

## Notice of Meeting

# Southern Area Planning Committee

**Date:** Tuesday 28 January 2020

**Time:** 5.30 pm

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

**For further information or enquiries please contact:**

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**Legal and Democratic Service**

Test Valley Borough Council,  
Beech Hurst, Weyhill Road,  
Andover, Hampshire,  
SP10 3AJ

[www.testvalley.gov.uk](http://www.testvalley.gov.uk)

### **PUBLIC PARTICIPATION SCHEME**

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

### **Membership of Southern Area Planning Committee**

#### **MEMBER**

#### **WARD**

Councillor M Cooper (Chairman)

Romsey Tadburn

Councillor A Finlay (Vice-Chairman)

Chilworth, Nursling & Rownhams

Councillor G Bailey

Blackwater

Councillor P Bundy

Chilworth, Nursling & Rownhams

Councillor J Burnage

Romsey Cupernham

Councillor A Dowden

Valley Park

Councillor C Dowden

North Baddesley

Councillor S Gidley

Romsey Abbey

Councillor M Hatley

Ampfield & Braishfield

Councillor J Parker

Romsey Tadburn

Councillor A Ward

Mid Test

Councillor A Warnes

North Baddesley

## **Southern Area Planning Committee**

Tuesday 28 January 2020

### **AGENDA**

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

- 1 Apologies**
- 2 Public Participation**
- 3 Declarations of Interest**
- 4 Urgent Items**
- 5 Minutes of the meeting held on 10 December 2019**
- 6 Information Notes 4 - 9**
- 7 19/02002/FULLS - 15.08.2019 10 - 40**  
  
**(OFFICER RECOMMENDATION: PERMISSION)**  
SITE: Blue Hayes, Salisbury Road, Shootash, SO51 6GA  
**WELLOW**  
CASE OFFICER: Mr Paul Goodman
- 8 19/02808/VARS - 25.11.2019 41 - 48**  
  
**(OFFICER RECOMMENDATION: PERMISSION)**  
SITE: 53 Cutforth Way, Romsey, SO51 0BN **ROMSEY**  
**EXTRA**  
CASE OFFICER: Mr Nathan Glasgow
- 9 16/02494/NMA1 - 12.11.2019 49 - 56**  
  
**(OFFICER RECOMMENDATION: APPROVAL)**  
SITE: Plaza Theatre, 40 Winchester Road, Romsey,  
SO51 8JA **ROMSEY TOWN**  
CASE OFFICER: Mr Mark Staincliffe

## **ITEM 6**

### **TEST VALLEY BOROUGH COUNCIL** **SOUTHERN AREA PLANNING COMMITTEE** **INFORMATION NOTES**

#### **Availability of Background Papers**

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

#### **Reasons for Committee Consideration**

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

- Applications which are contrary to the provisions of an approved or draft development plan or other statement of approved planning policy where adverse representations have been received and which is recommended for approval.
- Applications (excluding notifications) where a Member requests in writing, with reasons and within the stipulated time span, that they be submitted to Committee. A Member can withdraw this request at any time prior to the determination of the application to enable its determination under delegated powers
- Applications submitted by or on behalf of the Council, or any company in which the Council holds an interest, for its own developments except for the approval of minor developments.
- To determine applications (excluding applications for advertisement consent, listed building consent, and applications resulting from the withdrawal by condition of domestic permitted development rights; Schedule 2, Part 1, Classes B, C, D, E, F, G, and H of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended) on which a material planning objection(s) has been received in the stipulated time span and which cannot be resolved by negotiation or through the imposition of conditions and where the officer's recommendation is for approval, following consultation with the Ward Members, the latter having the right to request that the application be reported to Committee for decision.



## **Public Speaking at the Meeting**

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

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

## **Content of Officer's Report**

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

## **Status of Officer's Recommendations and Committee's Decisions**

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

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

## **Conditions and Reasons for Refusal**

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

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

## **Decisions subject to Completion of a Planning Obligation**

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

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

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

## **Deferred Applications**

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

- \* The applicant may choose to withdraw the application. No further action would be taken on that proposal and the file is closed.
- \* Officers may recommend deferral because the information requested or amended plans have not been approved or there is insufficient time for consultation on amendments.
- \* The Committee may resolve to seek additional information or amendments.
- \* The Committee may resolve to visit the site to assess the effect of the proposal on matters that are not clear from the plans or from the report. These site visits are not public meetings.

## **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), and 'made' Neighbourhood Plans. 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 19<sup>th</sup> February 2019 the Government published a revised National Planning Policy Framework (NPPF). The revised NPPF replaced and superseded the previous NPPF published in 2018. 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

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<b>APPLICATION NO.</b>	19/02002/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	15.08.2019
<b>APPLICANT</b>	Trusty Tufty Ltd
<b>SITE</b>	Blue Hayes, Salisbury Road, Shootash, SO51 6GA, <b>WELLOW</b>
<b>PROPOSAL</b>	Conversion to dwelling, erection of dwelling, and construction of access
<b>AMENDMENTS</b>	Additional/Amended plans received 20.08.2019 & 01.10.2019
<b>CASE OFFICER</b>	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

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### 1.0 INTRODUCTION

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

### 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is situated to the north eastern side of Salisbury Road and within the countryside area of Shootash, within Wellow parish. The site was last in use as a restaurant, now closed, and includes ancillary manager's accommodation. The site is subject to an extant permission for conversion of the restaurant area to a dwelling.

### 3.0 PROPOSAL

- 3.1 The application proposes the conversion of the former restaurant and managers dwelling to a single dwelling and the erection of a replacement dwelling and construction of access.

### 4.0 HISTORY

- 4.1 19/00741/FULLS - Conversion of restaurant (Class A3) to 2 dwellings. Permission 21.05.2019.
- 4.2 07/00236/FULLS - Change of use of land to provide log cabins for bed and breakfast accommodation ancillary to restaurant. Refused 08.05.2007.
- 4.3 TVS.00302/3 - Outline: Extension to and conversion of part of property to C1 use in addition to the existing restaurant use. Refused 11.08.1999.
- 4.4 TVS.00302/2 - TVS.302/2 Outline: Staff dwelling - land adjacent to the Blue Hayes Restaurant, Salisbury Road, Wellow. Refused – 21.04.1981. Appeal dismissed – 27.11.1981.

- 4.5 TVS.00302/1 Front cloakroom extension - Blue Hayes Restaurant, Salisbury Road, Shootash. Permission subject to conditions – 04.08.1980.
- 4.6 TVS.00302 Dwelling house - adjoining Blue Hayes, Salisbury Road, Shootash, Wellow. Refused - 09.10.1974.

## 5.0 **CONSULTATIONS**

- 5.1 **Planning Policy & Transport (Policy)** – Comment;
- 5.2 **Planning & Building (Landscape)** – No objection, subject to condition.
- 5.3 **Planning & Building (Trees)** – No objection, subject to condition.
- 5.4 **Ecology** – No objection, subject to condition.
- 5.5 **Highways** – No objection, subject to condition.
- 6.0 **REPRESENTATIONS** Expired 18.10.2019
- 6.1 **Wellow PC** – Objection;
- Council objects to the above application because this is outside of the settlement boundary.
- 6.2 **Romsey & District Society (Planning Committee)** – No objection;
- It is noted that the detached dwelling would strictly be regarded as being out with the approved local plan. However the modern design would appear to compliment the existing Thatched Cottage and we have no objection.
- 6.3 **Kingsclere, Salisbury Road** – Objection;
- The proposed second dwelling is too far forward on the plot and in view from my frontage.
  - The design of the new dwelling is not at all in keeping with the area.
  - I live next door. My property is a lovely quaint thatched cottage next door to the Blue Hayes which is also a thatched property and the new design is flat roof and no character and insults the beauty of the thatched cottages.
  - Also the large white square wall facing towards my property.
  - I have advised the applicant that I thought the design was awful. The style chosen looks more like a block of flats.
  - I don't really understand why the position of the property would be so far forward I was concerned that another property may be built in the middle I don't mind a second dwelling being built but didn't want it to downgrade the current majestic beauty of my thatched property.
  - I would also like to know their plans for drainage considering we have septic tanks & also any plans to expand gas tank or building or erecting Oil tanks for heating.

## 7.0 **POLICY**

- 7.1 **National Planning Policy Framework 2019** National Planning Policy Framework.

- 7.2 **Test Valley Borough Revised Local Plan (2016) (TVBRLP) COM2**  
(Settlement Hierarchy), COM12 (Replacement Dwellings in the Countryside), E1 (High Quality Development in the Borough), E2 (Protect, Conserve and Enhance the Landscape Character of the Borough), E5 (Biodiversity), E7 (Water Management), E8 (Pollution), E9 (Heritage), LHW4 (Amenity), T1 (Managing Movement), T2 (Parking Standard).

8.0 **PLANNING CONSIDERATIONS**

The main planning considerations are the principle for development, character of the area, highways, protected species & ecology and amenity.

8.1 **Principle of development**

The application site is, for the purposes of planning policy, within the countryside. The application site is not allocated for development in the currently saved policies of the Local Plan. The principle planning policy of the TVBLP therefore is policy COM2. Planning policy COM2 seeks to restrict development outside of settlement boundaries unless identified within the specified policies. The specified policies include COM12 which provides for the erection of replacement dwellings in the countryside. In summary it is considered that the permitted change of use has resulted in two properties on the site and as a result the principle of a replacement dwelling has been established. The planning history and fall back position is considered in more detail below.

8.2 Planning History

The application site benefits from an extant permission for conversion of the former restaurant to 2 dwellings. The extant permission provides for the building to be subdivided internally with the existing manager accommodation forming the basis of Plot 1 and the remainder of the restaurant area Plot 2. On the basis of the available evidence it was considered that there was no viable interest in the continued use of the site as a restaurant or alternative commercial business. As a result the change of use was considered to comply with policy LE16 and was granted permission. Further consideration of the fall back situation is given below but in this instance it is also relevant that the change of use permitted requires no extension to the building with works limited to the internal arrangements and the introduction of new roof lights and ground floor fenestration which would not require planning permission in their own right.

8.3 Fall Back Position

The principle of a fall position was examined in an appeal (APP/C1760/W/16/3154235 – Barrow Hill Barns, Goodworth Clatford). In that case the site benefited from a notification for prior approval under Class J (now Class O) of the Town and Country Planning (General Permitted Development) Order 1995 (GPDO) for the conversion of the existing building into 5 residential units.

- 8.4 In considering the probability that the permitted scheme would be feasible and would be implemented if the appeal scheme for the replacement of the building for 5 dwellings failed at appeal the Inspector stated:



*"I have no evidence before me to doubt the appellant in respect of these matters. I therefore find that the fall-back position to convert the building into 5 dwellings is therefore more than a theoretical prospect; there is likely to be a high probability that the scheme would be constructed if the appeal proposal is dismissed."*

- 8.5 When considering the planning balance, the Inspector recognised that the proposal would conflict with policy COM2 of the RLP, but considered the likely residential use of the site a material consideration which would justify making a decision which did not in accord with the development plan.

*"However, the appellant's fall-back position to change the use of the existing buildings upon the site is a very real possibility. The effects of the appeal proposal would be unlikely to be discernible over and above the permitted development scheme for the reasons given. I regard the likely residential use of the site, a material consideration which would, in this case, justify making a decision which is not in accordance with the development plan."*

The appeal was allowed on this basis.

- 8.6 The assessment of principle, as outlined by the Inspectors decision, has subsequently been followed in recent applications at Upper Eldon Farm (17/02335/FULLS & 17/02336/FULLS), Marsh Court Farm (18/00569/FULLS) and Oaklands Farm (18/02613/FULLS) which were recommended for permission by Officers and subsequently approved at Southern Area Planning Committee.
- 8.7 In this case the fall back position established by the change of use permission is considered to go beyond those comparable cases above where the associated prior approvals and permissions required significant building works in order to establish the presence of a dwelling on the sites. As outlined above the permitted change of use requires no extension to the building with works limited to the insertion of fenestration not requiring permission. In addition the building, having been in former use as a restaurant, benefits from a substantial construction suitable for habitation and has existing kitchen and bathroom facilities. The former managers dwelling requires no further alteration to be used as a separate dwelling and has remained occupied following the change of use permission.
- 8.8 As a result the change of use application is considered to be distinct from the other examples that involved significant construction works to agricultural buildings to be used as a dwelling. The application site can be used as two dwellings without any construction works or further planning permission. Significant weight is afforded to this situation as a material consideration in the determination of this application. The proposed development would therefore result in no net increase in dwellings at the site and it is considered that the scheme should be properly considered as a replacement dwelling under policy COM12.

- 8.9 Policy COM12 (Replacement Dwellings in the Countryside) states that the replacement of an existing dwelling within the countryside will be permitted provided that:
- a) the existing dwelling is not currently the subject of temporary permission; and
  - b) the size, siting and design of the proposal would not be more visually intrusive in the landscape.

- 8.10 The existing dwelling is not subject to a temporary permission and so its replacement is acceptable in principle in accordance with criterion a) of Policy COM12. Consideration of the visual impact of the proposals is given below.

8.11 **Character and Appearance**

The site is located outside the settlement boundary within the countryside; however it has no further landscape designations. The closest public right of way is located over 100m to the north. As a result of the neighbouring properties and mature planting no views of the site are available from the right of way. The site is bordered to the south and west by mature woodland and as a result public views of the site are limited to those from the adjacent highway. Currently the site has some prominence as a result of the large gravel parking area associated with the former restaurant use and the notably more open frontage compared to neighbouring residential properties characterised by a low brick wall and limited planting. By comparison the neighbouring residential properties are characterised by mature boundary planting adjacent the highway.

- 8.12 The application proposes the conversion of the existing building comprising the former restaurant and managers dwelling to a single dwelling. The conversion works remain modest with external works limited to the addition of rooflights in the southeast and southwest elevations, and glazed sliding doors in the northwest elevation. The volume and form of the existing building would remain unchanged.
- 8.13 The second dwelling is proposed to be newly constructed to the southeast of the existing building within the garden area of the former restaurant. The proposed dwelling is of a more contemporary design. The design presents a predominantly single storey element to the highway with the majority of the two storey section situated adjacent the south east boundary with the woodland. The submitted design statement indicates that this is intended to create a sense that the building forms a conclusion to the string of development along Salisbury Road. The orientation of the two storey element reduces the visual impact of the proposals in the street scene. The small number of neighbouring properties are detached and of varying, but generally traditional, designs. The new building whilst of a contemporary appearance is considered to represent a good standard of design that would not detract from the character of the street scene in accordance with Policy E1.

- 8.14 With regard to the criterion a) of Policy COM12 and the supporting text reference to the percentage increase in volume from replacement dwellings the proposals are somewhat unusual. In this instance it is proposed to retain the existing building as a single dwelling, rather than two dwellings, and erect a second dwelling separately. Subject to a condition to ensure that, upon occupation of the new build, the existing building is limited to a single dwelling such an arrangement is acceptable in principle as there would be no net increase in dwellings at the site.
- 8.15 In this case the existing dwelling formed from the former restaurant would not be removed from the site and as such its replacement could not be located on the same footprint. The supporting text of Policy COM12 states that a replacement dwelling should be replaced on its original site or as close as possible unless relocating it elsewhere would result in a positive environmental benefit, including the local landscape or amenity.
- 8.16 The location of the new dwelling to the south of the site provides for a more equitable division of private garden space between the two dwellings. In addition the overall scheme allows for the removal of the large area of gravel parking associated with the previous restaurant use and the addition of new landscaped areas better in keeping with the neighbouring residential properties. With regard to amenity spaces the proposals allow for a more equal division of garden space in addition to improved separation between dwellings.
- 8.17 Overall the proposed development is considered to represent an improvement in the landscape character of the site and, combined with the well designed new development, and replacement rather than retention of the existing building would not be more visually intrusive in the landscape. As a result the proposals are considered to comply with criterion b) of Policy COM12 and policies E1 and E2 of the TVBRLP.
- 8.18 **Arboriculture**  
The Arboricultural Officer raised concern with regard to the original submission, specifically in relation to the proximity of the dwelling to the woodland on the south east boundary, and the relationship of the driveway to the frontage trees. Following those concerns revised plans and arboricultural information has been submitted to address the issues. The Arboricultural Officer has now raised no objection subject to a condition to ensure development is undertaken in accordance with the approved details.
- 8.19 **Highways**  
The proposals retain the existing access which benefits from adequate visibility splays in both directions to serve Plot1 and a new access to the south to serve Plot 2. Parking provision meets the required standard. In addition the proposed residential use would likely generate significantly less traffic than the previous restaurant use. The Highways Officer has raised no objection and the proposal is not considered to have an adverse transport or highway impact subject to conditions to ensure the provision and retention of the proposed parking and adequate visibility splays. Subject to the required conditions the proposals are considered to comply with policies T1 and T2 of the TVBRLP.

**8.20 Ecology**

The application is supported by a Preliminary Ecological Appraisal (Peach Ecology, March 2019). The Ecology Officer is satisfied that this represents the current conditions at the application site. No evidence of bats was found and no potential roost locations/ access points for bats to gain access to possible roost locations were identified. It was concluded that there was negligible potential for bats to be present. In view of the survey findings the Ecology Officer has advised that the development is unlikely to result in a breach of the law protecting bats and has raised no objection.

8.21 The report also recommends a number of measures for enhancing biodiversity at the site. The National Planning Policy Framework (NPPF) encourages measures that would result in biodiversity gains; the 'environmental' dimension of sustainable development. Additionally, Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 sets out that local authorities: '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'. Section 40(3) clarifies that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

8.22 In addition Policy E5 of the Test Valley Revised Local Plan also encourages opportunities to incorporate biodiversity in and around developments. As a result a condition is applied to secure the enhancement features detailed in section 5 of the Preliminary Ecological Appraisal. Subject to the required condition the proposals are considered to comply with Policy E5 of the TVBRLP.

**8.23 New Forest SPA**

The proposed development will not result in a net increase in dwellings at the site. The required contributions for the conversion application were made by direct payment prior to the issue of that permission and therefore no further mitigation is required.

**8.24 Nitrate Neutrality**

The river Test and its major tributaries flow into the river Solent. The Solent region is one of the most important for wildlife in the United Kingdom and is protected as such. There are currently high levels of nitrogen and phosphorus input into this water environment and there is evidence to suggest that this is having a detrimental impact on the biodiversity of this area. Housing and other certain types of development are currently contributing negatively towards this issue and there is evidence that further development would exacerbate this impact unless it can be shown that development can demonstrate nutrient neutrality. In this case the proposed development would not result in a net increase in dwellings and therefore, in accordance with the advice produced by Natural England (June 2019) is considered to be nitrate neutral.

**9.0 CONCLUSION**

- 9.1 The proposed works are considered to be acceptable in principle and have no detrimental impact on the character and appearance of the site, amenities of neighbouring properties, highways safety or protected species. The development complies with the relevant policies of the TVBLP 2016 and NPPF, and is therefore acceptable.

**10.0 RECOMMENDATION**

**PERMISSION subject to:**

1. The development hereby permitted shall be begun within three years from the date of this permission.  
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. No development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.
3. Development shall proceed in accordance with the measures set out in the Mitigation and Enhancement section 5 of the Preliminary Ecological Appraisal (Peach Ecology, March 2019) unless otherwise approved in writing by the Local Planning Authority. Thereafter, the enhancements shall be permanently maintained and retained in accordance with the approved details.  
Reason: To enhance biodiversity in accordance with Policy E5 of the Test Valley Revised Local Plan 2016, the NPPF and the Natural Environment and Rural Communities Act 2006.
4. The development shall not be occupied until space has been laid out for the parking and manoeuvring of vehicles to enable them to enter and leave the site in forward gear in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved plan and this space shall be reserved for such purpose at all times.  
Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 policy T2.
5. Prior to the commencement of development the access shall be constructed with the visibility splays of 2.4 by 120 metres and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1.0 metres above the level of the existing carriageway at any time.

**Reason:** In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

6. No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include-where appropriate: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.); retained historic landscape features and proposals for restoration, where relevant.

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

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

7. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Hellis arboriculture and landscape design Arboricultural Tree Report reference 19/09/157/NH dated December 2019.

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

8. On first occupation of the replacement dwelling hereby permitted the existing building known as Blue Hayes shall only be occupied as a single residential dwelling in accordance with the approved plans and for no other purpose.

**Reason:** In order ensure no net increase in residential dwellings in the countryside in accordance with policy COM2 of the Test Valley Borough Revised Local Plan 2016.

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

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

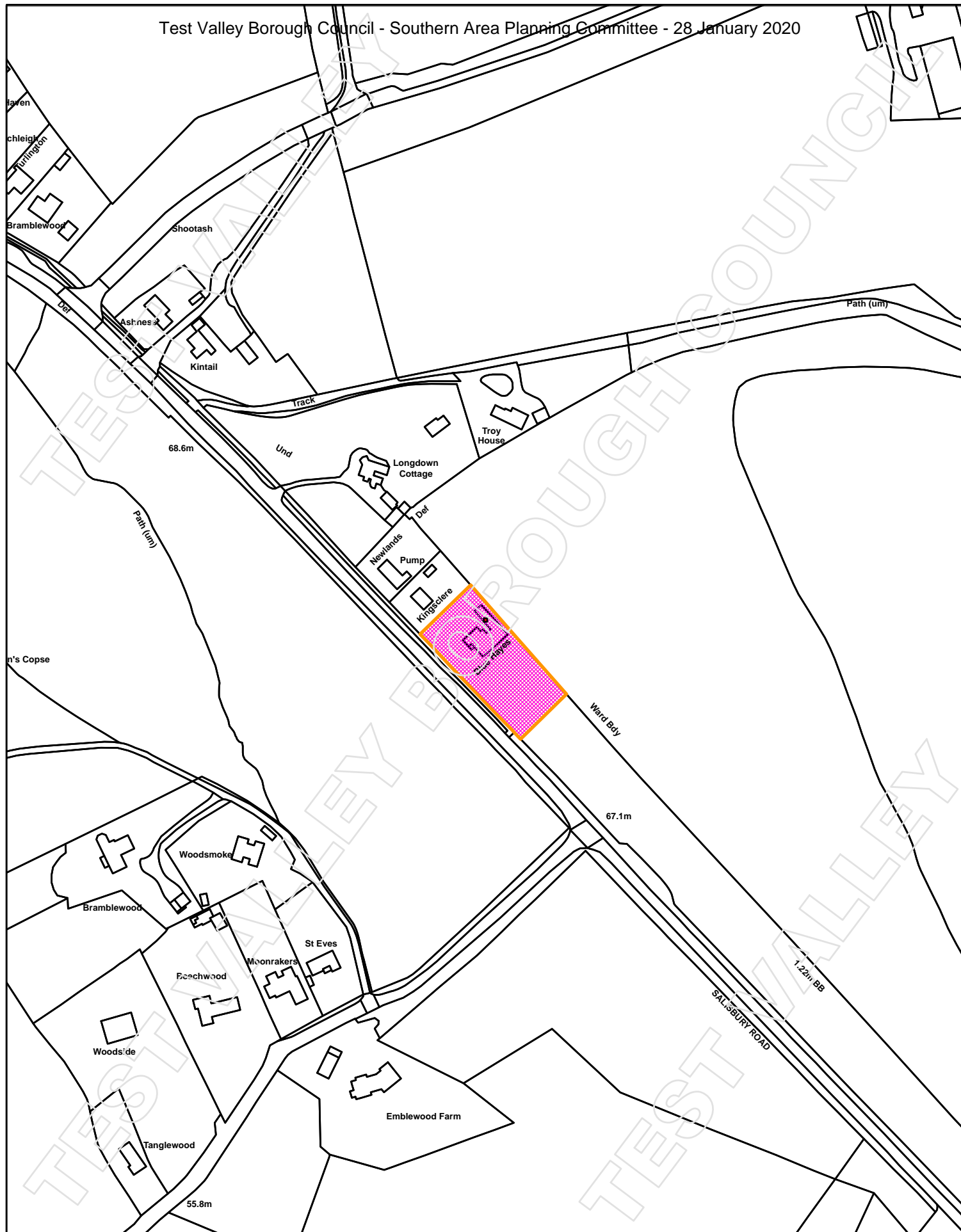
10. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

242-D-00 A  
242-D-01  
242-D-02  
242-D-03 C  
242-D-04  
242-D-05  
242-D-06  
242-D-07  
242-D-08  
242-D-09  
242-D-10  
242-D-11  
242-D-12  
242-D-13  
242-D-14  
242-D-15  
242-D-16 A  
242-D-17 A  
242-D-18 A  
242-D-19 A  
242-D-20 A  
242-D-21  
242-D-22  
242-D-23 A  
242-D-24

**Reason:** For the avoidance of doubt and in the interests of proper planning.

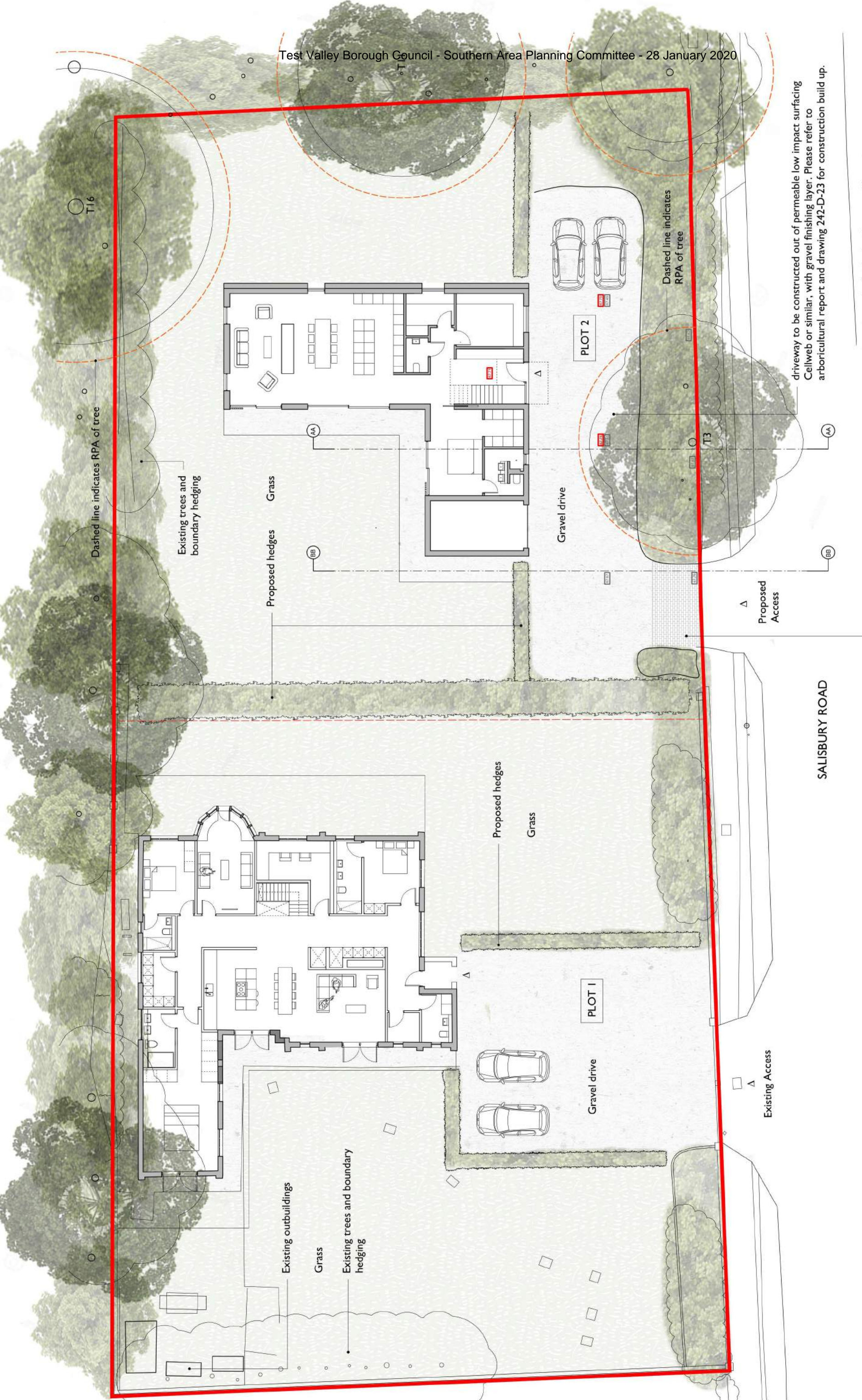
**Notes to applicant:**

1. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
  2. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
-



## Siteplan

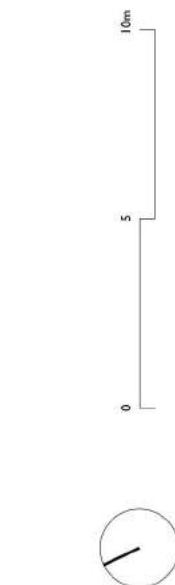




01 PROPOSED SITE PLAN

driveway to be constructed out of permeable low impact surfacing  
Cellweb or similar, with gravel finishing layer. Please refer to  
arboricultural report and drawing 242-D-23 for construction build up.

access into site to be finished with permeable paving setts  
on 200mm cellweb system or similar laid on geotextile  
membrane.

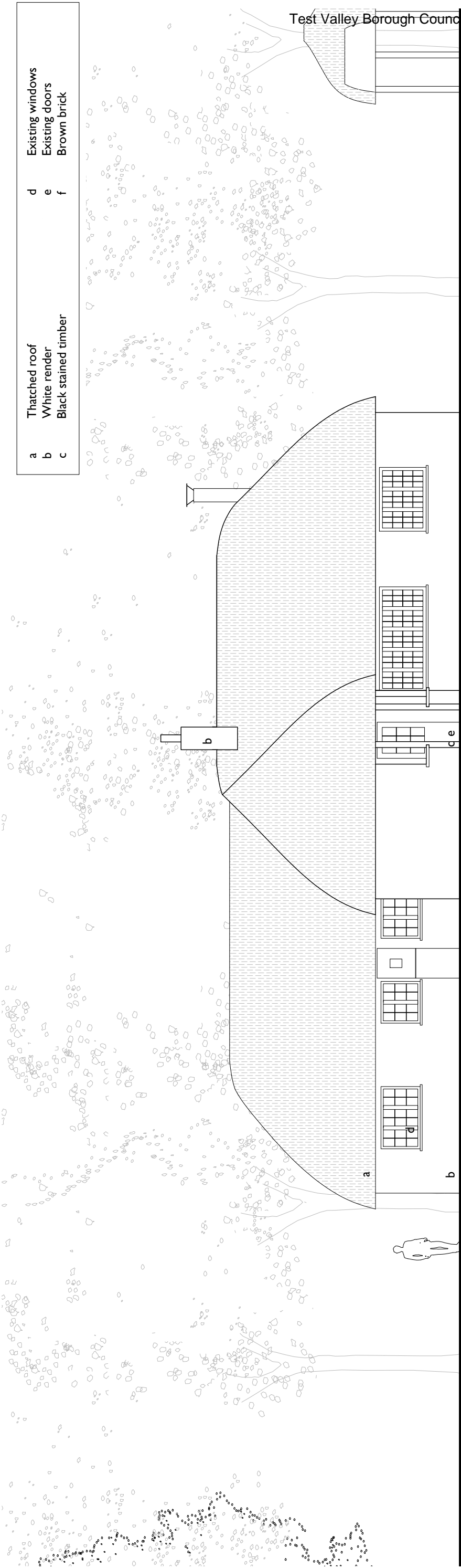


Status:	Planning
Scale:	1:200 @ A3
NOTE: This drawing is to be scaled for planning purposes only	

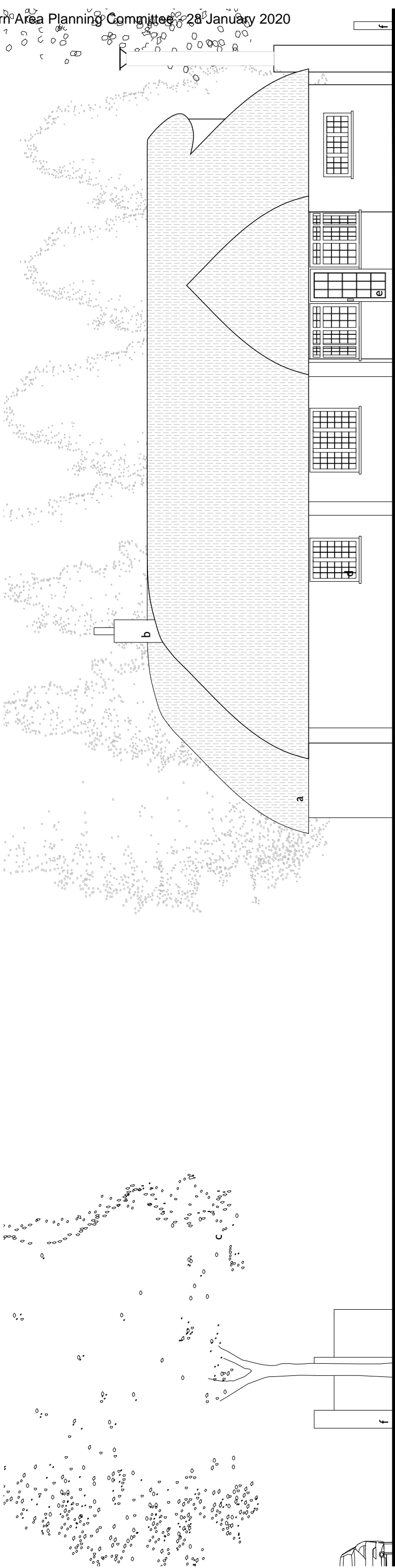
Drawing:	Proposed Site Plan
Dwg No:	242-D-03- REV C
Date:	12.11.2019

Project:	The Blue Hayes
Address:	The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
Client:	Clydesdale Group Ltd.



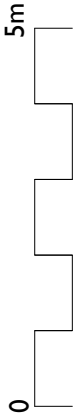


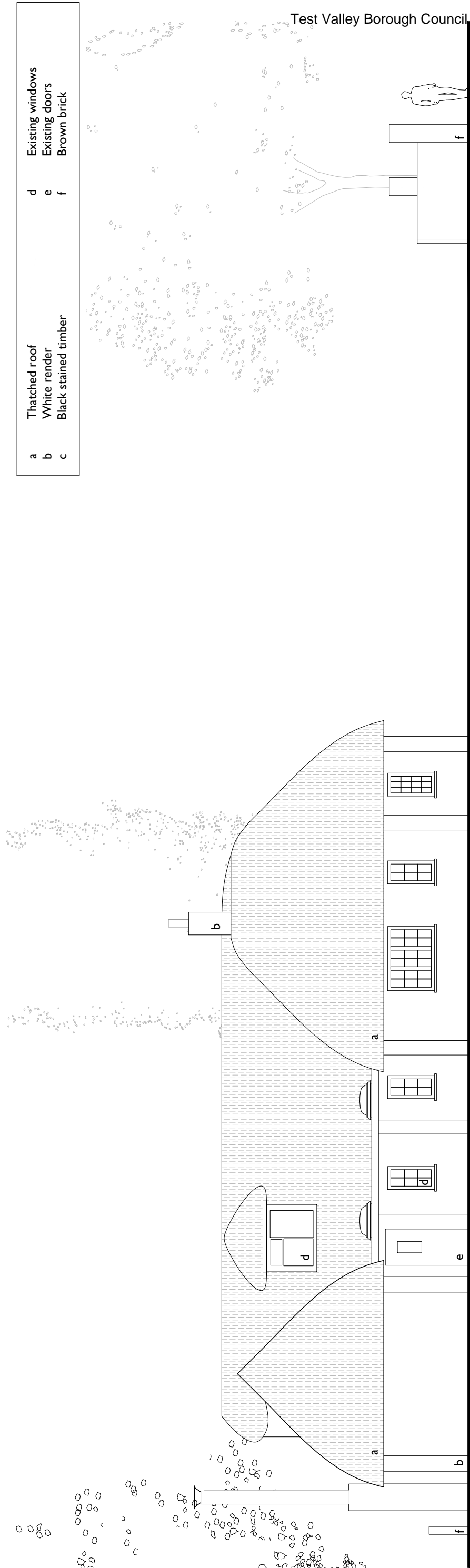
0 | EXISTING SOUTH-WEST ELEVATION



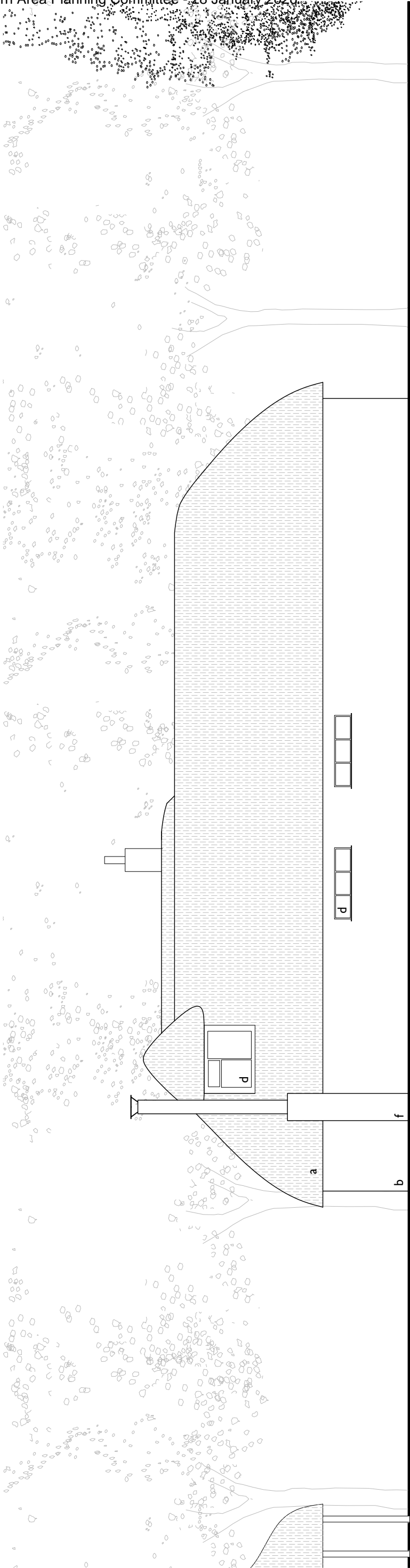
02 EXISTING SOUTH-EAST ELEVATION

Status:	Planning	Drawing:	Plot 1 - Existing Elevations	Project:	The Blue Hayes
Scale:	1:100 @ A3	Dwg No:	242-D-10	Address:	The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only			Date:	Client:	Clydesdale Group Ltd.



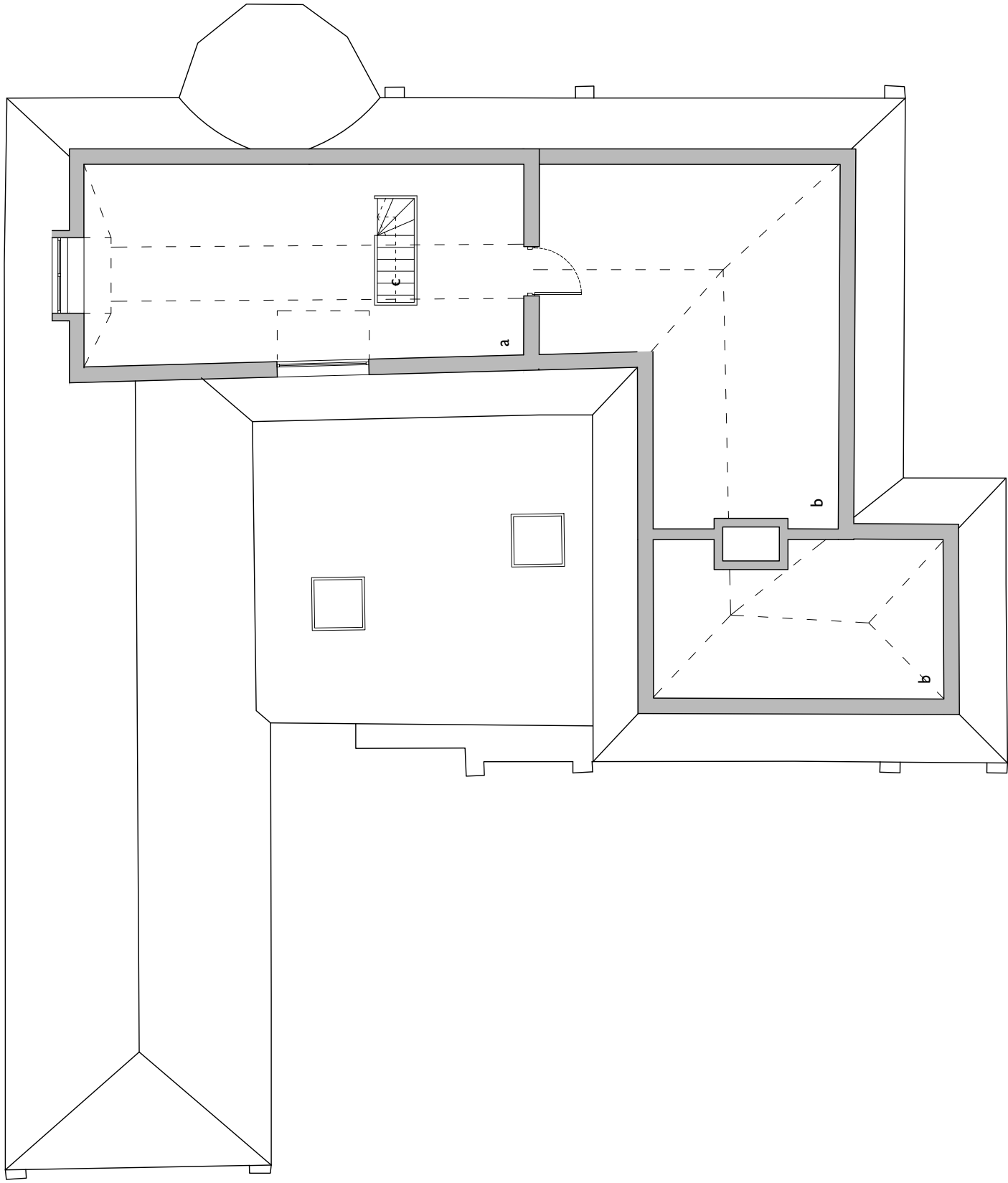


0 | EXISTING NORTH-WEST ELEVATION



02 EXISTING NORTH-EAST ELEVATION

<div><div></div><div>0</div><div>5m</div></div>	Status: Planning	Drawing: Plot 1 - Existing Elevations	Project: The Blue Hayes	<div><div>ob</div><div>architecture.</div><div>The Dispensary, 5-6 The Square, Winchester, Hants SO23 9ES 01962 865344    info@obarchitecture.co.uk</div></div>
	Scale: 1:100 @ A3	Dwg No: 242-D-11	Address: The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA	
	NOTE: This drawing is to be scaled for planning purposes only		Client: Clydesdale Group Ltd.	



a

b

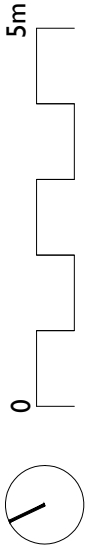
c

Study

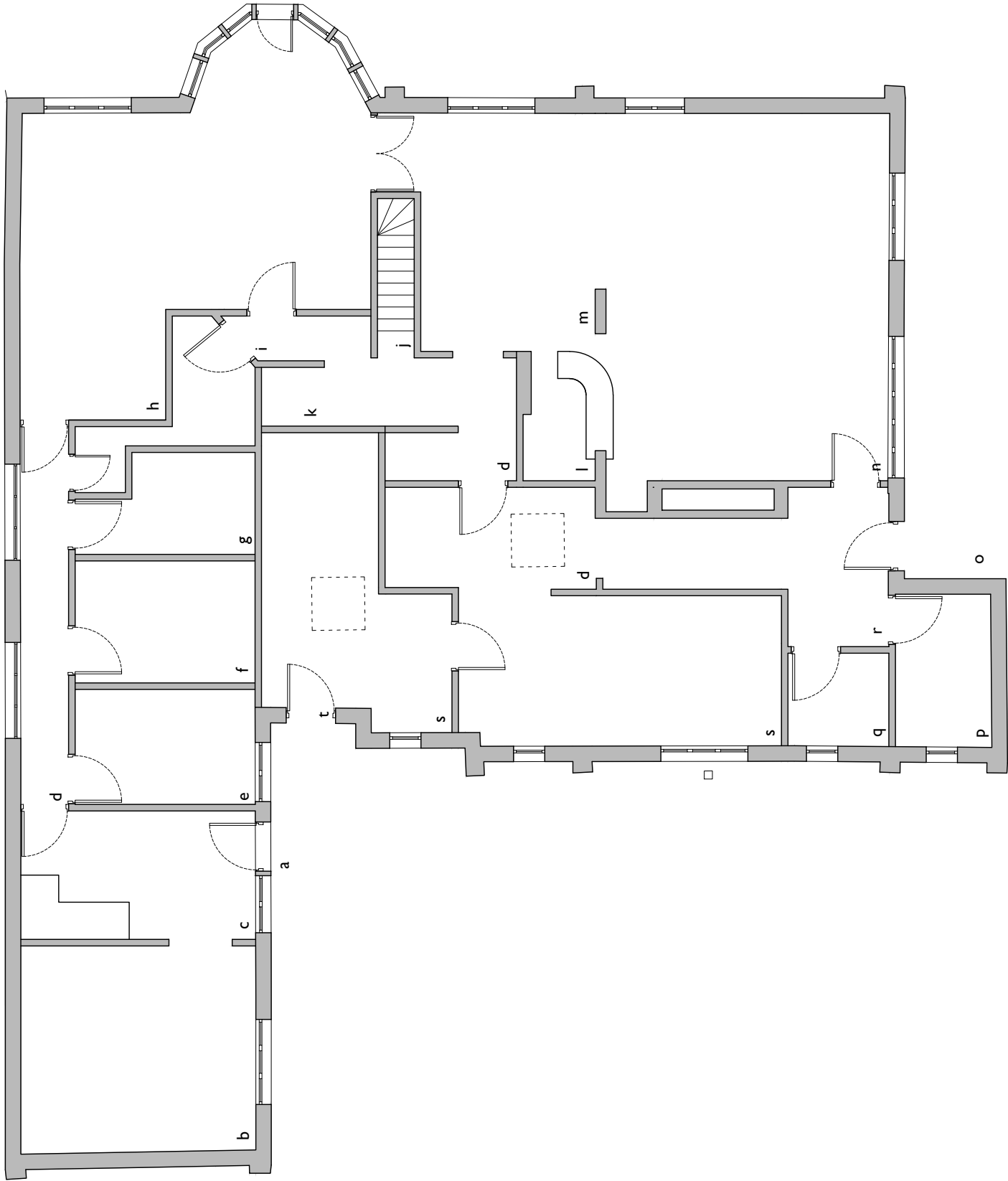
Loft space

Staircase

01 EXISTING FIRST FLOOR PLAN

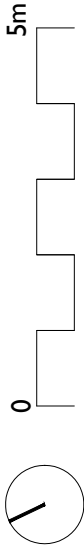


Status:	Planning	Drawing:	Plot 1 - Existing First Floor Plan	Project:	The Blue Hayes
Scale:	1:100 @ A3	Dwg No:	242-D-05	Address:	The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only			Date:	Client:	
			09.08.2019	Clydesdale Group Ltd.	

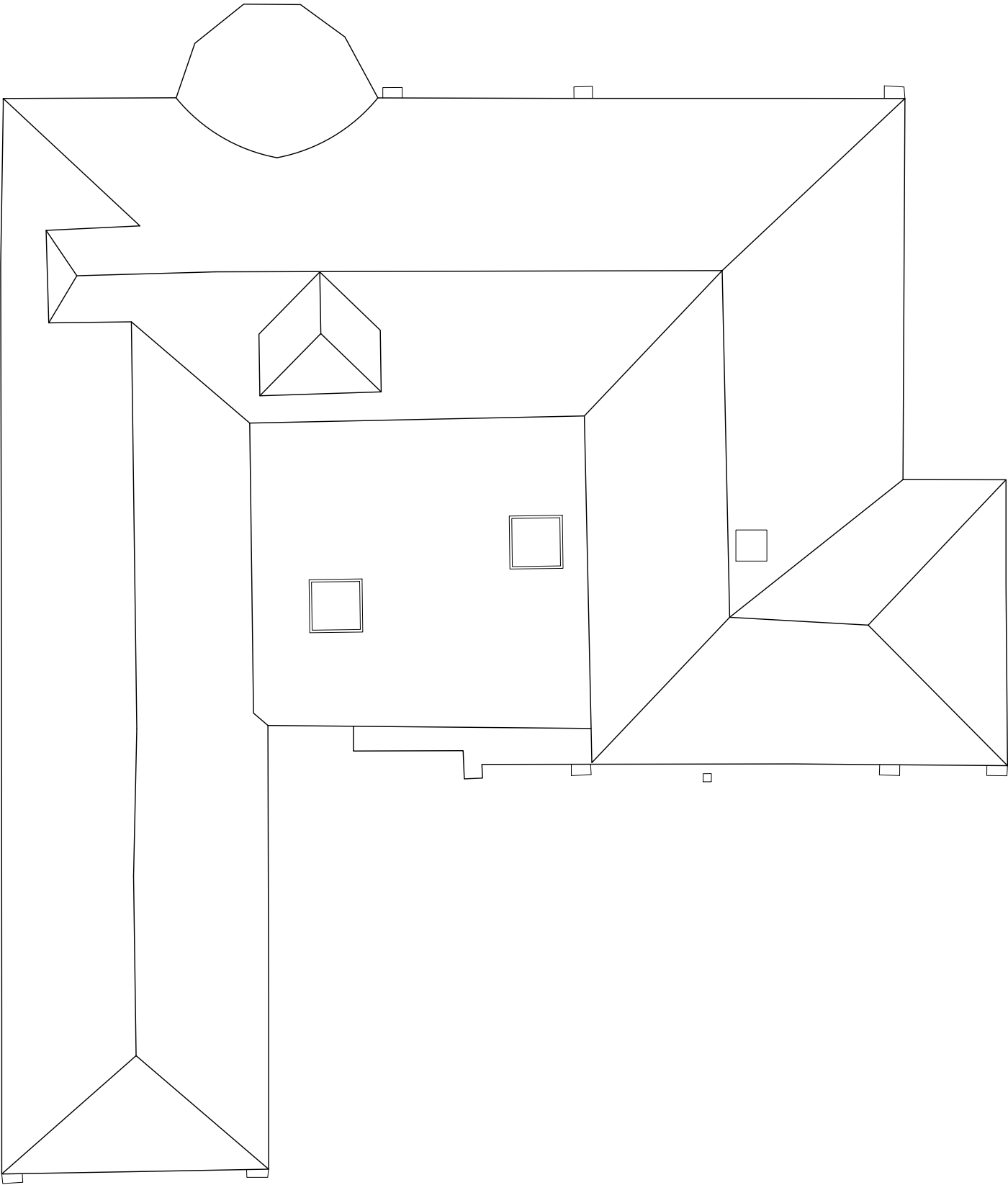


a	Entrance
b	Living room
c	Kitchen/Dining
d	Hall
e	Bedroom 1
f	Bedroom 2
g	Family bathroom
h	Restaurant dining 1
i	Flat back-entrance
j	Staircase
k	Storage
l	Bar
m	Restaurant dining 2
n	Restaurant dining 3
o	main restaurant entrance
p	Women's toilets
q	Men's toilets
s	Restaurant Kitchen
t	Back entrance

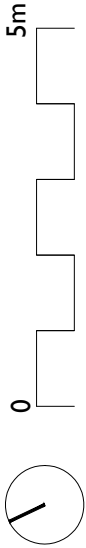
0 | EXISTING GROUND FLOOR PLAN



Status:	Planning	Drawing:	Plot 1 - Existing Ground Floor Plan	Project:	The Blue Hayes
Scale:	1:100 @ A3	Dwg No:	242-D-04	Address:	The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only			Date:	Client:	
					Clydesdale Group Ltd.

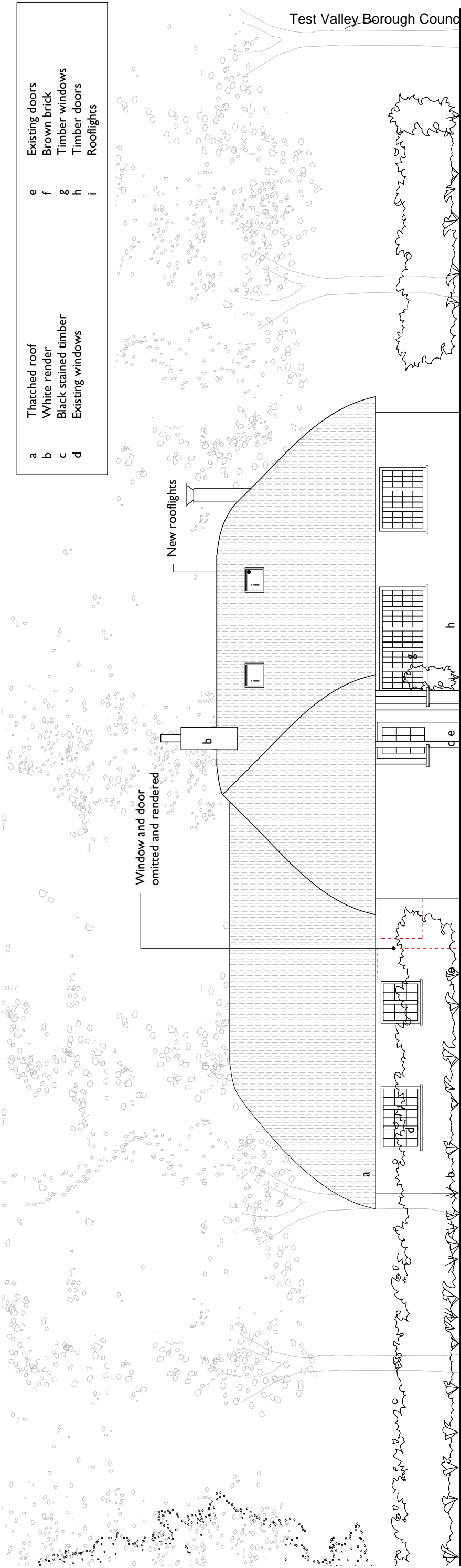


01 EXISTING ROOF PLAN

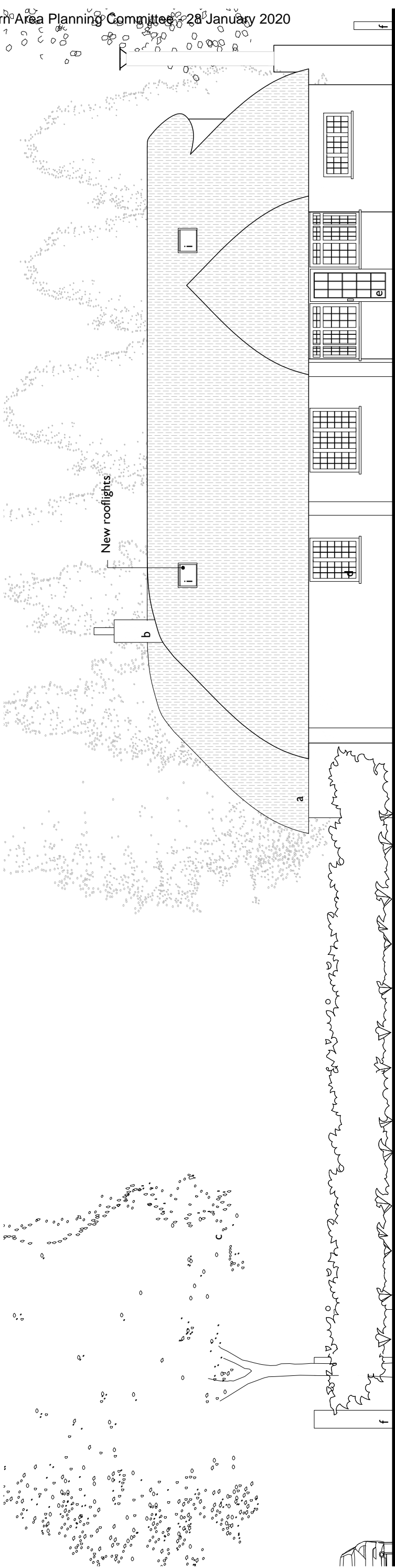


Status: Planning Scale: 1:100 @ A3	Drawing: Plot 1 - Existing Roof Plan Dwg No: 242-D-06 Date: 09.08.2019	Project: The Blue Hayes Address: The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA Client: Clydesdale Group Ltd.	The Blue Hayes

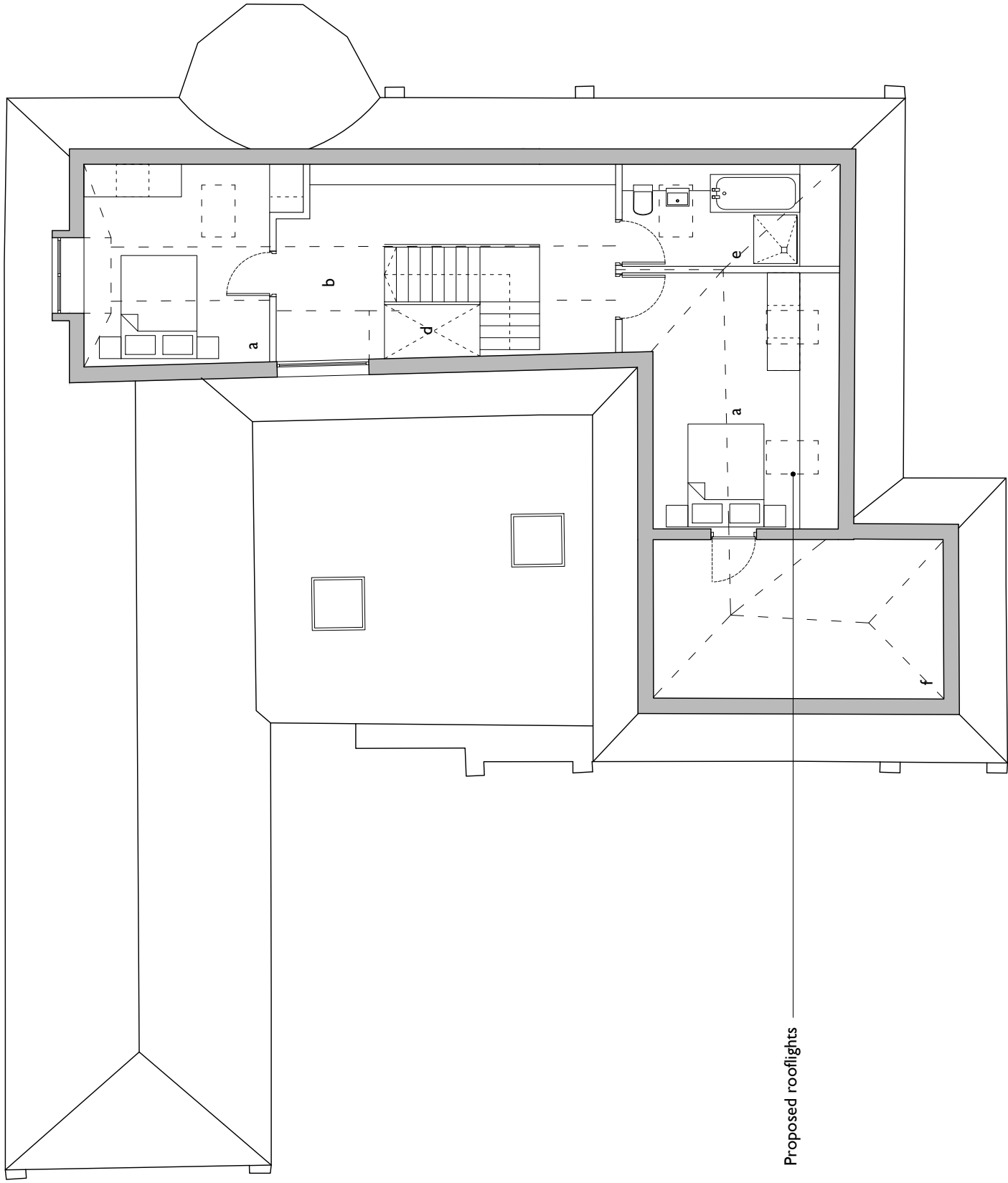




0 | PROPOSED SOUTH ELEVATION



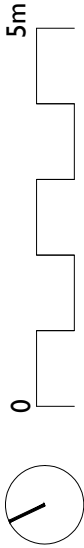
02 PROPOSED EAST ELEVATION



Proposed rooflights

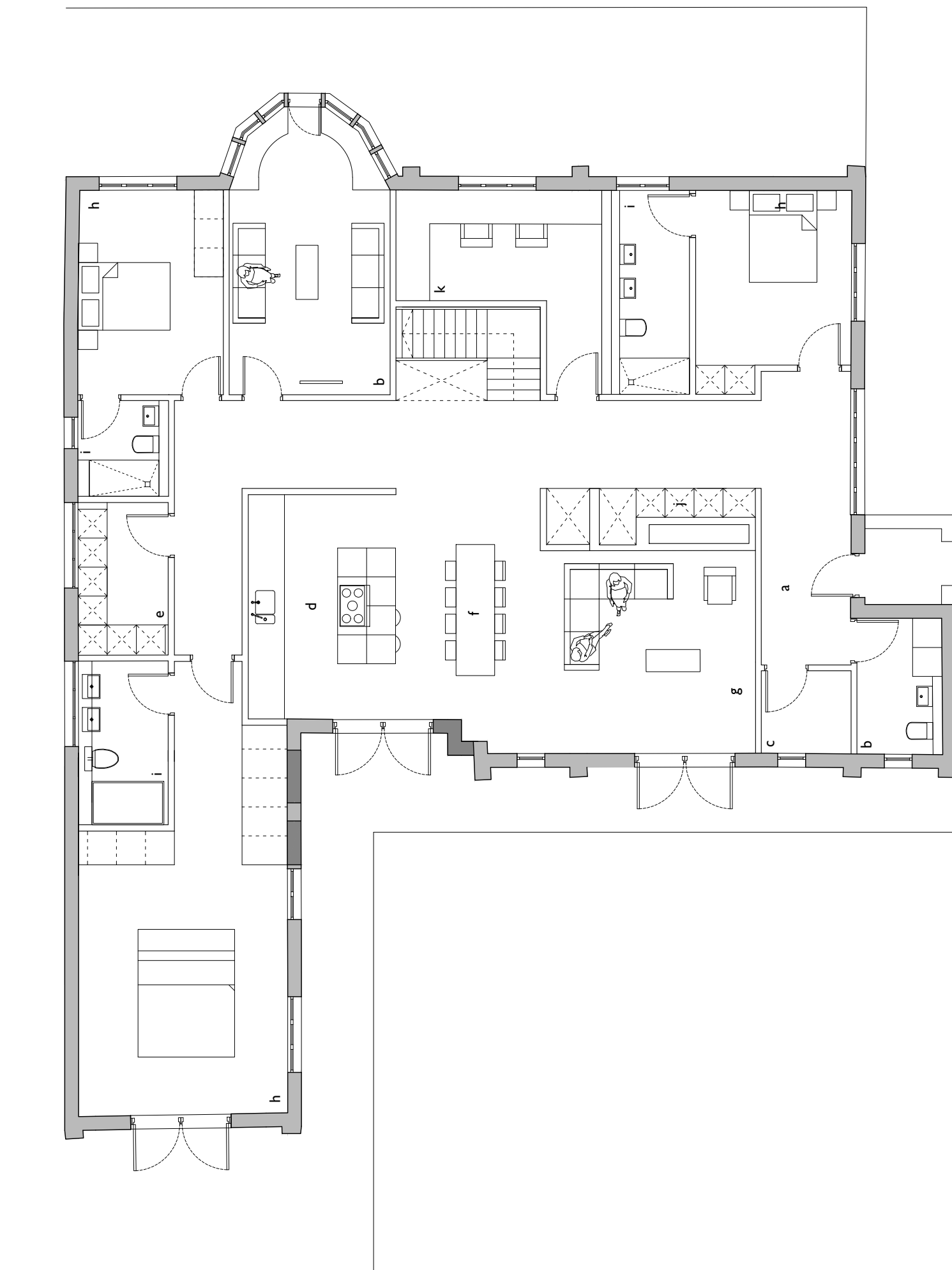
- a Bedroom
- b Landing
- c Storage
- d Staircase
- e Family Bathroom
- f Loft space

01 PROPOSED FIRST FLOOR PLAN



Status: Planning	Drawing: Plot 1 - Proposed First Floor Plan	Project: The Blue Hayes
Scale: 1:100 @ A3	Dwg No: 242-D-08	Address: The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only		Client: Clydesdale Group Ltd.
		Date: 09.08.2019





a	Entrance
b	WC
c	Store/cloak
d	Kitchen
e	Utility
f	Dining
g	Living
h	Bedroom
i	En-suite
j	Storage
k	Study
l	Family Bathroom

## 0 | PROPOSED GROUND FLOOR PLAN

Status: Planning  
Scale: 1:100 @ A3

Drawing: Plot I - Proposed Ground Floor Plan

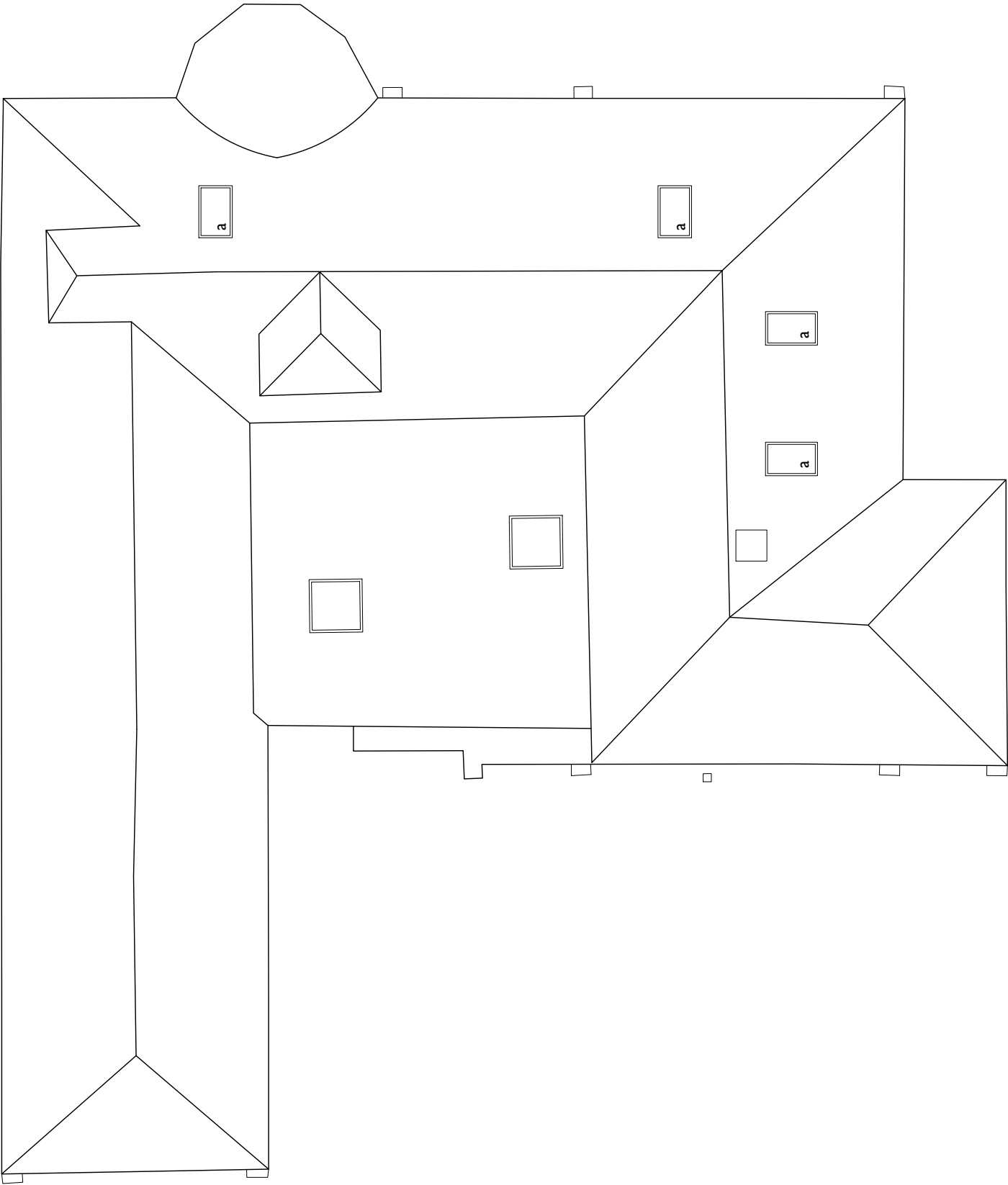
Dwg No: 242-D-07

NOTE: This drawing is to be scaled for planning purposes only

Project: The Blue Hayes

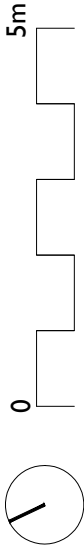
Address: The Blue Hayes, Salisbury Rd,  
West Wellow, Romsey SO51 6GA

Client: Clydesdale Group Ltd.

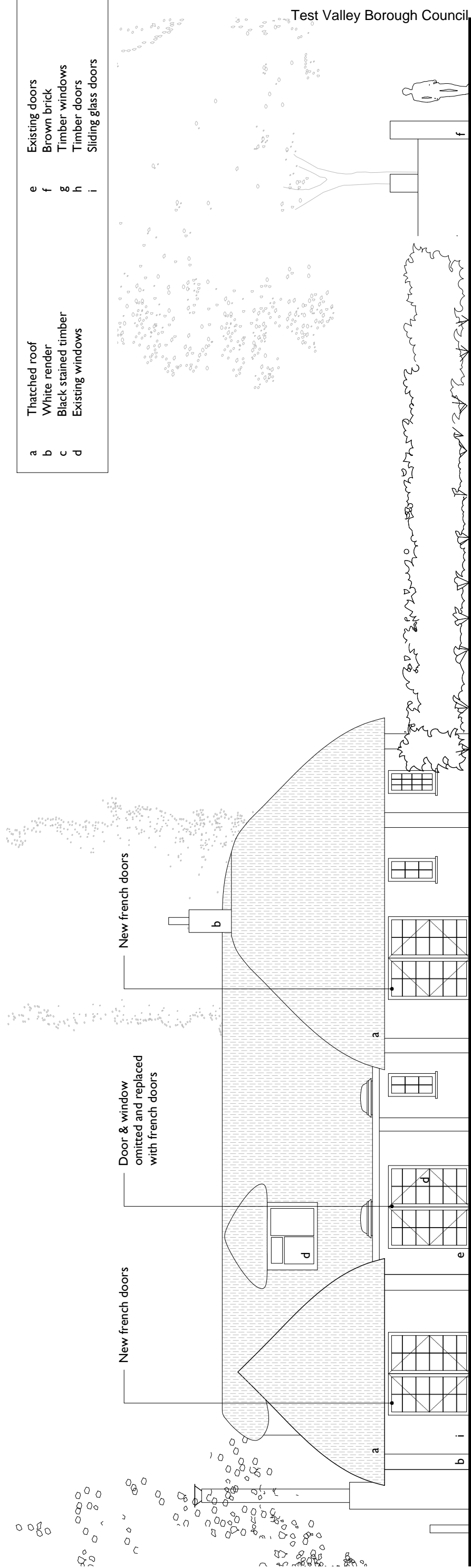


a      Rooflights

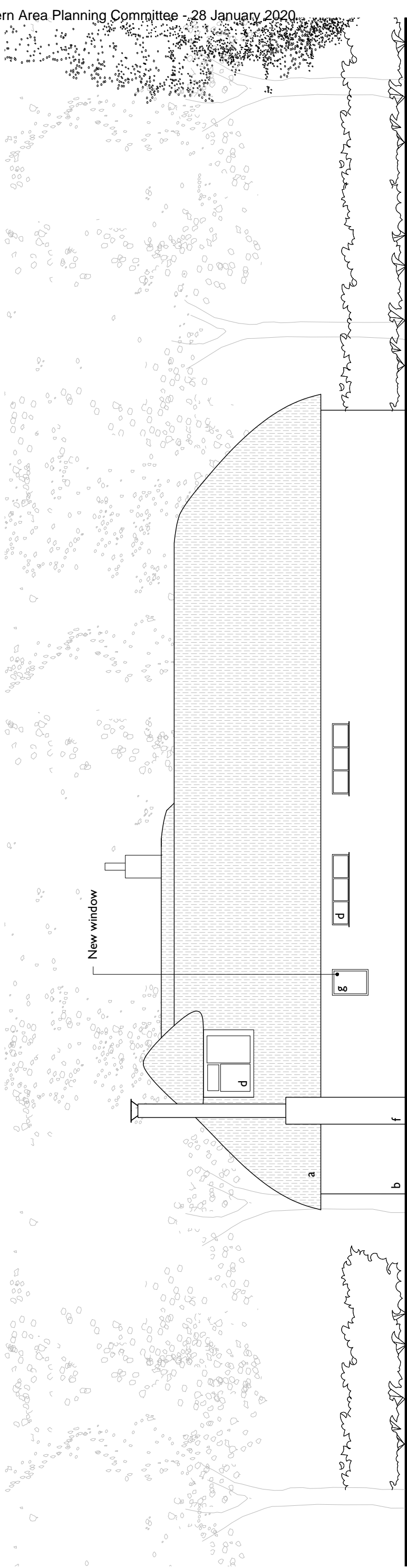
01 PROPOSED ROOF PLAN



Status:	Planning	Drawing:	Plot 1 - Proposed Roof Plan	Project:	The Blue Hayes
Scale:	1:100 @ A3	Dwg No:	242-D-09	Address:	The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only			Date:	Client:	
			09.08.2019	Clydesdale Group Ltd.	



01 PROPOSED WEST ELEVATION



02 PROPOSED NORTH ELEVATION

- a

b

c

d
- Thatched roof

White render

Black stained timber

Existing windows
- e

f

g

h

i
- Existing doors

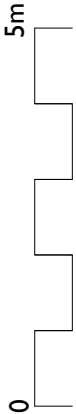
Brown brick

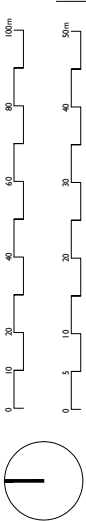
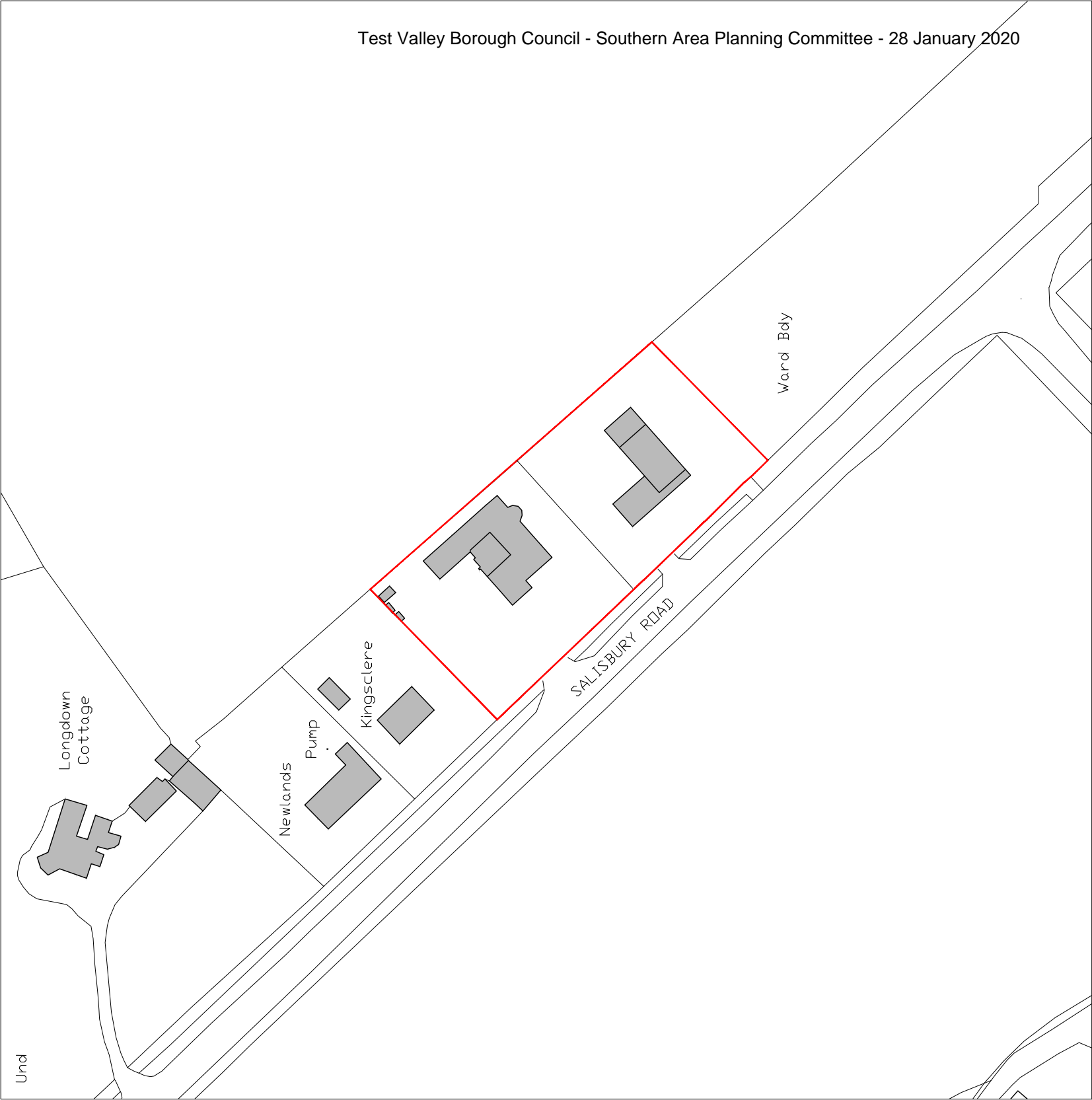
Timber windows

Timber doors

Sliding glass doors

Status:	Planning	Drawing:	Plot 1 - Proposed Elevations	Project:	The Blue Hayes
Scale:	1:100 @ A3	Dwg No:	242-D-13	Address:	The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only			Date:	Client:	Clydesdale Group Ltd.





Status: Planning	Drawing: Location & Block Plan	Project: The Blue Hayes
Scale: 1:2000, 1:1000 @ A3	Dwg No: 242-D-00-REVA	Address: The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only		Client: Clydesdale Group Ltd.
		Date: 12.11.2019

- a

b

c

d

e

f

g

h

i

j

k

l

m

n

o
- Kitchen

Dining

Living

Entrance hall

Utility

WC

Living room

Bedroom

En-suite

Dressing

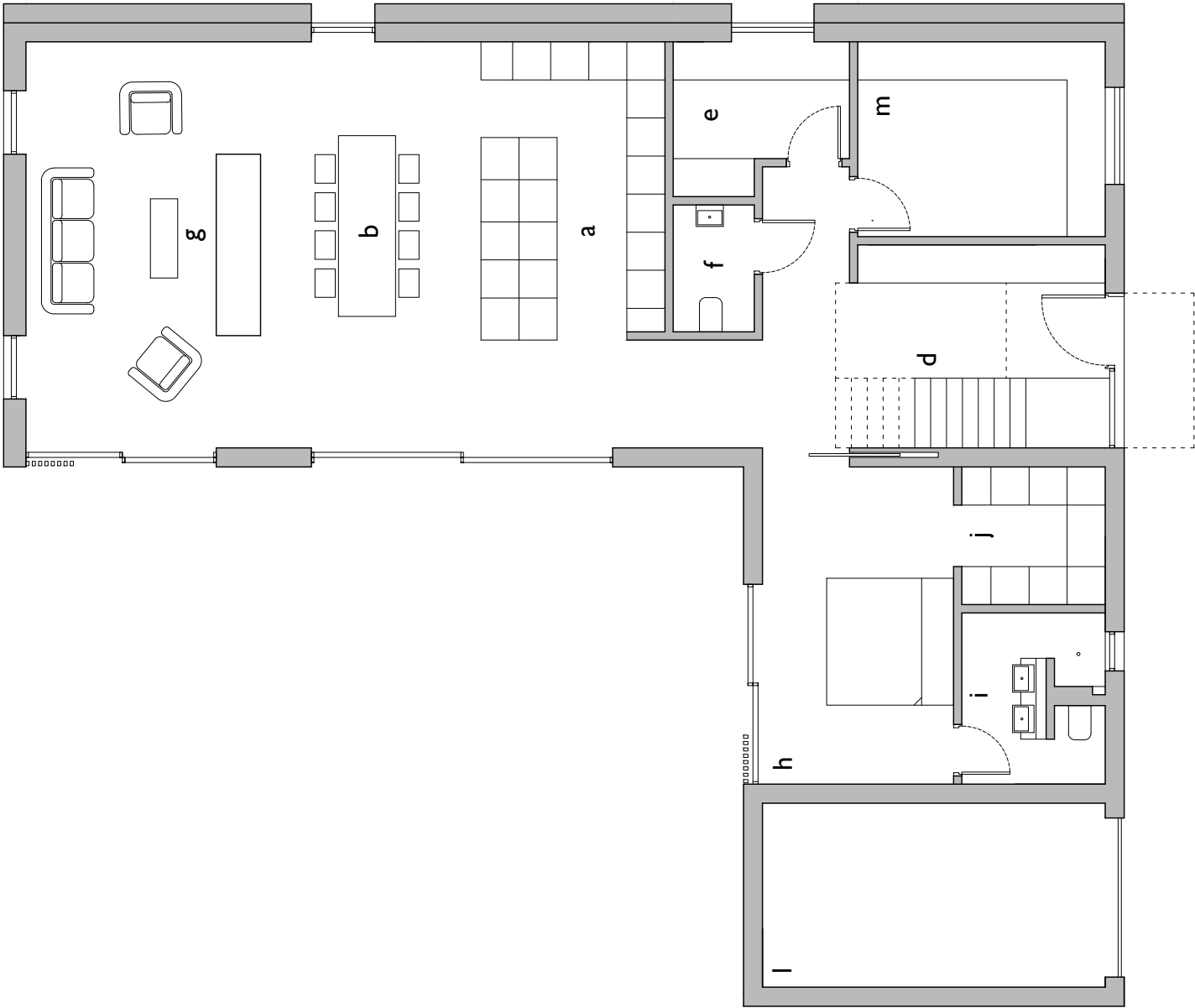
Bathroom

Garage

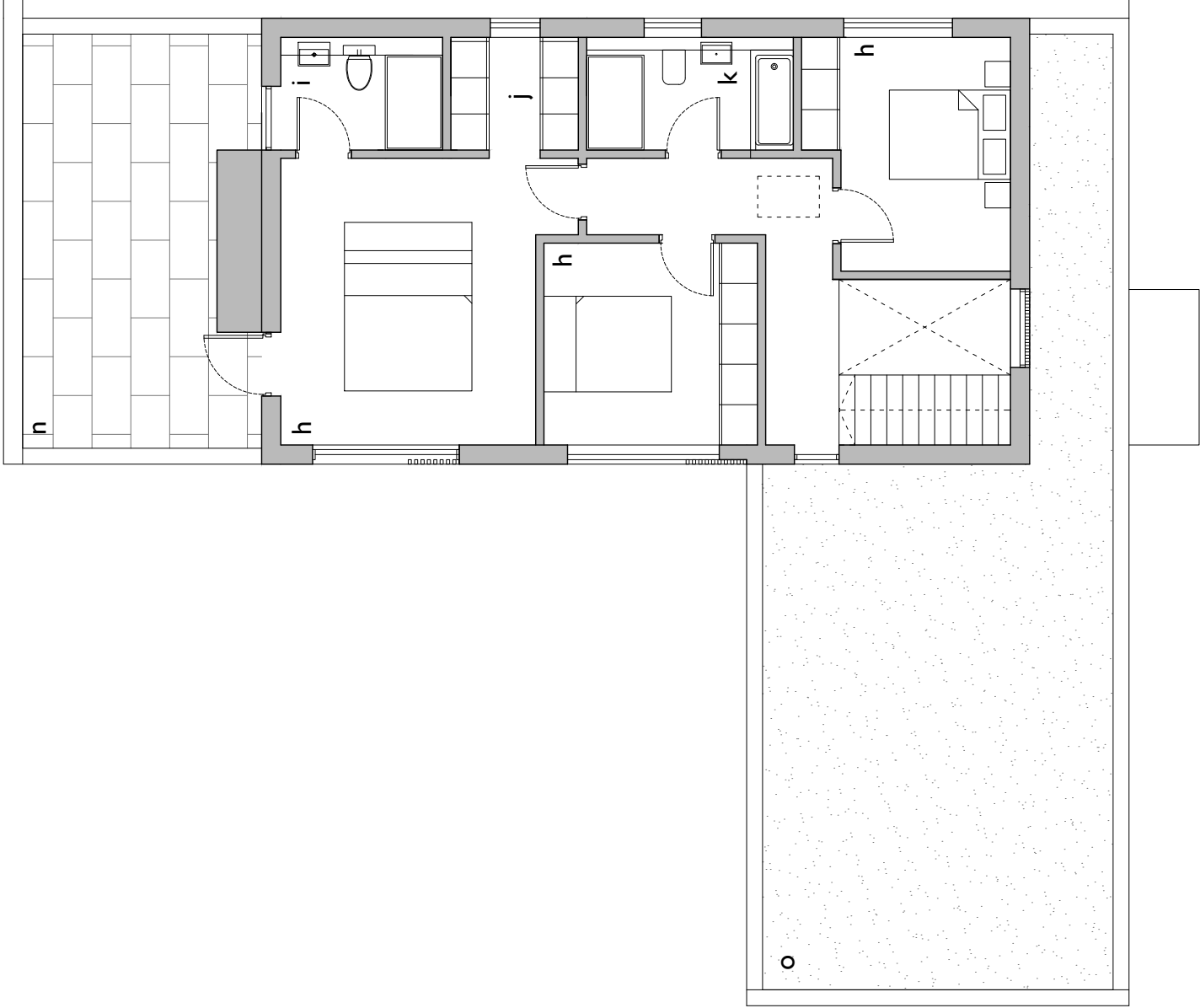
Study

Terrace

Sedum Green roof

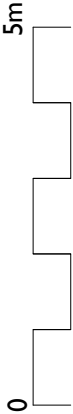


01 PROPOSED GF PLAN



02 PROPOSED IF PLAN

GF + IF GIFA = 228sqm



Status: Planning	Drawing: Plot 2 - Proposed GF & IF Plans	Project: The Blue Hayes
Scale: 1:100 @ A3	Dwg No: 242-D-16-REVA	Address: The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only		Client: Clydesdale Group Ltd.
		Date: 12.11.2019

ob  
architecture.

The Dispensary, 5-6 The Square, Winchester, Hants SO23 9ES  
01962 866344 obarchitecture.co.uk info@obarchitecture.co.uk





01 PROPOSED NORTH-WEST ELEVATION



02 PROPOSED NORTH ELEVATION

Status: Planning	Drawing: Plot 2 - Proposed Elevations	Project: The Blue Hayes
Scale: 1:100 @ A3	Dwg No: 242-D-18-REVA	Address: The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only		Client: Clydesdale Group Ltd.
		Date: 12.11.2019

- a

b

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n

o
- Kitchen

Dining

Living

Entrance hall

Utility

WC

Living room

Bedroom

En-suite

Dressing

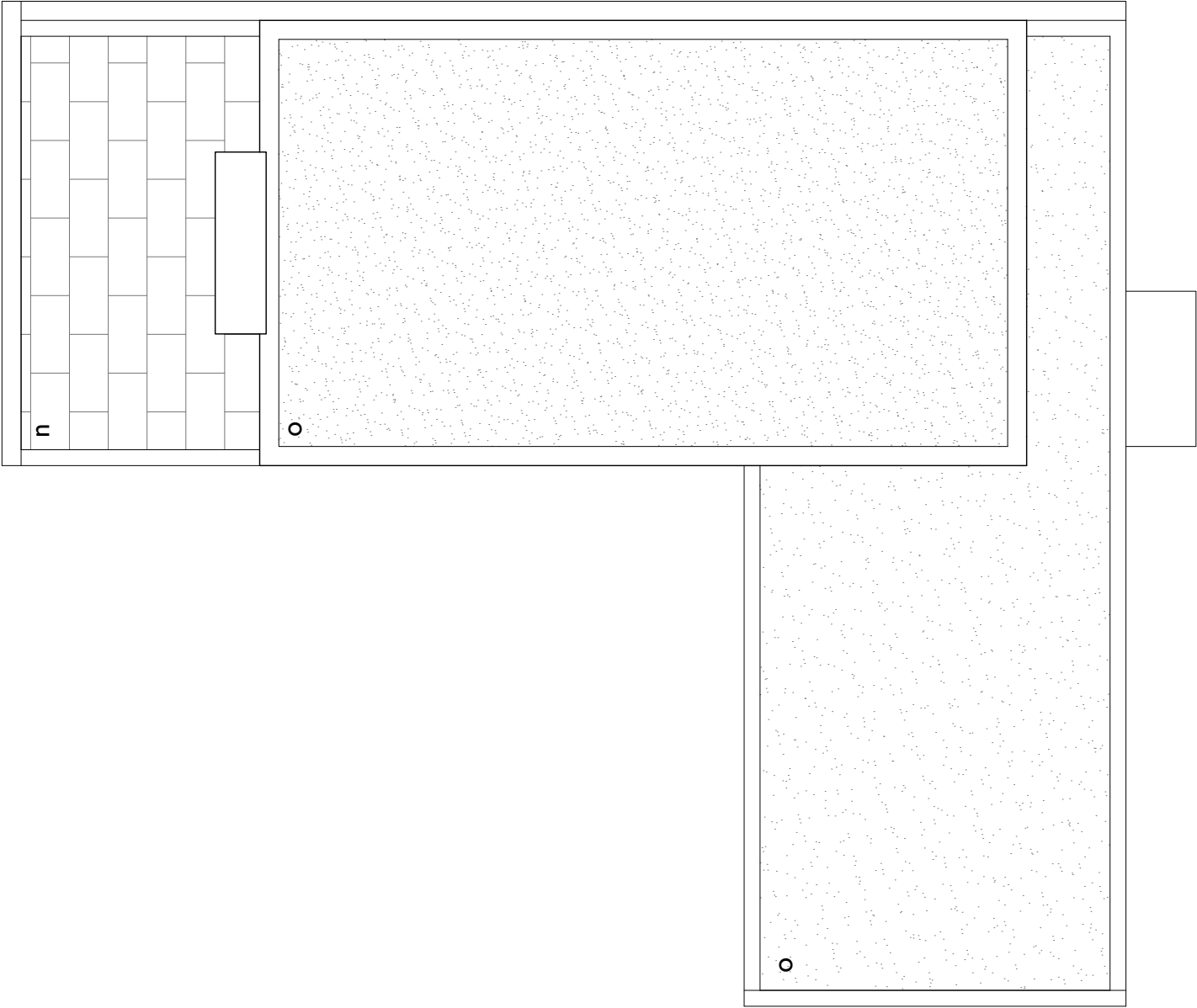
Bathroom

Garage

Study

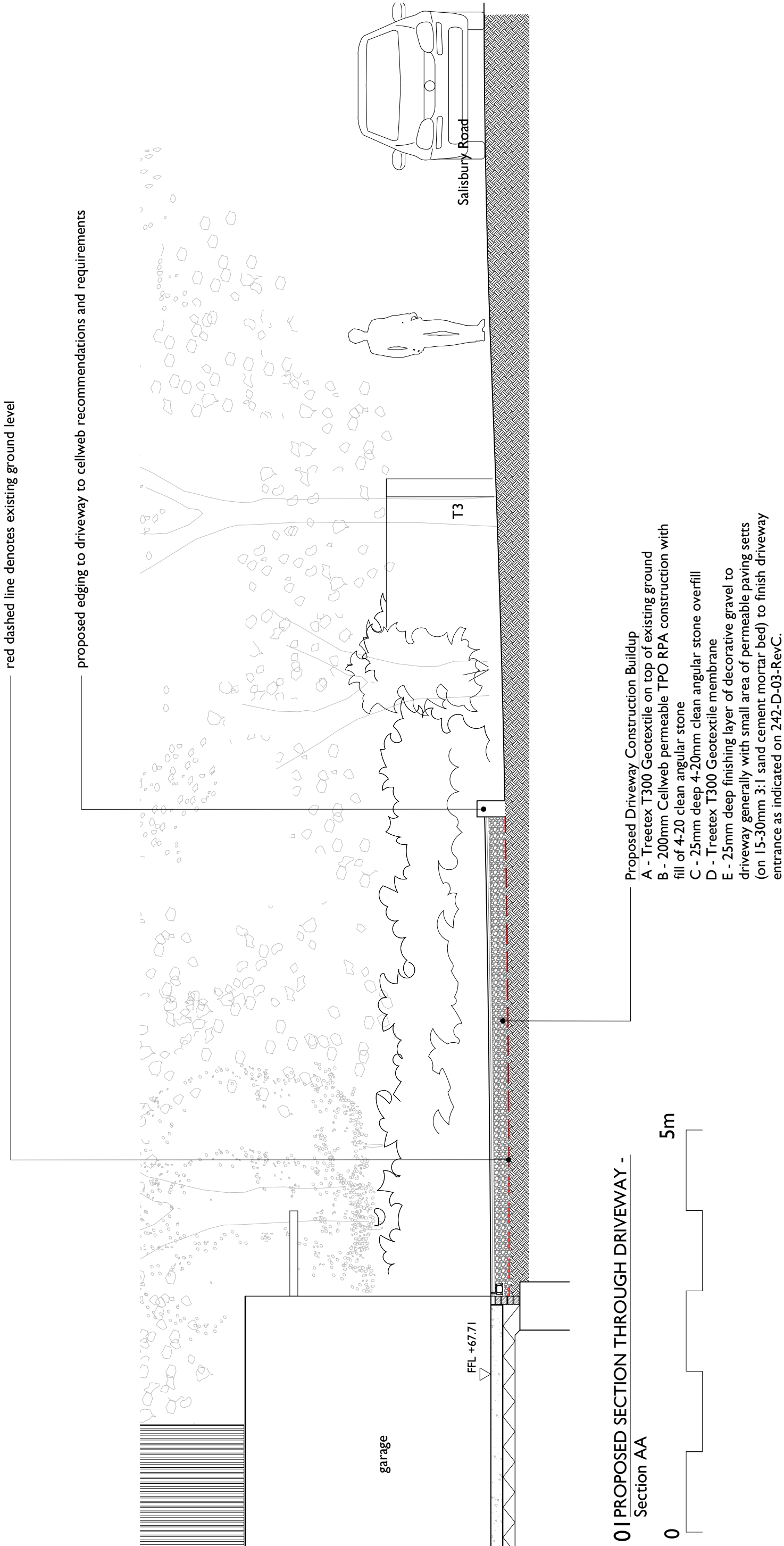
Terrace

Sedum Green roof



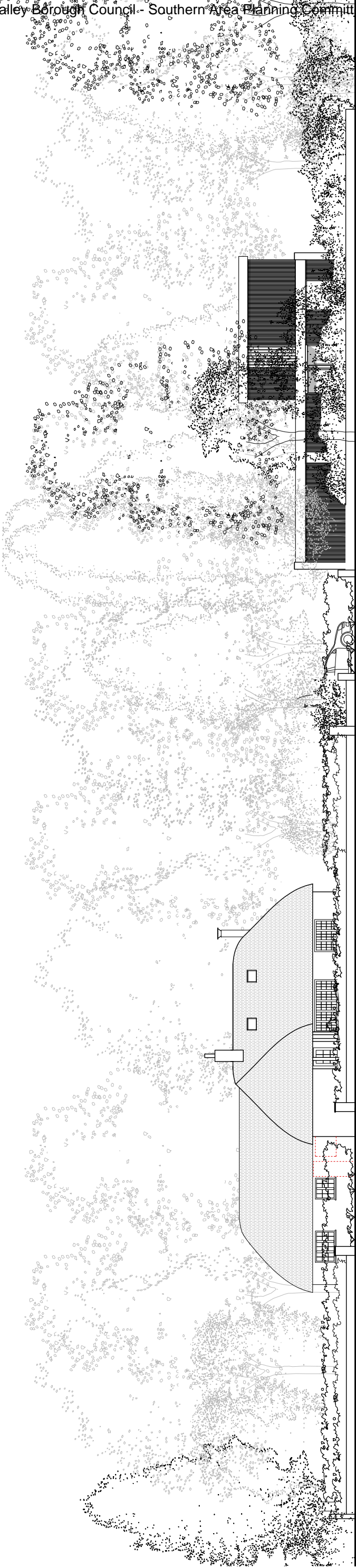
0 | PROPOSED ROOF PLAN

Status:	Planning	Drawing:	Plot 2 - Proposed Roof Plan	Project:	The Blue Hayes
Scale:	1:100 @ A3	Dwg No:	242-D-17-REVA	Address:	The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only			Date:	Client:	
			12.11.2019	Clydesdale Group Ltd.	



Status: Planning	Drawing: Proposed Driveway Section AA	Project: The Blue Hayes
Scale: 1:50 @ A3	Dwg No: 242-D-23-REVA	Address: The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only		Client: Clydesdale Group Ltd.
		Date: 12.11.2019





PLOT 1

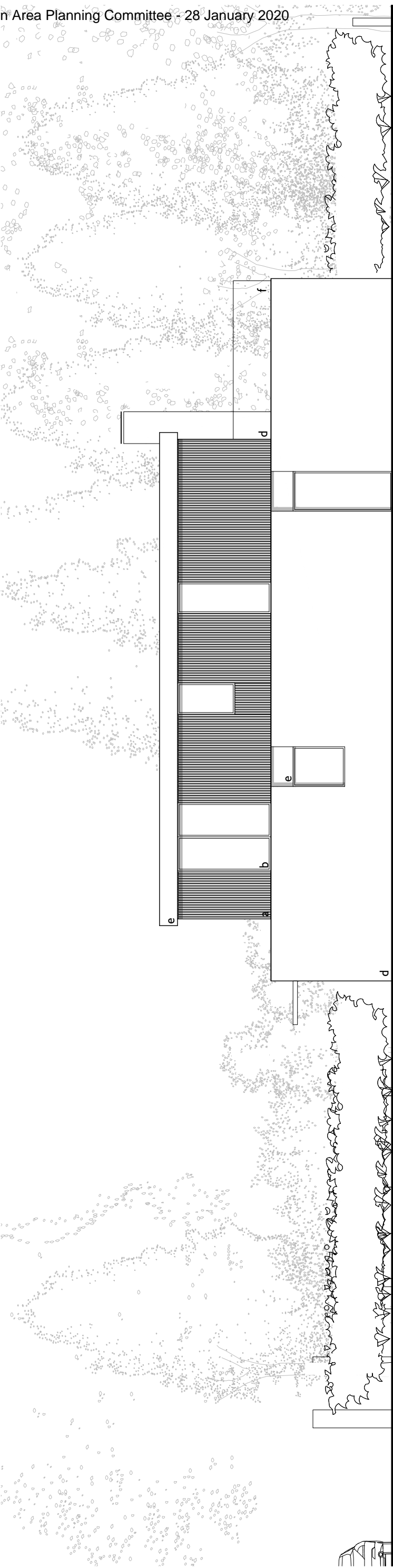
PLOT 2

0 | PROPOSED STREET ELEVATION

Status: Planning	Drawing: Proposed Street Elevation	Project: The Blue Hayes
Scale: 1:100 @ A3	Dwg No: 242-D-20-REVA	Address: The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only		Client: Clydesdale Group Ltd.



01 | PROPOSED SOUTH ELEVATION



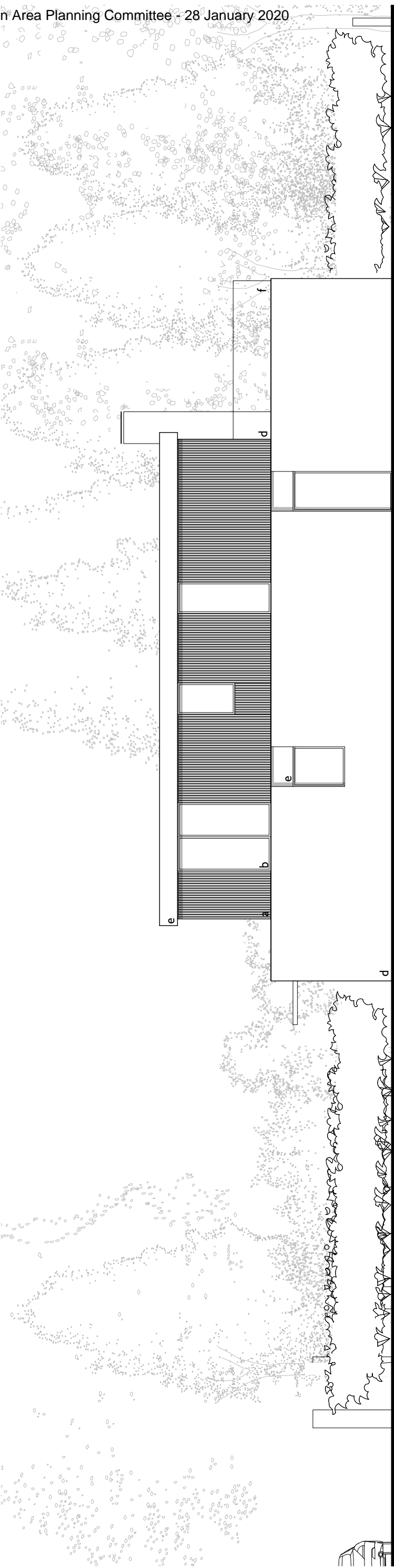
02 | PROPOSED EAST ELEVATION

	Status: Planning	Drawing: Plot 2 - Proposed Elevations	Project: The Blue Hayes
	Scale: 1:100 @ A3	Dwg No: 242-D-19- REVA	Address: The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA
	NOTE: This drawing is to be scaled for planning purposes only	Date: 12.11.2019	Client: Clydesdale Group Ltd.
<div>ob architecture.</div> <div>The Dispensary, 5-6 The Square, Winchester, Hants SO23 9E 01962 865344 obarchitecture.co.uk info@obarchitecture.co.uk</div>			





01 | PROPOSED SOUTH ELEVATION



02 | PROPOSED EAST ELEVATION

<div>0</div> <div>5m</div>			
Status: Planning	Plot 2 - Proposed Elevations	Project: The Blue Hayes	<div>obarchitecture.</div> <div>The Dispensary, 5-6 The Square, Winchester, Hants SO23 9ES 01962 865344 obarchitecture.co.uk info@obarchitecture.co.uk</div>
Scale: 1:100 @ A3	Dwg No: 242-D-19- REVA	Address: The Blue Hayes, Salisbury Rd, West Wellow, Romsey SO51 6GA	
NOTE: This drawing is to be scaled for planning purposes only		Client: Clydesdale Group Ltd.	
Date: 12.11.2019			





Status:	Planning	Drawing:	Plot 2 - External Render 01	Project:	The Blue Hayes
Scale:	NTS	Dwg No:	242-D-21	Address:	The Blue Hayes, Salisbury Rd, West Wellow, Romsey, SO51 6GA
NOTE: This drawing is to be scaled for planning purposes only.		Date:	09.08.2019	Client:	Clydesdale Group Ltd.



## ITEM 8

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<b>APPLICATION NO.</b>	19/02808/VARS
<b>APPLICATION TYPE</b>	VARIATION OF CONDITIONS - SOUTH
<b>REGISTERED</b>	25.11.2019
<b>APPLICANT</b>	Mr Harry Simmonds
<b>SITE</b>	53 Cutforth Way, Romsey, SO51 0BN, <b>ROMSEY</b> <b>EXTRA</b>
<b>PROPOSAL</b>	Conversion of garage to home office (Variation of requirements of condition 37 of 08/00475/OUTS which requires that garages shall be made available for the parking of motor vehicles at all times)
<b>AMENDMENTS</b>	None
<b>CASE OFFICER</b>	Mr Nathan Glasgow

Background paper (Local Government Act 1972 Section 100D)

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### 1.0 INTRODUCTION

- 1.1 This application is presented to Southern Area Planning Committee at the request of the local Ward Members for the reason of setting a precedent with parking issues from the conversion of garaging.

### 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 53 Cutforth Way is a four bed detached dwelling located within the development of Abbotswood, and is sited on the corner of the spur road of Cutforth Way.

### 3.0 PROPOSAL

- 3.1 Conversion of detached garage to home office and storage. The application is made to vary a Condition placed upon 08/00475/OUTS which restricted the use of all garages for the entire Abbotswood major development area for the parking of vehicles only.

- 3.2 Condition 37 of 08/00475/OUTS reads as:

*“Any single garage on the site shall measure a minimum of 3m x 6m internally and be constructed as such, unless the proposed residential property is also served by at least a separate bicycle shed, in which case any single garage shall measure a minimum of 3m x 5m internally. Any garage on the site shall be made available for the parking of motor vehicles at all times”.*

### 4.0 HISTORY

- 4.1 **14/00551/RESS** – Details of residential development of land parcel K phase 1 comprising 50 dwellings with associated landscaping, parking and engineering works (part details of 08/00475/OUTS) – *Permission 13.03.2015.*
- 4.2 **08/00475/OUTS** – Outline application for erection of 800 dwellings... - *Permission 05.01.2010.*

5.0 **CONSULTATIONS**

5.1 None

6.0 **REPRESENTATIONS** Expired 20.12.2019

6.1 **Romsey Extra Parish Council** – Objection on grounds of overlooking and loss of parking.

6.2 **55 Cutforth Way, Romsey** – Objection on grounds of character of area, design, materials, NPPF, overlooking and supplementary planning documents.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

COM2: Settlement Hierarchy

E1: High Quality Development in the Borough

LHW4: Amenity

T1: Managing Movement

T2: Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning consideration is whether the loss of this garage space results in the unacceptable detriment to highway safety and meets the minimum parking requirement as set out within the Revised Local Plan.

8.2 Base Approval

Outline planning permission 08/00475/OUTS was for the development of 800 dwellings (among other forms of development) within Abbotswood. This approval included a condition to restrict the use of garages to parking of motor vehicles only, and for no other purpose. This was in the interest of highway safety and to ensure that sufficient on-plot parking was provided and retained to serve the needs of the property.

8.3 It must be highlighted that at outline stage, only an indicative masterplan was drawn up and submitted; the restrictive condition was a “blanket” condition across the entire development site. The Officer Report for Southern Area Planning Committee of 08/00475/OUTS references the parking at dwellings and advises that this is a matter to be dealt with in closer detail at Reserved Matters stage. The ensuing Reserved Matters for the parcel containing Cutforth Way (14/00551/RESS) did not recommend that these parking restrictions be adopted, once the site layout had been determined.

8.4 53 Cutforth Way

The application site is a four bed detached dwelling. Annex G of Policy T2 requires a minimum of three car parking spaces be made available to four bed dwellings. The property benefits from more space to serve it and provide adequate parking in accordance with Annex G than other dwellings within the Abbotswood development have, and this would be retained on-plot despite the removal of parking from the garage. Subject to a condition that requires the retention of this land for parking, the site would still provide adequate off-road parking in accordance with Annex G of Policy T2.

8.5 Other matters

Overlooking

The French doors that have been inserted do not form part of the planning application and it is likely that planning permission is not required for the insertion of these doors. However, for completeness and consistency with regards to the objection raised, these doors are assessed with regards to impacts upon neighbouring amenity.

- 8.6 These doors have been introduced to the side elevation of the garage, to enable access in to the garage from the garden/house of No.53. This location of the doors is an area in which residential activities are likely to take place and the doors do not alter this residential use or outlook from the garden; it is common that an element of overlooking will take place within gardens and there is no control that a LPA can exercise to remove any overlooking. It is noted that No.55 has a first floor living room but from the Case Officer's site visit it was difficult to look up and view into the this living room (approximately 9.50m distance), from either the main garden area or through the slim French doors. There was also limited opportunity for views into neighbouring garden due to the intervening boundary fence. The proposal is not considered to result in any loss of privacy or overlooking to the neighbouring property at No.55 and is consistent with Policy LHW4 of the Revised Local Plan.

8.7 Character of the area/design/materials

In addition to the comment within paragraph 8.5, due to the objection of visual impact and character of the area, this objection is addressed despite not forming part of the application. The existing garage door fronting out to Cutforth Way is to remain, meaning the only change in visual appearance is the inclusion of the doors to the side of the garage within the garden. However, these doors are not entirely visible within the public realm due to their location and this provides a limited, perhaps neutral, impact upon the character and appearance of the area.

8.8 Supplementary Planning Document

The neighbour at No.55 has also referenced a 'Supplementary Planning Document' which dictates a 21m back-to-back distance between dwellings. Test Valley Borough Council does not have an adopted document or policy. That said, the use of the space for a home office in this location is not considered to result in a detriment to the privacy and amenity to the occupants of No.55.

8.9 Other comments

Comments also refer to documents signed by the purchasers of the properties within Abbotswood, presumably the deeds. The deeds and covenants of a property are not a material planning consideration.

9.0 **CONCLUSION**

9.1 The proposed development would not alter the base approval of 08/00475/OUTS and would retain the minimum requirement of parking for the property as required by Annex G of Policy T2 of the Test Valley Borough Revised Local Plan (2016).

10.0 **RECOMMENDATION**

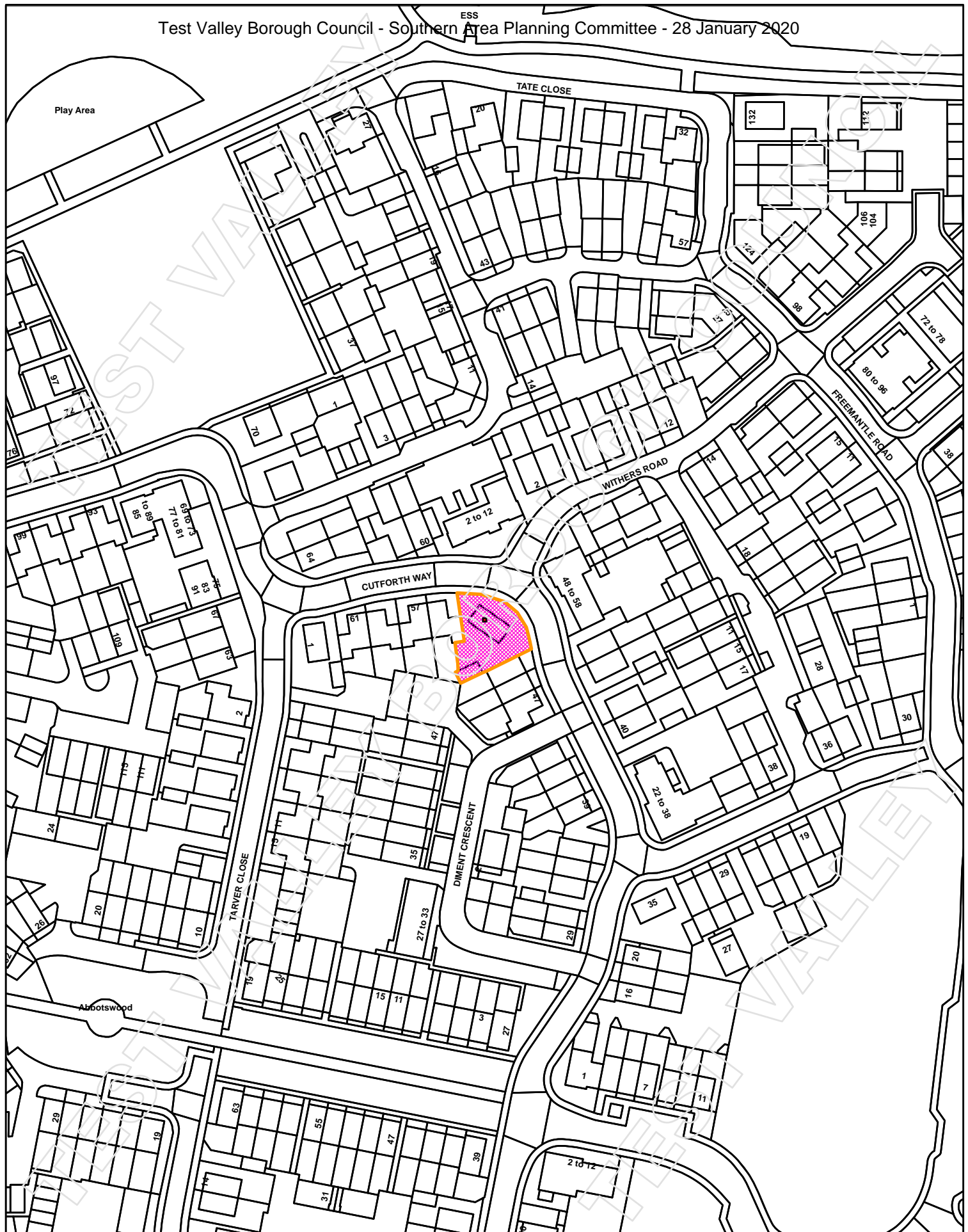
**PERMISSION subject to:**

1. Prior to the occupation of the home office hereby approved, the parking hatched in green on the approved plan (TVBC 19/02808/PLAN1) shall be maintained and retained for the parking of vehicles in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In order to maintain the approved on site parking provision and to reduce highway congestion in accordance with Test Valley Borough Revised Local Plan (2016) policies T1 and T2.

**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.
-



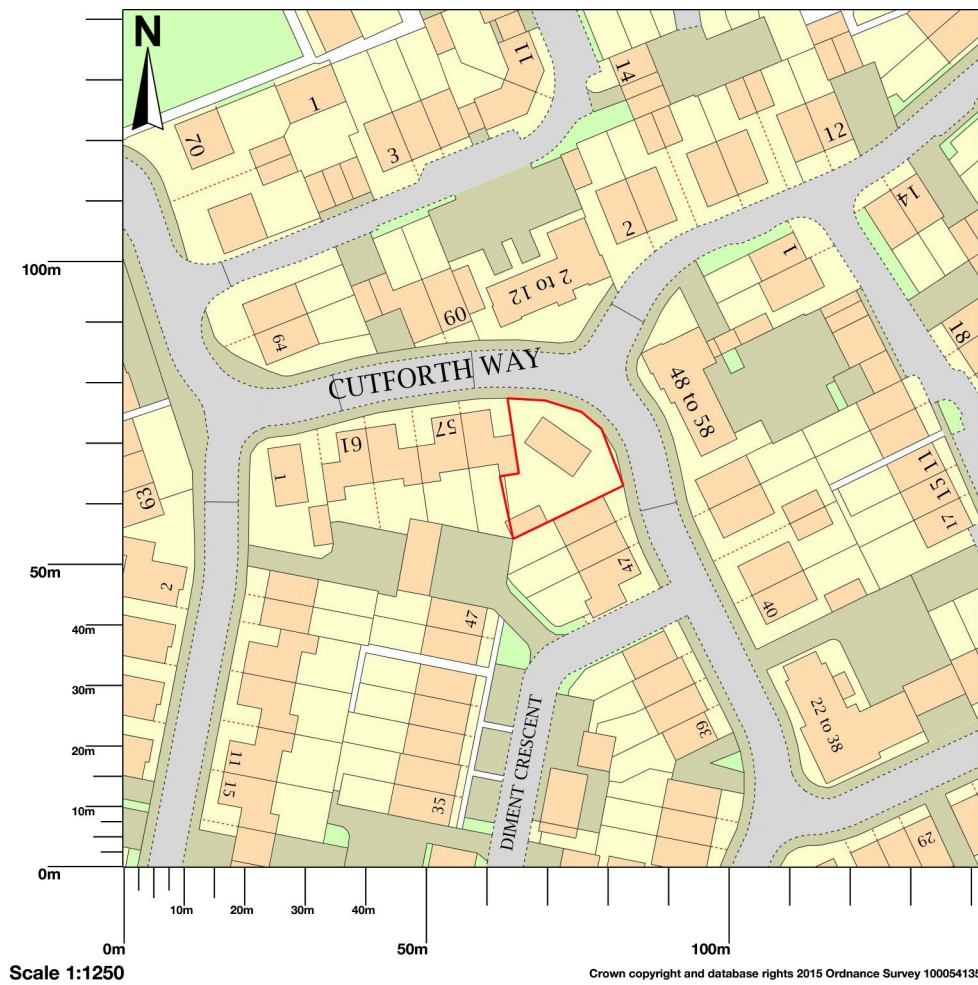


Siteplan

**Test Valley**  
Borough Council



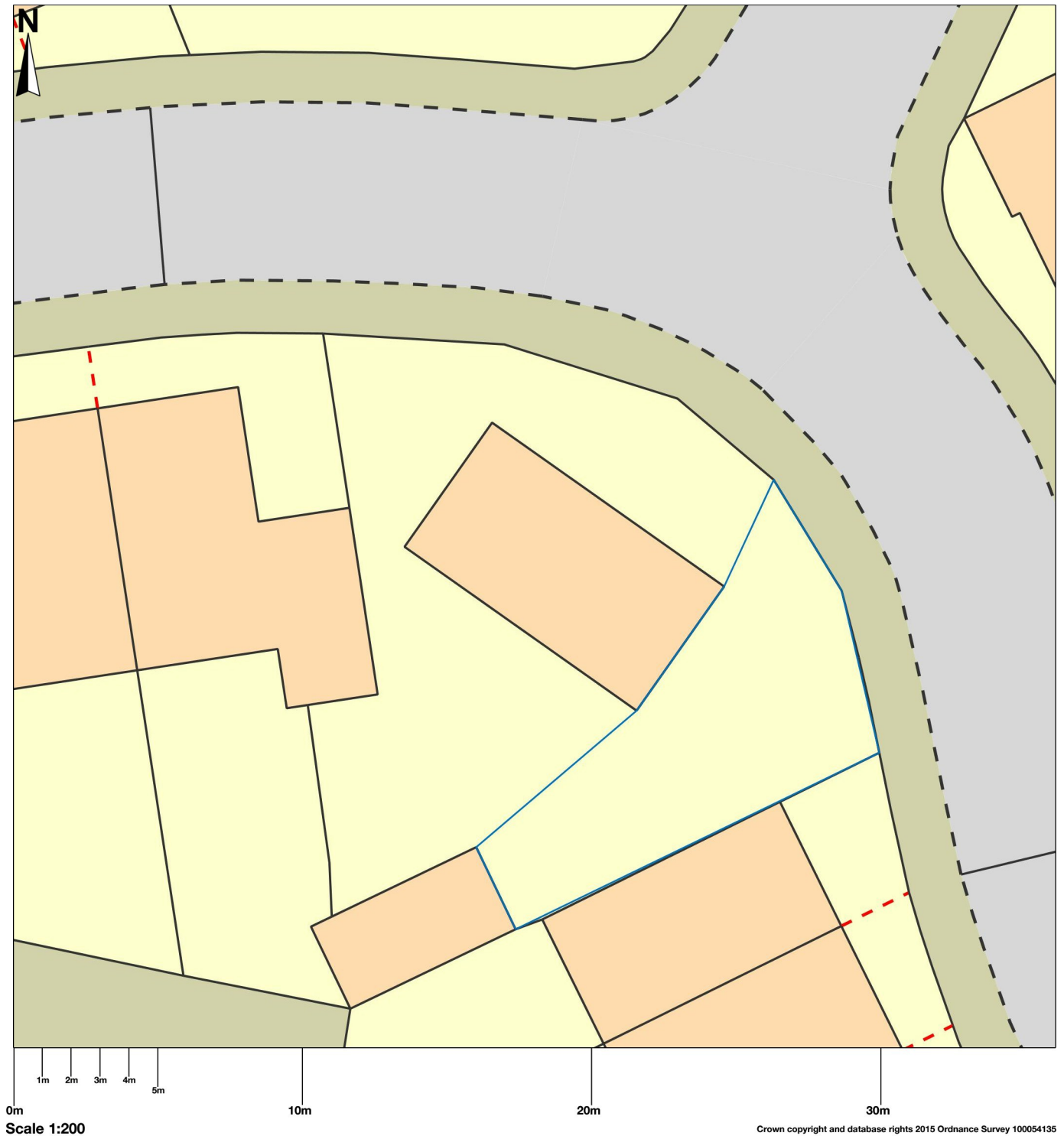
## 53 Cutforth Way, Romsey, SO51 0BN - Site Location Map



Map area bounded by: 436845,122945 436987,123087. Produced on 22 November 2019 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2019. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p2buk/406824/551955

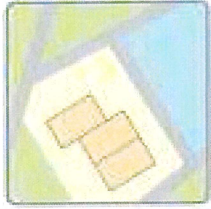


## 53 Cutforth Way, Romsey, SO51 0BN - Block Plan - Parking



Map area bounded by: 436898,122998 436934,123034. Produced on 22 November 2019 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2019. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: b36buk/406824/551958

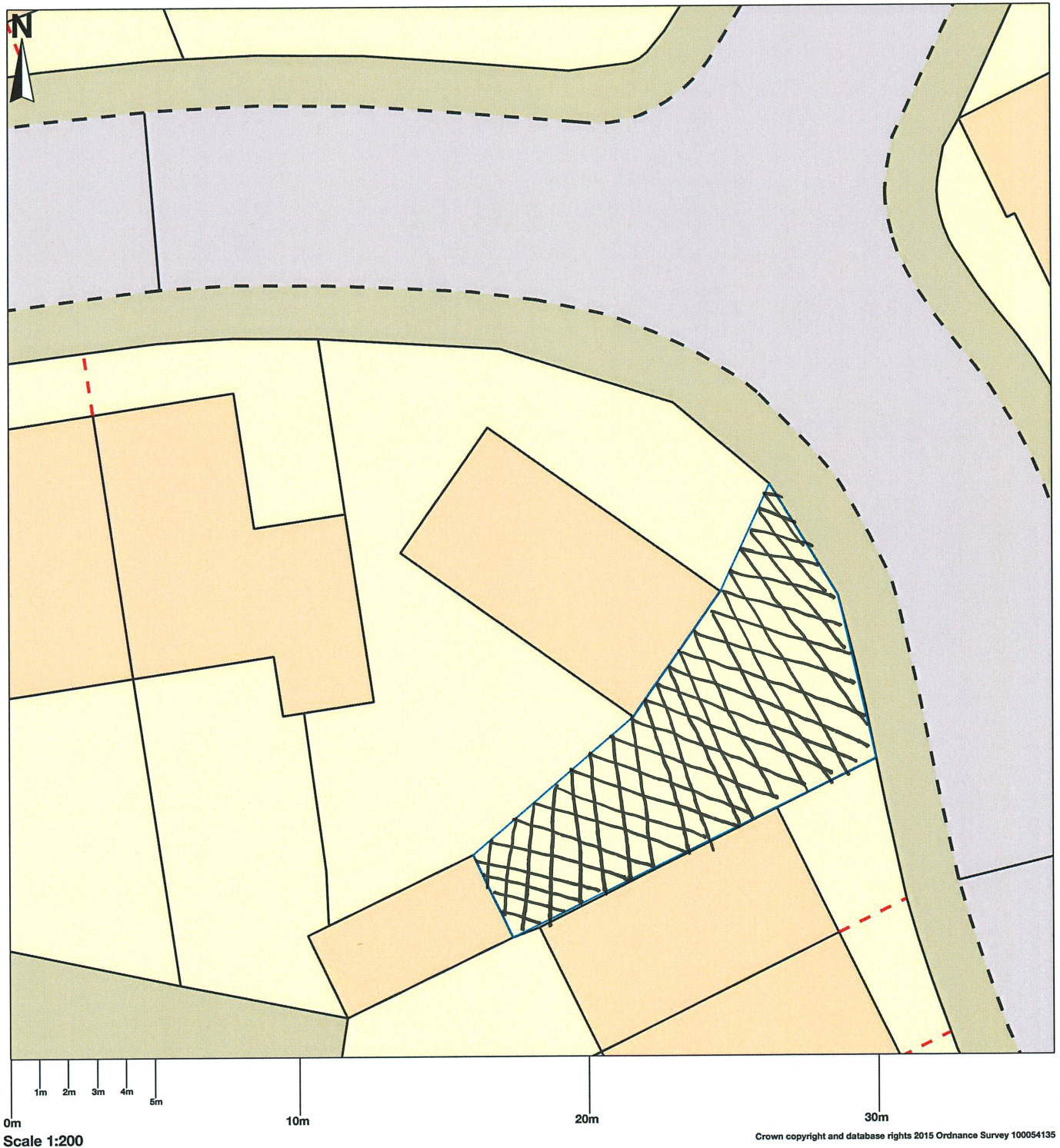




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Planning  
Maps**



## 53 Cutforth Way, Romsey, SO51 0BN - Block Plan - Parking



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- Parking area to be retained

## ITEM 9

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<b>APPLICATION NO.</b>	16/02494/NMA1
<b>APPLICATION TYPE</b>	NON MATERIAL AMENDMENT
<b>REGISTERED</b>	12.11.2019
<b>APPLICANT</b>	Mr Neil Gwynne, Romsey Amateur Operatic And Dramatic Society
<b>SITE</b>	Plaza Theatre, 40 Winchester Road, Romsey, SO51 8JA, <b>ROMSEY TOWN</b>
<b>PROPOSAL</b>	Omission of louvres, partial omission of extension of roof at sides, addition of external air conditioning unit, amended roofing build-up, revisions to guttering and rainwater pipes - Amendment to Planning Permission 16/02494/FULLS
<b>AMENDMENTS</b>	
<b>CASE OFFICER</b>	Mr Mark Staincliffe

Background paper (Local Government Act 1972 Section 100D)

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### 1.0 INTRODUCTION

- 1.1 The application is presented to the Southern Area Planning Committee in accordance with the Member and Officer Interests Protocol.

### 2.0 PROPOSAL

- 2.1 Planning permission has already been granted at appeal for *an extension to rear of building to increase the height to that of existing main roof, to increase internal backstage height, to include extending main roof at sides to cover parapet with external guttering* so this application seeks approval of specific amendments to that approved scheme.
- 2.2 This application relates to changes to the scheme comprising:
- Omission of louvres
  - partial omission of extension of roof at sides
  - addition of external air conditioning unit
  - amended roofing build-up
  - revisions to guttering and rainwater pipes

### 3.0 LEGISLATIVE BACKGROUND

- 3.1 Section 96A of the 1990 Town and Country Planning Act was brought into force on 1 October 2009 via the commencement of Section 190 of the 2008 Act. This permits local planning authorities to approve non-material changes to approved planning applications.
- 3.2 There is no national definition of 'non-material' amendments and it is a matter for local authority discretion (NPPG).

**4.0 PLANNING POLICY**

Policy COM2: Settlement Hierarchy

Policy E1: High Quality Development in the Borough

Policy E5: Biodiversity

Policy E7: Water Efficiency

Policy LHW4: Amenity

**5.0 PLANNING CONSIDERATIONS**

5.1 The main planning consideration is whether the proposed amendments constitute a non-material amendment to the base line permission.

5.2 The changes listed in Para 2.2 above are considered to result in a scheme that would be substantially similar to that which was previously permitted. Consequently, and having regard to the minor nature of the changes proposed it is not considered that the resultant scheme would have a materially different impact to that which has received planning permission. In this regard the proposed changes represent 'non-material' amendments to the approved scheme.

5.3 The proposed amendments do not have a bearing on the other issues raised in the original determination report and subsequent observations made by the planning Inspector with regards to:

- Principle of Development
- The Impact on the character and appearance of the area
- Ecology
- Residential amenity (overbearing impact, Loss of sunlight/daylight and disturbance)

**6.0 CONCLUSION**

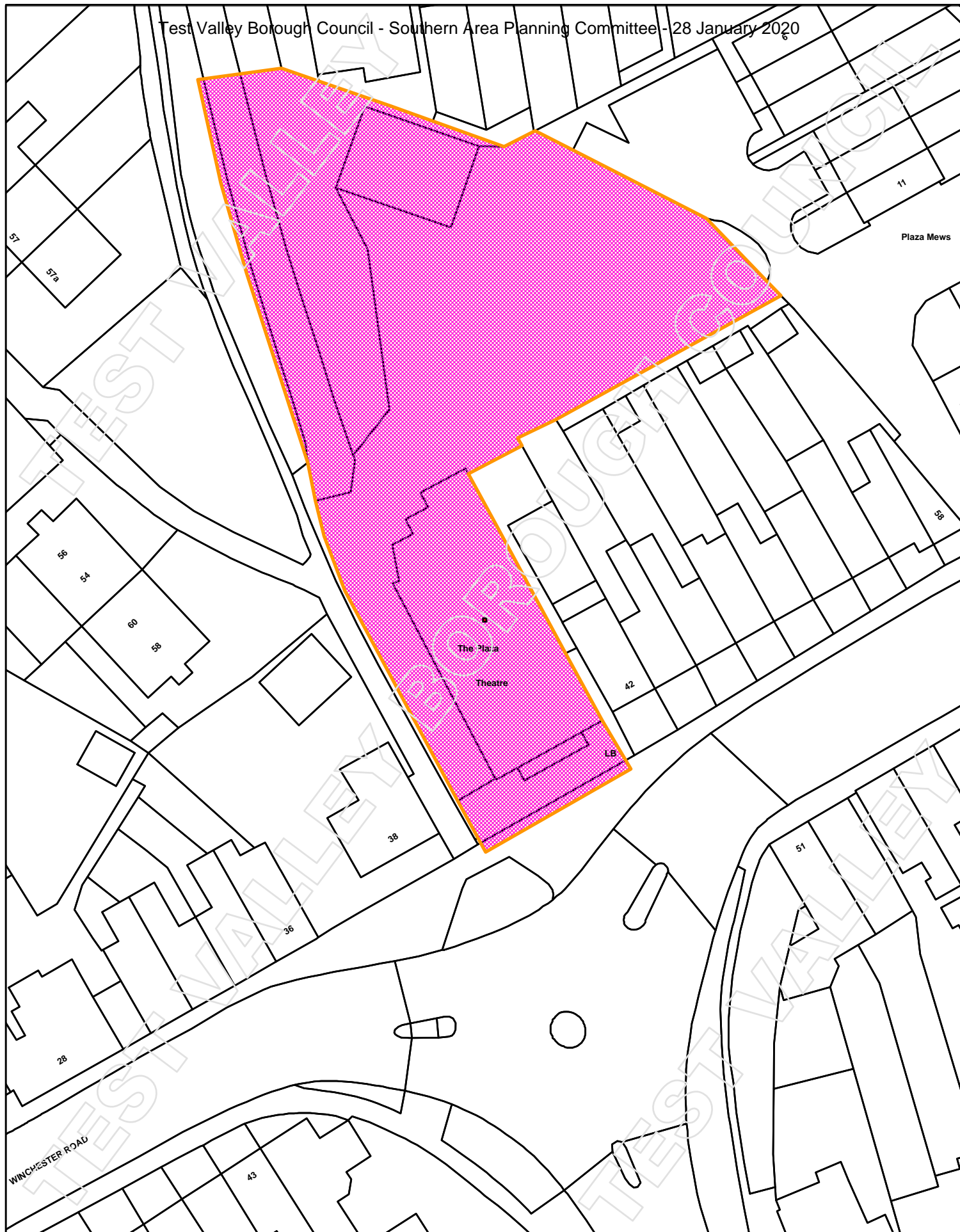
6.1 The proposed amendment(s) are considered to be minor in nature and would not result in any material difference to the scheme considered at the time of granting the original permission. As such the amendments are considered non-material and are approved.

**7.0 RECOMMENDATION**

**APPROVAL of Non Material Amendment.**

---





**Siteplan**



P2 PAB Ownership boundary updated 10/10/2016  
P1 Initial issue As titleblock

PLANNING

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architects ltd

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romsey@s4architects.co.uk  
www.studiofourarchitects.com

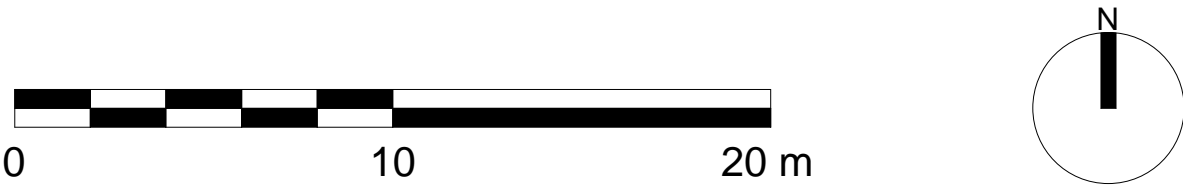
client Romsey Amateur Operatic and Dramatic Society  
project Plaza Theatre, Rear extension  
title Planning - Block and Site Plan

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date	job no.	dwg. no.	rev. no.
27/09/2016	36094	111	P2

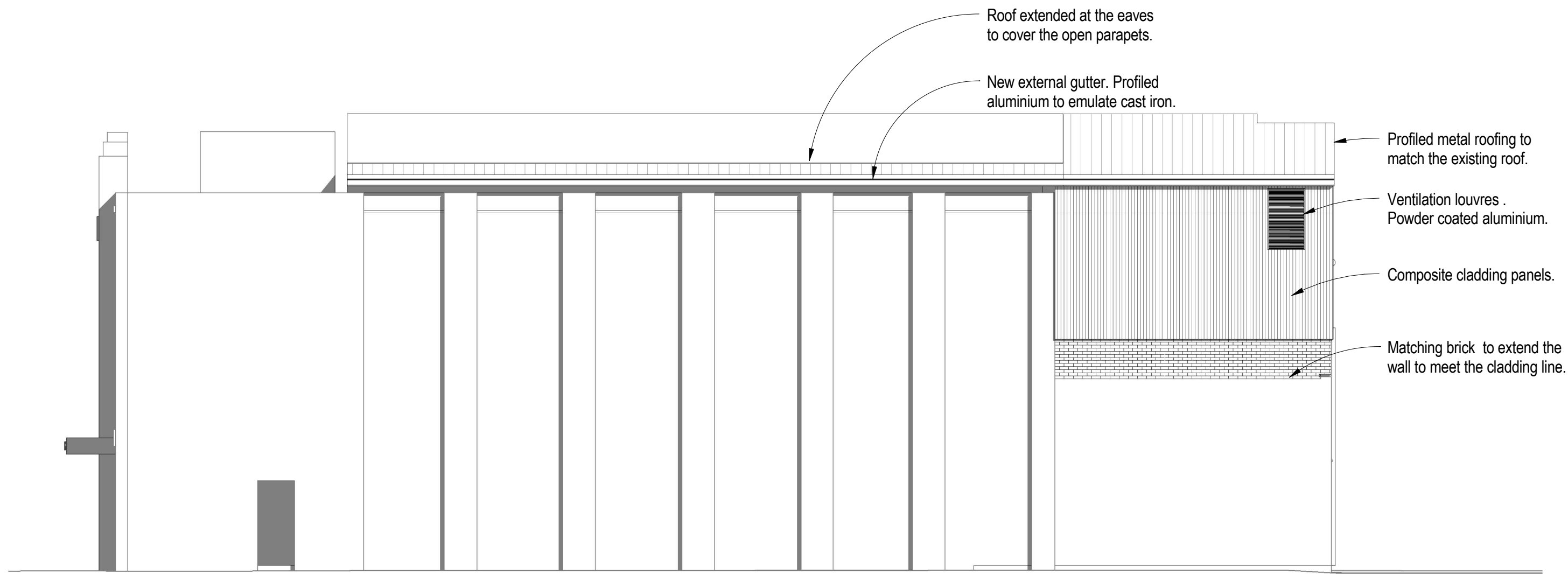
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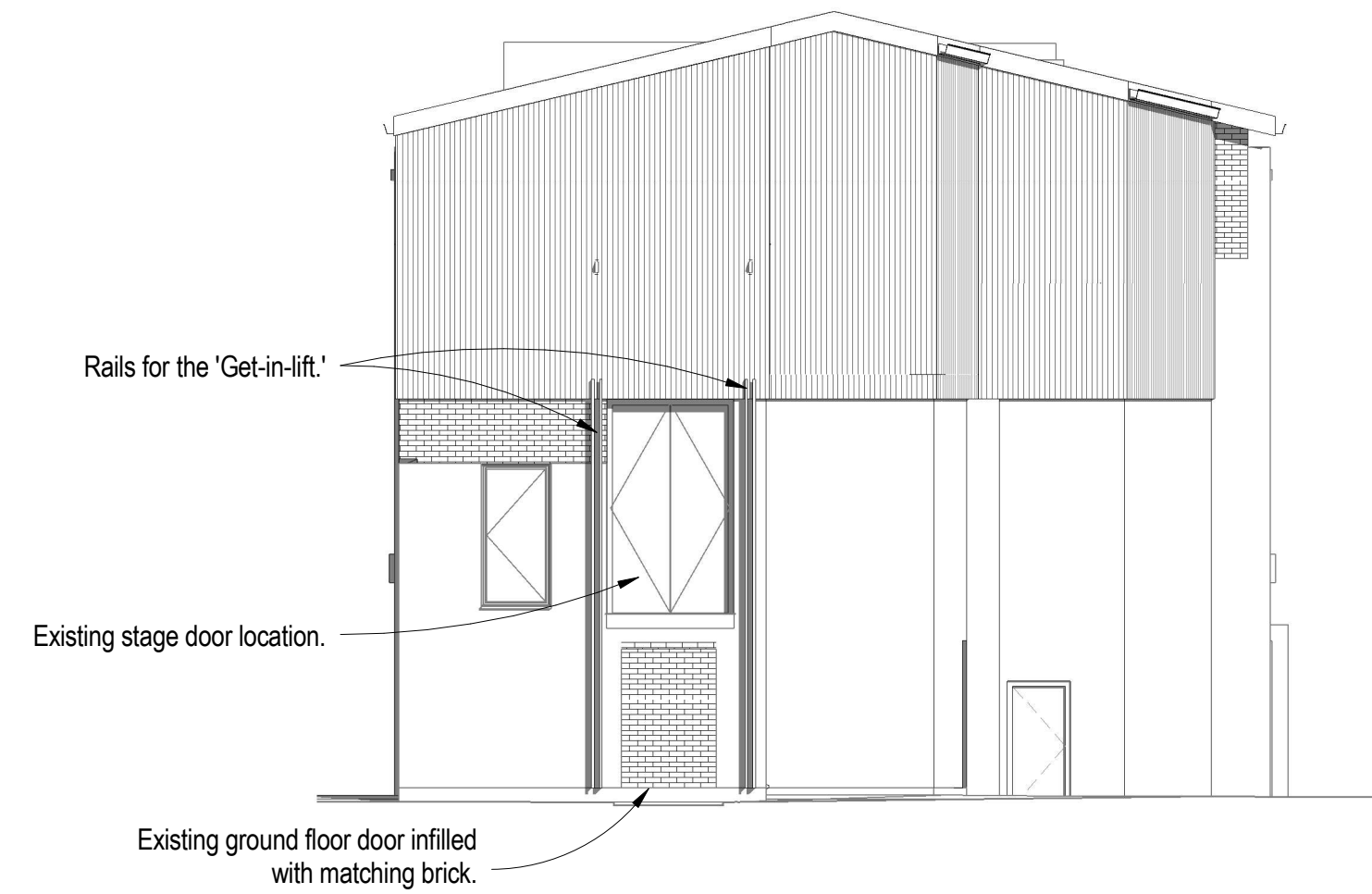
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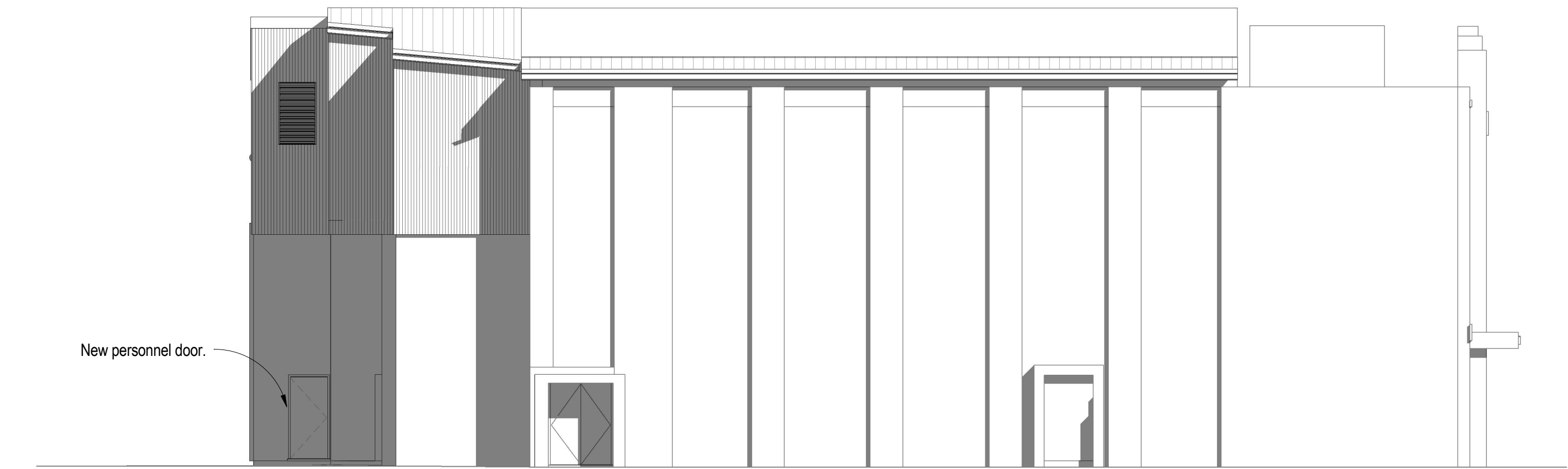




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**North West**  
1 : 100



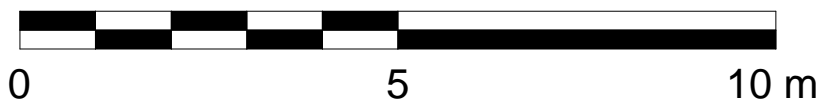
**South West**  
1 : 100



**South East**  
1 : 100



Perspective views of the rear of the proposal, showing the 'Get in lift' in action.  
The 'Get in Lift' comprises of a wheeled trolley to transport stage props/ scenery from the workshop. The trolley connects to the lift rails to raise the trolley to the stage door.



Proposed Rear Views - Cladding option

P2 PAB Notes added 29/09/2016  
P1 Initial issue As titleblock

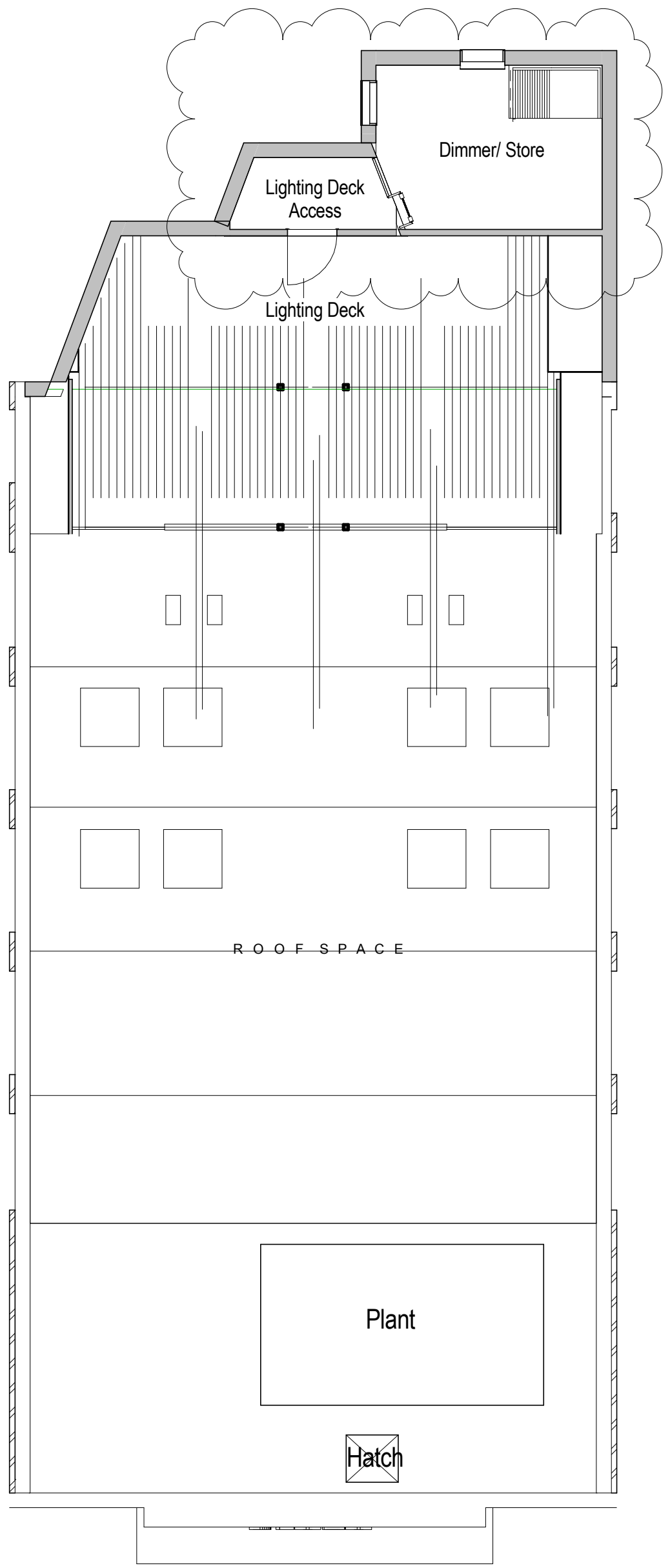
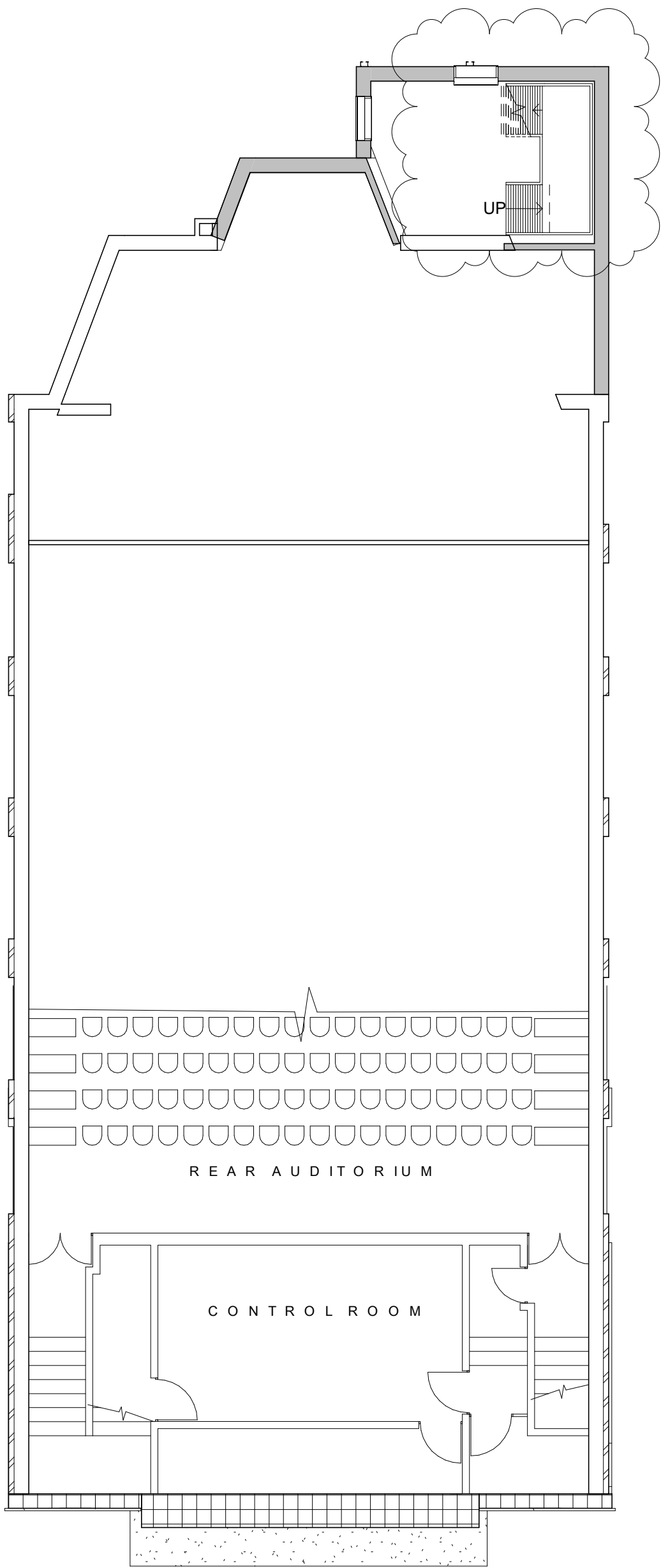
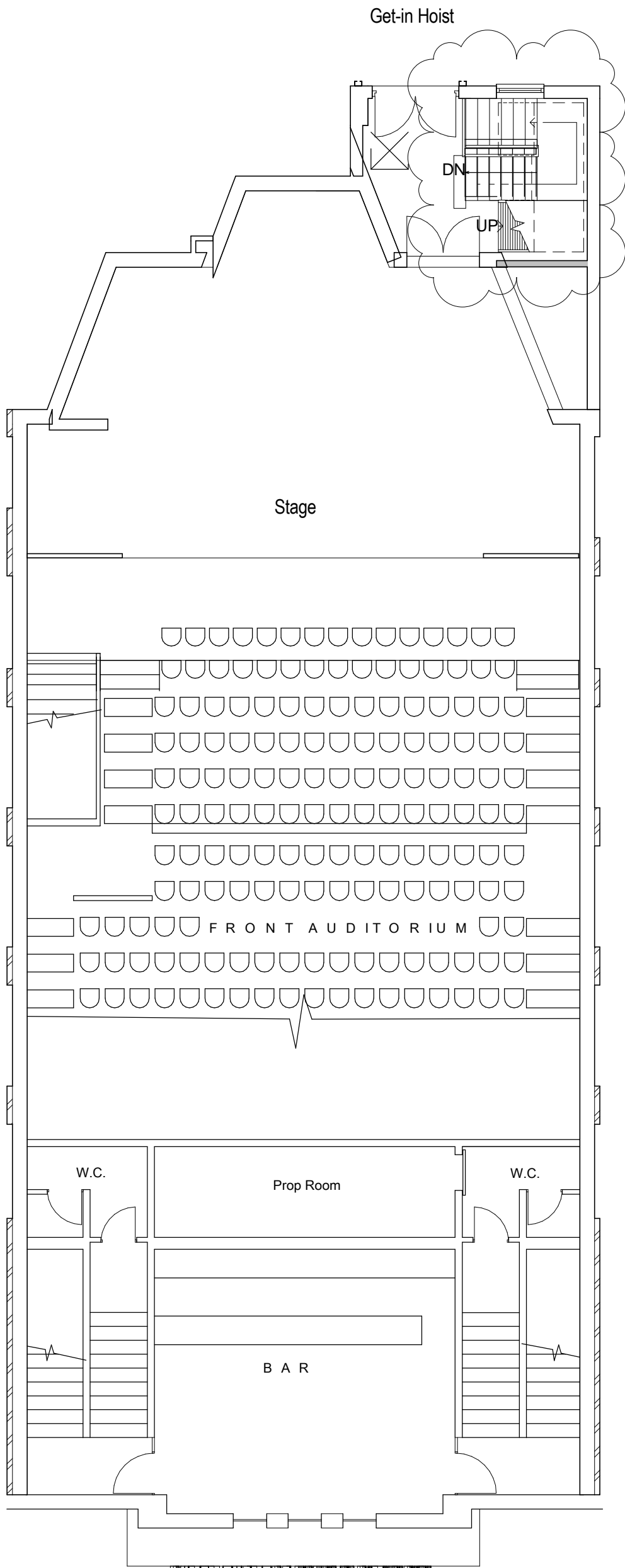
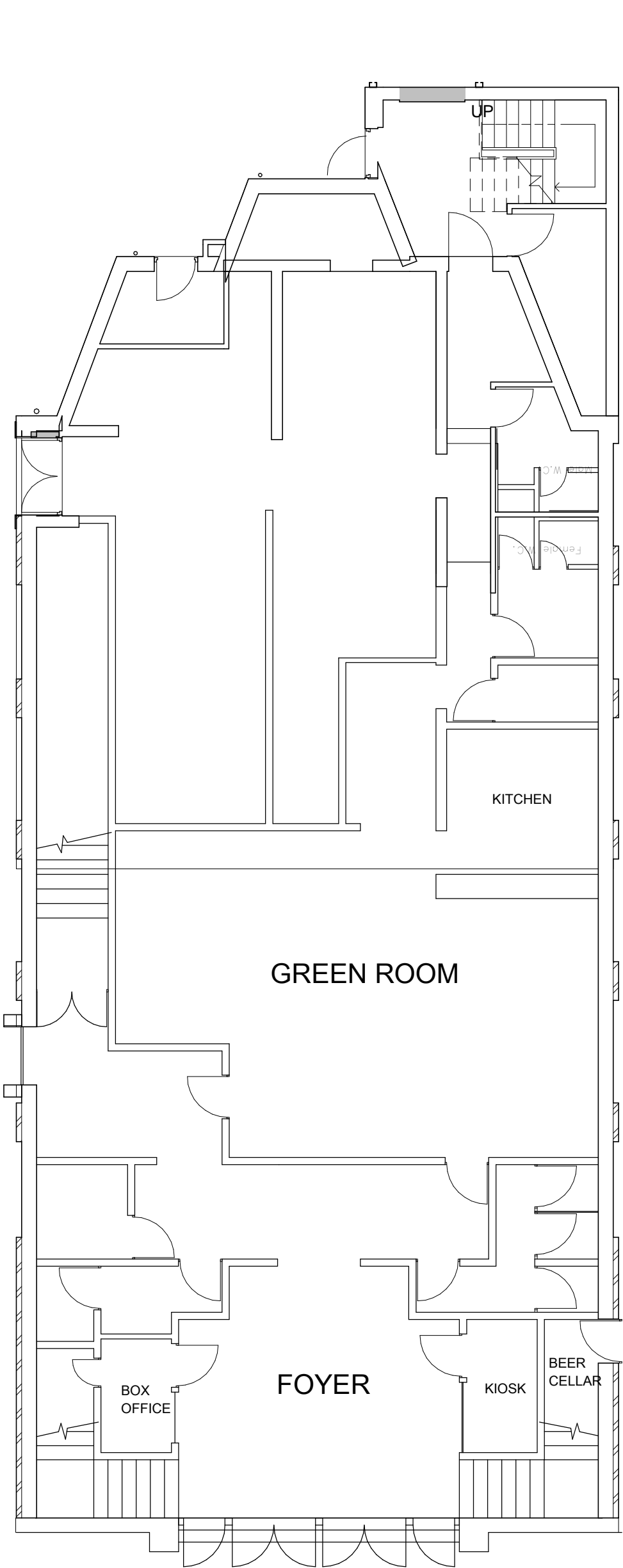
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romsey@s4architects.co.uk  
www.studiofourarchitects.com

client **Romsey Amateur Operatic and Dramatic Society**  
project **Plaza Theatre, Rear extension**  
title **Proposed Elevations - Option 2**

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25/09/2016	36094	202	P2
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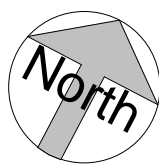
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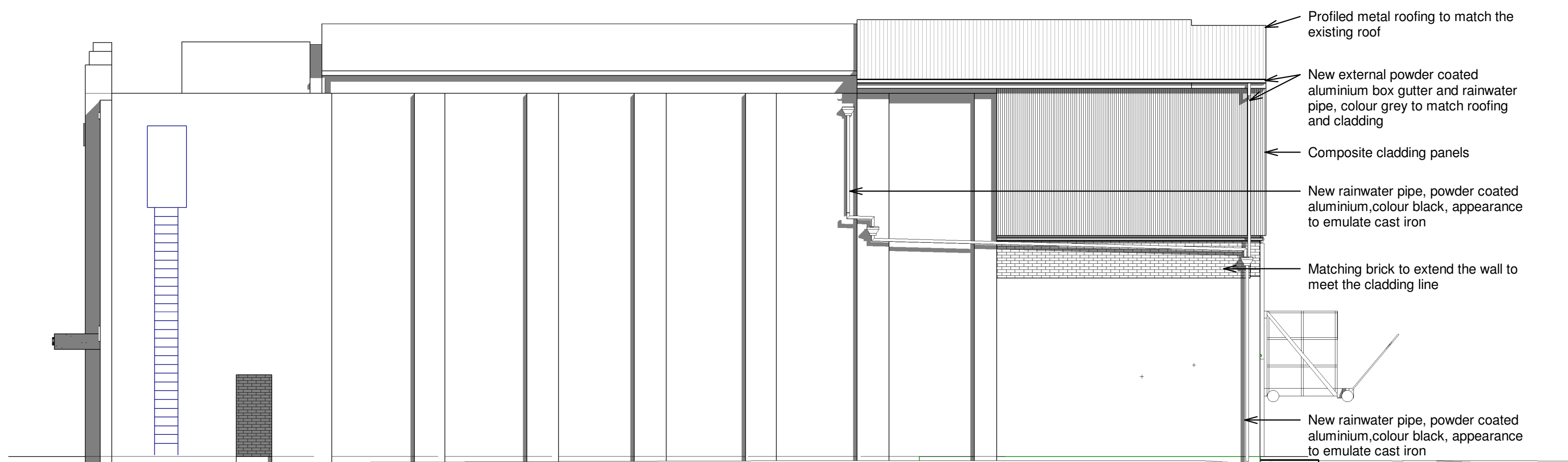
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Second Floor  
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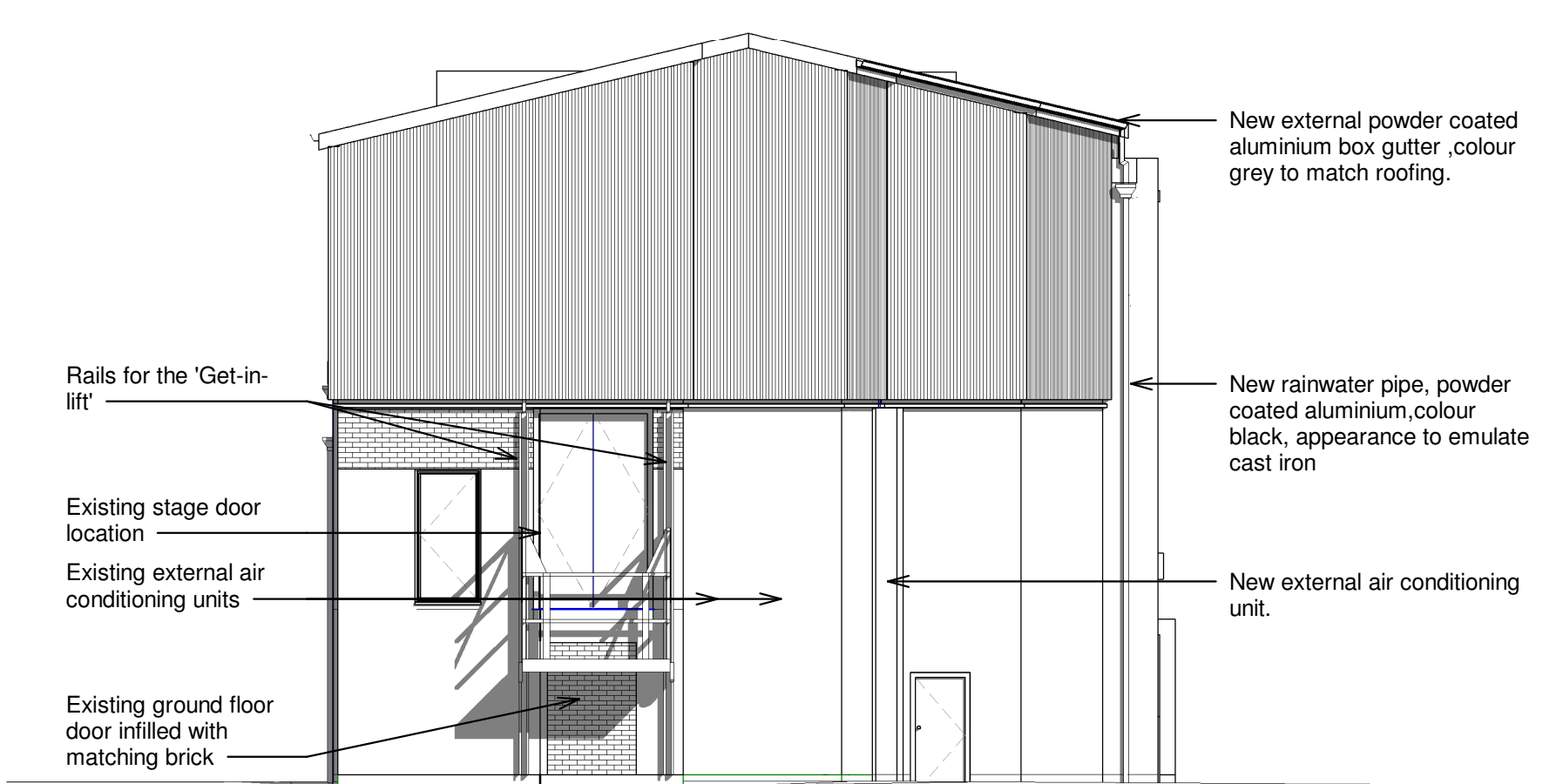
Third Floor  
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Roof  
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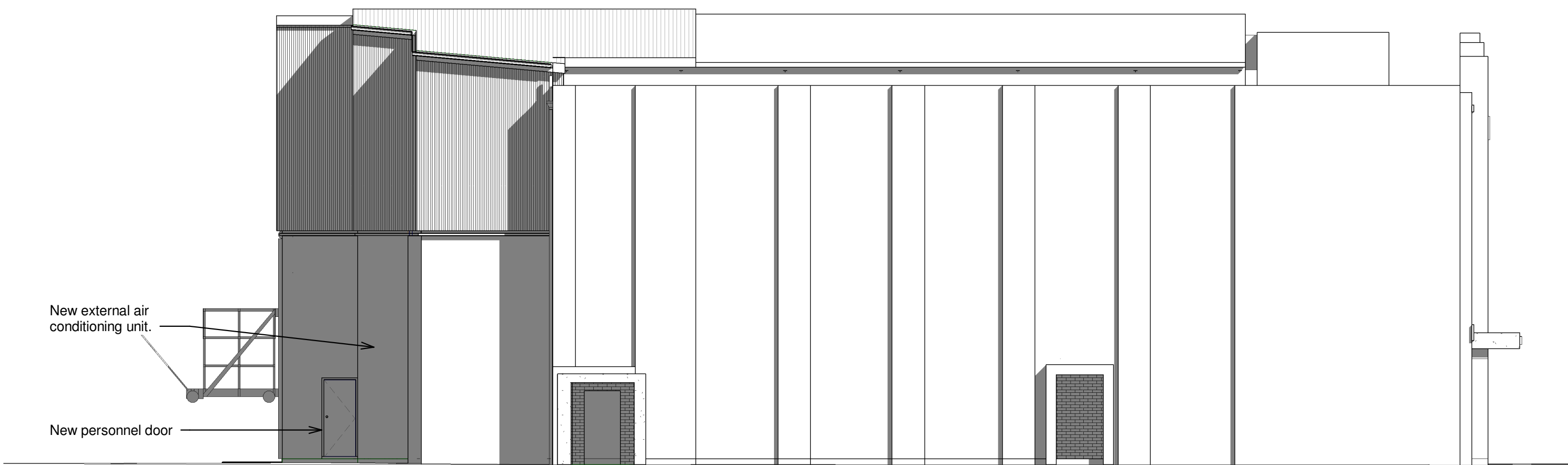




North East As Proposed



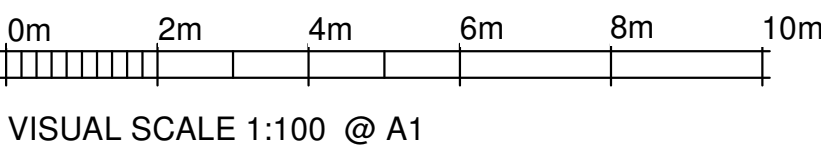
North West As Proposed



South West As Proposed



South East As Proposed



NOTES	
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Test Valley Borough Council - Southern Area Planning Committee - 28 January 2020	
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08.11.19	PSM
Rev	Dr n Amendments
Date	Ch d
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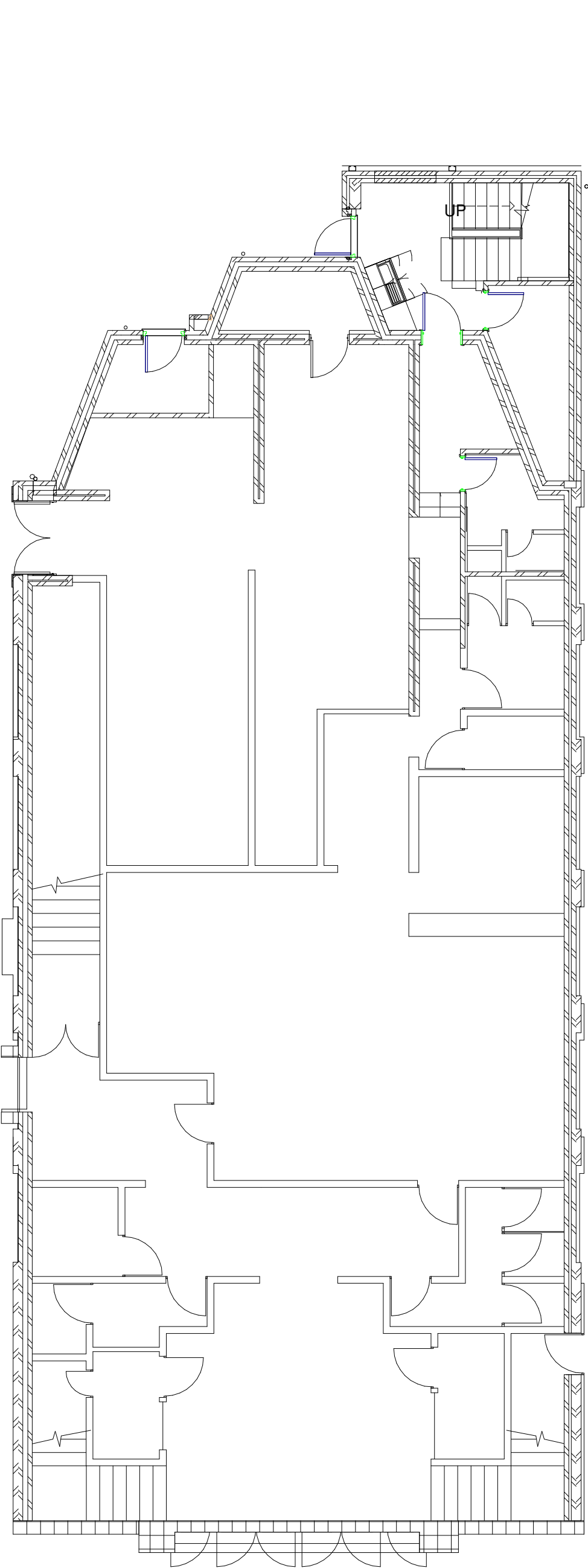
**SAUNDERS**  
**ARCHITECTS**  
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Suite 36, Royal Mail House, Terminus Terrace, Soton. SO14 3FD  
Telephone: 023 8081 1981  
mail@saunders-architects.co.uk www.saunders-architects.co.uk

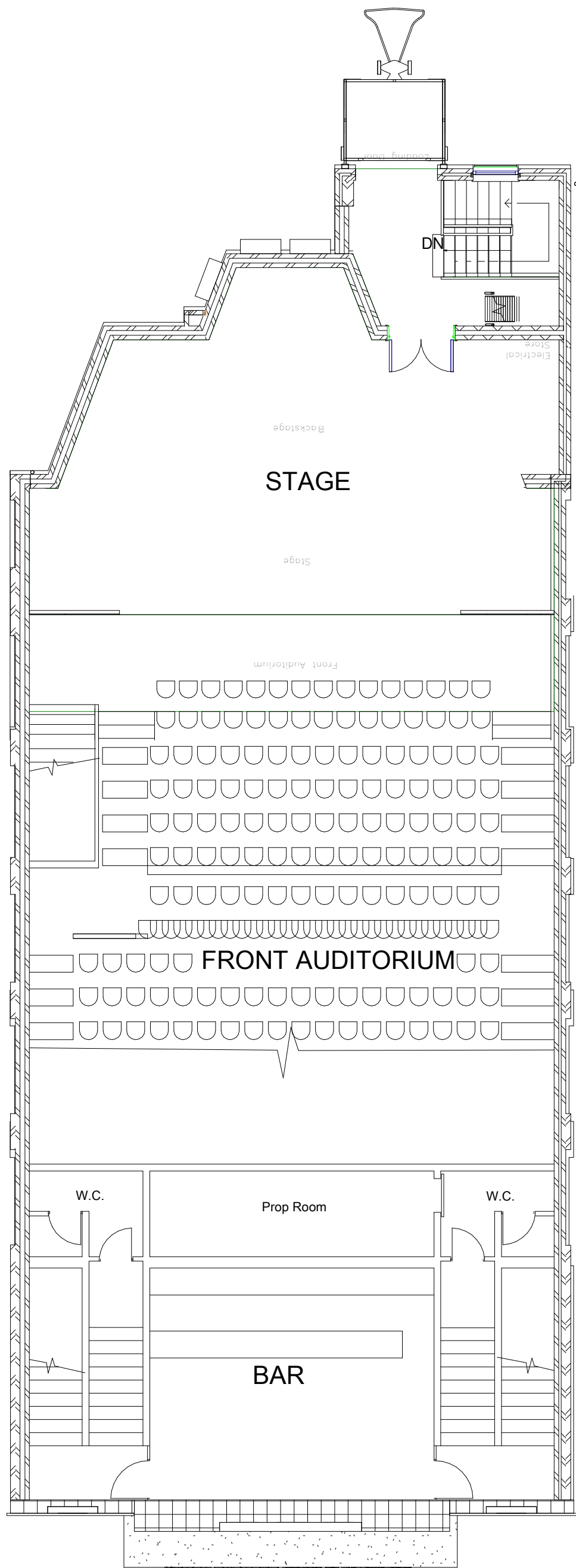
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Drawing
<b>Proposed Elevations</b>

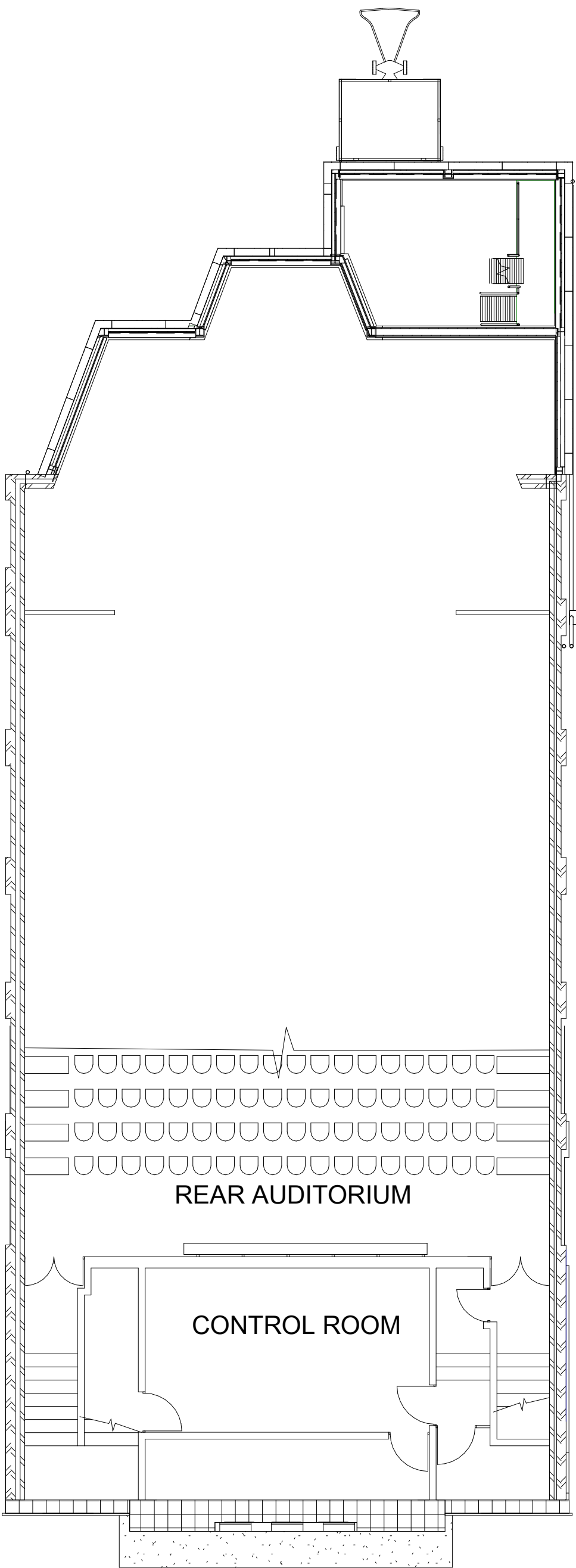
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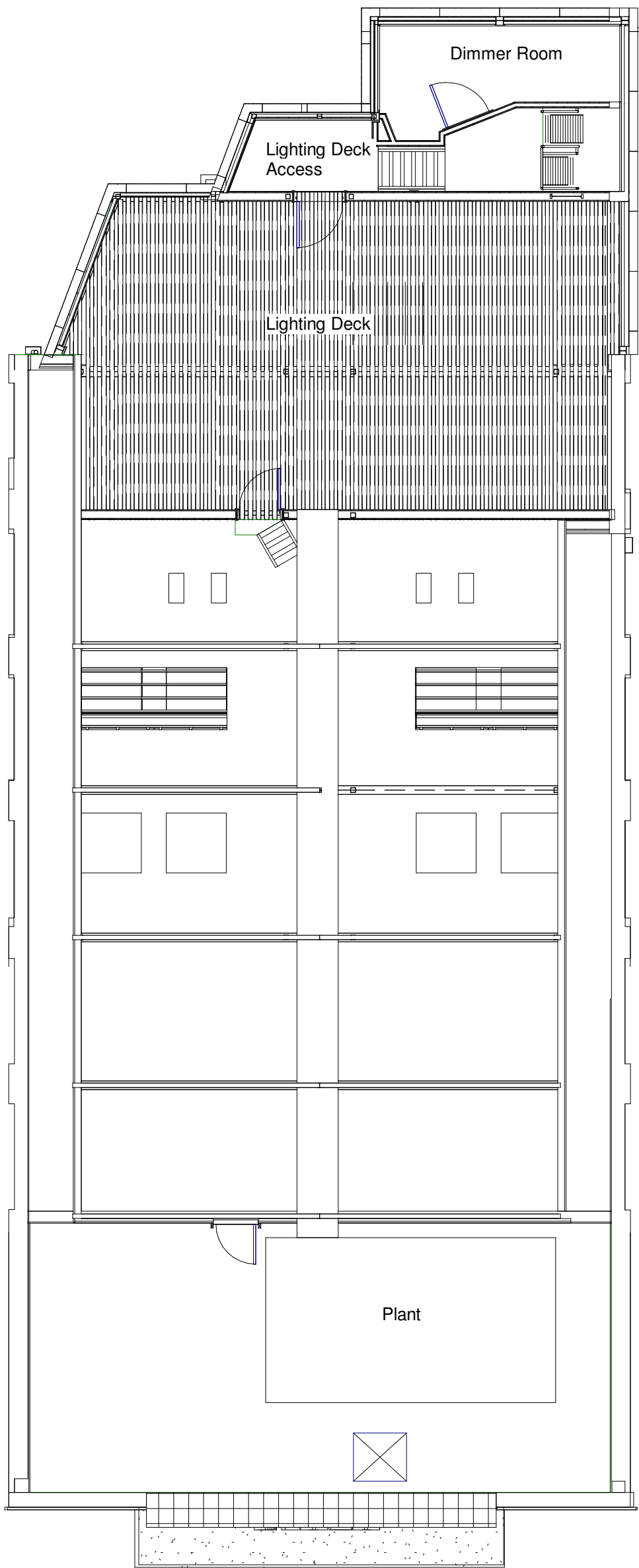
Ground Floor As Proposed



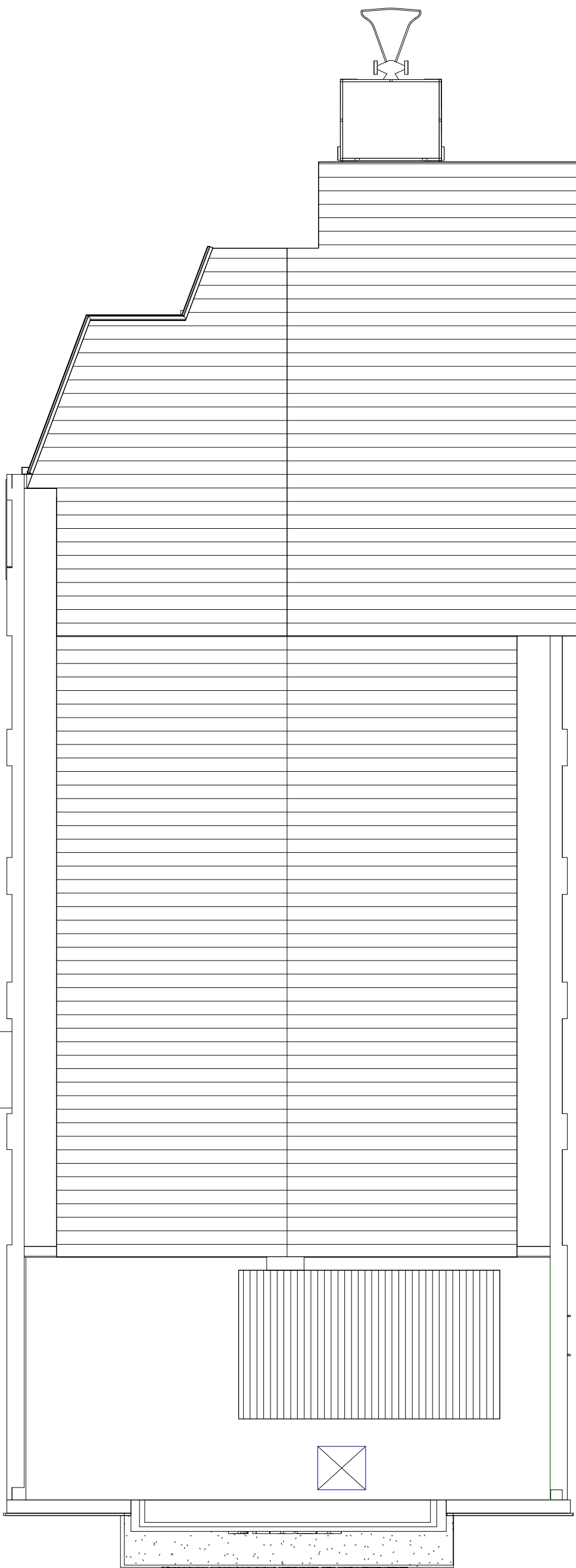
First Floor As Proposed



Second Floor As Proposed



Third Floor As Proposed



Roof As Proposed

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08.11.19	PSM
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Date	Ch d
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Project
<b>Romsey Plaza Theatre</b>

Drawing
<b>Plans As Proposed</b>

Scale @ A1	Drawing no.
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