAPC resolution on the 15 May 2018 has been completed. The recommendation has therefore been amended accordingly.

5.0 **AMENDED RECOMMENDATION**

PERMISSION subject to conditions and notes as per the agenda report including amended conditions 8, 9, 14 and 18 and additional conditions 21 and 22.

1. **Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than whichever is the later of the following dates:**
 - i) **five years from the date of this permission: or**
 - ii) **two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.****Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.**
2. **Approval of the details of the layout, and appearance of the building(s), and the landscaping of the site (herein after called "the reserved matters") shall be obtained from the local planning authority in writing before the development is commenced.****Reason: To comply with Article 4 of the Town and Country Planning (General Management Procedure) (England) Development Procedure) Order 2015 (or any order revoking and re-enacting that Order).**
3. **The development hereby permitted shall be used only as a care village comprising a care home/community hub building including core facilities, extra care units and ancillary uses. The barn/store hereby permitted shall only be used as a store/office for the mobile home park known as Wheelhouse Park and for no other purposes, including any purpose in Classes C2, B8 or B1; of the Schedule of to the Town and Country Planning (Use Classes) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.****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 COM2.**
4. **The development hereby permitted shall be carried out in complete accordance with the Parameters Plan Ref. BRS.2581_38 Rev B.****Reason: To ensure that proposed buildings are appropriately located within the site to prevent adverse impacts on the Local Gap, surrounding landscape character and on the character and**

- appearance of the surrounding area in accordance with Test Valley Borough Revised Local Plan policies E1, E2 and E3.
5. Prior to the commencement of development the means of access to the site detailed on plan number 5303/204 shall be fully implemented and retained as such at all times.
Reason: To ensure that the access into the site is provided to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
 6. A Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority in writing before the commencement of development. The Construction Traffic Management Plan should include; construction traffic routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction. The approved details shall be fully implemented before development is commenced.
Reason: In the interests of highway safety in accordance with policy T1 of the Test Valley Borough Revised Local Plan 2016.
 7. The landscaping of the site should be undertaken broadly in accordance with the details set out within the Landscape Strategy Plan (Illustrative) drawing number BRS.2581_28 Sheet 1/2 Rev D and BRS.2581_28 Sheet 2/2 Rev D.
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.
 8. Prior to the commencement of development, a detailed Biodiversity Enhancement Strategy that includes detailed measures building on the recommendations in Sections 6.3 to 6.6 of the Ampfield Care Village Ecological Impact Assessment report (EPR, February 2018) and includes establishment and planting specifications and techniques, location drawings, long-term management prescriptions, monitoring and review strategy, details of management organisations and funding sources, and commitment to report back to the Local Planning Authority during the fifth year post-completion, shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with the approved details with all such enhancement features being managed and maintained in accordance with the approved details.
Reason: To enhance biodiversity in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.
 9. Prior to the commencement of development, a detailed Construction Environment Management Plan that includes detailed measures to avoid impacts to Trodds Copse SSSI and detailed measures to avoid, mitigate and compensate for impacts to protected species and habitat losses shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with the approved details.
Reason: To avoid impacts to protected sites and species and to conserve and enhance biodiversity in accordance with Policy E5 of

- the Test Valley Borough Revised Local Plan 2016.
10. Prior to the commencement of development a detailed external lighting plan showing that the northern and eastern site boundaries and associated habitats associated with the stream corridor and Trodds Copse SSSI will remain unilluminated shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with the approved details.
Reason: To avoid impacts to foraging bats, in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.
 11. All those involved with the development should be informed of the status and legal obligations attached to the Trodds Copse SSSI designation and where the boundary of the protected area is.
Reason: To avoid impacts to protected sites and species and to conserve and enhance biodiversity in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.
 12. The development hereby permitted shall be undertaken in full accordance with the Flood Risk Assessment (Issue 6, CEC, February 2018).
Reason: In the interests of water management in accordance with Test Valley Borough Revised Local Plan 2016 policy E7.
 13. Unless otherwise agreed in writing by the planning authority, construction and demolition activities including the delivery or removal of materials to or from the site, shall only take place between the hours of 08:00 hours to 18:00 hours Monday to Friday and between the hours of 08:00 hours and 13:00 hours on Saturday (excluding Bank Holidays). No such activity shall occur on Sundays or Bank Holidays.
Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.
 14. Deliveries and unloading activities servicing the care home/community hub building including core facilities shall only occur between the hours of 0700 hours and 1900 hours Monday to Saturday, between 0800 hours and 1200 hours on Sundays and Bank Holidays.
Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.
 15. Before the commencement of development of the Community Hub building, a detailed design and layout of the building shall be submitted together with a scheme for mitigating the noise impact from the use of this building for approval in writing by the local planning authority. Before the first use of the Community Hub building the approved design, layout and noise mitigation scheme shall be implemented and unless otherwise agreed in writing by the local planning authority, maintained thereafter.
Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.

16. Prior to the installation of any fixed plant or equipment a scheme for mitigating the noise impact from any fixed plant or equipment shall be submitted for approval in writing by the Local Planning Authority. The approved scheme shall be implemented before the first use of such equipment unless otherwise agreed in writing by the Local Planning Authority, maintained thereafter.
Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.
17. Prior to the installation of any cooking extraction equipment, a scheme for mitigating the odour impact from any cooking extraction plant or equipment shall be submitted for approval in writing by the Local Planning Authority. The approved scheme shall be implemented before the first use of such equipment unless otherwise agreed in writing by the Local Planning Authority, and maintained thereafter.
Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.
18. No development shall commence of any phase (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination for that phase has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise of an intrusive site investigation as recommended by ERS and detailed in Section 11 of their Phase 1 Site Investigation report dated 16th June 2016, and in the event that contamination is found, or is considered likely, a scheme containing remediation proposals designed to bring the site (or phase of it) to a condition suitable for the intended use shall be approved. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site (or individual phases of it) shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.
19. In the event that contamination (that was not previously identified) is found at any time during construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the

purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being brought in to use.

Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

- 20. Prior to the commencement of development details of the proposed means of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. In relation to foul drainage, such information should include a drainage strategy detailing the proposed means of foul disposal and a implementation timetable. The development shall be carried out in accordance with the approved details.**

Reason: To ensure that the development can be served by appropriate foul and surface water drainage and in the interests of biodiversity in accordance with Test Valley Borough Revised Local Plan policies E5, E7 and E8.

- 21. No development shall take place (including site clearance and any other preparatory works) until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location and specification of tree protective barriers. Such barriers shall be erected prior to any other site operations and at least three working days' notice shall be given to the Local Planning Authority that it has been erected.**

Note: The protective barriers shall be as specified at Chapter 6.2 and detailed in figure 2 of B.S.5837:2012 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2 (2016).

- 22. No development shall take place on the site until a scheme for undergrounding existing electricity line(s) has been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any residential unit on the site the electricity lines shall be placed underground in accordance with the approved scheme.**

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

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.**

APPLICATION NO.	18/01568/FULLS
SITE	85 Upton Crescent, Nursling, SO16 8AA, NURSLING AND ROWNHAMS
COMMITTEE DATE	25 th September 2018
ITEM NO.	8
PAGE NO.	84 - 92

1.0 **VIEWING PANEL**

1.1 A Viewing Panel was held on the 21st September 2018. Apologies were received from:

- Councillors Hibberd, Adams-King, Ward, Collier, Baverstock, Finlay, Jeffery.

1.2 The viewing panel was attended by:

- Councillors Anderdon, Bundy, Cooper, Tupper.

2.0 **RECOMMENDATION
NO CHANGE.**