Test Valley Borough Council

Notice of Meeting

Planning Control Committee

Date: Tuesday 30 April 2019

Time: 5.30 pm

Venue: Upper Guildhall, High Street, Andover, Hampshire, SP10 1NT

For further information or enquiries please contact:
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The recommendations contained in the Agenda are made by the Officer 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 Planning Control Committee

MEMBER	WARD
Councillor J Budzynski (Chairman)	Winton
Councillor J Neal (Vice-Chairman)	Millway
Councillor G Bailey	Blackwater
Councillor C Borg-Neal	Harroway
Councillor P Boulton	Broughton And Stockbridge
Councillor P Bundy	Chilworth Nursling And Rownhams
Councillor D Busk	Broughton And Stockbridge
Councillor M Cooper	Tadburn
Councillor A Dowden	Valley Park
Councillor C Dowden	North Baddesley
Councillor A Finlay	Chilworth Nursling And Rownhams
Councillor M Hatley	Ampfield And Braishfield
Councillor S Hawke	Millway
Councillor I Hibberd	Romsey Extra
Councillor J Lovell	Winton
Councillor T Preston	Alamein
Councillor I Richards	Abbey

Planning Control Committee

Tuesday 30 April 2019

AGENDA

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

ITEM 6

TEST VALLEY BOROUGH COUNCIL

PLANNING CONTROL 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 Considerations

Applications are referred to the Planning Control Committee from the Northern or Southern Area Planning Committees where the Head of Planning and Building has advised that there is a possible conflict with policy, public interest or possible claim for costs against the Council.

The Planning Control Committee has the authority to determine those applications within policy or very exceptionally outwith policy and to recommend to the Cabinet and to the Overview and Scrutiny Committee revisions to policy resulting from its determination of applications.

Approximately 15% of all applications are determined by Committee. The others 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.

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 provided or there has been 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.

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 Documents (SPD) and other relevant guidance including Development Briefs, Government advice, amenity considerations, crime and community safety, traffic generation and safety.

On the 24 July 2018 the Government published a revised National Planning Policy Framework (NPPF). The revised NPPF replaced and superseded the previous NPPF published in 2012. The revised NPPF is a material consideration in planning decisions.

So that sustainable development is pursued in a positive way, at the heart of the revised NPPF is a presumption in favour of sustainable development. Decisions should apply a presumption in favour of sustainable development. This 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. Where a planning application conflicts with an up to date development plan, permission should not usually be granted. Local planning authorities may take decisions which depart from an up to date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

For decision-taking, applying the presumption in favour of sustainable development means:

- Approving development proposals that accord with an up to date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
    - The application of policies in the revised NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the revised NPPF when taken as a whole.

Existing Local Plan policies should not be considered out of date because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF (the closer the policies in the Local Plan to the policies in the revised NPPF, the greater the weight that may be given).

ITEM 7

APPLICATION NO.	18/00936/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	06.04.2018
APPLICANT	Mr. J Martin and Mr. R Wood
SITE	Bourne Park Airfield, Bourne Park Estate, Hurstbourne Tarrant, SP11 0DG, **HURSTBOURNE TARRANT**
PROPOSAL	Demolition of buildings associated with Bourne Park Airfield, and removal of existing airstrip and outdoor storage areas; Erection of detached dwelling and outbuildings; with associated parking, turning, landscaping, access, private amenity space and ecological enhancements
AMENDMENTS	
CASE OFFICER	Mr Oliver Woolf

Background paper (Local Government Act 1972 Section 100D)

1.0 **INTRODUCTION**

1.1 This application is referred to the Planning Control Committee as the Northern Area Planning Committee (NAPC) at their meeting on 28.03.2019 was resolved to grant planning permission where the Head of Planning and Building advised that there was a conflict with policy contrary to the development plan. The Case Officer's recommendation to the NAPC was for refusal, as the proposal was contrary to policy LE10.

1.2 The NAPC was minded to grant planning permission for the following reason:

> **The application does not demonstrate that the existing employment site is, or could cause significant harm to the character of the area or the amenities of residents, and would not therefore comply with policy LE10 and policy COM2 of the RLP. However the proposal would result in the loss of a noise source where there is significant anecdotal evidence that noise from the site is having adverse impacts. The proposal would also deliver significant ecological and landscape enhancements through new planting. These material considerations would outweigh the conflict with policy in this case and justify granting permission.**

1.3 Conditions recommended by the Head of Planning and Building are attached as Appendix A.

1.4 The report to the NAPC is attached as Appendix B.

2.0 **PLANNING CONSIDERATIONS**

2.1 The main planning consideration is whether the material considerations of the proposal would outweigh the conflict with the development plan in being contrary to policies LE10 and COM2.

2.2 *Material consideration – anecdotal accounts of noise*
At the meeting of the NAPC it was raised by speakers and Councillors that ground based helicopter engine testing took place on the site and that helicopter flights from the site (which would be limited to three a day under condition 3 of application 08/01924/FULLN if the helicopters were taking off and landing (each a movement) from the site) often make loops around the area and overfly dwellings. It was put forward that this results in constant noise in the area when helicopters from the site are in the air compared to the significant amount of military helicopters and other air traffic that passes through the area.

2.3 The anecdotal accounts presented at NAPC were not supported by any documentary evidence. As set out in section 8.14 of the NAPC report, the application is also not supported by any evidence. Speakers at NAPC stated that they ring the airfield when helicopters fly over. As part of application 08/01924/FULLN the applicant stated that:

> *"in the two years that helicopters have been flown into and out of Bourne Park, there has only been one single complaint"*

2.4 At that time at least, a record of complaints and action to address complaints appears to have been made. For example the supporting statement to application 08/01924/FULLN that was for the helicopter repair building (August 2008) states that:

> *"A number of specific restrictions on the use of the building are proposed and these include the following:*
> ii. *There would be no overflying of the village of Hurstbourne Tarrant, Stoke, St Mary Bourne, Smannell and Little London.*"

2.5 Following NAPC the Case Officer has requested evidence of noise complaints made to the applicant and the airfield. However, no evidence or log of complaints has been provided. Nor has any evidence been provided to demonstrate that the situation and control of activities on the site exerted by the applicant to limit the impact on the area has changed since 2008. The flight logs during the period of time provided show that there was an average of 11.23 movements per week from Bourne Park. If each of these movements (a take off or landing) were a flight originating from and returning to Bourne Park this would be less than one flight per day compared to the five to ten flights over the area per day from Middle Wallop alone amongst the significant amount of air traffic observed by members of the public that have made representations to the application. It is considered that the low number of movements from Bourne Park that are logged and evidenced would result in some noise in the area. However, it is considered that the evidence points toward this not resulting in significant harm to the character of the area or the amenities of residents.

2.6 With specific consideration of ground based helicopter engine testing the Environmental Health Officer consulted as part of the application makes it clear that the Local Planning Authority can deal with the impact of aircraft on the ground. However, the last complaint to the Environmental Protection team in relation to the use of helicopters on the site was in 2014. If the current activities on the site, including the ground based helicopter engine testing, were causing significant harm to the character of the area or amenities of residents it is expected that the number of complaints to the Council would be both more recent and higher in number, especially if as the speaker from Hurstbourne Tarrant Parish Council claimed, the ground based helicopter engine testing was happening on most Sundays.

2.7 Also worthy of consideration is that the applicant is the owner of the airfield and it is understood that they live on Bourne Park, closer to the airfield than any member of the public. It is considered not unreasonable to suppose that the impact of ground based helicopter engine testing noise would be greater on the residents of Bourne Park and the applicant than any member of the public. The applicant has stated in previous applications (section 8.13 of the NAPC report) their control of activities on the site and the action taken when complaints are received. If ground based helicopter engine testing were causing significant harm to amenity of residents that would be most apparent to applicants it is considered not unreasonable to presume that the applicants would seek to control this activity as well.

2.8 In conclusion, anecdotal accounts of the impact that the activities taking place on the application site and in the air were presented at NAPC in addition to those received in representations made to the application. It is acknowledged that the activities of the site do produce noise. This noise must be considered in the context of other noise sources in the area that include traffic on the A343 and the significant amount of air traffic observed by members of the public that have made representations to the application. However, no evidence of the noise produced by activities of the application site, whether this noise is harmful and whether the level of harm is significant with regard to criterion b) of policy LE10 has been presented at any time during the application. Whilst the proposal would result in the loss of a noise source insufficient evidence has been provided to demonstrate that this is causing significant harm and it is considered that the anecdotal accounts that support the application can only be given limited weight as a material consideration. The RLP is up to date and full weight must be given to the test within criterion b) of policy LE10 which the application does not overcome. The application conflicts with policy LE10 and therefore policy COM2 of the RLP.

2.9 *Material consideration – new planting*
Section 8.43 of the NAPC report sets out that the substantial tree planting that would be performed as part of the proposal would be of benefit to the landscape character of the area, ecology and green infrastructure and that this can be given significant weight. Members were minded to grant permission because the weight to be given to the tree planting would outweigh the conflict with the development plan.

2.10 However, it is considered that the new planting as a material consideration would not outweigh the unjustified loss of an employment site and general aviation airfield in a suitable location and the conflict with an up-to-date development plan.

3.0 **CONCLUSION**

3.1 The application has not demonstrated that the current activity is causing, or could cause significant harm to the character of the area or the amenities of residents. Furthermore, the application has not explored other business activities or demonstrated that the displaced uses of an un-evidenced environmental problem would not be displaced to another location. The application is therefore contrary to policy LE10 of the Test Valley Borough Revised Local Plan DPD.

The proposal would result in the unjustified loss of an employment site and would result in an isolated dwelling in the countryside contrary to policy COM2 of the Test Valley Borough Revised Local Plan DPD. The anecdotal accounts provided at NAPC can only be given limited weight as a material consideration. Combined with the weight given to the new planting, the material considerations of the proposal do not outweigh the conflict with an up-to-date development plan.

4.0 **RECOMMENDATION OF NORTHERN AREA PLANNING COMMITTEE: PERMISSION subject to conditions and notes recommended by the Head of Planning and Building for the reason:**

1. The application does not demonstrate that the existing employment site is, or could cause significant harm to the character of the area or the amenities of residents, and would not therefore comply with policy LE10 and policy COM2 of the RLP. However the proposal would result in the loss of a noise source where there is significant anecdotal evidence that noise from the site is having adverse impacts. The proposal would also deliver significant ecological and landscape enhancements through new planting. These material considerations would outweigh the conflict with policy in this case and justify granting permission.

(See Appendix A for conditions and notes recommended by the Head of Planning and Building.)

5.0 **REVISED RECOMMENDATION OF THE HEAD OF PLANNING AND BUILDING:**

REFUSE for the reason:

1. The application has not demonstrated that the current activity is causing, or could cause significant harm to the character of the area or the amenities of residents. Furthermore, the application has not explored other business activities or demonstrated that the displaced uses of an un-evidenced environmental problem would not be displaced to another location. The application is therefore contrary to policy LE10 of the Test Valley Borough Revised Local Plan DPD.

The proposal would result in the unjustified loss of an employment site and would result in an isolated dwelling in the countryside contrary to policy COM2 of the Test Valley Borough Revised Local Plan DPD.
The proposal would result in the loss of a noise source where there are anecdotal accounts that noise from the site is having adverse impacts. The proposal would also deliver significant ecological and landscape enhancements through new planting. However, these material considerations do not outweigh the conflict with an up-to-date development plan.

Appendix A

Suggested conditions and notes recommended by the Head of Planning and Building

SUGGESTED CONDITIONS

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:**
   161034~104 B
   161034~105 E
   161034~106 C
   161034~107 B
   161034~109 A
   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 policy E1 of the Test Valley Borough Revised Local Plan DPD.
4. **No development shall take place above DPC level of the development hereby permitted until the existing buildings on the application site, with the exception of the part building to be retained shown on drawing 161034~105 E, have been completely removed,**
   Reason: To improve the appearance of the site and enhance the character of the area in accordance with policies E1 and E2 of the Test Valley Borough Revised Local Plan DPD.
5. **The development hereby permitted shall proceed in accordance with the measures set out in section 6 'Landscape and Mitigation Strategy' of the Landscape and Visual Impact Assessment and Fig.7 (WH Landscape rev: C October 2018).**
   The planting required by section 6 and Figure 7 shall be carried out in the same or first planting season following occupation of the development hereby permitted, whichever is sooner.
   Reason: To enhance the development through landscape and ecological enhancements in accordance with policies E2 and E5 of the Test Valley Borough Revised Local Plan DPD.

6. **The development hereby permitted shall not be occupied until a schedule of landscape implementation, management and maintenance for a minimum period of 15 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for the phasing of the implementation, management and ongoing maintenance during that period in accordance with appropriate British Standards or other recognised codes of practice. Development shall be carried out in accordance with the approved schedule.**
   Reason: To ensure the provision, establishment and maintenance to a suitable standard of the approved landscape designs to create and maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and to contribute to the character of the local area in accordance with policies E1 and E2 of the Test Valley Borough Revised Local Plan DPD.
7. **The development hereby permitted shall proceed in accordance with the measures set out in Section 6 'Mitigation and Enhancement' of the Ecological Appraisal with Mitigation and Enhancement Strategy report (Malford Environmental Consulting, May 2018), with the identified bat roost and ecological enhancement features being permanently retained and maintained.**
   Reason: to avoid impacts to protected species and to conserve and enhance biodiversity in accordance with policy E5 of the Test Valley Borough Revised Local Plan DPD.
8. **The development hereby permitted shall proceed in accordance with the provisions set out within the Wessex Woodland Management report of 7th September 2018; specifically the Method Statement at part 3 and the accompanying Tree Protection Plan or as may otherwise be 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 policy E2 of the Test Valley Borough Revised Local Plan DPD.
9. **No external lighting shall be installed on the building or within the application site until details of the location of any lighting and its specifications have been submitted and approved in writing by the Local Planning Authority.**
   Reason: To avoid adverse impact on the character of the area and AoNB in accordance with policies E1 and E2 of the Test Valley Borough Revised Local Plan DPD.

Note 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.**

Appendix B

Officer Report to Northern Area Planning Committee on 28 March 2019

APPLICATION NO.	18/00936/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	06.04.2018
APPLICANT	Mr. J Martin and Mr. R Wood
SITE	Bourne Park Airfield, Bourne Park Estate, Hurstbourne Tarrant, SP11 0DG, **HURSTBOURNE TARRANT**
PROPOSAL	Demolition of buildings associated with Bourne Park Airfield, and removal of existing airstrip and outdoor storage areas; Erection of detached dwelling and outbuildings; with associated parking, turning, landscaping, access, private amenity space and ecological enhancements
AMENDMENTS	Amended plans and additional information received 08.10.2018 and 11.02.2019
CASE OFFICER	Mr Oliver Woolf

Background paper (Local Government Act 1972 Section 100D)

1.0 **INTRODUCTION**

1.1 This application is presented to the Northern 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 The application site is located on the Bourne Park Estate, which is situated within the countryside and the North Wessex Downs Area of Outstanding Natural Beauty to the north of Andover. The site is to the east of the A343 between the settlements of Enham, 1.9km to the south and Hurstbourne Tarrant, 1.6km to the north. Stoke and St Mary Bourne (located outside of the Borough) are 2.9km and 5km to the east respectively.

2.2 The site comprises of a grass airstrip used by light aircraft and helicopters, groups of trees and open grassland. The airfield has been in use since at least 1993 and is aligned east/west. It is supported by 4 buildings, some of which have been converted from agricultural use, in which the storage and maintenance/repair of aircraft is performed. One of the buildings is home to a maternity bat roost.

2.3 The wider estate contains three dwellings close to the application site; Bourne Park House to the south of the buildings on the application site, The Bungalow to the south west and Doles Lodge to the south west on the access from the A343. The wider estate has several groups of trees upon it that connect to Rag Copse. Immediately to the north of the estate is Doles Wood.

3.0 **PROPOSAL**

3.1 The proposal is to remove the airstrip and all but one of the associated buildings (to protect the bats within), and to construct a detached dwelling with associated outbuildings and a residential curtilage. Landscaping and ecological enhancements would also take place as part of the scheme.

3.2 The house would be a large two storey dwelling. It would be set behind a courtyard that would be framed by two symmetrical "L" shaped outbuildings to either side of the entrance. Around the dwelling and its outbuildings would be a private amenity area shown on plan as residential curtilage.

3.3 The planting of new trees and landscaping would take place immediately adjacent to the proposed buildings and courtyard. A significant amount of tree planting would take place to the west of these to connect the existing block of trees with Doles Wood to the north and the groups of trees on the estate to the south that themselves connect to Rag Copse.

3.4 The application has been amended to re-position the proposed dwelling, outbuildings and residential curtilage. Updated landscape and ecological information has also been received.

4.0 **RELEVANT HISTORY**

4.1 **TVN.00845/8: Retrospective application - provision of landing strip, and use of land and 2 agricultural buildings for plane storage and repair. Permission 23.07.1997**

Condition 3:
The repair and maintenance of aircraft shall take place only within building 'A' as marked on the approved plan.
Reason: to avoid inappropriate use and protect the amenities of the area.

Condition 5:
Aircraft shall not use the landing strip other than in association with the repair workshop use in building 'A' on the site and in any event not outside the hours of 07:30 to 18:00 weekdays and 08:00 to 13:00 Saturdays with no flying on Sundays or Public Holidays.
Reason: to avoid inappropriate use and protect the amenities of the area.

4.2 **08/00533/FULLN: Change of use of land for the storage of 14 fixed winged aeroplanes in Building B and the use of the existing airstrip and parking area in association with the aeroplanes. Permission 28.05.2008**

Condition 2:
There shall be no more than ten aeroplane movements in any one day (a movement being a take-off or landing).
Reason: In the interests of neighbouring amenity in order to minimise undue noise and disturbance in accordance with Test Valley Borough Local Plan policy AME 04.

Condition 3:
The use of the airstrip shall be limited to leisure or recreational purposes only.

The airstrip should not be used for commercial carriage of goods or passengers, flying instruction, circuits and bumps, flying displays, testing of aircraft and other non-recreational uses.
Reason: In the interests of neighbouring amenity in order to minimise undue noise and disturbance in accordance with Test Valley Borough Local Plan policy AME 04.

Condition 4:
The use of the airstrip hereby permitted shall be restricted to single piston engine, light fixed wing aeroplanes only.
Reason: In the interests of neighbouring amenity in order to minimise undue noise and disturbance in accordance with Test Valley Borough Local Plan policy AME 04.

Condition 5:
The use of the landing strip hereby permitted shall be limited to the hours of 08:00am to 21:00pm 7 days a week.
Reason: In the interests of neighbouring amenity in order to minimise undue noise and disturbance in accordance with Test Valley Borough Local Plan policy AME 04.

4.3 **08/00617/VARN: Partial relaxation of requirement that use shall only enure for benefit of Aerofab (Relief of condition 2 of permission TVN.0845/8 Retrospective application - provision of landing strip, and use of land and 2 agricultural buildings for plane storage and repair). Permission 28.05.2008**
Condition 1:
The repair and maintenance of aircraft shall take place only with Building "A" by Aerofab as marked on plan TVBC.08/00617/VARN.Plan01.
Reason: In the interests of residential amenity in order to minimise undue noise and disturbance in accordance with Test Valley Borough Local Plan policy AME 04.

Condition 3:
There shall be no more than ten aeroplane movements in any one day (a movement being a take-off or landing).
Reason: In the interests of residential amenity in order to minimise undue noise and disturbance in accordance with Test Valley Borough Local Plan policy AME 04.

Condition 4:
The use of the airstrip shall be limited to leisure or recreational purposes only. The airstrip should not be used for commercial carriage of goods or passengers, flying instruction, circuits and bumps, flying displays, testing of aircraft and other non-recreational uses.
Reason: In the interests of neighbouring amenity in order to minimise undue noise and disturbance in accordance with Test Valley Borough Local Plan policy AME 04.

Condition 5:
The use of the airstrip hereby permitted shall be restricted to single piston engine, light fixed wing aeroplanes only.
Reason: In the interests of residential amenity in order to minimise undue noise and disturbance in accordance with Test Valley Borough Local Plan policy AME 04.

Condition 6:
The use of the landing strip hereby permitted shall be limited to the hours of 08:00am to 21:00pm 7 days a week.
Reason: In the interests of residential amenity in order to minimise undue noise and disturbance in accordance with Test Valley Borough Local Plan policy AME 04.

4.4 **08/01924/FULLN: Erection of building for the storage and repair of helicopters. Permission 10.11.2008**
Condition 3:
There shall be no more than 6 helicopter movements in any one day (a movement being a take-off or landing).
Reason: In the interests of residential amenity in order to minimise undue noise and disturbance in accordance with Test Valley Borough Local Plan policy AME 04.

5.0 **CONSULTATIONS**

5.1 **TVBC Policy – Objection.**
Comments
The application site lies outside the defined settlement boundaries and therefore falls within the countryside. On this basis the proposal would need to satisfy either criteria a) or b) of COM2. The submission refers to policy LE10, which is one of the policies listed under criterion a).

It is noted that the planning history for the site has given consideration to character and amenity issues, with planning conditions restricting the number of aircraft movements, the type of airplanes that can use the landing strip and the hours of its use.

Additional comments
Apart from the repositioning and reorientation there does not appear to be any further changes to evidence submitted and therefore there would be no further or additional response from Policy to the original response submitted 30 April 2018.

5.2 **TVBC Landscape – No Objection subject to conditions.**
The re-siting has resulted in a the new dwelling and associated buildings being more tucked behind existing woodland copses, screening it from most views from the PROW north west and south.

Planting shown in area E, will remove any residual views in 5 -10 years.

5.3 **TVBC Environmental Protection – No Objection subject to conditions.**
We have had no complaints in the last three years. We had a complaint in 2014 with regards to the use of helicopters on the site.

For reference, we can only deal with aircraft on the ground. As soon as they take off it is the responsibility of Civil Aviation Authority.

We have no objection to the application, we would though recommend conditions.

5.4 **TVBC Design Review Panel – Comments.**
The new planting does not appear to relate specifically to the positioning and design of the new house, rather appears instead to divide the site into two halves.

The Panel were concerned that there appeared to be no design rationale or detailed site analysis undertaken for the positioning of the proposed property. Despite there being a Landscape Assessment undertaken by WH Landscape, this appears to relate to the entire site rather than focusing on the setting of the new house. The Panel would have liked some further information reasoning how the building relates to the site and why the specific location was chosen.

No elevations have been provided showing the house and the outbuildings in context. The Panel agreed that further additional information would help inform the overall massing of the proposal, as currently the outbuildings appear disproportionally large compared to the main house. It was also agreed that the relationship between the buildings is essential to the success of the design.

Generally it was agreed that the designs are somewhat muddled and require greater simplification to bring them in line with the high quality detailing expected of a bespoke house such as this, particularly given its setting.

Officer note
The applicant has submitted amended drawings, including a drawing that shows the house and outbuildings in context, following these comments.

5.5 **HCC Ecology – No Objection subject to condition.**
I have no major concerns over this development, and indeed it would appear to deliver substantial net gains in biodiversity.

I welcome the clarification provided as Appendix H in the amended ecology report. I would agree with the assessment that great crested newts (GCN), reptiles, and dormice are unlikely to be affected by the development, and I welcome the clarification over the bat issues previously raised.

I would have no further concerns over this and would refer you to my suggested condition wording in my response of 27 June 2018.

5.6 **TVBC Trees – No Objection subject to conditions.**
Proposed new structures remain clear of existing trees.

Potential for works to result in accidental damage to trees. This can be controlled by the straight forward expectance of providing robust barriers during works. The submission is accompanied by a report from Wessex Woodland Management that sets out appropriate tree protection measures.

Extensive new tree planting proposed, which is welcomed. Study of the proposed planting tables reveals canopy cover tree species planting density at some 150 plants per hectare. This seems exceptionally low. I would encourage this to be revisited again with Wessex Woodland Management.

If this progresses it would be appropriate to impose conditions as drafted above to help safeguard trees to be retained from harm during execution of the project.

5.7 **TVBC Highways – No Objection subject to conditions.**
Proposed number of parking spaces meets policy T2. Access already exists and would not increase the intensity of use of the site.

5.8 **TVBC Environmental Services (Refuse & recycling) – No Objection.**

6.0 **REPRESENTATIONS** Expired 11.05.2018

6.1 **Hurstbourne Tarrant Parish Council – Support (28.01.2019)**
Councillors discussed this application at a public parish council meeting on 16th April 2018. The applicant explained that the application was for a new 5bedroomed house on the site of the current aircraft business. He was aware that 2 or 3 people had been vocal about the disruption caused by the airfield and the business conducted there. As the landowner, he felt he could either allow the business to continue, but there would probably need to be an increase in air traffic for it to remain viable. The employees were either part time or worked at Middle Wallop and other sites. The business lease was due to end in 12 months time. The company was in a position to relocate to other premises where it already operated, and there would be no loss of jobs, an in particular no local residents would lose jobs. The applicant stated that with his advancing age, he wished to ensure his children's future financial security by investing in this project.

The applicant’s proposal was to build a new house, remove non-native trees and replace with native species and create a wildlife corridor between Doles Wood and Rag Copse. The house would be of brick and flint construction with a courtyard, tiled roof and an east-west orientation. When built, in approximately 2 years' time, it would be sold on to a private buyer. There would be no impact on the Right of Way at the edge of the land. The building would not be seen by other residents at Bourne Park. One Councillor did query whether any thought had been given to smaller properties to give opportunities for perhaps local families to remain in the area. The applicant felt that a single property would be more acceptable and less impactive to others living at Bourne Park. Councillors agreed that there were no apparent reasons to object to this application, and in light of the comments given by the applicant during the meeting, as outlined above, they felt they could give their unanimous support to the application.

6.2 **115 representations have been received from 96 members of the public.** 51 of these representations object to a 'helicopter service station'. For clarity, there has not been an application for a helicopter service station. There is overlap between the points identified and raised as support and objection. Representations have been taken together and are summarised below.

6.3 **63 representations – support**
39 addressed from Windmills x5, Manor Farm x2, Juniper Cottage x2, Church Cottage x2, Shepherds Cottage x1, Ibthorpe Tower x2, Swift Cottage x1, Upton Manor x1, Slade Bottom House x1, 2 Cale Street London x1, Swallowdale x2, Horseshoe Cottage x1, Bridge Cottage x1, Apsley House x1, Grove House x1, Ibthorpe Farm House x1, Upton Farm x1, The White House x1, Stoke House x2, Stoke Hill Farm x1, 1 C Church Street x1, Unit 66 Basepoint, Business Park x1, Dalton House x1, Dunley Manor x1, Vernham Manor x1, Windmill Farmhouse x1, Pill Heath House x1, Horseshoe Barn x1, Craignish x1) and 24 not addressed.

51 representations – objection to a 'helicopter service station'
16 addressed from Hurstbourne Park Estate x1, Hurstbourne Park x1, The Old Laundry x2, Slade Bottom House x2, Upper Wyke Manor x1, Elm Cottage x1, Upton Dean x1, Keepers Cottage x1, Bridge Cottage x1, Upton Cottage x1, Winfield x1, Middlewyke Farmhouse x1, Cowdown House x1, 1 Wayside Cottage x1 and 35 not addressed.

- Noise from existing helicopters is: pretty awful / a nuisance / a constant aggravation / I am fed up with it / totally disruptive / even our children comment on it / a pestilential nuisance / unpleasant / unacceptable and increasing / has increased dramatically over recent years / invasive and intrusive.
- The Council has directed complainants to the CAA regarding helicopter noise.
- Whereas a fixed wing airfield may have existed for 20 years one predominantly featuring helicopters has not. It has been the change of use of the airfield for helicopter repair, training and local flying which I and other residents have been objecting to. This has not been part of the fabric of the area.
- Helicopters from Bourne Park, generally the same ones, perform routine flights at low level over the surrounding area generating significant noise pollution. This is on top of a hectic military schedule.
- The conditions limiting helicopter movements to 6 a day is routinely broken. I fear we face an appalling increase in noise and traffic if this application is unsuccessful.
- A significant amount of the present Bourne Park activity ignores airfield landing approach instruction.
- I have had occasion to call the airfield to object to the noise of aircraft over my house to complain about what I believe have been abuses of their licence in terms of the number of aircraft movements and the duration of flights in a single vicinity.

- Although I live about a mile from the airfield site, when the prevailing South-west wind is blowing, my wife and I are frequently annoyed by the noise of aircraft engine testing on the airfield site and as such it has a negative impact on the enjoyment of our home in this Area of Outstanding Natural Beauty.
- Horses are often spooked by the helicopters from Bourne Park. They fly very low over our house. Both my children have had falls.
- Granting of permission will prevent the further increase in helicopter noise and light aircraft activity from Bourne Park airfield which is damaging the local environment where there is already a considerable amount of essential military activity.
- The development will remove noisy and potentially polluting engineering activities from the countryside.
- No increase of any aircraft movement in an Area of Outstanding Natural Beauty must be permitted.
- A sympathetic, well designed house of architectural merit built discreetly and out of sight poses no impact on an Area of Outstanding Natural Beauty and would be less intrusive to the present use.
- By denying planning will just hand the issue back to local residents and will create a huge problem going forward. This application will rid the area of a long term nuisance and replace it with buildings and a use that would benefit the landscape and secure its future for ever.
- It will enhance the local ecology and environment.
- Removal of the hard standing will improve drainage run off
- We live next door to Bourne Park at Stoke Hill farm. Over the years we have been constantly bothered by helicopters and light aircraft. Sometimes they fly so low, that my horses have been traumatised by them in the field. Often at the weekend, there are numerous light aircraft either approaching so low over our house to land, or v low over the house having taken off. We are also constantly bothered by helicopters flying so low, they have nearly hit our trees. We have made various complaints but to no avail.
- We live in Stoke and are constantly woken up and disturbed by the volume of helicopters flying low over the village.
- We live in the middle of St Mary Bourne and face the frequent inconvenience and noise of regular helicopter action over the house. It has a bad effect on us and all the animals in the nearby fields. Plus I run a business and it can be quite annoying when you are on the phone.
- The helicopters that currently fly over us make our (very old) cottage shake.
- There are enough airstrips in far more suitable locations.
- The removal of the airstrip represents the lesser of two evils
- Horses, riding and game bird rearing and shooting are just a few activities that are already affected by very busy air traffic.
- Living on the training flight paths for Middle Wallop has its downsides but introducing more helicopters to an area would be an even bigger impact on our lovely area.

- We have a large number of helicopters flying over us at all hours of the day and night as it is – whether Chinooks, Apaches or civilian helicopters. There is so much helicopter activity in this area already.
- We are already subject to considerable air traffic, including low flying helicopters both civil and military as well as small aircraft from Popham.
- We already have significant, if not recently increased, helicopter traffic from the MoD over our heads in the day time but also in the middle of the night. Coupled with this we also see and hear light aircraft traffic too regularly, and to a disturbing scale.
- We have more than enough aircraft noise from the MoD helicopters in the surrounding area, and the added activities from the current airstrip add to the noise pollution in an AoNB.
- We already have too many helicopters flying over us. We get Chinooks from Odiham all the time and Apaches from Middle Wallop. We can just about tolerate those because we support the military but otherwise even those would be unacceptable.
- The area already suffers from the military helicopter movements from Middle Wallop and Boscombe Down as well as commercial flights from Thruxton, over which there can be little control, so that the additional flights from Bourne Park are now constituting an aggravating nuisance to local residents.
- There is already a huge amount of military helicopter activity over us. They fly at any time of day or night - and often very low. However we have noticed increased commercial traffic of in the last 2-3 years which is very unwelcome. It is also highly frustrating that much of this commercial activity sees to happen unnecessarily close to the house - and often seems to involve circling for no reason whatsoever.
- The noise levels are worse than those we experienced under the flight path in Wandsworth.
- Both traffic into and out of the facility will create recurrent and intrusive levels of noise as will the large number of ground runs which form an essential part of helicopter servicing.
- There is an excellent helicopter servicing centre at Thruxton Airfield.
- Constant air traffic flying about disrupts the AoNB.
- There should be a policy for no additional aircraft noise in the valley. To preserve this area as an AoNB in both sight and sound should be a priority for the planners. Being plagued by commercial flights is surely not commensurate with an AoNB.
- The noise and air pollution will be significant and it may well seriously alter the value of our houses.
- Bourne Valley is one of the few places in this area of Hampshire unpolluted by the continuous traffic noise from trunk roads. Defence service requirements were a sound reason for helicopter invasion when the Army Air Corps operated from Middle Wallop: to introduce regular civil helicopter flight into the valley would be a damaging decision. We already have several of helicopters flying over our house every day, sometimes very low, causing consternation with livestock and any further noise and disruption would be very distressing.

- I have been informed that, if the Planning Application is refused then, it is likely that the aircraft operating company will buy the airfield. We are very concerned that, if the airfield is bought by the operating company, it would enable the expansion and/or more frequent use of the airfield, the number of low flights and subsequently to more noise pollution.

6.4 **1 representation – objection (unaddressed):**
The loss of the highly skilled jobs provided on this site of aircraft maintenance and servicing is something that is to be regretted.

Another country house is not a pressing need; three are sufficient already.

The bulk of aircraft noise comes from The Army Air Corps training flights from Middle Wallop and the helicopter flights from school at Thruxton (Heli Air Thruxton) who both practice over Hurstbourne Tarrant, and from passing traffic in and out of Thruxton and Popham, and from low flying military flights supporting army exercises on Salisbury Plain. (In addition we are under the circuit of Boscombe Down which occasionally adds to the overall noise budget.)

It is being put about that if this Planning Application fails then the aircraft company will buy the airfield and greatly increase the number of flights. However this can be discounted because any such significant growth would require further buildings which would in turn require planning permission.

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 DPD

COM1: housing provision 2011-2029
COM2: settlement hierarchy
COM7: affordable housing
COM15: infrastructure
LE10: retention of employment land and strategic employment sites
E1: high quality development in the borough
E2: protect, conserve and enhance the landscape character of the borough
E5: biodiversity
E6: green infrastructure
E7: water management
E8: pollution
LHW1: public open space
LHW4: amenity
T1: managing movement
T2: parking standards

7.3 Supplementary Planning Documents (SPD)

TVBC Local Biodiversity Action Plan

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Design and landscape
- Biodiversity
- Trees
- Other
- Material considerations and the planning balance

8.2 **Principle of development**

The application site is located in the countryside outside the boundary of any settlement. Policy COM2 sets out that development outside the boundaries of settlements will only be permitted if:

a) It is appropriate in the countryside as set out in the Revised Local Plan policy COM8-COM14, LE10, LE16-LE18; or
b) It is essential for the proposal to be located in the countryside.

8.3 Section 4 sets out the planning history of the site. There have previously been permissions for employment use within the application site (storage and repair of aircraft). The application makes the case that the proposal satisfies policy LE10. Policy LE10 requires that on existing employment sites, allocated employment sites, or sites with planning permission for employment use, which have not yet been fully implemented, development for an alternative use will be permitted provided that:

a) The land is no longer required to meet economic development needs of the area; or
b) The current activity is causing, or could cause significant harm to the character of the area or the amenities of residents; and
c) It would not have a significant detrimental impact on the operation of the remaining occupiers of the site.

8.4 Residential use is an alternative use for the purpose of policy LE10. For policy LE10 to be engaged, the proposal must be located on an employment site. The position of the proposed dwelling, outbuildings and residential curtilage has been adjusted during the application. In drawings received 11.02.2019 the position of the dwelling and residential curtilage has been amended to be wholly within the red line of the previous permissions on the site that are set out in section 4.

8.5 <u>LE10 a)</u>

The applicant has not engaged LE10 a) by marketing the employment site or providing any demonstration that the local economy would not be harmed as a result of the proposed change of use with regard to a) and paragraph 6.51.

8.6 <u>LE10 b)</u>

The applicant makes an argument that, with regard to criterion b), the current activity is causing, or could cause significant harm to the character of the area or the amenities of residents. The application has received a large number of public representations that express dis-satisfaction with the existing noise from helicopters and aeroplanes in the area. A large number of these

representations also set out that the area is currently subject to considerable amounts of essential military helicopter activity. Representations make note of the different types of military helicopter that operate from different airfields. The Case Officer has informally contacted the Airfield Manager at Middle Wallop Airfield who described that the area around Bourne Park is used by military aircraft for movements between a number of airfields and to exercises on Salisbury Plain. The Airfield Manager also described the Bourne Valley as a navigable feature to the training areas toward Marlborough and Hungerford, and estimated that between 5-10 flights per day in the area per would originate from Middle Wallop alone.

8.7 Members of the public are able to lodge complaints about aviation noise, low and unsafe flying to the Civil Aviation Authority (CAA) who will investigate if there is sufficient evidence. The CAA also advises that complaints concerning aircraft flying to or from a specific airport should be directed to the airport concerned. Complaints about military aircraft must be made to the MoD. Outside of restrictions via the planning process, Local Authorities do not have the legal power to take action on matters of aircraft noise.

8.8 The current activity on the application site is informed and established by the planning history of the site. The site has been used as an airfield, according to a supporting statement to application 08/00617/VARN dated March 2008, since 1993. Helicopters have been using the site, according to a supporting statement to application 08/00533/FULLN, since at least 2005. Activities on the site granted planning permission include the storage, maintenance and repair of aircraft along with flights of light fixed wing aeroplanes and helicopters. It is acknowledged that these activities produce noise. It is considered that this type of noise, because of the period of time these activities have been occurring and in conjunction with airborne military traffic, forms part of the character of the area. Noise originating from the application site is partly controlled by conditions attached to the applications that have been granted planning permission. Residential amenity was considered as part of all previous planning applications and the impacts of noise assessed, having regard to the information submitted to support those applications. As a result, conditions relating to the generation of noise within acceptable limits were attached to the permissions granted in the interest of residential amenity and to minimise undue noise and disturbance.

8.9 The conditions to previous applications limit the number of combined aeroplane (10) and helicopter (6) movements (a take-off or landing) to a maximum of 16 per day, approximately 480 per month. As an example, a flight originating from and landing at Bourne Park would count as two movements. Light fixed wing aeroplanes can take off and land between the hours of 08:00 to 21:00 on any day of the week and the repair of these aeroplanes must take place within a building. There is no restriction on when helicopters can take off and land or where the repair of helicopters can take place. Flight logs supplied by the applicant on 27.06.2018 show that between the dates of 26.02.2018 to 27.05.2018 there were 146 movements from Bourne Park, an average of 11.23 per week.

8.10 The applicant and agent have been the same throughout the planning permissions for the site set out in section 4. As such, it is considered that both would have a clear understanding of the contents of those applications and the activities taking place on the application site. Statements submitted with previous applications illustrate how the applicants control the activities taking place on the site and the route of aircraft in the air. The supporting statement to application 08/01924/FULLN (August 2008) states that:

> "*there would be no overflying of the village of Hurstbourne Tarrant, Stoke, St Mary Bourne, Smannell and Little London*".

8.11 Appendix A of that statement states that:

> "*a building used by helicopters needs to be away from centres of population and our proposed site, being secluded and beyond public view is ideal*".

8.12 The statement continues:

> "*whilst we make every effort to limit the effect of noise it can be appreciated that landing and taking off of helicopters is best done in a secluded area such as Bourne Park*".

8.13 Similar supporting statements are included with applications 08/00617/VARN and 08/00533/FULLN that emphasise how the applicants have changed their operating procedures following a single complaint. A letter to the Environmental Protection Officer for application 08/00533/FULLN states that:

> "*after safety, our golden rule is 'take off and go away'. We do not allow our users to fly in the locality for fear of upsetting our neighbours*".

8.14 The Environmental Protection Team has not recorded any noise complaints related to the site since 2014, although as explained in paragraph 8.10 enforcement of noise from aircraft in the air is the responsibility of the CAA. The Council's Planning Enforcement team has investigated five complaints between the dates of July 2008 and April 2017 regarding noise and associated activity at the application site. However, these investigations have not yet established that the current use is taking place outside of the terms of the current planning restrictions. This application is not supported by any evidence or reference to noise guidance and legislation. No noise assessment or evidence has been submitted with the application from any isolated dwellings or settlements in the vicinity to assess the noise produced by the activities on the site and from movements to and from the site against background noise levels, for example vehicles on the A343 and the noise produced by other planes and helicopters that includes considerable amounts of essential military helicopter activity. The applicant has argued that it would be difficult to differentiate between the various aircraft noise sources. However, no expert evidence has been submitted to corroborate this. This needs to be taken into account when considering how the existing airfield operation contributes to the overall character of the surrounding noise environment.

8.15 Representations received state that helicopters can scare horses and animals, that the present Bourne Park activity ignores airfield landing approach instruction and that the airfield is in breach of its licence. These particular matters are outside of the control of the site by condition, but are controlled by the airfield itself as evidenced in paragraphs 8.11 to 8.13. Although those comments were made in support of applications made in 2008, it is considered that there is no evidence to suggest that the operation of the airfield has changed since these permissions were granted. Neither the application nor representations are evidenced or are clear about the specific impacts from Bourne Park airfield compared to other sources of noise, which includes the considerable amount of military helicopter traffic.

8.16 The application site is located 1.6km from the nearest settlement It is considered that the application site is relatively secluded and is a suitable location for an airfield and associated repair and storage activities because of the separation distances to settlements in the vicinity. Additional to this is the current volume of plane and helicopter movements from the airfield, the applicant's control of activities taking place on the site and the route of aircraft in the air and the lack of any evidence that supports the application in terms of the noise generated from the site. Within the context that plane and helicopter noise forms part of the character of the area and AoNB and that there is considerable military helicopter and other civilian helicopter and plane activity in the area, it is considered that it has not been demonstrated that the current activity is causing significant harm to the character of the area or the amenities of residents.

8.17 LE10 b) also requires consideration as to whether the current activity could cause significant harm to the character of the area or the amenities of residents. Residential amenity was considered as part of the planning history of the site and conditions attached in that interest to limit the activities and plane and helicopter movements taking place to acceptable levels. Paragraph 8.9, sets out the capacity of the site allowed by planning conditions in terms of the number of plane and helicopter movements originating from and to it. The flight logs supplied demonstrate that the current activity is under the capacity allowed by planning conditions. Concern has been raised by public representations about the intensification of the use of the site. It is considered that the lawful use is acceptable. Any departure from the limits set by condition would be enforceable and would require planning permission. Any new buildings on the site would also require planning permission. Thus the Local Planning Authority is able to exert control over any future proposed use or development outside of that allowed at present. For the same reasons as paragraphs 8.15 and 8.16 above, it is considered that it has not been demonstrated that the current activities, in accordance with planning conditions, could cause significant harm to the character of the area or the amenities of residents. In addition, it is considered that expansion of the operation of the site is likely to require new buildings or variation to the conditions that control the site at present. If this were to be the case the Council would be able to consider the residential amenity impacts and control them accordingly.

8.18 LE10 c)
The proposal involves the removal of the airstrip and associated buildings. Therefore there would be no remaining occupiers of the site that could be impacted. Criterion c) is not relevant in this case.

8.19 LE10 conclusion
The application has not satisfied criterion a) and criterion c) of policy LE10 is not relevant. With regard to criterion b), the application has not demonstrated that the current activity is causing, or could cause significant harm to the character of the area or the amenities of residents. Paragraph 6.52 of the supporting text to policy LE10 that is relevant to criterion b) states that:

> "*In some cases the particular existing uses on site may be causing such serious environmental harm that their removal may be desirable and redevelopment of the site for more appropriate business activities may be justified. It would need to be demonstrated that the displaced uses would not be seeking an alternative site which would simply mean the relocation of the environmental problem to another location*."

8.20 The application has not explored other business activities or demonstrated that the displaced uses of an un-evidenced environmental problem would be displaced to another location. The application fails to satisfy criterion b) or its supporting text. The application is in conflict with policy LE10. The proposal therefore also represents non-essential development within the countryside that is contrary to policy COM2.

8.21 **Design and landscape**
Design
The proposed dwelling would be two storey, approximately 9.8m in height, 29m in width and 22.3m in depth. It would be set behind its outbuildings which as a group would form a courtyard with vehicular access between the two outbuildings. The outbuildings would be symmetrical, 'L' shaped buildings that would have 'towers' in the corner of the 'L' approximately 7.3m in height. The application has been updated to provide contextual drawings showing how the outbuildings and dwelling would relate to one another following the Design Review Panel comments.

8.22 All proposed buildings would combine brick and flint detailing. The proposed dwelling would also introduce render on selected parts including beneath the semi circular porch supported by columns at the front. Two roundels would be either side of this. In critiquing the proposed design the Test Valley Design Review Panel stated that "*the designs are somewhat muddled and require greater simplification to bring them in line with the high quality detailing expected of a bespoke house such as this, particularly given its setting*". It is considered that the proposed dwelling combines design elements in a confused manner. However, views of the front of the proposed dwelling, which is considered to be the most confused in design terms, would only be possible within the courtyard and as such would have no adverse impact on the character of the area.

8.23 Contextual drawing 109 illustrates how the outbuildings, dwelling and walls would relate to one another. Roof pitches would be shared, as would design details like window designs and proportions. When viewed together it is considered that the elements of the proposal combine in a cohesive manner.

8.24 If the proposal were otherwise acceptable, it is considered that conditions could secure samples and details of materials and joinery details so that the design could be realised. Subject to conditions the proposal would integrate, respect and complement the estate character.

8.25 Landscape
The proposed dwelling and outbuildings would be set to the east of a stand of existing mature trees that are located to the north of the existing buildings on the site. New trees and landscaping would be planted immediately adjacent and a significant amount of tree planting would take place in three main blocks; along the access, west of the existing block of trees and on the eastern edge of the application site. Together the proposed planting would connect Doles Wood to the north with the groups of trees on the estate to the south that themselves connect to Rag Copse.

8.26 It is considered that the proposed tree planting would provide additional screening once mature. Whilst distant glimpses of the proposed dwelling and its outbuildings might be possible through and over the existing trees from the Public Right of Way (PRoW) (Hurstbourne Tarrant Footpath 3) to the west, it is considered that public views would be almost completely removed as a result of the currently proposed position compared to that previously proposed.

8.27 The agricultural buildings on site were reused for plane storage and repair, which was formalised within application TVN.00845/8. It is considered that these buildings, when viewed from the west from the Public Right of Way (PRoW) (Hurstbourne Tarrant Footpath 3) do not appear out of character with the otherwise agricultural landscape that the PRoW crosses. As such, it is considered that replacing the buildings with a dwelling and outbuildings in a different location would have a neutral landscape impact.

8.28 If the proposal were otherwise acceptable, it is considered that conditions could secure the removal of the existing buildings, implementation, longer term management and maintenance of the proposed tree planting and landscaping around the proposed dwelling and elsewhere on the application site. Subject to conditions the proposal, would integrate with the estate setting, would not interrupt important views and would not have a detrimental impact on the landscape character of the area and AoNB with regard to policies E1 and E2.

8.29 **Biodiversity**
Policy E5 states that *"development in the Borough that will conserve, and where possible restore and/or enhance biodiversity will be permitted".* Policy E6 states that "*development will be permitted provided that it protects, conserves and where possible enhances the Borough's Green Infrastructure network*". The TVBC Local Biodiversity Action Plan provides a framework for the conservation, enhancement and restoration of the biodiversity of the Borough with the aim of maintaining and enhancing the biodiversity of Test Valley.

8.30 The application is supported by a thorough ecological appraisal (Malford Environmental Consulting, May 2018), which assess the value of various ecological features at the site and presents detailed recommendations for ecological enhancements.

8.31 The key ecological feature at the site is a maternity roost for brown long-eared bats in one of the existing buildings. The majority of existing buildings on site (which have negligible bat roost suitability) would be removed, with the section supporting the roost being retained. In retaining the building, the flight lines in and out of the roost will also be maintained, and the overall scheme will result in enhancements to the adjacent habitat. The proposals also include further biodiversity enhancements, particularly extensive areas of new woodland / tree planting and grassland that would help to connect Doles Copse and Rags Copse. These are replanted areas of ancient woodland that are also Sites of Importance for Nature Conservation (SINCs).

8.32 Subject to a condition to secure that the recommendations in the ecological appraisal are implemented, the proposal would enhance biodiversity and the Borough's Green Infrastructure in accordance with policies E5 and E6, together with the Biodiversity Action Plan.

8.33 **Other**

Residential amenity

The proposed dwelling would be well separated from any other dwelling on the estate. It is considered that the location of the proposed dwelling would ensure that there would be no adverse impact on the privacy, amenity, light and noise that would be experienced by future occupants of the proposed dwelling and other occupants of the estate with regard to policies LHW4 and E8.

8.34 Trees

There are a large number of trees on the site that are to be retained. The application is supported by an *Arboricultural Impact Assessment and Method Statement* (Wessex Woodland Management Ltd, September 2018). This document includes a tree protection plan that shows the location of tree protective fencing and the report sets out appropriate tree protection measures. Subject conditions to secure tree protection, the proposal would enhance biodiversity in accordance with policy E2.

8.35 Highway safety

The proposal would not result in an intensification of the site from a traffic generation perspective and there would be parking provided that would exceed the standards within Annex G. The proposal is in accordance with policies T1 and T2.

8.36 Flood risk

The application is supported by a Flood Risk Assessment (UK Flood Risk Consultants, September 2018). Policy E7 states that "*development will be permitted provided that it complies with national policy and guidance in relation to flood risk."*

8.37 The proposed development is 'more vulnerable' compared to the 'less vulnerable' classification of the existing buildings on the site. However, all elements of the proposal would be located in flood zone 1, which has the lowest probability of flooding. It is considered the proposal would be in accordance with national policy and guidance in relation to flood risk and therefore policy E7.

8.38 Planning obligations

Policy LHW1 requires development where there is a net increase in population to provide either on-site public open space or off-site provision in the form of an alternative site or financial contribution. Policy T1 requires development to minimise its impact on the highway network. Policy COM15 permits works and/or financial contributions to mitigate the impact on existing infrastructure. Policy COM7, as worded in RLP document dated January 2016, sets out that on housing sites of a net gain of up to 4 dwellings a financial contribution will be sought for off-site affordable housing provision.

8.39 In light of the material changes to National Planning Guidance limiting when such contributions should be applicable, the Council has reviewed its position in respect of infrastructure and affordable housing contributions for small schemes and an updated version of policy COM7 has been agreed which raises the thresholds for affordable housing provision. Having regard to the NPPG, this scheme falls below the relevant thresholds and therefore no contributions are required.

8.40 On the 1 August 2016 the Council implemented its CIL charging schedule. All relevant planning applications determined after this date are levied.

8.41 **Material considerations and the planning balance**

The application conflicts with policies COM2 and LE10 of the Test Valley Revised Local Plan DPD. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the NPPF set out that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF provides clarification that "*Where a planning application conflicts with an up-to-date development plan…, permission should not usually be granted*." The Council considers that the RLP is up to date and consistent with the requirements of the 2018 NPPF.

8.42 Benefits

The proposal would have benefits in the provision of a single dwelling. The provision of an inclusive mix of housing, including large homes is a benefit. It is also considered that the construction of the proposed dwelling would contribute toward employment and the New Homes Bonus and as such, provide economic benefits for the area. However, in light of the Council's 5 year housing land supply, it is considered that the provision of one dwelling in an isolated location can only be given very limited positive weight.

8.43 The substantial tree planting would allow the connection of woodland that would be of benefit to the landscape character of the area, ecology and green infrastructure. In addressing the aims of policy, it is considered that these benefits can be given significant weight.

8.44 The proposal would result in the loss of the airstrip and associated noise and activity. The cessation of activities and associated noise from the site may be of benefit to residents in the vicinity. However, without evidence of the level of existing noise emanating from the site or noise measured from outside the site that can be directly attributed to the site it is considered that this cannot be given great weight.

8.45 Planning balance

The unjustified loss of an employment site and general aviation airfield in a suitable location would conflict with an up to date local plan and the revised NPPF. The proposal would result in an isolated dwelling in the countryside that would not be in a sustainable location. It is considered that this harm identified can be given significant weight.

8.46 The proposal would have benefits in providing a single dwelling with landscape and ecological enhancements, and the displacement of an un-evidenced amount of noise. It is considered that the only benefits that can be given significant weight are the landscape and ecological enhancements.
The benefits of the proposal as material considerations do not outweigh the harm identified and the conflict with the development plan described above.

9.0 **CONCLUSION**

9.1 The benefits of the proposal do not outweigh the harm identified and the conflict with policies COM2 and LE10 of the Development Plan. Therefore the application should be refused planning permission.

10.0 **RECOMMENDATION**

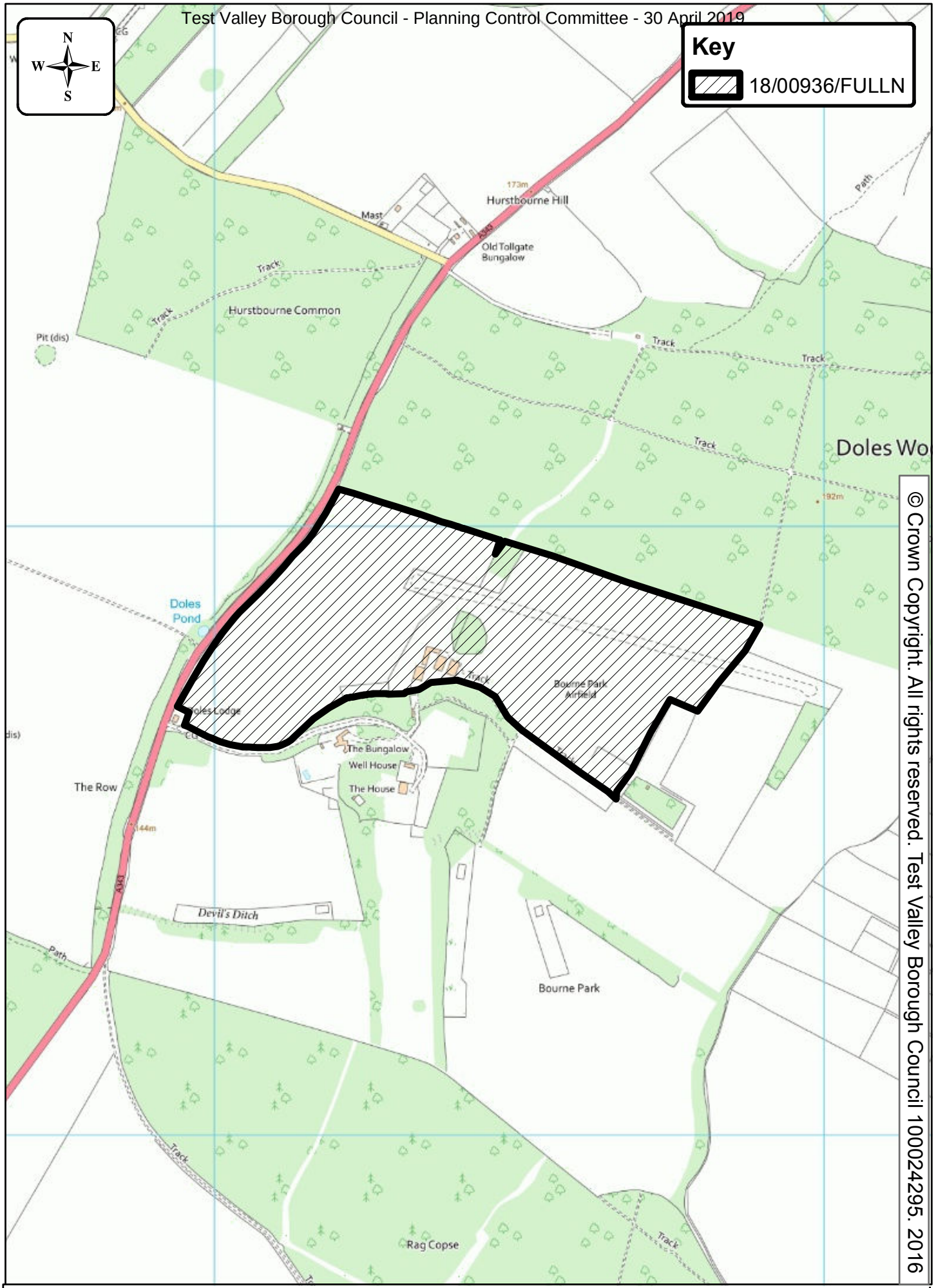
REFUSE for the reason:

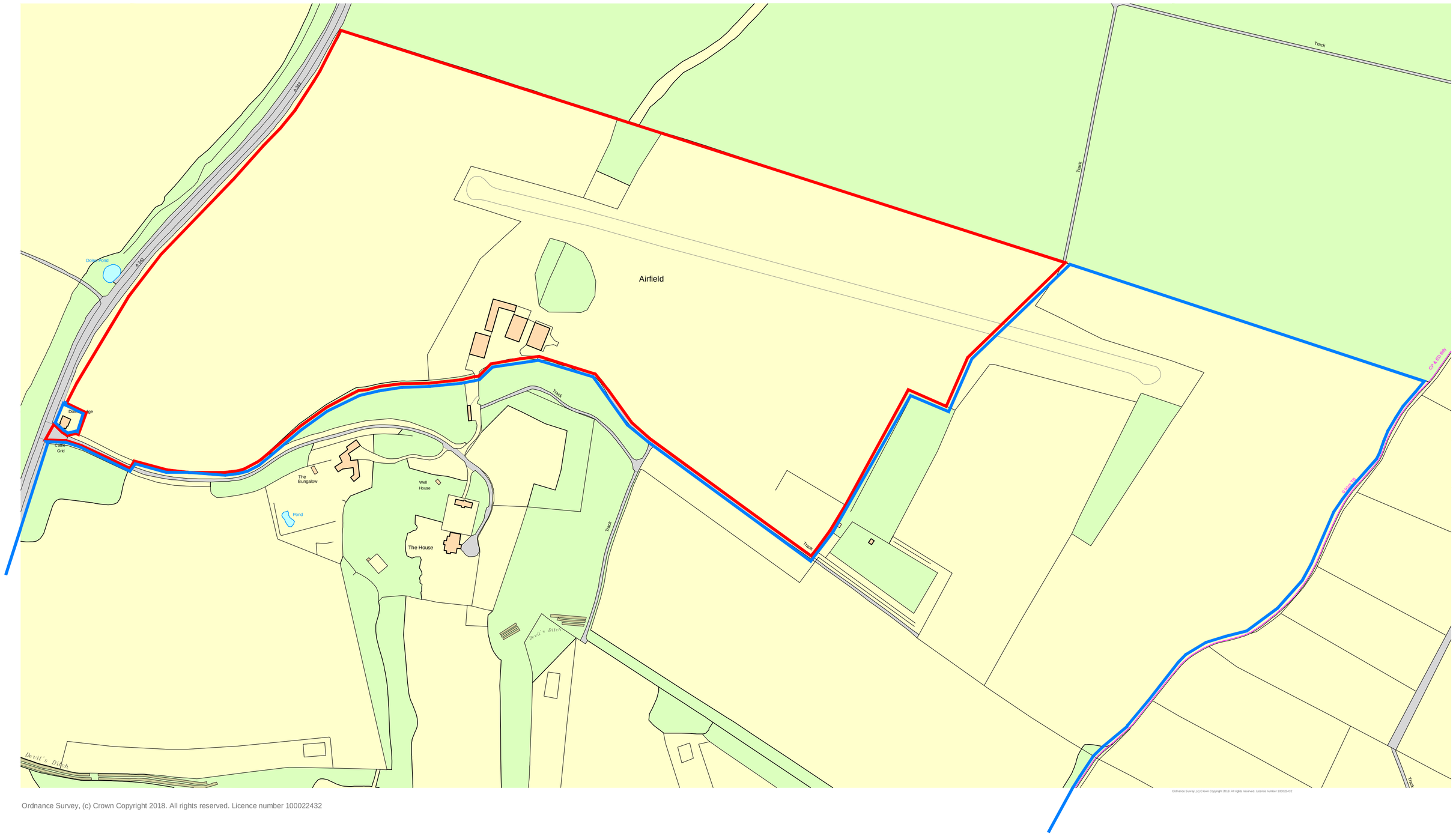
1. The application has not demonstrated that the current activity is causing, or could cause significant harm to the character of the area or the amenities of residents. Furthermore, the application has not explored other business activities or demonstrated that the displaced uses of an un-evidenced environmental problem would not be displaced to another location. The application is therefore contrary to policy LE10 of the Test Valley Borough Revised Local Plan DPD.

The proposal would result in the unjustified loss of an employment site and an isolated dwelling in the countryside contrary to policy COM2 of the Test Valley Borough Revised Local Plan DPD.

Note 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.





SITE LOCATION PLAN SCALE 1:2500

0m 40m 80m 100m

Page 38

revisions initial date

Contractors, Sub Contractors and Suppliers are to check all relevant dimensions and levels of site and buildings before commencing any shop drawings or building work.

project

BOURNE PARK
Hurstbourne Tarrant

Test Valley Borough Council - Planning Committee - 30 April 2019

drawing

site location plan

scale	drawn by	date
1:2500 @A1	---	April'18

181034-01 -
drawing no rev

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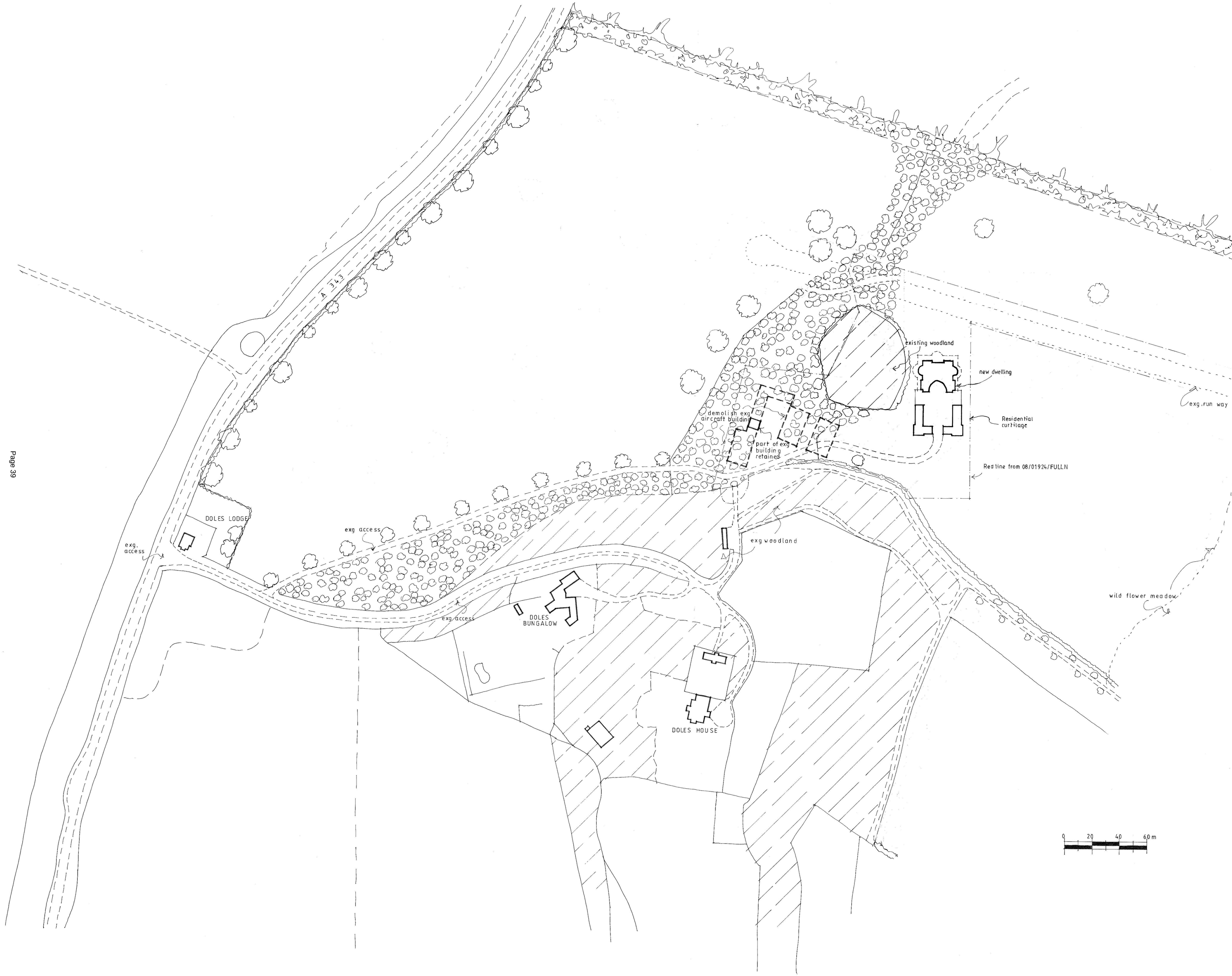

E dwelling relocated 11/2/19
D Red line indicated Feb '19
C Location of existing woodland amended and new dwelling relocated 03.10.18
B New dwelling relocated 26.07.18
revisions date

Contractors, Sub Contractors and Suppliers are to check all relevant dimensions and levels of site and buildings before commencing any shop drawings or building work.

project

BOURNE PARK
HURSTBOURNE TARRANT

drawing

block plan

scale 1 : 1250 @ A1
date JAN '18

drawing no 161034~105 E

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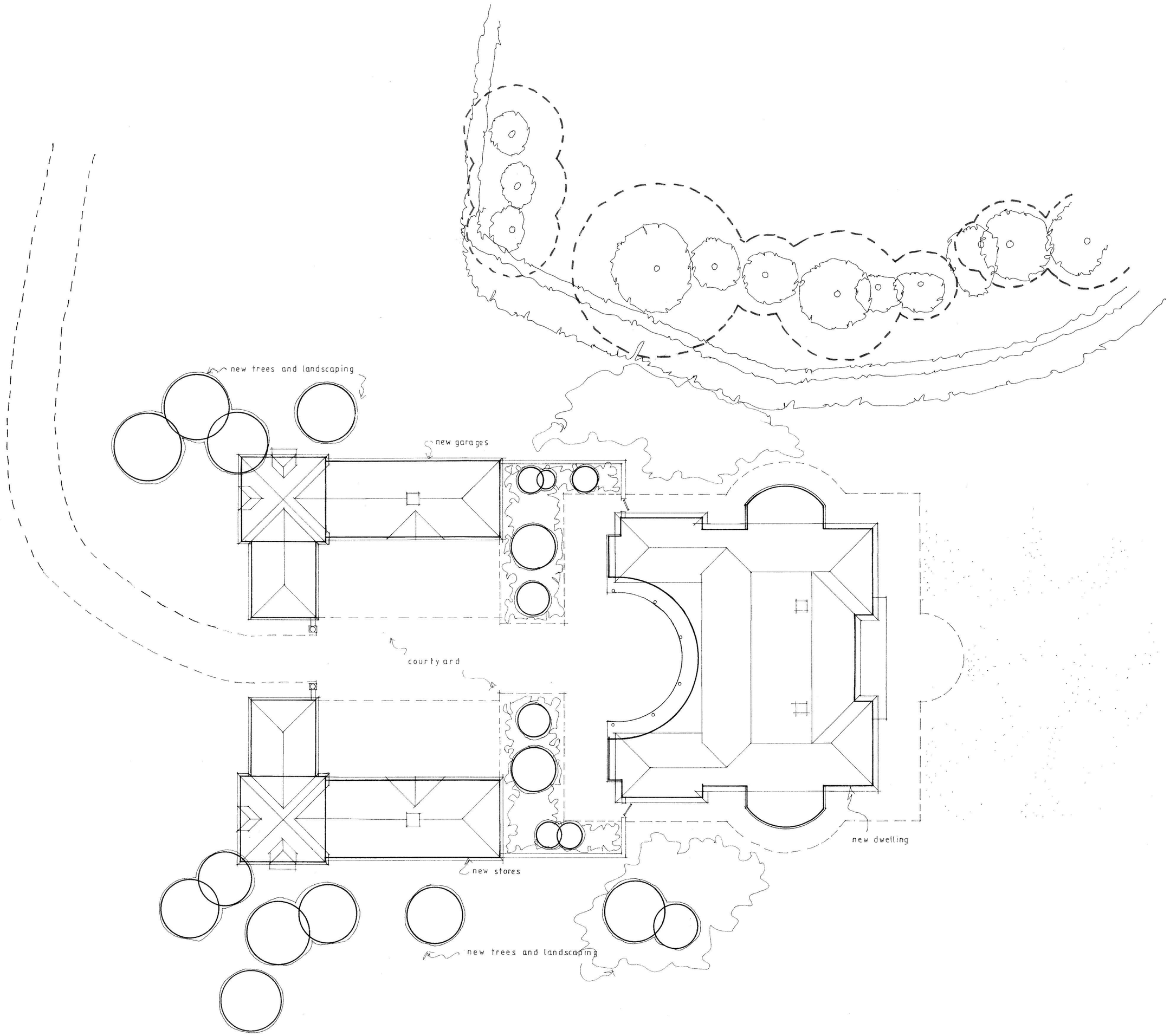

0 2 4 6 8 10m

revisions	date
C minor amendment	11/2/19
B Existing woodland shown	03.10.18
A North point amended & access drive revised	01.08.18

project
BOURNE PARK
HURSTBOURNE TARRANT

drawing
site plan

scale 1:200 @ A1

date JAN '18

drawing no 161034~106 C

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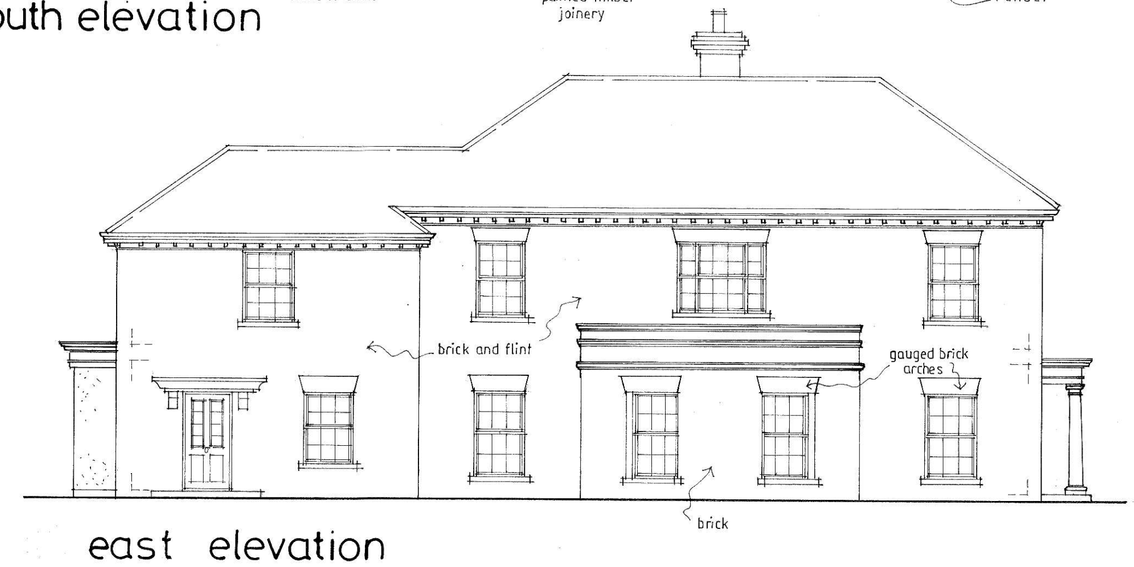
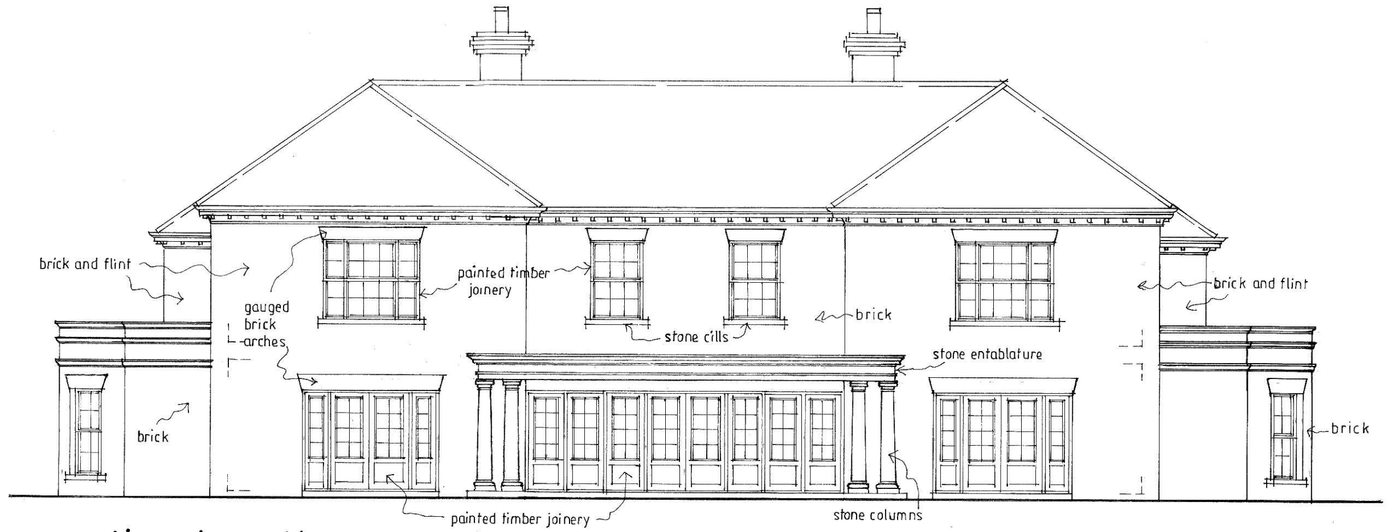
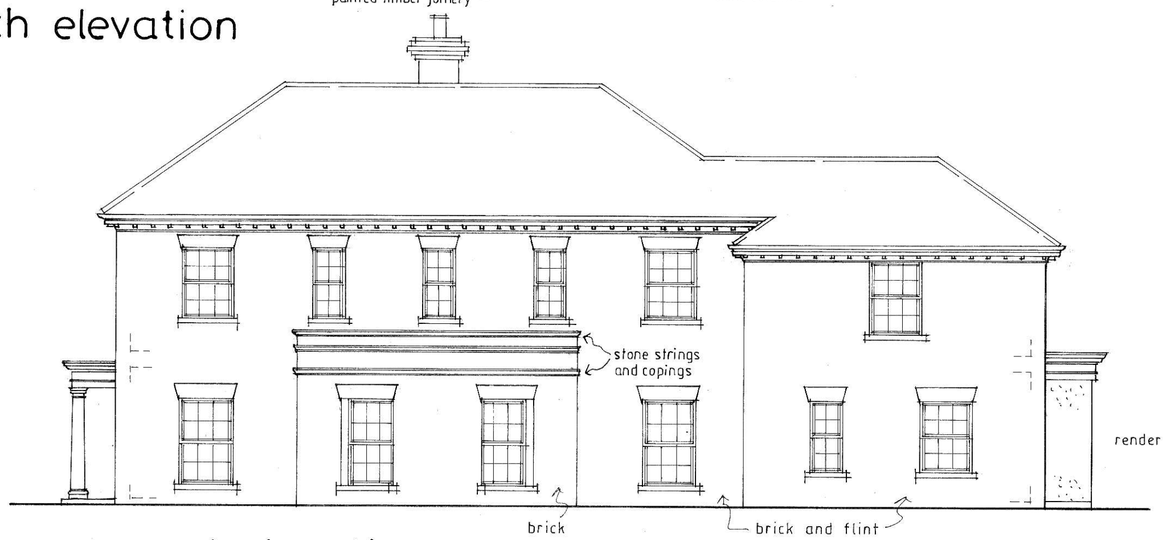
south elevation



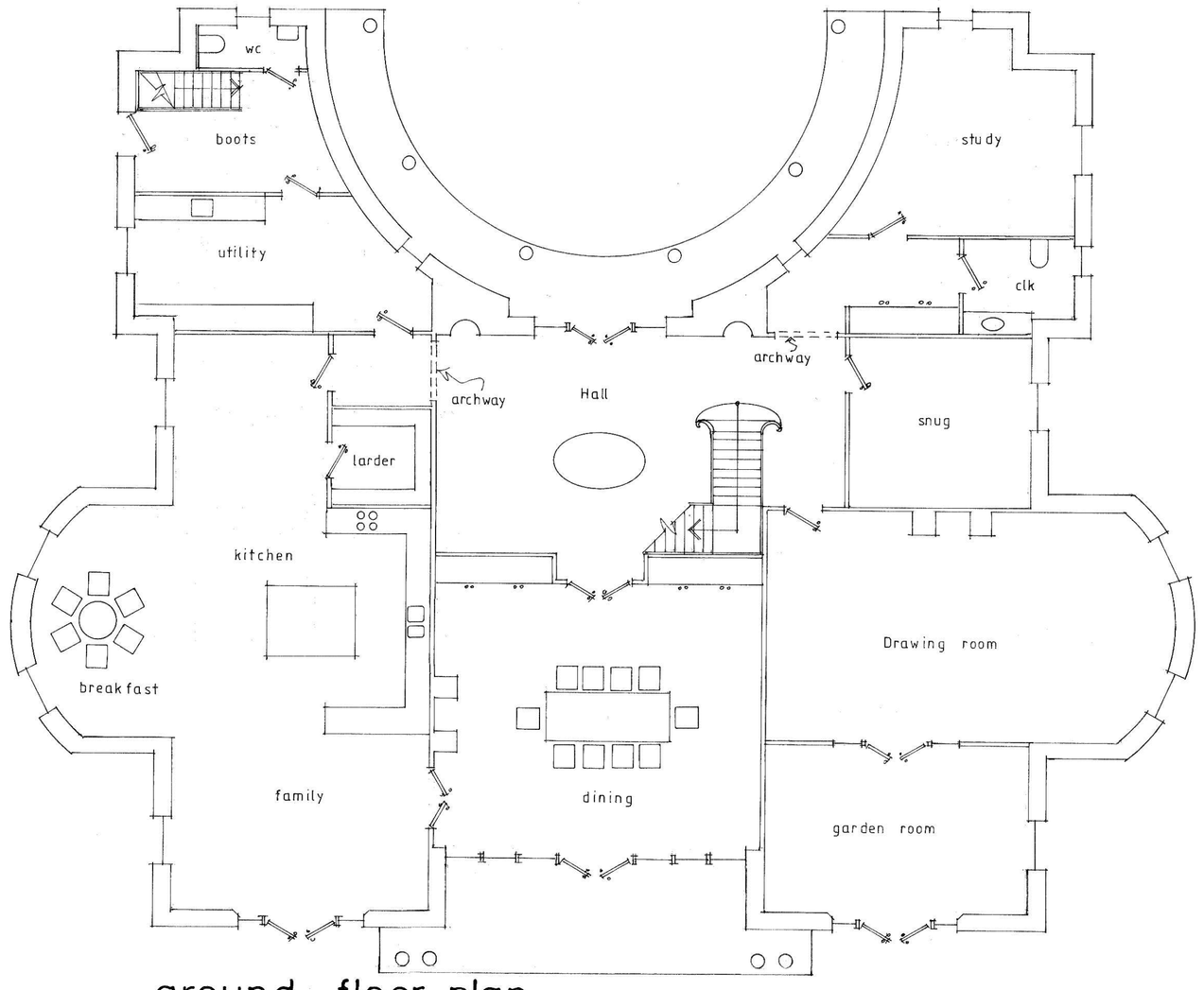
east elevation



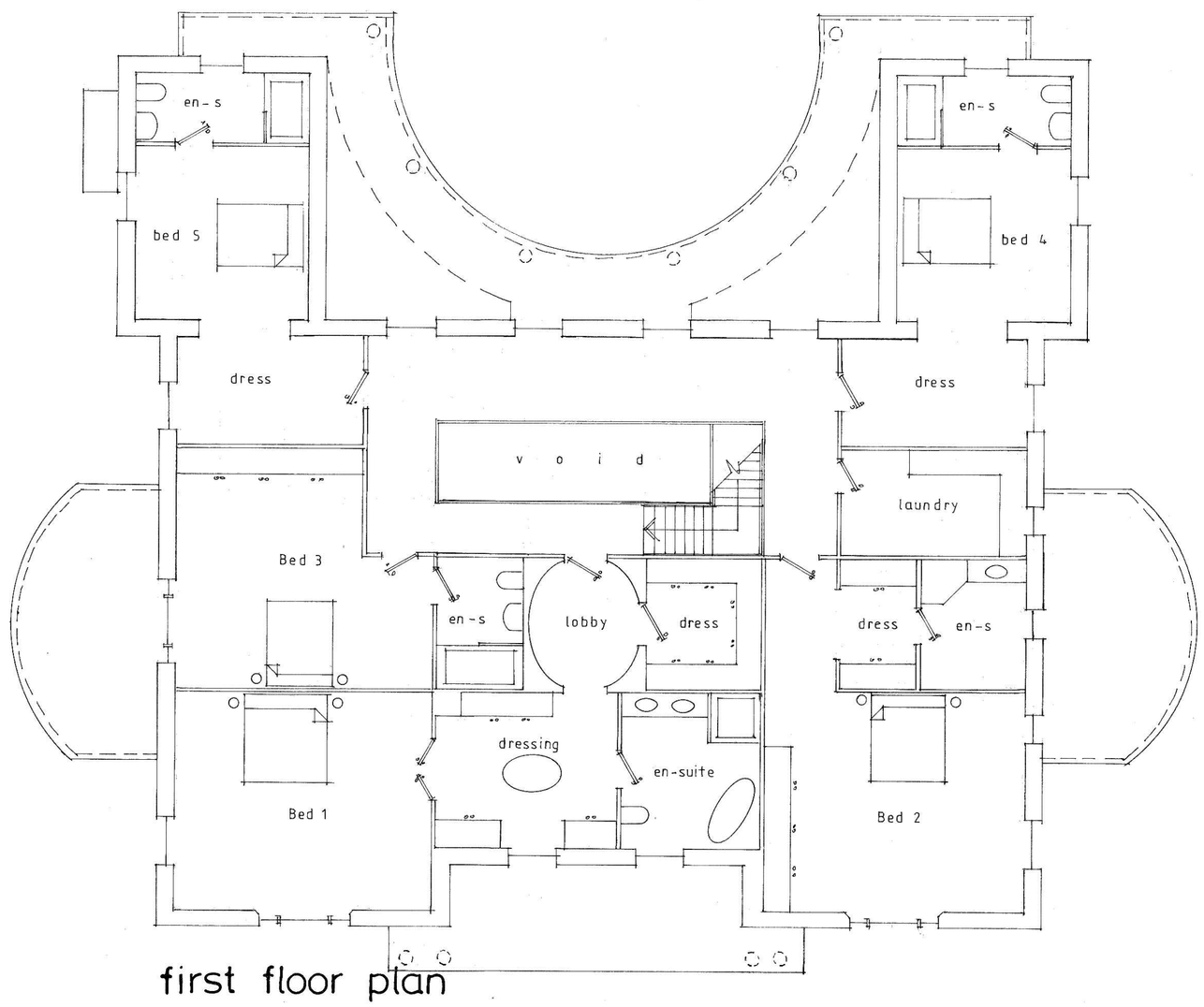
north elevation



west elevation



ground floor plan



first floor plan

0 2 4 6m

Page 41

B orientation 11/2/19

A Elevations amended to show detailing and materials. North point amended 01.08.18

revisions date

project

BOURNE PARK
HURSTBOURNE TARRANT

drawing

design scheme

scale 1 : 100 @ A1 date DEC '17

drawing no 161034~104 B

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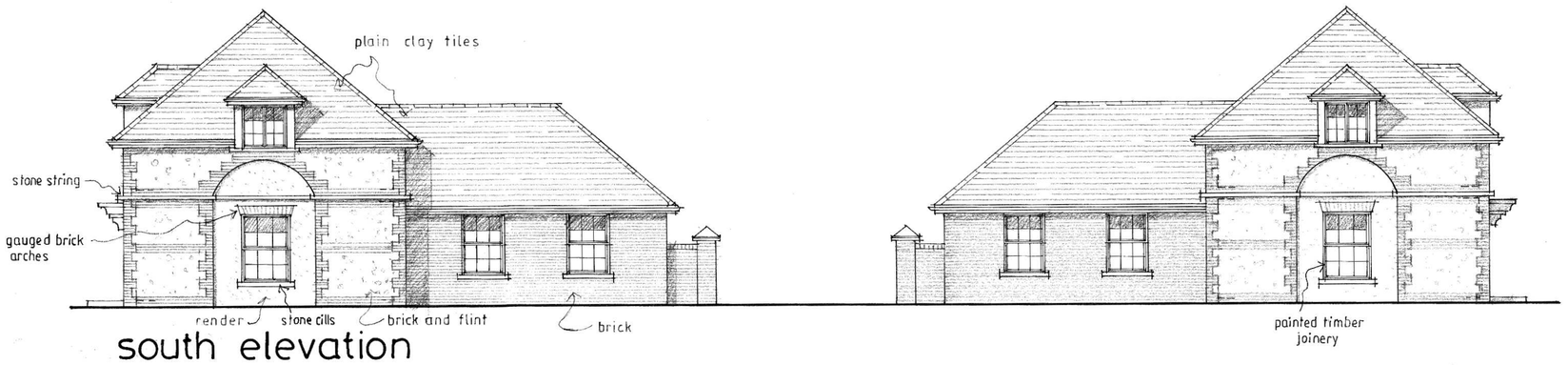
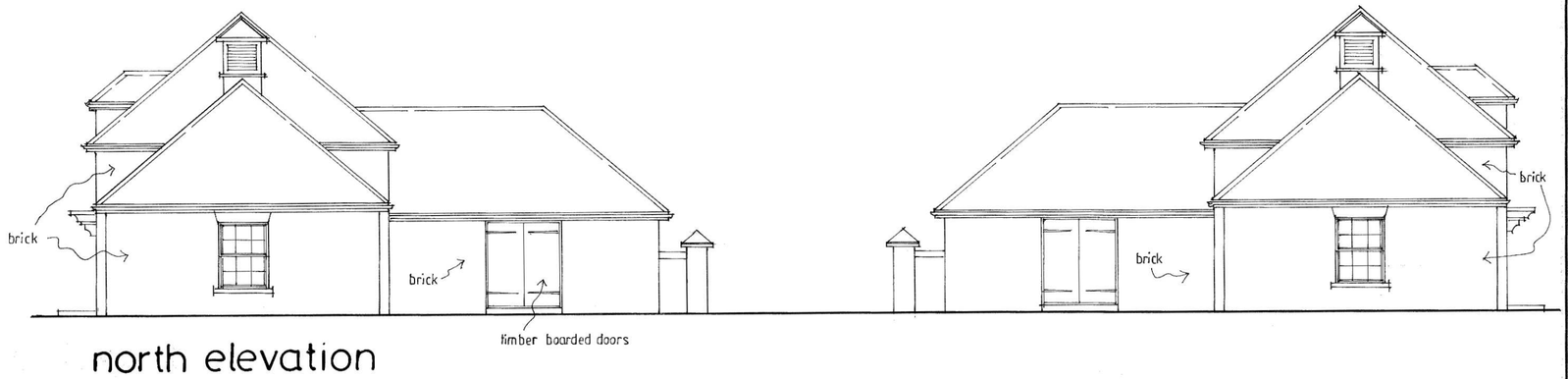
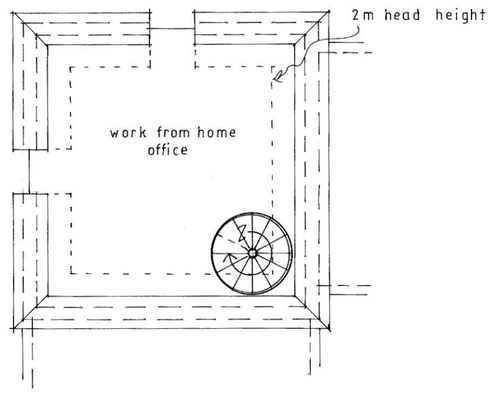


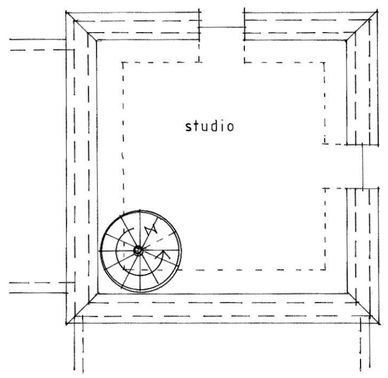
south elevation

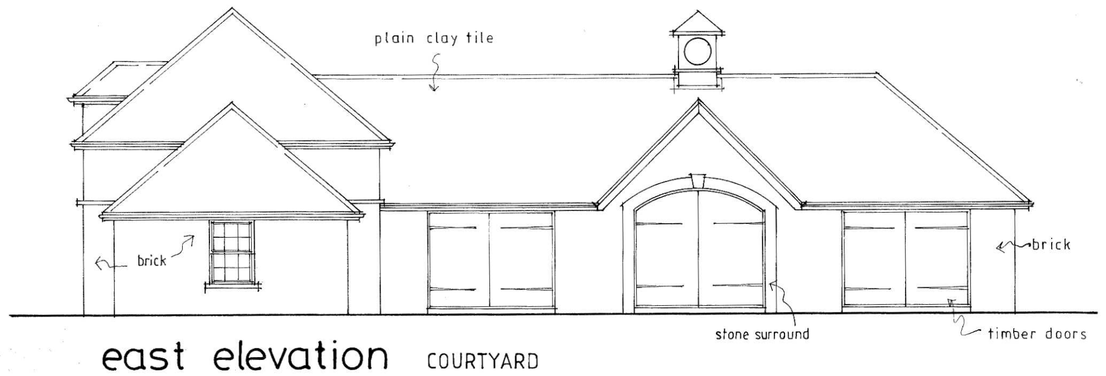


north elevation

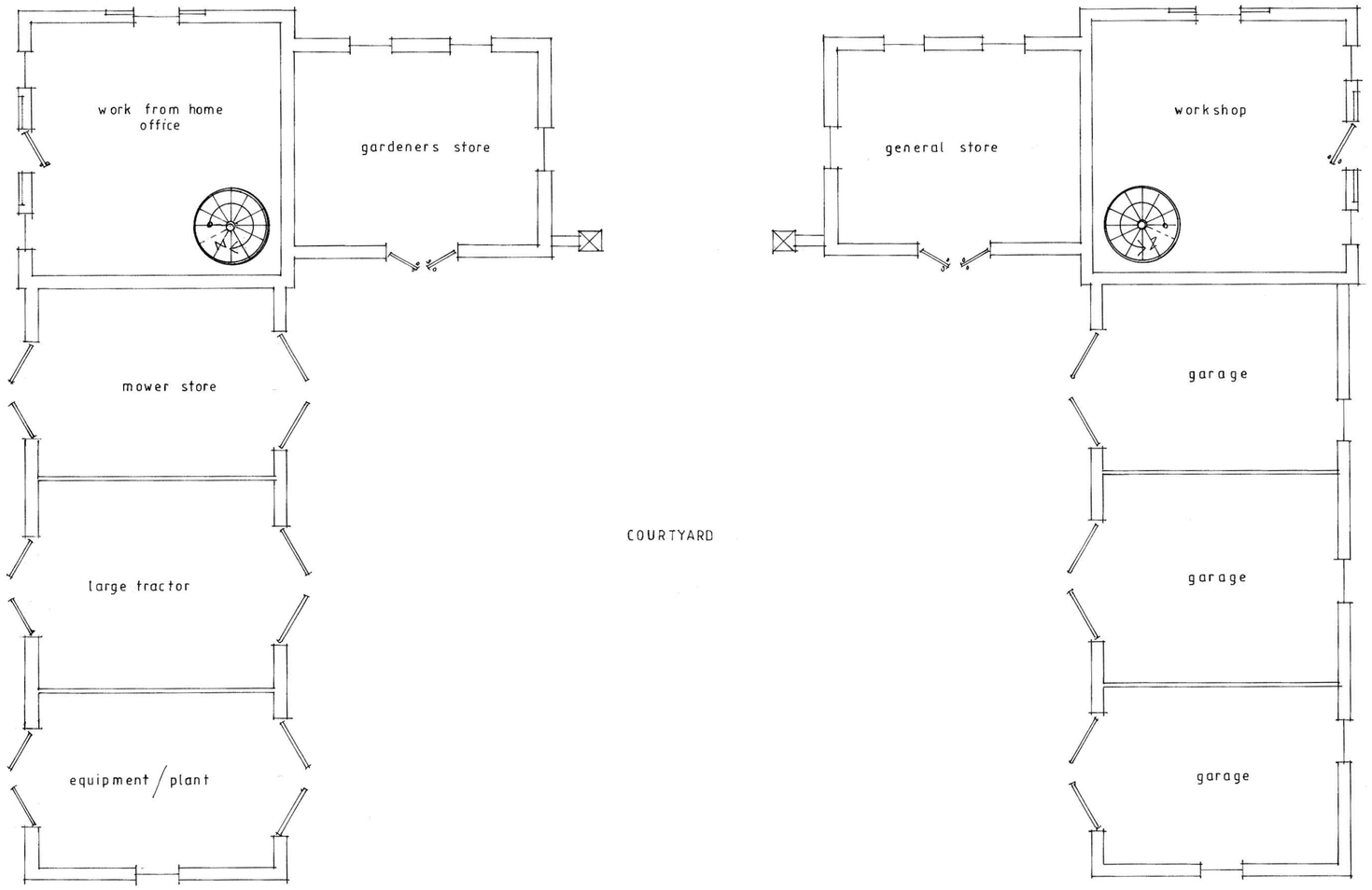


first floor plan



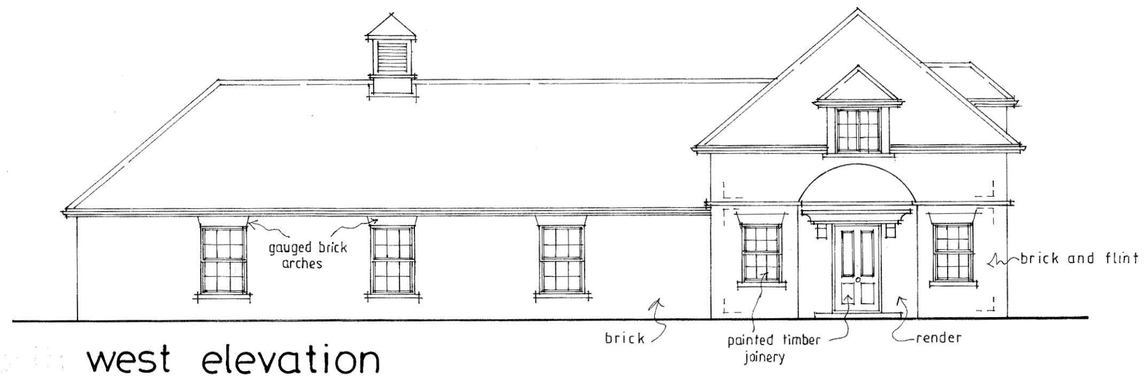


east elevation COURTYARD

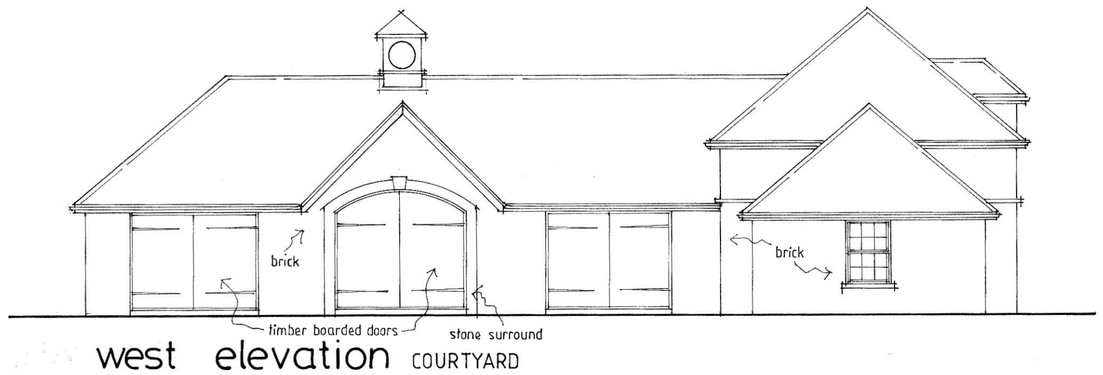


ground floor plan

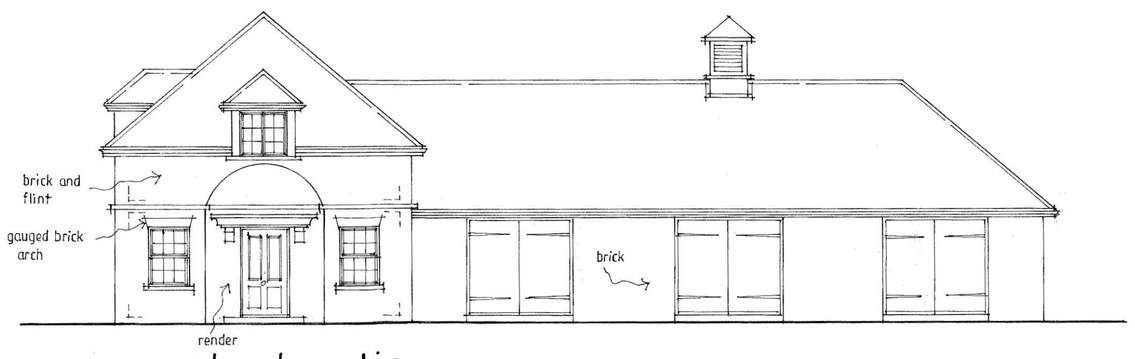
0 2 4 6m



west elevation



west elevation COURTYARD



east elevation

B orientation 11/2/19
A Notes added & North point amended 01.08.18

revisions date

Contractors, Sub Contractors and Suppliers are to check all relevant dimensions and levels of site and buildings before commencing any shop drawings or building work.

project

BOURNE PARK
HURSTBOURNE TARRANT

drawing

garages & stores

scale 1 : 100 @ A1

date MARCH '18

drawing no 161034~107 B

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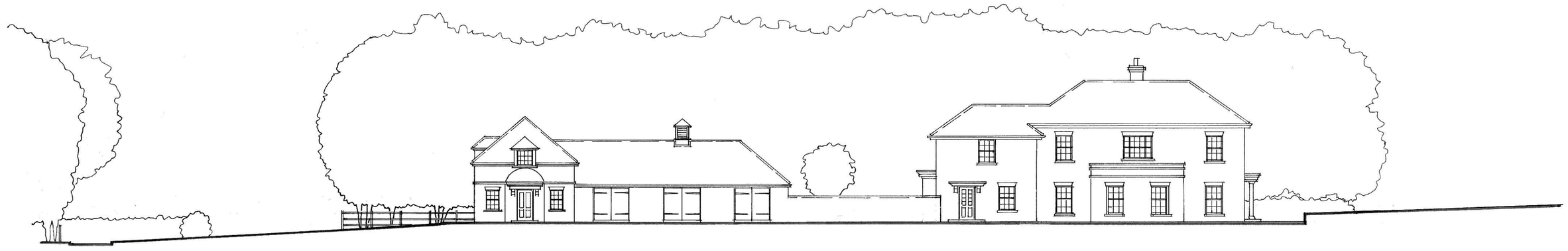
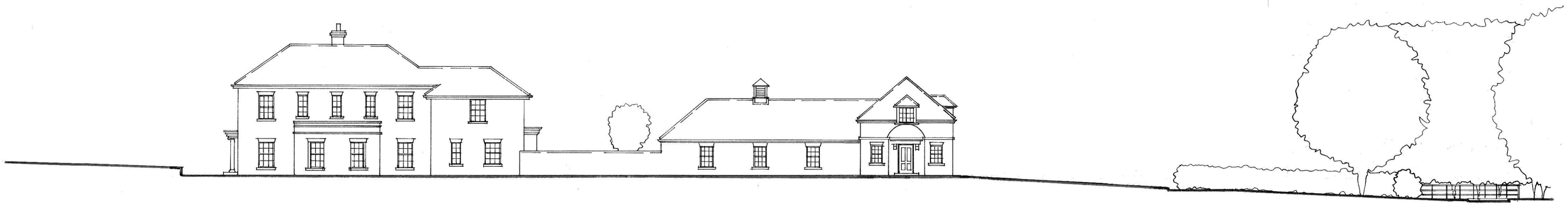


south east elevation

south west elevation



north west elevation

north east elevation

0 2 4 6 8 10m

A Topographical revisions to SE &NW elevations 03.10.18

revisions date

project

BOURNE PARK
HURSTBOURNE TARRANT

drawing

elevations

scale 1 : 200 @ A1

date JULY 2018

drawing no 161034-109 A

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