UPDATE PAPER

Northern Area Planning Committee

Date:    Thursday 11th July 2019
Time:    5.30 p.m.
Venue:   CONFERENCE ROOM 1, BEECH HURST, WEYHILL ROAD, ANDOVER
Northern Area Planning Committee – 11th July 2019
Update Paper

The purpose of the report is to provide information on planning applications which has been received since the agenda was printed.

Report of Head of Planning

1. Background

1.1 Reports on planning applications are prepared for printing on the agenda some 10 days before the date of the Committee meeting but information and representations received after that time are relevant to the decision. This paper contains such information which was received before 10.00am on the date of the meeting. Any information received after that time is reported verbally.

2. Issues

2.1 Information and representations are summarized but the full text is available on the relevant file should Members require more details. The paper may contain an officer comment on the additional information, amended recommendations and amended and/or additional conditions.
7. **19/01029/VARN (PERMISSION) 24.04.2019**  
SITE: Land surrounding Vespasian Road, Andover,  
**ANDOVER TOWN (ROMANS)**

**CASE OFFICER:** Mary Goodwin
1.0 **S106 Deed of Variation**

1.1 The application proposes, as previously approved, that all the proposed dwellings would be affordable housing. The applicant submitted a Unilateral Undertaking at appeal, to ensure that the development would be provided on this basis. A Deed of Variation has been prepared in connection with the current variation application (see paragraph 8.14 of main report) and this was in preparation at the time of writing the main agenda. The wording of the agreement is agreed and it is close to completion. It is therefore proposed within the revised recommendation below, that permission is issued subject to the completion of the Deed of Variation.

2.0 **Conditions**

2.1 Detailed drawings and material samples have been submitted for assessment, during the course of the current application, and in compliance with the conditions attached the extant permission (16/00474/FULLN) (see paragraph 8.16 of the main report). Following consultations, details have been approved in compliance with conditions 3, 4, 8 and 11 of planning permission 16/00474/FULLN, in respect of material finishes, landscaping, building levels, parking and highway works. The submitted Construction Method Statement (required in connection with condition 6 of 16/00474/FULLN) has not been approved and this condition will be carried forward within the recommendation below. Conditions 3, 4, 8 and 11 of 16/00474/FULLN have been reviewed and the recommendation at paragraph 4 below is updated, to seek to ensure that the development is completed in accordance with the latest approved details.

3.0 **PLANNING CONSIDERATIONS**

3.1 **Nutrient Neutrality and New Development**

On the 24th June 2019, Natural England, as a statutory consultee, issued new guidance on planning and development within the Solent Region and this is a material planning consideration for all new dwellings and certain other types of new development in the Borough. The River Test and its major tributaries flow into the river Solent. The Solent region is one of the most important for wildlife in the United Kingdom and is protected as such. There are currently high levels of nitrogen and phosphorus in this water environment and there is evidence to suggest that this is having a detrimental impact on the biodiversity of this area. Housing and other certain types of development are currently contributing negatively towards this issue and there is evidence that further development would exacerbate this impact unless it can be shown that development can demonstrate nutrient neutrality. Natural England has provided guidance on the
planning and environmental context for nutrient neutrality and a methodology to calculate whether a development proposal can achieve this, with due regard to the duty imposed by the Conservation of Habitats and Species Regulations 2017 (as amended).

3.2 However, in this instance, there is an extant permission for the proposed development on this site, which could be implemented for the same amount of proposed development. The current application is for very minor changes to the elevations and building design, and would not impact negatively on the quantity of nitrates which the development would produce and release into the environment over that already approved. Consequently, further assessment of this issue is unnecessary for this application.

4.0 AMENDED RECOMMENDATION
Delegate to the Head of Planning and Building that subject to the completion of a S106 legal agreement to secure affordable housing provision then PERMISSION subject to conditions and notes:
1. The development hereby permitted shall be begun within three years from the date 13.11.2017.
   Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings, structures or works as defined within Part 1 of Schedule 2, classes A, B, C and E of that Order shall be erected or undertaken on the site.
   Reason: To protect the character and appearance of the area, with regard to Test Valley Borough Revised Local Plan Policies E1 and E2.
   The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied and in accordance with the agreed details. The completed scheme shall be managed and maintained in accordance with the approved Landscape Maintenance and Management plan.
   Reason: To protect and enhance the amenities and landscape of the locality and development, having regard to policies E1, E2 and LHW4 of the Test Valley Borough Revised Local Plan 2016.
4. Removal of the existing hardsurfacing and all construction works shall take place only between 08:00 hours and 18:00 hours on Monday to Friday and 08:00 hours and 13:00 hours on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.
Reason: To protect the amenities of the area and neighbouring residential properties, in accordance with Test Valley Borough Revised Local Plan Policy LHW4.

5. No development shall take place on the site, other than in strict accordance with a Construction Method Statement, which shall be first submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:
   i) the parking of vehicles of site operatives and visitors;
   ii) loading and unloading of plant and materials;
   iii) storage of plant and materials used in constructing the development;
   iv) wheel washing facilities;
   v) measures to control the emission of dust and dirt during construction;
   vi) a scheme for recycling/disposing of waste resulting from demolition and construction works;

   The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
   Reason: In the interests of highway safety and the amenities of the area, with regard to Test Valley Borough Revised Local Plan Policies T1, T2 and LHW4.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or openings other than those expressly authorised by this permission shall be constructed on the side or end elevations of the dwellings hereby permitted.
   Reason: To protect the privacy and amenities of the neighbouring residential properties, with regard to Policy LHW4 of the Test Valley Borough Revised Local Plan 2016.

7. No dwelling shall be occupied until space has been provided for 2 bicycles to be parked in connection with it and that space shall thereafter be kept available for the parking of bicycles.
   Reason: In the interests of the sustainable transport provision, with regard to Test Valley Borough Revised Local Plan Policies T1 and T2.

8. The dwellings hereby permitted shall be constructed to meet the Building Regulations Optional requirement of 110 litres per person per day and no dwelling shall be first occupied until this requirement has been complied with.
   Reason: To accord with Test Valley Borough Revised Local Plan Policy E5.

9. Development shall be carried out in accordance with the approved highway, footway and parking details, prior to the first occupation of any of the new dwellings hereby approved, as shown on drawings 053.5002.001; 053.5002.002; and 053.5002.003.
   Reason: In the interests of the function, safety and character of the local highway network, with regard to Test Valley Borough Revised Local Plan Policy T1.

10. The development hereby permitted shall be carried out in accordance with the following approved plans and details:
3976/PL/31
3976/PL/30
3976/PL/21
3976/PL/20
3976/PL/11
3976/PL/10
3976/500
3976/1002
3976/1003
3976 External Finishes Schedule
219067 - 101 Rev P3
219067 - 102 Rev P3
053.5002.001
053.5002.002
053.5002.003

Reason: In the interests of good planning.

Notes to applicant:

1. 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.

2. Any works which require alteration to the existing highway network must be undertaken by the Highway Authority or its appointed agents. An Agreement under Section 278 of the Highways Act 1980 will be required.

3. This permission is subject to an agreement under Section 106 of the Town and Country Planning Act 1990.

4. The developer is required to contact the Council as Street Naming & Numbering Authority, in writing, enclosing a site layout plan, to agree a scheme of house numbering, and for the allocation of postcodes.