

# UPDATE PAPER

## Northern Area Planning Committee

**Date:** Thursday 9th July 2020

**Time:** 5.30 p.m.

**Venue:** Being held virtually by Microsoft Teams. The Public can listen to the live stream here: <http://www.audiominutes.com/p/player/player.html?userid=tvbc>

**Northern Area Planning Committee – 9<sup>th</sup> July 2020  
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. **20/00792/FULLN (REFUSE) 08.04.2020**  
SITE: Land at Sam Whites Hill, Valley Rise,  
**UPPER CLATFORD**

**10 – 30**

**CASE OFFICER:** Katie Nethersole

<b>APPLICATION NO.</b>	20/00792/FULLN
<b>SITE</b>	Land at Sam White Hill Upper Clatford Andover SP11 7PS
<b>COMMITTEE DATE</b>	9 <sup>th</sup> July 2020
<b>ITEM NO.</b>	7
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## 1.0 AMENDMENTS

1.1 An amendment has been made to the 'Consultations' section to include comments from the Tree Officer, updated Ecology comments, further Highway comments and also to the 'Representations' section to include the comments from Upper Clatford Parish Council which were not included within the Agenda report. These comments are included in full below. Following the comments of the Tree and Ecology consultees two further reasons for refusal have been added to the recommendation.

## 2.0 CONSULTATIONS

### 2.1 Trees – Objection

- An arboricultural officer has attended site
- And that they have identified and measured the trees
- Photographs have been taken

This exercise has confirmed that the DC Li Designs DwgNo. BHF19\_04PR.04 of January 2020 (which shows trees and tree protection proposals) does not fully reflect the situation on site.

The Arboricultural officer reports that the trees, starting from the south east corner of that plan and working clockwise around the site are:

Walnut and Yew adjacent Bury Hill Farm – fairly represented

Apple trees adjacent Sam Whites Hill – those two to the south are Laburnum trees; protection proposed for the three trees is adequate as on plan.

The Laurel hedge is larger in reality than might be assumed from study of the plan.

Northern most Apple - largest of those present and although not a feature worthy TPO may prove to be a valuable component of the existing or any future garden

Offsite trees to north west – Ash, with Sycamore further from the wall. Ash have been cut to 1m pollarded trunks, wall and slope likely to restrict rooting into site

Western most birch – is a Rowan 130mm trunk diameter by some 8m tall 3m

crown diameter.

Birch to east of this, set part way between the north east corner of the site and the Ash – this is a Weeping Beech 230mm trunk diameter by some 10m tall; reasonable tree worthy of retention.

The Ash marked on plan for removal – this is an Ash-leafed Maple of 450mm trunk diameter by some 12m tall and some 12m canopy diameter. Good quality tree worthy of retention. Note it is an *Acer* not a *Fraxinus* and is therefore not susceptible to Ash Dieback disease.

The Sycamore in the junction between the tracks to north east of plan – this is a form of Horse Chestnut measuring 640mm trunk diameter as at just below spring of the crown

The tree information presented with the application is sufficiently misleading to have given rise to my earlier comments, which need to be amended to “objection” in light of what the visit reveals. This site needs to be subjected to full formal tree survey and constraints planning in line with British Standard 5837:2012 – undertaken by someone suitably competent and qualified in arboriculture.

#### **Ecology – Objection (updated comments)**

I would definitely want to see an ecological report supporting this application for the following reasons:

- The wall which is likely to be affected by the proposal while rendered does have overhanging tiles and other features which I cannot rule out as having bat roosting potential. While there is unlikely to be a large crevice for a substantial roost, it is possible smaller day roosts could be present, and I would therefore wish to see further assessment of these features by a suitably qualified ecologist.
- The trees on site are larger and older than what appears on the plans, and these would need to be assessed for their bat roost suitability as part of a Preliminary Ecological Assessment. My other concern in relation to the trees is their use to foraging and commuting bats. Suitable foraging areas are immediately adjacent to the site and so it is reasonable to assume these features may be utilised by foraging and commuting bats. This impact would therefore need to be appropriately assessed and mitigated for as part of the ecological assessment.
- There are also old building remains present on site, south of the proposed site, which may hold bat roosting potential, and any effect of the proposed development on this would need to be assessed and mitigated for.
- The habitats on site also provide opportunities for nesting birds, which would again need to be mitigated for as part of the proposal.
- The wall adjacent to the road also has planned restoration works which may affect any features which could be utilised by roosting bats. The potential impact of this would also need to be fully assessed and

mitigated for.

In conclusion I would suggest that the application should be supported by a Preliminary Ecological Assessment and any additional survey work required following the findings of this assessment. This should outline any mitigation measures required, and these measures should be reflected within the landscape and building plans.

### 3.0 REPRESENTATIONS

#### 3.1 Upper Clatford Parish Council – objection

The Upper Clatford Parish Council strongly object to the proposed development. A great deal of work has been undertaken to analyse the proposal and the decision was reached unanimously. This document sets out, in three parts, why this scheme cannot be permitted if TVBC are to adhere to their own ruleset. In reaching our decision, reference has been made to our draft Neighbourhood Development Plan and therefore represents valid and up-to-date local opinion.

**Location (COMMENT)** The Revised Local Plan lacks detail on policy where development outside of the Local Gap indirectly affects land within the Gap - in this case, vehicular movement through this small area of land. The Upper Clatford Parish Council has consistently attempted to represent the views of our parishioners by robustly defending our narrow Local Gap (identified as important by 87% of NDP questionnaire respondents). The **Revised Local Plan section 7.28** cautions that “development on the edge of settlements will reduce the physical extent of the gaps’.



The concerns of the Conservation Officer during pre-application advice have been included within the Heritage Statement and include reservations that “the site was beyond the edge of the developed area of the historic settlement”. This is best illustrated by the map to the left - the area between the red and blue lines falls within the settlement area but lies beyond what is actually developed.

It is apparent that the integrity of the Local Gap is sensitive to development within this area, which currently serves to blur the line of demarcation between settlement and countryside. Any development as dense as that proposed, coupled with vehicular movements via the access track, requires very careful consideration despite the site's location within the settlement area. *Repeated reference to remaining within the settlement boundary is made throughout the applicant's submission and the Upper Clatford Parish Council acknowledge and welcome the applicant's attachment of importance to this principle in general.*

**Pedestrian access (OBJECTION)** The site is landlocked. Entry and exit are solely via the gravel track, which is both within the Local Gap and Conservation Area. The development is purely for older residents who may present with various degrees of mobility. We agree with the pre-application advice that 'any signage or urbanisation of the existing track would be detrimental to the setting' and the applicant's response that concurs that *the current form conserves the character of the rural setting*. Upgrading to a more suburban surface, widening, adding kerbs or streetlights are not proposed and we therefore are satisfied that the applicant is familiar with **Revised Local Plan section 9.10** that would not allow for such modifications. ("Some highway works linked to future development may have an impact on the character of the area particularly in the countryside or within conservation areas. Such works would not be permitted where the changes to the highway or route network would cause an adverse impact).

Retention of the track in its current form is therefore welcomed by the Upper Clatford Parish Council. However, it will not function satisfactorily as a means of access for this development. Pedestrian access should be properly considered, as highlighted in **Revised Local Plan section 9.7** "To encourage sustainable modes of transport, the location, design and layout of development will need to show primacy being given to walking, cycling and public transport". "All routes and access points must be safe and functional for all users including those with mobility problems". This proposal is also non-compliant with the **Revised Local Plan policy T1** for several reasons. "Development can be permitted provided that the internal layout, access and highway network is safe, attractive, in character, functional and accessible for all users and does not discourage existing and proposed users".

The Upper Clatford Parish Council ask that compliance with the Local Plan is assessed against the following questions:

- How will an unsteady pedestrian safely use a loose and uneven surface?
- With lighting unacceptable in a dark rural area, how can darkness present anything other than a hazard?
- How can the lesser-able negotiate the gradient?
- How can wheelchair or walking-aid users exit the site?
- What are pedestrians expected to do when a vehicle approaches?

What risk assessments have been made that consider the possibility of a resident falling and remaining unnoticed?

- Is it not the case that these limitations push residents towards car usage?

- Is the busy corner near the junction an appropriate road-crossing place for a slower walker?

**Vehicular access and parking. (OBJECTION)** This scheme will establish the largest residential multiple-occupancy car park in the Conservation Area, with approximately one-quarter of an open and historic plot being given over to parking. Other than visibility splays, the submission contains little in the way of detail regarding vehicle movements both to and from the site and within the parking area. A scaled drawing showing the layout of the parking arrangements and turning areas must be provided by the applicant. Car parking spaces should be 2.4 metres by 4.8 metres as a minimum and the Upper Clatford Parish Council contend that this development requires 12 parking spaces - 1 per 1-bedroom dwelling, 2 per 2-bedroom dwelling and 1 visitor space per 5 dwellings (thus adding 2 spaces for 6 dwellings) as per **Revised Local Plan Annex G**.

No swept path analysis has been submitted that shows manoeuvrability within the parking area. No detail is provided on lighting arrangements. No detail is provided on electric car charging points. No detail is provided on access by the Fire Service. No detail is provided as to whether heavy vehicles such as bin lorries will be expected to negotiate the gravel track. If not, how will older residents move heavy bins down to Sam Whites Hill and how will road safety be affected when a busy junction/corner is blocked by a bin lorry?

A reversing manoeuvre, negotiating gradient and curvature, will be required when any resident enters having driven down Sam Whites Hill and conflicts with any resident leaving the new or existing parking areas, neither of whom will be visible to each other until established upon the single-lane track. This is likely to include larger visiting vehicles. Bury Hill Farmhouse and neighbouring No.5 will be affected by a substantial increase in vehicular movements. This could include larger visiting vehicles such as courier vans. The **Revised Local Plan section 8.19** is therefore contradicted. Residential amenity can potentially be affected by a number of factors such as noise, smells and changes in level of light. Where a proposal involves a change of use, or one that intensifies an outdoor use, the impact on the amenity of neighbouring residents and uses will be taken into account.

**Design. (COMMENT)** The design statement shows examples of development by DC Li Builders, and the Upper Clatford Parish Council welcomes the use of traditional materials and styles, such as brick and flint walls, where this complements local character. Indeed, **policy UC6 of the Neighbourhood Development Plan** states that in Upper Clatford, maximum use should be made of traditional materials such as thatch, clay tiles/slates; lime-based render, brick and flint; and timber woodwork. That said, the coach house is inappropriately styled with large expanses of glass that will provide a summer choice of shutting out sunlight or experiencing a greenhouse effect, with the reverse experienced in winter.

The Heritage Statement includes “the stable/coach house element is a building type that could be found with a polite farmhouse of the 18th or 19th century” as

though subservient outbuildings of the day were dotted around the locality adorned with glass frontages. This is patently ridiculous.

**‘Benefits’ of the scheme (COMMENT)** The Upper Clatford Parish Council welcome the applicant’s reference to the Neighbourhood Development Plan, which represents the most recent and comprehensive assessment of local opinion. The applicant quotes that 37% of NDP survey respondents specifically requested retirement homes. This is incorrect. 58% expressed no view or a preference for no more, versus 42% who requested ‘some more’. More importantly, the NDP draft submission document contains a wide array of policy; adherence is not simply a measure of any one fact or statistic in isolation.

The scheme offers very little financial benefit to the parish. 20 contractors are unlikely to be without work if this scheme fails to get the go ahead, and the tabulated figures would appear to have little relevance to the intended occupants - for example, a ‘transport’ cost of nearly £100 per week. Virtually all expenditure will occur outside of the parish as facilities within are limited. With no s106 payment or CIL due on a project that delivers a significant number of dwellings, the only main beneficiary is the developer; the economic case presented is flimsy and does not outweigh the disadvantages of this scheme.

Policy COM1 of the Revised Local Plan assigns a Minimum Housing Requirement of 648 to rural Test Valley villages over the 18 year plan period. This equates to approximately one home per village per annum. 20 new dwellings, excluding replacements, have been built in the parish within the last ten years (2009 – 2019), meaning that the Parish has comfortably exceeded its requirement for new housing stock for the Local Plan period.

The Upper Clatford Parish Council therefore expects to see far broader compliance with the Local Plan and Neighbourhood Development Plan, plus ongoing benefits to residents, in order to express support for any future development within the Neighbourhood Area.

The application package contains numerous errors and omissions and the Upper Clatford Parish Council request that these are rectified if an informed decision is to be reached. The applicant states that ‘early consultation with a qualified ecologist’ was made and we politely request the name, credentials and findings of this ecologist.

**Foul Sewage. (OBJECT DUE INSUFFICIENT INFORMATION)** In light of the sensitivity of the receiving habitat that is Pillhill Brook, ‘unknown’ is a wholly unsatisfactory answer to section 13 of the application form. The increased sewerage output created by six additional dwellings could be significant and place strain on a system which is arguably already under stress (the Southern Water pumping station at the junction of Foundry Road and the A343 has required pumping for almost six months). In addition, the Upper Clatford Parish Council have been informed that the applicant was responsible for the development of the neighbouring outbuildings into dwellings. It is curious that the whereabouts of mains sewers are therefore ‘unknown’ and further details

should be made available.

**Trees and hedges. (OBJECT DUE INSUFFICIENT INFORMATION)**

Application form, section 10. The 'no' box has been ticked for the presence of trees or hedges within the proposed development site, yet a Tree Protection Plan has been submitted that shows one laurel hedge and five trees marked for removal and six that have root protection areas which extend into the development area. Without a full Tree Survey, there is no means of determining whether the Root Protection Areas outlined on the Tree Protection Plan reflect BS5837 best practice, i.e. the RPA 'calculated as an area equivalent to a circle with a radius 12 times the stem diameter'. There has also been no tree quality assessment in line with BS5837, so the decision on which trees are to be retained or removed is not informed by their quality and value.

The Root Protection Areas of the trees to the north of the boundary wall do not seem to have been taken into consideration. Seven existing trees are shown to abut the wall in the Landscaping Plan document, yet these do not feature in the tree protection plan beyond a vague indication of 'mixed scrub'. The RPAs of these trees should be taken into account along with the others, particularly considering the potential for 'further enhancing the landscaping scheme'.

Furthermore the Landscaping Plan raises the notion of the area to the north of the boundary wall being used for 'further enhancing the landscaping scheme'. This scrubby area is valuable to wildlife and should be maintained as is for its biodiversity value. The **Revised Local Plan 2011-2029 Policy E5** states that measures can be provided (and secured through planning conditions or legal agreements) that would avoid, mitigate against or, as a last resort, compensate for the adverse effects likely to result from development. Previous widespread tree clearance activity has been carried out by the applicant in recent years and is suggestive of a lack of awareness of biodiversity issues. Planning conditions or legal agreements are therefore considered essential.

**Assessment of Flood Risk (COMMENT)** Section 11 of the Application Form is also inaccurate. Although the development's red line boundary does not fall within a flood zone, this is due to its elevation. Access to the proposed development lies within zone 2 and zone 3 flood zones. Increases to the area of hardstanding within the red line boundary of the development will increase runoff to the lower elevations, increasing the risk of flooding in the category 2 and 3 flood zones. This has the potential to affect other properties (particularly Kingfishers) and should, therefore, result in a tick in the box for 'will the proposal increase the flood risk elsewhere'. This is an area which floods on a yearly basis, and has amber status in Natural England's Climate Change Vulnerability map, so future resilience of the site's natural habitat and any developments should be taken into account.

The Upper Clatford Parish Council use ParishOnline for its mapping needs. A map layer entitled 'Recorded Flood Outlines' is listed under Environment Agency/Flooding and shows an area that includes the access track. Further assessment must be provided.



The **Revised Local Plan 2011-2029 section 7.58** states that development may be permissible provided that it complies with the NPPF and national guidance, has regard to local evidence and strategies including the Local Flood Risk Management Strategy, and appropriate mitigation has been secured. In our view, the risk has not been adequately assessed nor any mitigation proposed.

**Biodiversity and Geological Conservation. (COMMENT)** Section 12 of the Application form shows both questions marked with 'NO' in relation to protected and priority species and designated sites adjacent to or near the proposed development; this is incorrect. Pillhill Brook is known to host priority species including otter, with a sighting just 100m from the western site boundary on 9th May 2019. Water Vole are 'present throughout' this stretch of Pillhill Brook, and have been spotted in the garden of Kingfishers on many occasions. This is approximately 70m from the proposed development, and at risk of increased runoff.

The **Adopted Local Plan 2011-2029 policy E5** emphasises the importance of considering the role and function of designated sites, priority habitats and other landscape features such as trees, woodland and hedgerows in the wider ecological network of wildlife corridors and stepping stones which facilitate the movement of species. In this respect, the corridor of the Pillhill Brook is locally important, with large areas of the river valley floors outside the designated SINC's being floodplain grazing marsh bordered by deciduous woodland (both priority habitats).

The **Upper Clatford Neighbourhood Development Plan policy UC12** states that "Sites of Importance for Nature Conservation" which have been formally proposed or are otherwise under consideration will be given an equivalent status to designated Sites, in accordance with the precautionary principle. An

application for SINC status has been made for the section of brook near the access track and a full biodiversity report is requested to assess the impact of increased vehicular traffic. Though the applicant's comment states that Pillhill Brook is not yet designated a SINC, it also states (Biodiversity checklist) that it is not a priority habitat. Pillhill Brook is a Chalk Stream, and therefore falls under the definition of a priority habitat. (*The formal definition of priority river habitat (JNCC 2011a) includes a wide range of river types including headwater streams, chalk rivers, active shingle rivers and rivers with Ranunculion/Batrachion vegetation (the Habitats Directive Annex I river habitat type occurring in the UK)*). The stretch of Pillhill relevant to the development hosts *Ranunculus penicillatus* and water vole, both Hants BAP priority species, and *Lutra lutra*, a Habitats and Species Directive Annex II species. For these reasons and the high conservation value of chalk streams in general, the proximity of the site and access track to Pillhill Brook should be given due consideration in the planning process. The BAP advises that in locations where water voles are found, the habitat needs to be managed sympathetically.

Once again, the **Adopted Local Plan 2011-2029 policy E5** states that development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity or geological conservation interests, either directly or indirectly, will not be permitted unless measures can be provided (and secured through planning conditions or Page 7 legal agreements), that would avoid, mitigate against or, as a last resort, compensate for the adverse effects likely to result from development.

Section 3 of the Biodiversity Checklist makes no consideration for the stone wall (19th Century), which should fall into Category C pre-1914 buildings or structures within 400m of woodland and/or water. A bat survey will be necessary.

**Site Visit (COMMENT)** In Section 22 of the Application form it states that the site cannot be seen from a public road or land. This is contradicted by the landscaping plan which shows a westerly 'obscured public view'.

**Light pollution (OBJECTION)** We remind the Planning Department of the requirements of **Revised Local Plan section 7.69**, "The Council will consider the impact of any lighting scheme on local residents, highway users, the character of the area and the visibility in the night sky". A design including large expanses of glass and the requirement to safely illuminate the parking area will introduce an enlarged light footprint that is not appropriate in this dark and undisturbed part of the Conservation Area. This problem is analysed in great detail by the Council for the Protection of Rural England's starry skies campaign, which describes the issue as follows. *Artificial light doesn't respect boundaries. It can spread for miles, bleeding out from built-up areas and into the skies over our countryside. This is why we care about this issue; inky, star-strewn skies are one of the things that make our countryside so special, and we're working to make sure that we can all experience truly dark night skies.*

Although the legal link between BHF and a substantial portion of its former

curtilage was severed when the property was subdivided, the separation of a key listed building from its historic walled plot divorces it from the setting that underpins its importance and cannot be accepted if requirements of the Local Plan, Neighbourhood Development Plan, Village Design Statement and Clatfords Conservation Area Character Appraisal document are to be properly adhered to. We ask that due caution is exercised with a 'Heritage Statement' that is based upon one site-visit and a desktop analysis, commissioned to deliver a report in favour of development (similar perhaps to ecologists supporting the Wheelabrator project). This is not a balanced statement. Photographs showing a close-boarded boundary fence are Page 8 misleading and should be ignored (we understand that TVBC instructed removal of this fence).

The Parish Council present a position of impartiality, free of financial link to any party whether supporting or objecting to this scheme. The Heritage implications presented below will not, for obvious reasons, feature in a developer-commissioned report and must be considered. It is important to recognise that of the dozens of designated and non-designated heritage assets within the three settlements that make up our parish, **only 6** are accorded the status of key listed building. The Clatfords Conservation Area Character Appraisal document describes 'BHF' as a "significant building within this small village, reflecting the historic relationship of Upper Clatford and the importance of agriculture in the development of the settlement". This relationship vanishes if BHF is surrounded by this development.

If approved:

- The plot will visually 'belong' to the new development.
- The northern boundary, an identified important historic wall, will become incorporated into a building. The same wall used to form the eastern boundary of the historic plot and was located *within* the area proposed for development, but was demolished by the applicant. As these boundaries would become indiscernible, any sense of the historic planform will be lost.
- Screening for privacy reasons from development of this density and layout is likely to occur, creating a further disconnect between house and plot.
- The historic wall and plot that add a sense of context and setting to a key listed building will therefore be forever lost.

**The plot** The Heritage Statement shows a sequence of historical maps dating from 1733 to 1946. These illustrate a number of important points:

- The house and outbuildings with adjacent orchard were already well-established by 1733. The origin of the farmstead will pre-date this and potentially extends the link into early village history.
- Since at least 1733, the farmhouse has been surrounded by track/road to the west and south, and outbuildings to the east. Its sole relationship with surrounding land has been with the plot to the immediate north and this is clearly shown on every map provided to 1946; indeed, it is clearly evident today.
- The northern boundary of the plot was already established by 1841, and possibly as early as 1734.

- The Heritage Statement comment that "there was clearly an historic relationship between the farmhouse and the former garden area" is therefore

correct; however, to follow with “but it is considered that this relationship is not of such importance, given the fact that the land has little evident domestic garden character today” not only undermines the historic mapping described above but fails to explain that the ‘domestic garden character’ has been destroyed by the proposer’s neglect only since the plot changed ownership in 2016 and could, with care and imagination, be restored. The photographs below clearly show the garden character and demolished historic wall (left photo) and the view of the plot today exposed by the removed section of wall. These serve to show the important relationship that the proposed scheme threatens.



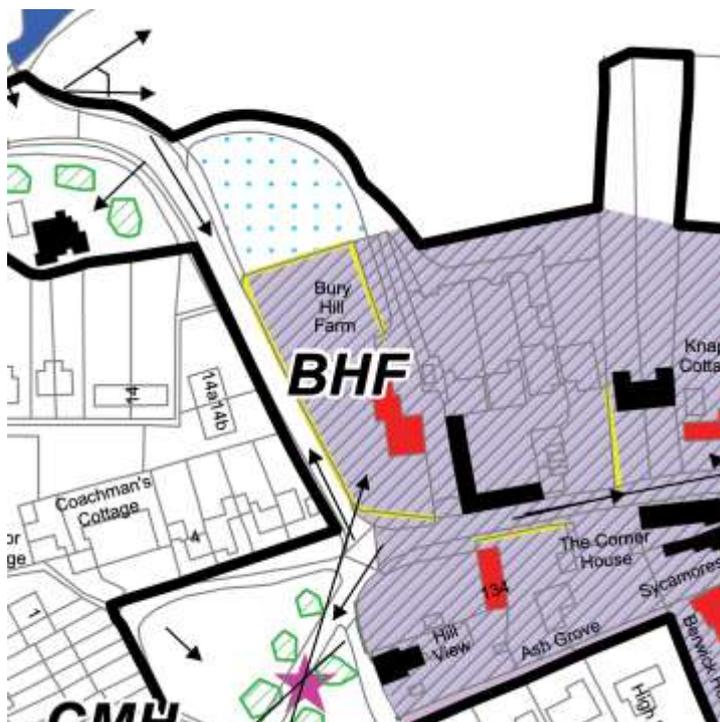


**Policy E9 of the Revised Local Plan** confirms that “development and/or works affecting a heritage asset will be permitted provided that: (b) the significance of the heritage asset has informed the proposal through an assessment proportionate to its importance.” We therefore ask that you adhere to the content of your own Character Appraisal (“intended as an overview, providing a framework within which individual planning applications can be assessed”) which provides better balanced information than the Heritage Statement, is proportionate to an important listed building, and includes the following: • Subdivision of these historic linear plots and introduction of backland development will be discouraged as this is likely to alter the historic planform. • There is also a strong sense of enclosure provided in part by brick and flint walls, well established hedgerows, mature gardens and trees. These features all combine to reinforce the rural character of the two villages and are worthy of preservation and enhancement. • Further such modern development within the two villages could lead to the historic boundaries becoming unrecognisable and should be avoided as these traditional plots are presently an important feature of both the conservation areas. • It is still possible to identify the historic plot sizes within this character area.

These are TVBC’s own words and heritage implications should be judged against these, not a ‘Heritage Statement’ commissioned to support the proposed development that instigated and now attempts to exploit the fracture between the Grade II listed farmhouse and its former unlisted garden and boundary walls. *This fracture did not exist prior to 2016.* Similar policy is described in chapter UC7 of the Neighbourhood Development Plan and appears

in the Village Design Statement.

**The farmhouse and its setting** Key listed buildings (annotated in capital letters) are shown on the Character Appraisal map and the surrounding “other important wall” is shown as a yellow line.



Several points are immediately apparent:

- The boundary wall serves the house and plot, and has done so for many decades. Its construction continued and reinforced the relationship between BHF and the land to the north.

- The house is an imposing structure and the construction of such a substantial length of wall was a sign of status and wealth. From a vantage point to the east of the building, the significance and grandeur is apparent and befits its entry as a key listed building.
- Consider the effect if the northern section of wall is concealed and the eastern boundary becomes a car parking area for 11 cars. The sense that the land ever belonged to such a prominent village building will no longer be apparent.
- The Heritage Statement's comment that "whilst this was historically part of the garden of the farmhouse, it was not the original extent of the garden and there is no strong design or visual relationship" is an excellent description of what the scheme will *achieve* rather than what is the reality now. The relationship will be ruined.
- "It is considered that, if anything, these proposed buildings will strengthen the understanding that this was part of the garden of Buryhill Farmhouse and so will at least preserve its setting and may be considered to improve it". This is simply *nonsense*. How can the "understanding that this was part of the garden of Buryhill Farmhouse" be strengthened when the outlook below becomes the rear elevation of a two-storey property?



• **Section 6.1 of The National Planning a Policy Framework** (Glossary) makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. The Historic England guide *The Setting of Heritage Assets* (2nd edition, December 2017) states: Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance'. **Section 7.74 of the Revised Local Plan** includes the requirement that “for listed buildings, the Council will have special regard to the desirability of preserving the building or its setting or any historic features of interest” This scheme fails to comply with either.

**The wall** It is reported that the developer demolished the eastern section of the historic wall, presumably as it was an inconvenient obstacle to development of the proposed density. We would be keen to see correspondence from an approved professional that recommended such a course of action over a program of sympathetic restoration. The section demolished is shown in the photo below. A circular stone cross was also removed; its whereabouts remain unknown.





What remains of the wall is consequently more valuable and worthy of preservation. In fact, Upper Clatford Parish Council see a case for upgrading the status of 'Other important wall' by submitting an application for listed status to Historic England and cannot, on heritage grounds, accept any proposal for development that adversely affects the wall's integrity, autonomy, function or visibility. The northern section of wall is to be incorporated into the 'coach-

house' design and its function as a boundary of a historic planform will be forever lost. The wall is capped with Page 13 tiles that are seemingly fragile and no details of how they will be retained has been provided.

No guarantees have been provided regarding reinstatement or repair of the wall with traditional materials in the event of damage caused during construction works. It is paramount that the historic wall remains an independent entity that continues to depict the historic planform of the house and garden.

**The Conservation Area** The view from the bottom of Sam Whites Hill offers a window into Upper Clatford's agricultural past - a track, a rural setting that includes an un-manicured patch of land and a brick, flint and cob wall. The Heritage Statement 8.12 states that, referring to the view of the stable/coach house element from the bottom of Sam Whites Hill, "from this latter point, there may be glimpsed views to the development through the trees, more notable in winter, but such glimpsed views are not significant in terms of the character and appearance of the conservation area". This is not accurate, as the roofline will be visible above the incorporated historic wall and adversely affect the character of the Conservation Area. A design including large expanses of glass, both upwards facing and north facing above the historic cob wall, will shed light in the hours of darkness into an area currently undisturbed by light pollution.

The opening paragraph of the Character Appraisal reminds us that "Once designated, the local authority has a duty to ensure that the character of a conservation area is preserved or enhanced, particularly when considering applications for development." (Under the Planning (Listed Buildings and Conservation Areas) Act 1990). How is the character preserved, let alone enhanced, when an historical agricultural scene is replaced by loss of autonomy of an important wall, intrusion of rooflines and windows into the landscape and the considerable light pollution from the development and parking area?

**Section 7.78 of the Revised Local Plan** contains the following information: "Insensitive development or changes to the landscape can affect the significance of the asset and the ability to appreciate it within its surroundings. In considering proposals which affect listed buildings the Council has a statutory duty to consider the impact of development on their setting". In summary, the Upper Clatford Parish Council assert that this scheme fails to meet TVBC Local Plan criteria and fails to meet residents' expectations as expressed in the Neighbourhood Development plan. This is not a 'redundant plot'. It is an integral part of an important listed building and if it were the owner of BHF who submitted this application with the plot still under BHF ownership, it seems unthinkable that it would be approved.

**We urge you to protect our heritage, our environment and the well-being of older residents and reject this application.**

### 3.2 **Consideration**

#### Highways

It is noted that most of the issues raised by the Parish Council have been addressed within the Committee report but there are some which require further comment. Concern relating to the access is highlighted in the committee report with regards to the refuse collection arrangements however it is noted that the concern covers pedestrian access and safety of it, in particular with reference to the future occupiers of the proposed dwellings. This is largely due to the steep gradient and the uneven surface of the track. Further clarification has been sought from the Highways Officer regarding this and they have advised that it is not uncommon for such a location and setting as this to have a gravelled access on a gradient and it is expected that the main form of access would be made by private vehicle. The Highway Officer's assessment is that the size and layout of the site means that the access is a sufficient width for emergency vehicles and there is sufficient turning space within the site.

#### Design

Concern has been raised regarding the design of the proposed dwellings and whilst this has been partially addressed in the committee report, no reference has been made to the point about the proposed amount of glazing to be used in the north and south elevation and how this could result in light spillage. Policy E8 seeks to ensure that all types of pollution are minimised including light pollution and the supporting text in paragraph 7.69 of the RLP refers to the impact of lighting on neighbours and the character of the area. It is considered that due to the courtyard arrangement of the buildings it is unlikely that the glazing would result in unacceptable levels of light pollution and undesirable illumination of the night sky. There would be views of the roof from the public realm and the proposed plans show that there would be 4 roof lights on the western elevation facing Sam White's Hill. These rooflights would be set fairly low on the roof plane and set back from the boundary and therefore are not considered to result in an unacceptable increase in light pollution.

#### Foul drainage

It is noted that concern has been raised regarding foul sewage. The application form does not state how this would be dealt with but having checked the local records there is a mains sewer to the north of the site. Further clarification has been received from the applicant to confirm that they would connect to the main sewers.

#### Tree survey

The application has not been supported by a full tree survey, however a tree protection plan has been submitted. This has been checked on site by the Tree Officer who has advised that it is not accurate. The two birch trees as labelled on the tree protection plan are actually a rowan and a weeping beech both of which are good specimens and worthy of retention. It is therefore recommended that a refusal reason is added based on the loss of trees and the lack of assessment of the trees on site.

### Draft Upper Clatford Neighbourhood Development Plan

Reference is made to the Upper Clatford Neighbourhood Development Plan however as this in draft form the policies contained therein can only be afforded limited weight in consideration of this application.

#### Biodiversity

It is noted that concern has been raised about the potential impact that the development would have on biodiversity. Mention is made of the Pillhill Brook to the north and that there have been sightings of water vole. The Ecology Officer has confirmed that due to the distance of the site from this water body (approx. 90m) it is unlikely to have any adverse impact on this species. Concern has also been raised about the impact of bats due to the development being built up against the existing historic garden wall. The Ecology Officer has reviewed this further and has raised concern about the loss of trees as well as the proposed building to be built up against the existing wall. It is likely that the site supports roosting and foraging bats and therefore the application should have been supported by a Preliminary Ecological Appraisal. In the absence of such an assessment a reason for refusal should be added in this respect.

#### Conservation

It is noted that there is concern about the demolition of a wall to the eastern boundary. This was a masonry wall that defined the eastern side of the garden and there was an enforcement investigation. It was concluded that as the wall was modern and there was doubt over whether it was listed that reinstatement was not pursued. There is no information on the stone cross but appears to be a later addition and if it was erected post 1948 it would not be listed.

### 3.3 **Policy**

Reference should be made to Test Valley Borough Revised Local Plan Policy E8: Pollution and also the Draft Upper Clatford Neighbourhood Development Plan.

### 3.4 **Recommendation**

Revised reasons for refusal:

1. Insufficient information has been provided in relation to waste water created from the proposed development to demonstrate that the development would achieve nutrient neutrality. Without this there would be an unreasonable likelihood of harm caused to the Solent's protected habitats and bird species. The development thereby conflicts with policies E5 and E8 of the Test Valley Borough Revised Local Plan 2016.
2. The proposed development would have a harmful adverse impact on the significance and setting of the affected heritage assets. The proposed dwellings would alter the existing open, domestic character and appearance of the existing site as a walled garden and would therefore lose its historic and visual connection with Bury Hill Farmhouse. Bury Hill Farmhouse is a prominent building within the

Conservation Area as such there would be unacceptable harm from the proposal upon these heritage assets. Furthermore, the proposal would harm the visual transition the site currently makes between the countryside and more developed parts of the conservation area. As such, the proposed development would be contrary to policies E1, E2 and E9 of the Test Valley Borough Revised Local Plan 2016.

3. The proposed development would result in refuse collection arrangements that would not be safe or efficient and would not comply with the minimum drag distances in conflict with the guidance as set out in the Manual for Streets. The proposed development would therefore be contrary to policy T1 of the Test Valley Borough Revised Local Plan 2016.
4. The application has not fully assessed the proposed development and its impact on the existing trees on site. As a result of the development would lead to a loss of important trees that make a significant contribution to the character and appearance of the site and its surroundings. As such the development would therefore conflict with policies E2 and E5 of the Test Valley Borough Revised Local Plan 2016.
5. The application has not been supported by a Preliminary Ecological Assessment to fully assess the potential impact that the development would have on biodiversity. The trees to be removed and the historic wall have the potential to support foraging and roosting bats and therefore without a full assessment it is likely that the development would have an adverse impact on these protected species. In the light of insufficient information being provided the proposal is therefore in conflict with policy E5 of the Test Valley Borough Revised Local Plan 2016.