

## Notice of Meeting

# Southern Area Planning Committee

**Date:** Tuesday 25 June 2019

**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 A Finlay (Chairman)	Chilworth, Nursling & Rownhams
Councillor M Hatley (Vice-Chairman)	Ampfield & Braishfield
Councillor N Anderdon	Chilworth, Nursling & Rownhams
Councillor G Bailey	Blackwater
Councillor P Bundy	Chilworth, Nursling & Rownhams
Councillor A Dowden	Valley Park
Councillor C Dowden	North Baddesley
Councillor S Gidley	Romsey Abbey
Councillor I Jeffrey	Mid Test
Councillor J Parker	Romsey Tadburn
Councillor R Rowles	Andover Winton
Councillor A Ward	Mid Test
Councillor A Watts	Andover Millway

## **Southern Area Planning Committee**

Tuesday 25 June 2019

### **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 4 June 2019**
- 6 Information Notes 4 - 9**
- 7 18/02561/FULLS - 01.10.2018 10 - 27**  
  
**(OFFICER RECOMMENDATION: REFUSE)**  
SITE: Fields Farmland, Rownhams Lane, Rownhams  
SO16 8AQ, **NURSLING AND ROWNHAMS**  
CASE OFFICER: Mr Jacob Cooke
- 8 19/00320/FULLS - 11.02.2019 28 - 45**  
  
**(OFFICER RECOMMENDATION: PERMISSION)**  
SITE: Land adjacent Spring Cottage, Crampmoor Lane,  
Crampmoor, **ROMSEY EXTRA**  
CASE OFFICER: Mr Graham Melton
- 9 18/01719/FULLS - 10.07.2018 46 - 67**  
  
**(OFFICER RECOMMENDATION: PERMISSION)**  
SITE: Grain Buildings, Forest of Bere Estate, Moor Court  
Lane, SO20 6RA, **KINGS SOMBORNE**  
CASE OFFICER: Ms Astrid Lynn

## **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>	18/02561/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	01.10.2018
<b>APPLICANT</b>	Mr S Barker, Longdown Management Ltd
<b>SITE</b>	Fields Farmland, Rownhams Lane, Rownhams, SO16 8AQ, <b>NURSLING AND ROWNHAMS</b>
<b>PROPOSAL</b>	Proposed farmland access
<b>AMENDMENTS</b>	Proposed Site Levels (15.10.2018) Existing Farm Access Track (16.11.2018)
<b>CASE OFFICER</b>	Mr Jacob Cooke

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 SITE LOCATION AND DESCRIPTION

- 2.1 The site is located adjacent Rownhams Lane, the lane has a verdant character of mature trees either side of the road. The application site itself, to the road side, features 4 young trees which still retain the tree guards. These trees are replacements of larger trees that were removed previously. To the south of the application site lies an access track, the entrance of which is adjacent Bakers Drove. This access track serves the farmland subject of this application and the residential properties which are under separate ownership.

### 3.0 PROPOSAL

- 3.1 The proposal comprises of an 8.1m x 8m hardstanding area with visibility splay and a pair of 4m wide field gates with double width access off Rownhams Lane to serve an agricultural field for the purposes of arable farming. Justification for the need of a two way access has been submitted which details that due to the turnaround time of the vehicles entering and exiting the site, vehicles would pass each other upon exiting and entering the field.
- 3.2 The applicant has provided a statement describing the agricultural activities that are to be carried out on site. Currently, the land is laid to grass which has been the case for the last three seasons, with the intention to grow maize within the next two years.
- 3.3 The applicant has provided a written statement justifying why in their opinion it is essential for this access to be located in the countryside. This justification concludes during the harvesting period of maize (which typically takes places between August – September), the loading/unloading of the tractor trailer would result in a turnaround time of approximately 20 minutes.

Please refer to Table 1. for a breakdown of the amount of tractor trailer loads required to harvest the whole site. Due to this timeframe, the applicant considers this as sufficient justification for the access.

3.4 Table Showing Maize Yield Per Acre and Total for Site

Please note, the base line figure used for the yield of tonnes per acre was provided by the applicant.

<b>Yield of Maize (tonnes /per acre)</b>	<b>Area of Arable Land Parcels (acres)</b>	<b>Total Yield of maize for site (tonnes)</b>	<b>Range of tractor trailer loads to offload site</b>	<b>Range of weight per tractor trailer load to offload site (tonnes)</b>
18	14.3	257.4	17 – 20	12.85 – 15.1

Table 1: Maize Yield per Acre and Total for the Site.

3.5 The statistics outlined in *Table 1* show that the 14.3 acre site to be used for the growing of maize would result in approximately 257 tonnes of maize. Therefore, the total yield of maize could be cleared from the site by 17 – 20 tractor trailer loads.

3.6 Following further submitted information, the location which is proposed to be used to off load the harvested maize into silage clamps is located at Coles Farm, Marchwood Road, Eling, Southampton approximately 4.5 miles away. The length of the route travelled from the application site to the silage clamp may alter to avoid taking a slow moving vehicle such as a tractor and trailer on the M271.

3.7 Statements submitted by the applicant attempts to provide justification for the access track based on subjective highway safety concerns and notes there would *'remain a real safety issue with the likelihood such a situation would inevitably mean vehicles waiting on the highway causing delays to traffic and accordingly a hazard to other road users and pedestrians'*, the applicant goes further, stating the existing access opposite Bakers Drove *'has virtually no visibility available...and ...is positioned opposite a road junction which adds to vehicle conflicts in this location; whereas the relocated access will have no such conflict'*.

4.0 **HISTORY**

4.1 **15/00054/REFS** Outline application for demolition of one dwelling and outbuilding and erection of up to 140 dwellings (Use Class C3) including access, associated landscaping, open space and management of the SINC (Details of access to be determined) **APPEAL DISMISSED** 28.10.2016.

4.2 **15/00355/OUTS** Outline application for demolition of one dwelling and outbuilding and erection of up to 140 dwellings (Use Class C3) including access, associated landscaping, open space and management of the SINC (Details of access to be determined) **REFUSE** 02.10.2015.

4.3 **14/02837/SCRS** Screening Opinion under Town and Country Planning (Environmental Impact Assessment) Regulations 2011 for up to 150 dwellings **EIA Not Required** 24.12.2014.

4.4 **TVS.03495/1** Outline: Erection of dwelling - Fields Farm House, Rownhams Lane, Nursling and Rownhams. **REFUSE-** 15.02.1988. **APPEAL DISMISSED** – 04.08.1988.

4.5 **TVS.03495** Extension and alterations - Field House Farm, Rownhams Lane, Rownhams. **PERMISSION subject to conditions** – 12.08.1981.

## 5.0 **CONSULTATIONS**

### 5.1 **Highways:**

- The proposed visibility splays are considered achievable. In line with this, Highways development Planning raises no objections to this proposal.
- Vehicular visibility splays to the left of the existing access track is virtually nil and possibly 2.4m x 3 - 4m at most and as such severely restricted.
- With regards to the visibility envelope, visibility in the vertical plane is the same for all vehicles. Driver eye height in a car is around 1.05m and this progresses to around 2m in a large vehicle such as an HGV or tractor.
- Drivers of all vehicles need to be able to see obstruction from a point of 2m to a point 600mm above the carriageway surface.

5.2 **Ecology:** No major concerns over the proposal but would recommend the following informative notes:

- Dormice and their breeding sites and resting places receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. All work must stop immediately if dormice, or evidence of dormouse presence (e.g. nests), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.
- Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.



5.3 **Trees:** Objection –

The submitted information is a tree survey from 2014, which identifies the trees on-site and their condition at that time. It also shows the interaction of the TPO'd trees with the required visibility splay.

This information is not adequate (in tree terms) to move forward with this application. The information needs to be up dated, and needs to demonstrate through a site specific arboricultural method statement, which complies with B.S:5837:2012 that the entrance can be built, and how it is to be built without detriment to the TPO'd trees. This will need to include tree protection, special surfacing (if required) location of gate post and how they are to be built, and how the visibility splays are to be achieved without removal of any trees.

6.0 **REPRESENTATIONS** Expired 26.10.2018

6.1 **Parish Council:** Objection (summarised):

- The track currently used by farm vehicles is only accessed on an infrequent basis at certain times of the year; applicant has referred to harvest time for access purposes.
- The vehicles entering/leaving the track are slow moving; this would be the same situation with the proposed entrance.
- The safety issue could be resolved by using a banksman to control the traffic on the rare occasions this is required.
- This area of Rownhams is characterised by many mature trees forming an avenue.
- The Parish Council, with agreement of Hampshire County Council replaced trees, previously felled by the applicant, to re-instate the street scene where the trees were felled.
- Existing mature trees now covered by a TPO.
- The introduction of a new entrance would be contrary to the reason for refusal at a recent Appeal which found the landscape character was an important consideration.
- Proposed entrance closer to a sharp bend in Rownhams Lane, whereas existing access provides very good sight lines to the left and right when leaving or entering the track.
- The width of proposed entrance implies two vehicles will be able to pass one another side by side.
- This is not in keeping with a field entrance which would normally be secured by a single five bar gate.
- The proposal cannot justify two farm gates which give the impression of a two-way road.
- Surely one vehicle at a time would only require access or egress.

6.2 **9 x letters of representation:** Objection(s) summarised:

- Removal of TPO trees.
- Would create unsafe access; existing access has good visibility.
- Banksman could be used to control traffic when farm vehicles moving.
- Need for gates is questionable as field has been divided into two by planting a row of saplings across the centre of the field.
- Why two gates and a two lane carriageway?

- Entrance would be completely out of character and is a prelude to another application for permission to develop the land with housing as previously attempted.
- Existing access is adequate.
- Farm traffic would be limited.
- Not made directly aware of the planning application, instead we were supposed to see a notice which was put on a bus stop on the opposite side of the footpath that is only used by school children.
- Neighbours have not been informed or consulted with about the proposal.
- Site is very close to a dangerous bend.
- Proximity of the proposed entrance to the bend on Rownhams Lane now with a newly installed pedestrian crossing point on the bend is of concern in terms of safety.

## 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)

Policy COM2 – Settlement Hierarchy

Policy E1 – High Quality Development in the Borough

Policy E2 – Protect, Conserve and Enhance the Landscape Character of the Borough

Policy E5 - Biodiversity

Policy T1 – Managing Movement

## 8.0 **PLANNING CONSIDERATIONS**

### 8.1 The main planning considerations are:

- Principle of Development
- Impact on the character and appearance of the area
- Impact on trees
- Impact on biodiversity
- Impact to the highway

### 8.2 **Principle of Development**

The site is located within the countryside as designated by Inset Map 5 of the Test Valley Borough Revised Local Plan 2016. Development outside of the settlement boundary is considered against policies COM8-COM14, LE10, LE16-LE18, or it is essential for the proposal to be located in the countryside. It is considered that policies COM8-COM14, LE10, LE16-LE18 are not applicable to the proposal. Therefore, the proposal is required to justify why the proposed access is essential to be located in the countryside. This is assessed in the following paragraphs.

- 8.3 Plans submitted outlining the agricultural holding in the ownership of the applicant indicates the existing access track adjacent Bakers Drove is in the ownership of the applicant. It is noted that the applicant states the properties of Rosehill, The Fields, Fields Farmhouse, White Lodge, and Fields Cottage, all benefit from rights of access over the existing track to access their respective properties. As such, the existing access is currently in use and the applicant does not have control or ability to close this access.
- 8.4 Justification has been submitted to demonstrate the essential need for the two way access. The applicant has provided the statistics for the yield capacity for the growing of maize. This is set out in the *Table 1 (para. 3.4)* and details the yield of maize on the site and how many tractor trailer loads this would equate to.
- 8.5 During the harvesting period the highest number of vehicle movements to take place that will offload the entire crop harvested on the 14.3 acres is 40 (20 egress, 20 ingress). Due to the low number of vehicle movements to and from the site, and the distance required to travel to off load, the probability of two vehicles passing each other to gain access or leave the site is very low. Therefore, it is considered that the proposed access is not essential to be located in the countryside in relation to the justification for two-way vehicle movements.
- 8.6 Accident records have been requested from the Highway Authority. The results from this search can be found in *Table 2* below. The search area was a 500 metre radius from the junction of Bakers Drove and Rownhams Lane. The period of time assessed is between the 1 September 2013 – 31 August 2018.

8.7 *Accident Statistics within 500m of the junction of Bakers Drove and Rownhams Lane*

<b>No. of Accidents</b>	<b>Date of Accident</b>	<b>Location of Accident</b>	<b>Accident Severity (Slight, Serious, Fatal)</b>	<b>Casualty Severity (Slight, Serious, Fatal)</b>
1`	19.03.2014	Horns Drove/Balmoral Way mini roundabout	Slight	Slight
2	30.11.2014	Bakers Drove at junction with Rownhams Way	Slight	Slight
3	08.10.2015	Horns Drove at junction with Rownhams Way	Slight	Slight
4	27.04.2016	Horns Drive/Balmoral Way mini roundabout	Slight	Slight
5	16.08.2017	Rownhams junction with Bakers Drove	Slight	Slight

**Table 2: Accident Statistics within 500m of the Junction of Bakers Drove and Rownhams Lane**

- 8.8 The tabulated results above set out that two accidents have occurred in close proximity to the application site within the last 5 years. There are no vehicle accidents occurring at the site of the proposed access. The two traffic collisions which occurred at the junction of Bakers Drove with Rownhams Lane did not involve any agricultural vehicles. Due to the low numbers of vehicle collisions near the application site, it is considered that the proposed access would not have an adverse or positive impact on highway safety.
- 8.9 Within 500m of the site there is a low level of vehicle conflicts, and where these conflicts have occurred, they are categorised as 'slight'. Therefore, the justification provided by the applicants' statements on the basis of highway safety concerns for the access track is not substantiated, and indeed the evidence suggests to the contrary. No weight is afforded to this as a material consideration.
- 8.10 The existing single track access serving the application site, and the residential properties of Rosehill, Fields Farmhouse, White Lodge, and Fields Cottage is not proposed to be closed. Therefore, in line with the evidence presented regarding the amount of vehicle movements, and the amount of vehicle conflicts that occur at the site, it has not been demonstrated that the existing access is no longer suitable for continued use for agricultural purposes, and neither is there justification for the new access. The proposal is not in accordance with Policy COM2 (b) of the TVBRLP.
- 8.11 **Impact on the Character and Appearance of the Area**  
The character and appearance of the area is a mix of residential to the north and west of the application site with a rural setting to the south and east. The western boundary of the site onto Rownhams Lane is in public view and features mature trees and saplings. It is understood the saplings replaced trees that were previously removed. The provision of an access in this location would not respect the verdant character of this side of Rownhams Lane. The current proposal would result in the loss of trees; it is acknowledged that these trees are young, however it is considered the retention of the young trees adds value, retains the verdant character and softens the appearance of the residential areas when travelling north along Rownhams Lane. In their current form the young trees have limited public amenity value. They are not the subject of a TPO and neither at this moment, are they considered worthy of such protection. That said, they are agreed replacements for trees felled which fall on public land and they hold the potential for the verdant , rural character of Rownhams Lane, to be retained for the future. As described above, an essential need for the new access has not been shown such that the removal of these trees is similarly not, in planning terms, necessary.
- 8.12 No form of landscaping is proposed to encompass the proposed hardstanding area; therefore on balance, the proposal would result in an appearance that would not integrate with the verdant character as this would result in the removal of trees and no addition of new landscaping is proposed. The addition of the proposed access, coupled with the pair of 4 metre wide field gates and the 64.8m<sup>2</sup> of hardstanding would not integrate or compliment the character of the area in terms of the location of the access and its appearance on the streetscene. The proposal is contrary to Policy E1 of the TVBRLP.

**8.13 Impact on Trees**

The tree preservation order (TPO.TVBC.1168) was served on the mature oak trees along the road boundary of the site. The newly planted trees are not covered under the tree preservation order. The mature oaks have significant weight afforded to them due to the high public amenity value they add to the area. The proposed access track would result in the removal of 7 trees subject of the tree preservation order to achieve the visibility splay required; furthermore, the introduction of the visibility splay would add pressure to cut back other trees subject of the tree preservation order to achieve the required visibility splays. As such, the proposal would affect trees of high public amenity value thereby leading to a significant, and detrimental effect on the character and appearance of the area, the submitted documents have not addressed this issue. Therefore, the proposal is contrary to Policy E2 as it cannot be ensured that this proposal would lead to the protection, conservation or enhancement of the landscape of the Borough.

**8.14 Impact on Biodiversity**

The application is supported by a Phase 2 Ecological Assessment. This assessment identified that the proposal has the potential to adversely impact two protected species; dormice and breeding birds. The survey work did not identify any dormice present around the wider site, as such concluded that dormice are likely to be absent. However, dormice were recorded close to the site to the south east. Therefore, an informative note for work to stop should dormice be discovered, and that works could only take place outside of the bird nesting season could be added to any permission.

**8.15 Impact on the Highway**

The proposal is considered to adversely impact highway safety. The vehicles that would use the proposed access would be 14.8 metres in length as drawn on the submitted proposed access plan. To ensure highway safety is not adversely impacted on Rownhams Lane, a pull in within the application site of 15 metres in length should be provided to ensure the tractor trailer is not waiting on the highway while the gates are opened to the field. The pair of field gates are detailed on the submitted drawings as being 8.4 metres back from the edge of the carriageway. This would result in 6.4 metres of the tractor trailer resting on the highway while the gates are opened. It is considered that this would result in an unnecessary adverse impact to highway safety and cause traffic disruption. The proposal is considered to be contrary to Policy T1 of the TVBRLP.

8.16 The visibility splay proposed is acceptable in highways terms. However, as set out in para. 8.19, to provide the visibility splay, trees subject of the TPO would need to be removed as per Section 154 of the Highways Act 1980. This is considered unacceptable by the LPA due to the high public amenity value the trees add to the area. Therefore, it is considered that the visibility splay required to make the access safe is not achievable due to the adverse impact this would cause to the character and appearance of the area.

9.0 **CONCLUSION**

9.1 Evidence has been submitted to demonstrate that it is essential for the proposal to be located in the countryside. This evidence sets out that due to the agricultural activity taking place onsite, this would result in the need for a two-way access due to the turnaround times of the vehicles servicing the land. The offloading site is located a considerable distance away from the application site, therefore it is considered reasonable that the probability of when two vehicles may need to pass each other when entering/exiting is extremely low. The evidence suggests that no accidents have occurred at the site, with minor collisions occurring within 500m of the site. Again, this does not provide substantial justification on highway safety grounds to warrant a two way access and the loss of TPO trees.

9.2 In light of the evidence presented and the adverse impact the proposal would have on trees subject of the TPO, it has not been demonstrated why the existing access track cannot continue to serve the agricultural field. Therefore, the proposal has not demonstrated compliance with the relevant policies contained within the Test Valley Borough Revised Local Plan (2016).

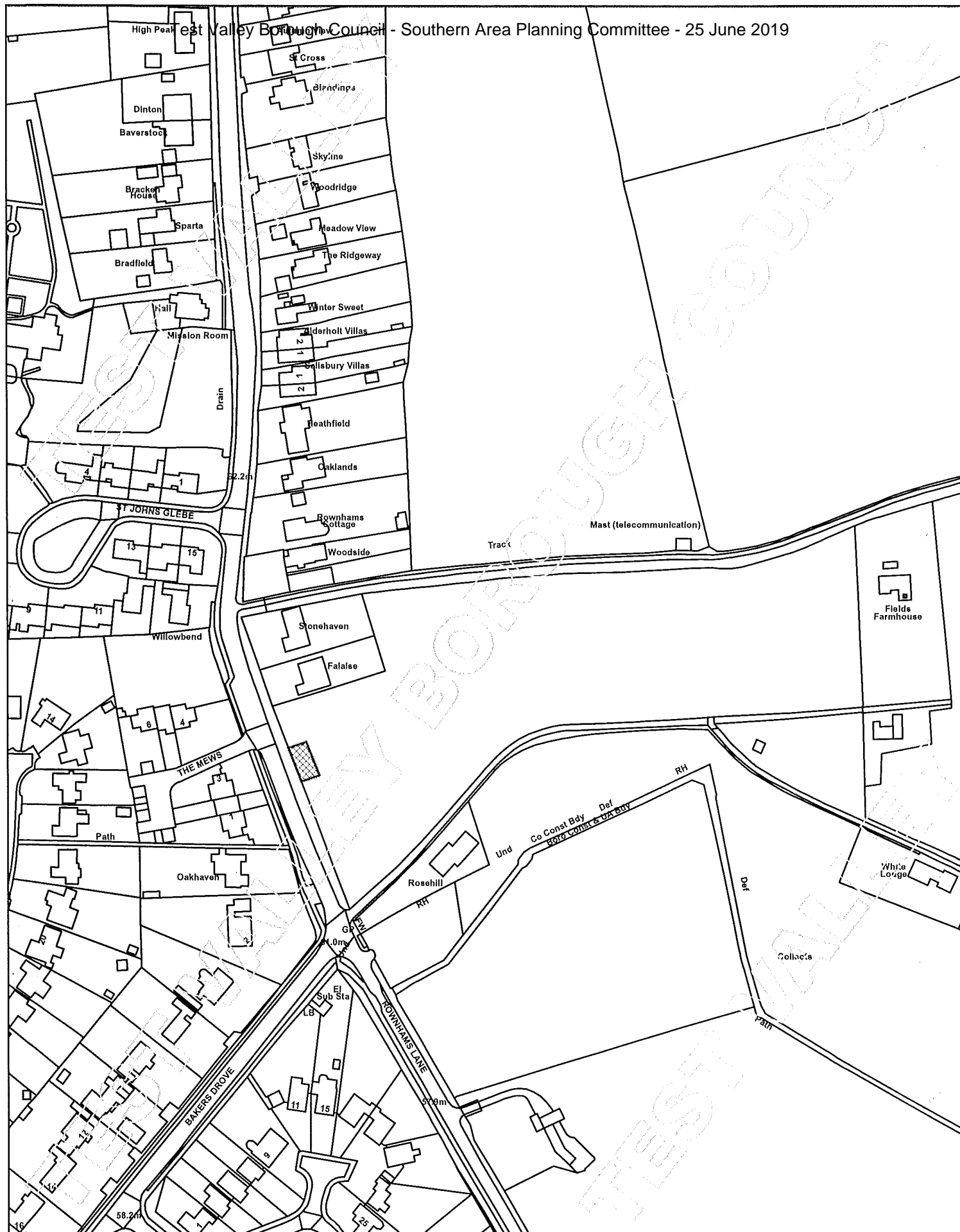
10.0 **RECOMMENDATION**

**REFUSE for the reasons:**

1. The site is situated in a countryside location as defined by the Test Valley Borough Revised Local Plan (2016). The proposal does not demonstrate that it is essential to be located in the countryside location. Therefore, the proposal is contrary to Policy COM2 (b) of the Test Valley Borough Revised Local Plan (2016).
2. The proposal would result in the loss of trees which are considered to add value to the verdant character and appearance of the area. Furthermore, the addition of the access and provision of the hard surface area, visibility splays and the pair of 4 metre wide field gates would result in the erosion of the rural character to the detriment of the immediate area. The proposal is contrary to Policy E1 (a) of the Test Valley Borough Revised Local Plan (2016).
3. The proposal would result in the loss of a number of trees subject of the Tree Preservation Order (TPO.TVBC.1168) and other trees planted as replacements due to the proximity of the development to the oak trees and to achieve the proposed visibility splay. The proposal is contrary to Policy E2 (a), (b), (c), and (f) of the Test Valley Borough Revised Local Plan (2016).
4. The proposal would result in an adverse impact to highway safety as the vehicles intended to use the site would have to wait on the adjacent highway of Rownhams Lane before accessing the site as the set back distance of the gates from the back edge of the carriageway is not sufficient to accommodate the vehicle and trailer at the proposed access point. Therefore, this would cause traffic delays and disruption to vehicles travelling north and south on Rownhams Lane resulting in an adverse impact to highway safety. The proposal is contrary to Policy T1 of the Test Valley Borough Revised Local Plan (2016).

**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







area shown hatched to be surfaced with a porous material to meet highway engineers requirements and be a minimum distance of 5 metres

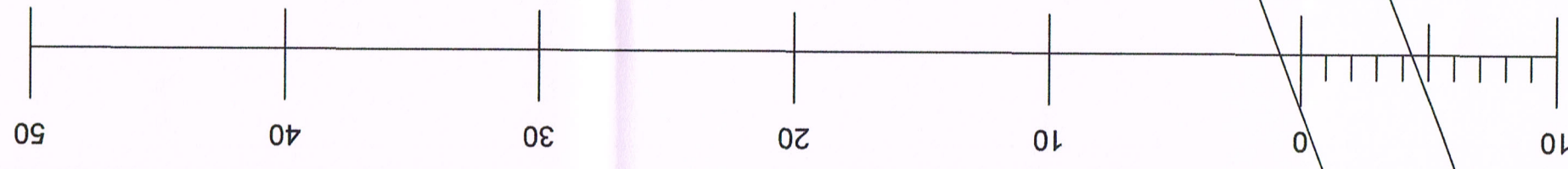
pair of 4 metre wide field gates

highway construction of entrance by approved contractor to Hampshire County Council Specification

TRACTOR AND TRAILER MOVEMENT PLOT TO INGRESS AND EXIT FARMLAND IN FORWARD MANNER

PROPOSED NEW FARM ACCESS LAND ADJACENT TO ROWNHAMS LANE

ROWNHAMS SOUTHAMPTON SCALE 1 : 250 @ A3

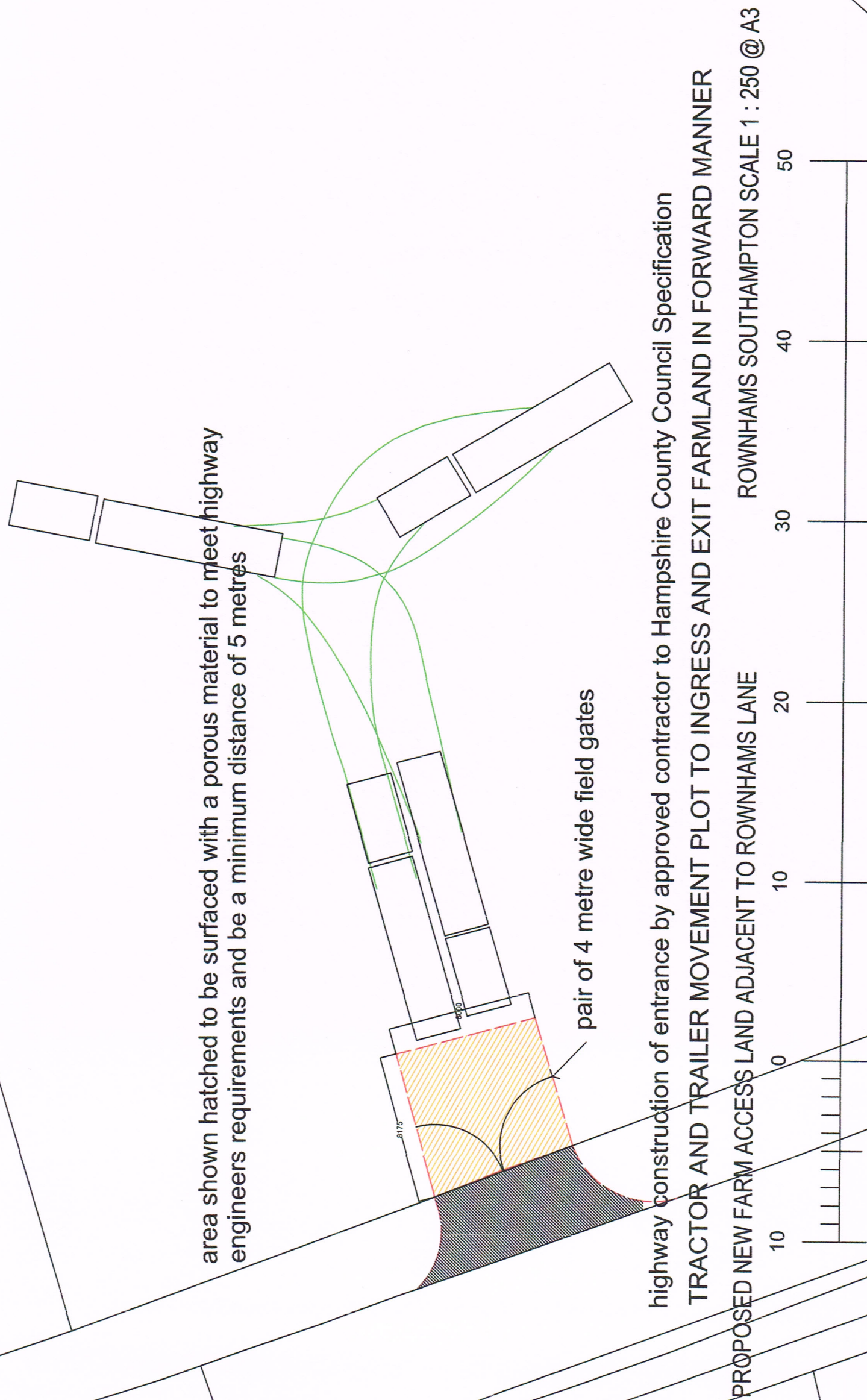






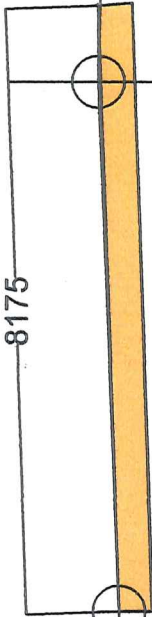
DISTANCE 7.3 miles      Scale 1:2500<sup>th</sup> @ A3





62.00

area shown hatched to be surfaced with a porous material to meet highway engineers requirements and be a minimum distance of 5 metres



LOWNTHAMS LANE  
CARPARK

EXISTING AND PROPOSED LEVELS REMAIN THE SAME

Construction make up porous tarmac to shaded area

75 mm thick on min 450 mm thick clean stone foundation

0

10

20

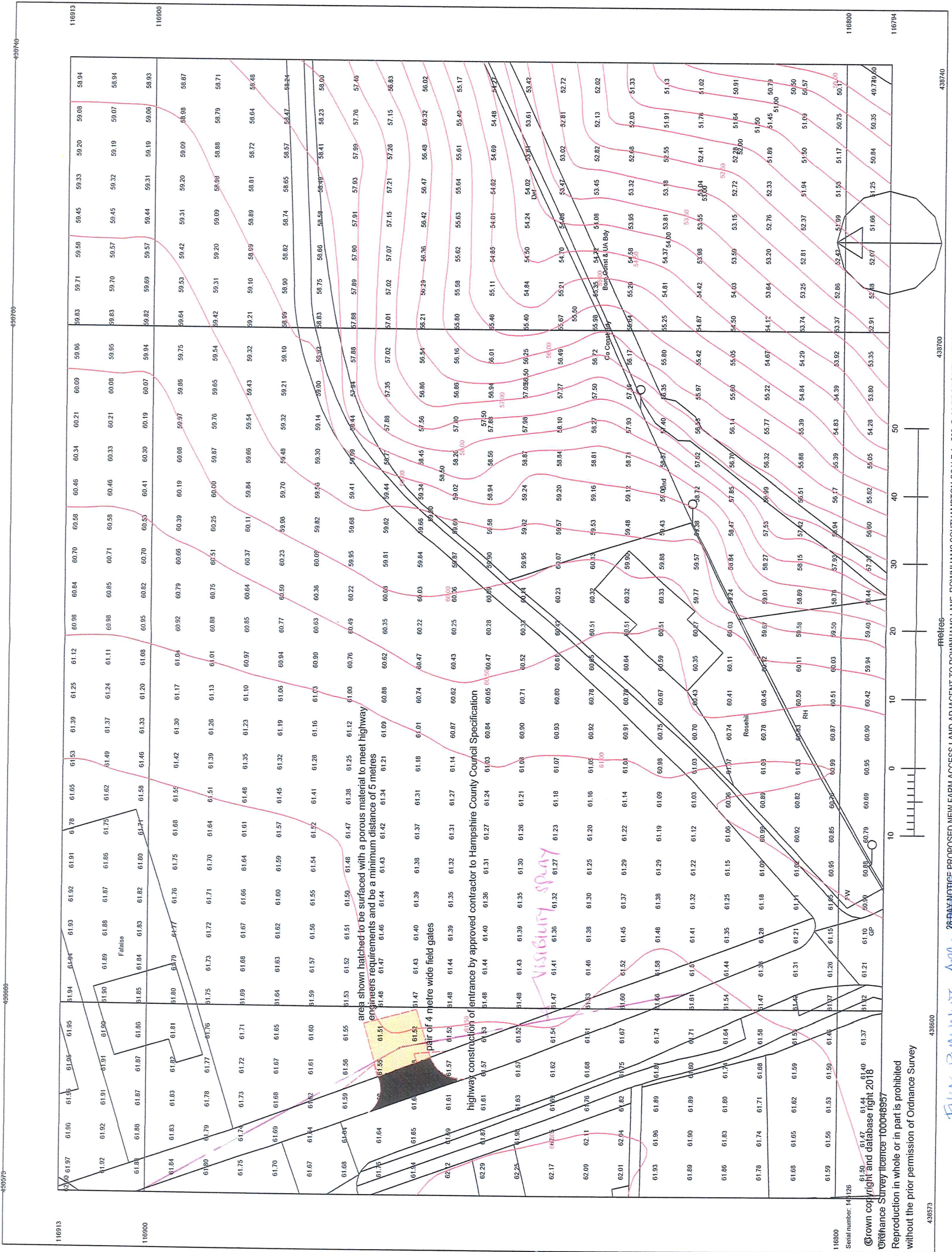
30

4

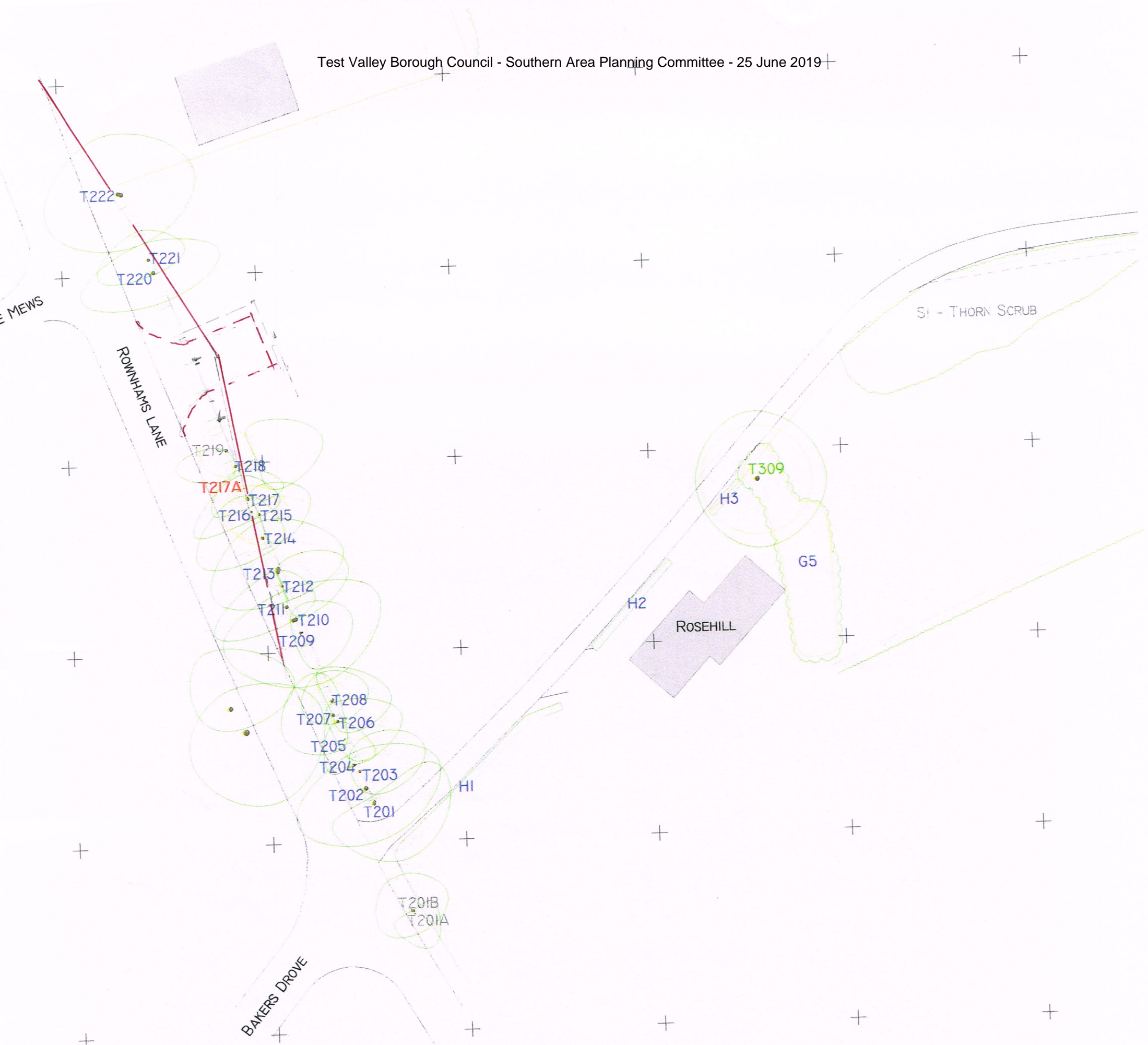
proposed longitudinal section through SCALE 1 : 100 @ a3

SCALE OK.









# **TREE SURVEY PLAN**

**ATC/2014/303**

**APPENDIX 2**

**Fields Farm, Rownhams**

**Date: 27th November 2014**

BS.5837:2012 TREES IN REALTION TO DESIGN, DEMOLITION AND CONSTRUCTION - RECOMMENDATIONS  
KEY TO TREE QUALITY CATEGORIES - SHOWN BY COLOUR OF TREE NUMBER.

**CATEGORY U - TREES UNSUITABLE FOR RETENTION - THOSE IN SUCH A CONDITION THAT THEY CANNOT REALISTICALLY BE RETAINED AS LIVING TREES IN THE CONTEXT OF THE CURRENT LAND USE FOR LONGER THAN 10 YEARS**

## ITEM 8

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<b>APPLICATION NO.</b>	19/00320/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	11.02.2019
<b>APPLICANT</b>	Mr P Shoolingin-Jordan
<b>SITE</b>	Land adjacent Spring Cottage, Crampmoor Lane, Crampmoor, <b>ROMSEY EXTRA</b>
<b>PROPOSAL</b>	Erection of four bedroomed detached dwelling
<b>AMENDMENTS</b>	Received on 03.04.2019: <ul style="list-style-type: none"><li>• Additional supporting information regarding highways visibility</li></ul> Received on 06.03.2019: <ul style="list-style-type: none"><li>• Amended proposed site location plan and site plan (Reflecting inclusion of additional land for vehicular access)</li></ul>
<b>CASE OFFICER</b>	Mr Graham Melton

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 at the request of a member.

### 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is a parcel of land measuring approximately 460sqm, on the south side of Crampmoor Lane, positioned between the neighbouring properties of 2 New Pond Cottage and Spring Cottage.
- 2.2 The plot is characterised by a steep decline in ground level measuring approximately 3m, running from the front (north) of the plot to the rear (south).
- 2.3 Currently, the application site is enclosed by a post and rail fence on the front (north) and rear (south) boundaries, in addition to a close boarded fence on the shared boundary with Spring Cottage and mature vegetation on the border with 2 New Pond Cottage.

### 3.0 PROPOSAL

- 3.1 The proposal is for the erection of a two storey, four bedroomed dwelling measuring approximately 9.7m by 6.9m by 7.6m, positioned within the centre of the plot on an excavated level platform.
- 3.2 In addition, the proposed dwelling includes the provision of a patio area adjoining the rear (south) elevation enclosed on the side elevations with obscure glazing.



- 3.3 The proposal will be served by a new vehicular access onto Crampmoor Lane in addition to an area of hardstanding at the front of the plot and adjacent the side (east) elevation, sufficient for the parking of 3 vehicles.

4.0 **HISTORY**

- 4.1 **18/00570/FULLS** - Erection of four bedroomed detached dwelling. *Application withdrawn on 23.04.2018.*
- 4.2 **TVS.02879/5** - Erection of dwelling. *Application withdrawn on 15.07.2003.*
- 4.3 **TVS.02879/4** - Erection of dwelling. *Application refused on 23.02.1990.*
- 4.4 **TVS.02879/3** - Erection of dwelling. *Application withdrawn on 31.10.1989.*
- 4.5 **TVS.02879/2** - Outline: Erection of dwelling. *Application refused on 14.05.1981.*
- 4.6 **TVS.02879/1** - Erection of dwelling. *Application refused on 25.04.1980.*
- 4.7 **TVS.02879** - Erection of dwelling. *Application refused on 25.01.1980.*

5.0 **CONSULTATIONS**

- 5.1 **Ecology** – No objection subject to New Forest SPA contribution.
- 5.2 **Highways** – No objection subject to conditions.
- 5.3 **Landscape** – No objection subject to conditions.
- 5.4 **Trees** – No objection.

6.0 **REPRESENTATIONS** Expired 02.04.2019

6.1 **Romsey Extra Parish Council** – Objection:

- Overdevelopment of the site.
- Not in keeping with the street scene.
- Issues with highway safety both vehicular and pedestrian.

- 6.2 **7 Letters in total from Spring Cottage, Warwick Cottage, Crown Cottage, Oak Tree House, Liban (2), No.2 New Pond Cottage** – Objection (summarised):

Impact on the character and appearance of the area

- Proposal appears too large for the plot and out of keeping with the older traditional properties to either side.
- A smaller building (preferably a 2 bed cottage) would be more in keeping with this rather narrow plot.
- A smaller, three bedroom property would be more in keeping with the other adjacent houses and require less parking.
- A bungalow would be a much better fit and in line with the character in the vicinity.
- Proposed modern style property with facing brick not in keeping with existing properties on Crampmoor Lane.

- Concerned that the required excavations on the western boundary with No.2 New Pond Cottage will result in the loss of a mature conifer tree, located 0.3m away.
- The conifer tree provides attractive screening and shelter/nesting for birds.
- Concerned that the existing hedge on the western boundary can be thinned down or retained.

#### Impact on the amenity of neighbouring property

- The submitted documents and plans envisage the retention of an 'existing 1.8m high fence' on the boundary between the application site and Spring Cottage.
- However, this fence is the responsibility of the applicant and is only 1.4 metres high.
- The plans demonstrate considerable re-profiling of the ground levels, excavated at the front and used to raise ground levels at the rear.
- The finished profiles are not fully shown but it appears that in some places the new ground level will be above the boundary fence.
- For this reason, I consider that the existing boundary fence should be replaced with a new 1.8m high fence, to maintain privacy and security.

#### Highways

- Any vehicle entering Crampoor Lane will be blind until it is rounding the bend with little time to brake and stop before the development exit.
- Road does not have a footpath at this point, as a result development would represent a serious road safety issue.
- Proposal will introduce 3 additional vehicles to the lottery of incidents at this point.
- Children walk down Crampoor Lane with a blind bend that has resulted in several occasions of pedestrians jumping out of the way of vehicles.
- If cars were permitted to be parked outside on the road then it will become a death trap in the absence of a footpath.
- The proposed dwelling would be excessively dug down and could be raised 900mm to existing ground levels which will also alleviate site entrance problems.
- The proposed parking arrangements for 3 vehicles and onsite turning will not work especially with the steep entrance access to the front of the plot.
- Extreme shuffling will be needed to turn 2 of the 3 vehicles parked on site.
- In practice, no resident would bother and therefore would reverse out onto Crampoor Lane.
- Temporary off-parking facilities for all the delivery and building vehicles will need to be catered for/factored into the site design.
- Suggest all material should be off loaded and put on a smaller 3.5 tonne truck for deliveries, to have 12/18 tonne truck deliveries would impede on the minimum 10m distance to end of road for parking.

Impact on the general amenity of the area

- There is no on site facility to connect to mains sewerage system and the applicant has not demonstrated any method to do so.
- A septic tank should be included with demonstration that outflow will not pollute neighbouring properties.
- There is a very practical and small useful channel in the highest northern point of the plot, this channel needs to be maintained.
- If it blocks, it diverts significant flows of water down the road and onto neighbouring properties.
- The existing surface drain is prone to overflow and would benefit from an upgrade.

Planning History

- This is the eighth application with previous applications unsuccessful.

**6.3 Romsey and District Society, Planning Committee – Comment**  
(summarised):

Impact on the character and appearance of the area

- The selected design gives full construction detail for a building intended for positioning on a level site.
- This is unnecessary and results in a lack of clarity of more overall planning issues.
- The site has two significant slopes, there is a high drop from the lean-to area down to the back garden.
- Overall the proposal does not seem an appropriate solution to a site which has much greater potential.

Highways

- The highway appears to be on a level with the first floor.
- Vehicle access is down a very steep sloping driveway.
- Proposed parking layout does not look viable, with a sharp right hand bend into a parking bay and left hand chicane arrangement.

**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) (TVBRLP)**

Policy SD1: Presumption in Favour of Sustainable Development

Policy COM2: Settlement Hierarchy

Policy E1: High Quality Development in the Borough

Policy E2: Protect, Conserve and Enhance the Landscape Character of the Borough

Policy E5: Biodiversity

Policy E7: Water Management

Policy E8: Pollution

Policy LHW4: Amenity  
Policy T1: Managing Movement  
Policy T2: Parking Standards

7.3 Supplementary Planning Documents (SPD)

Look at Romsey: Area 12 Crampmoor and Highwood (2008)

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on the amenity of neighbouring property
- Highways
- Ecology
- Water Management
- Impact on the general amenity of the area
- Other Matters

8.2 **Principle of development**

The application site lies within the settlement boundary of Romsey as defined on the Inset Maps of the TVBRLP. In accordance with Policy COM2 of the TVBRLP, development is permitted provided the proposal is appropriate to other policies of the Revised Local Plan. The proposal is assessed against relevant policies below.

8.3 **Impact on the character and appearance of the area**

Policy E1 of the TVBRLP is pertinent to design and the impact on the character of the area, stating as follows:

*Development will be permitted if it is of a high quality in terms of design and local distinctiveness. To achieve this development:*

- a) should integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles;*

8.4 Crampmoor Lane adjoins the application site to the north and provides the main public vantage point, with additional glimpse views available from The Straight Mile located in the same direction.

8.5 In terms of layout, the proposed dwelling will be set back from the public highway by approximately 11m, in a similar manner to the adjoining property, Spring Cottage. In addition the proposal will retain an intervening distance of approximately 3.5m to the eastern boundary and approximately 2m to the western border. As a result of this spacing, in conjunction with the use of a hipped roof form the proposed development will sit comfortably within the application site and preserve the characteristic of spaciousness around the existing properties.

- 8.6 The proposed development is two storey in scale, but due to the positioning on an excavated platform the appearance of this massing will be reduced when viewed from the public highway. The submitted proposed street scene elevation demonstrates that the final ridge height will retain the staggered nature of the existing properties, sitting below the ridge height of 1 New Pond Cottages to the west and a modest increase on Spring Cottage to the east. Consequently, it is considered that the scale of the proposal respects the existing settlement character of the area. To ensure that this aspect of the proposal, as a key design feature is implemented, a condition has been added securing the finished ground floor level to that demonstrated on the submitted drawings.
- 8.7 With regard to design, the proposed dwelling features a simplistic predominantly rectangular footprint, hipped roof form, porch canopy and chimney adjoining the side (west) elevation. As a result, it is considered that the proposal will present the appearance of a traditional cottage style-dwelling complementing the style of the existing properties in the area. In terms of materials, the proposed dwelling will consist of red brick walls with grey slate roof tiles and as a result, will respect the existing street scene. To ensure that the composition of the final appearance is acceptable, further details in the form of material samples are secured by condition.
- 8.8 Landscaping  
The proposed site plan demonstrates that the front (north) of the plot will be enclosed by post and rail fencing with the retention of the existing grass verge, as an intervening feature between the proposed dwelling and the public highway. In addition, aside from the existing boundary fencing, the plot will be enclosed by additional planting with further details of specifications, implementation and maintenance secured by condition. As a result, it is considered that the proposed scheme will preserve the verdant characteristics of the existing street scene.
- 8.9 Trees  
The proposed development would not result in the loss of any protected trees or key landscape features and therefore, the application is in accordance with Policy E2 of the TVBRLP. It is noted that 3<sup>rd</sup> party representations have raised concern regarding the potential loss of a mature conifer tree within the property of no. 2 Pond Cottages arising from the associated construction phase and adjacent pathway. However, after assessing the status of the Conifer tree, the Tree Officer did not consider it worthy of protection and therefore it is not necessary to secure its retention to ensure that the proposal is acceptable. In the event that the tree is lost, this would be a civil matter for the relevant parts to resolve.
- 8.10 Provision of private open space  
The proposed site plan demonstrates the provision of an area measuring approximately 240sqm to be utilised as a private amenity area for the occupants of the proposed dwelling. As such, it is considered that the proposal adequately provides for the amenity of the occupants of the proposal, in accordance with criterion (b) of Policy LHW4 of the TVBRLP.

**8.11 Impact on the amenity of neighbouring property**

Relationship with Spring Cottage

The proposed dwelling will result in additional shadow falling on the neighbouring property Spring Cottage, but this impact will be limited to the late afternoon hours and a side passage area already affected by shade arising from the existing boundary fence. As such, it is not considered that the proposal will not materially alter the existing daylight/sunlight provision for this neighbouring dwelling.

- 8.12 With regard to the impact on existing privacy levels, the proposed dwelling consists of a ground floor window and door in the side (east) elevation facing this neighbouring dwelling. It is considered that the existing boundary fence will provide sufficient screening with any glimpse views available limited to the corresponding side elevation of Spring Cottage. In relation to the proposed patio area, the submitted drawings demonstrate the provision of an obscurely-glazed screen which will prevent any views towards the adjoining properties. The implementation of the obscure glazing has been secured by condition. In relation to the proposed windows in the rear (south) elevation, due to the positioning in line with the corresponding elevation of Spring Cottage, only oblique views of the neighbouring property will be possible. Therefore, it is not considered that the proposal will significantly harm the existing privacy level of the adjoining dwelling.

**8.13 Relationship with 1 New Pond Cottages**

The proposal will result in additional shade falling on the neighbouring property 2 New Pond Cottages, but this impact will be limited to the early morning hours and a driveway area already affected by shade arising from the existing boundary vegetation. As such, it is not considered that the proposal will materially alter the existing daylight/sunlight provision for this neighbouring dwelling.

- 8.14 With regard to privacy levels, the proposed scheme includes the provision of two ground floor windows in side (west) elevation, however, screening will be provided by the existing vegetation as well as the additional proposed landscaping secured by condition. In a similar manner to the opposite side elevation facing Spring Cottage, the submitted plans demonstrate that the rear (south) patio area will be enclosed by a privacy screen consisting of obscure glazing. With regard to the proposed windows in the rear (south) elevation, this fenestration is located beyond the line of the rear elevation for 1 New Pond Cottages, and as such only oblique views of the neighbouring property will be possible. Therefore, it is not considered that the proposal will significantly harm the existing privacy level of this adjacent property.

**8.15 Relationship with other neighbouring property**

In the absence of any neighbouring property in close proximity to the rear (south) boundary of the plot and an intervening distance of approximately 20m between the front (north) elevation of the proposed dwelling and the neighbouring property on the opposite of the public highway, it is not considered that the proposal will materially impact the existing level of amenity for any other residential properties. As a result, the application is in accordance with Policy LHW4 of the TVBRLP.

8.16 Permitted Development

Although the current proposed development is considered acceptable, it is considered appropriate to secure the removal of Permitted Development rights, specifically in relation to potential two storey rear extensions. It is considered that this a necessary measure to ensure that the Local Planning Authority retains control over any future, substantial extensions to the south in relation to the potential overshadowing impact on the adjoining neighbouring property. Therefore, removal of this provision within Permitted Development legislation has been secured by condition.

8.17 **Highways**

Access

The proposed dwelling will be served by an new vehicular access onto Crampmoor Lane, located in the north-east corner of the plot. In response to initial concerns outlined by the Highways Officer, additional and amended information was submitted regarding the proposed visibility splay. This additional information demonstrates that a visibility splay of 37m can be achieved when travelling to the west, towards the junction with The Straight Mile. Given the 30mph speed limit in place and its proximity to the junction, it is considered that the proposed visibility splay is adequate for this location. In addition, a visibility splay of 43m can be achieved to the east, in accordance with HCC's technical guidance note (TG3). A condition has been added to secure the implementation of the proposed visibility splay and retention thereafter.

- 8.18 It is acknowledged that 3<sup>rd</sup> party representations have been received, raising concern with regard to the potential impact of the proposal on highway safety. However, it is not considered that the vehicular movements associated with one additional dwelling is materially significant in the context of the current amount of movements arising from the existing dwellings. Furthermore, the proposed scheme demonstrates that adequate visibility splays can be implemented and it is noted that the Highways Officer has raised no objection. Consequently, it is considered that the proposal will not adversely harm the highway safety of the local road network and the application is in accordance with Policy T1 of the TVBRLP.

8.19 Parking

The proposed site plan includes the provision of 2 car parking spaces adjacent to the front (north) elevation of the proposed dwelling and an additional space to be located alongside the side (east) elevation. To enable on-site manoeuvring, the north-east corner of the plot has been allocated as a turning area which will serve all 3 spaces provided. Consequently, it is considered that the proposed development is in accordance with the minimum car parking spaces, as set out in Annexe G and Policy T2 of the TVBRLP.

8.20 **Ecology**

International sites: New Forest SPA

The proposed development will result in a net increase in residential dwellings within 13.6km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit the New Forest. The New Forest SPA supports a range of bird species that are

vulnerable to impacts arising from increases in recreational use of the Forest that result from new housing development. While clearly one new house on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England that any net increase (even single or small numbers of dwellings) would have a likely significant effect on the SPA when considered in combination with other plans and projects.

- 8.21 To address this issue, Test Valley Borough Council has adopted an interim mitigation strategy has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. Therefore, it is considered necessary and reasonable to secure the appropriate contribution of £1,300.

8.22 On site biodiversity

It is not considered that the development of the application site would adversely affect any other statutory or locally-designated sites of wildlife importance, or an legally protected or notable habitats or species.

8.23 **Water Management**

Policy E7 of the TVBRLP is concerned with Water Management and states:

*Development will be permitted provided that:*

- a) it does not result in the deterioration of and, where possible, assists in improving water quality and be planned to support the attainment of the requirements of the Water Framework Directive;*
- b) It complies with national policy and guidance in relation to flood risk;*
- c) it does not result in a risk to the quality of groundwater within a principal aquifer, including Groundwater Source Protection Zones and there is no risk to public water supplies;*
- d) all new homes (including replacement dwellings) achieve a water consumption standard of no more than 110 litres per person per day; and*
- e) all new non-residential development of 500sqm or more achieve the BREEAM 'excellent' credit required for water consumption (reference Wat 1).*

*Criterion d) – e) need to be satisfied unless it can be demonstrated that it is not financially viable.*

- 8.24 3<sup>rd</sup> party representations have been raised concern in relation to the potential infilling of the existing ditch at the front (north) of the plot, however the submitted site plan demonstrates that any additional surface water run off arising from the proposed access will be directed towards a soakaway.
- 8.25 The proposed dwelling will not result in the deterioration of water quality and the site is not within a Flood or a Groundwater Protection Zone. With regard to criterion (d), a condition will be attached to cover this requirement and therefore the application is in accordance with Policy E7 of the TVBRLP.



**8.26 Impact on the general amenity of the area**

The submitted application form states that the proposed dwelling would be served by a connection to a mains sewer and it is noted that an existing sewage network exists in the locality. Therefore, it is considered that the proposed scheme will not result in any materially significant level of pollution or harm to the general amenity of the area and subsequently, the application is in accordance with Policy E8 of the TVBRLP. The 3<sup>rd</sup> party concerns regarding the absence of a precise methodology for the connections to the mains sewer has not been provided, but this information is not required or necessary to consider the proposal is acceptable. Should an alternative solution be required, a separate planning application would be required and this falls outside of the current proposal.

**8.27 Other Matters**

3<sup>rd</sup> party representations have been received referring to the previous planning decisions for the property. However, every application is considered on its own merits and it is considered that the current proposal is acceptable with regard to the relevant planning policy.

**9.0 CONCLUSION**

9.1 The proposal is considered acceptable and in accordance with the policies of the TVBRLP, therefore the recommendation is for permission. This recommendation will be subject to the receipt of the necessary contribution towards the New Forest SPA.

**10.0 RECOMMENDATION**

**Delegate to the Head of Planning and Building for the following:**

- **the completion of an agreement to secure financial contribution towards the New Forest SPA**

**then 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. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:**  
**Site Location Plan**  
**Proposed Site Plan (C.M.G. 09/15 A S.P.)**  
**Proposed Composite Plan (C.M.G 09/15 W.D)**  
**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 (2016).

4. 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; means of enclosure; 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 Policies E1 and E2 of the Test Valley Borough Revised Local Plan (2016).

5. No development shall take place above DPC level of the development hereby permitted until a schedule of landscape implementation and maintenance for a minimum period of 5 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 and ongoing maintenance during that period in accordance with appropriate British Standards or other recognised codes of practise. 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 (2016).

6. 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).

7. The dwelling hereby permitted shall have a (ground floor) Finished Floor Level of 29m AOD in accordance with drawing No. C18/003.03 Rev.A hereby approved.

**Reason:** To ensure satisfactory relationship between the new development and the adjacent buildings and private amenity areas in accordance with Policies E1 and LHW4 of the Test Valley Borough Revised Local Plan (2016).

- 8. Prior to the commencement of development the access shall be constructed with the visibility splays of 2.4m x 37m x 1m to the west and 2.4m x 43m x 1m to the east, and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2017 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1m metres above the level of the existing carriageway at any time. Reason: In the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).**
- 9. At least the first 6 metres of the access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times. Reason: In the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).**
- 10. The development shall not be occupied until 3 spaces have 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 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 Policy T2 of the Test Valley Borough Revised Local Plan (2016).**
- 11. The screening walls serving the patio area, in the side (east and west) elevations of the development hereby permitted, shall be fitted with obscured glazing and thereafter retained as such, unless otherwise agreed in writing by the Local Planning Authority. Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).**
- 12. Notwithstanding the provisions of Schedule 2, Part 1, Class A, criterion (h) of the Town and Country Planning (General Permitted Development) Order 2017, (or any order revoking and re-enacting that Order with or without modification), no two storey extensions adjoining the rear (south) elevation of the proposal hereby permitted shall be constructed. Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the amenities of neighbouring property in accordance with Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).**

**Note to applicant:**

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**

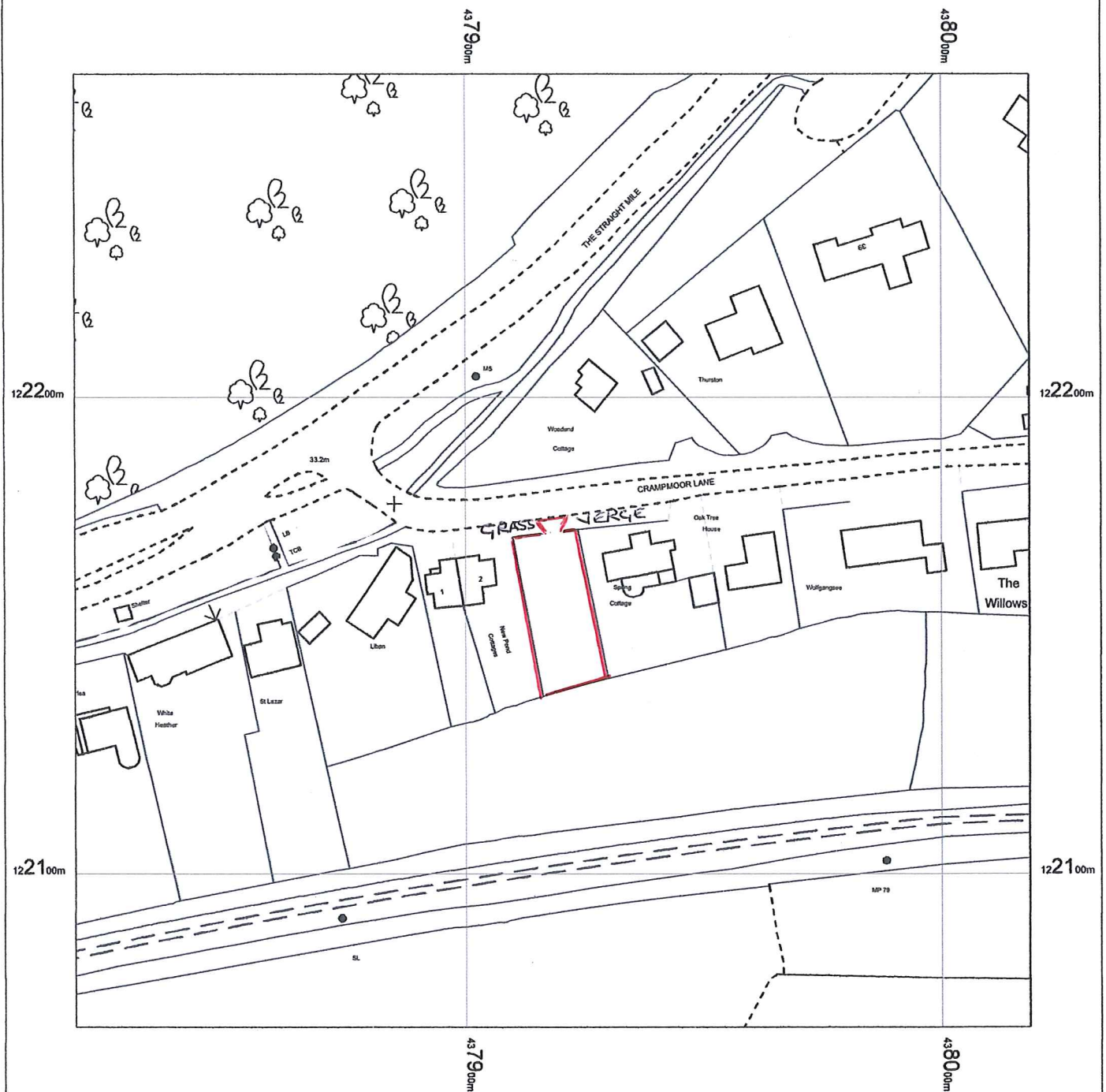


## Siteplan

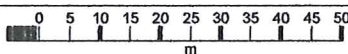
**Test Valley**  
Borough Council

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**19/00320/FULLS**



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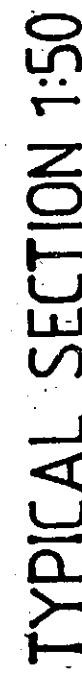
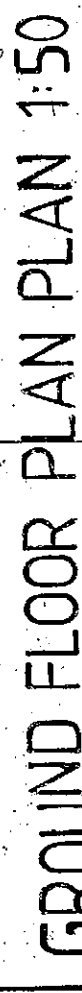
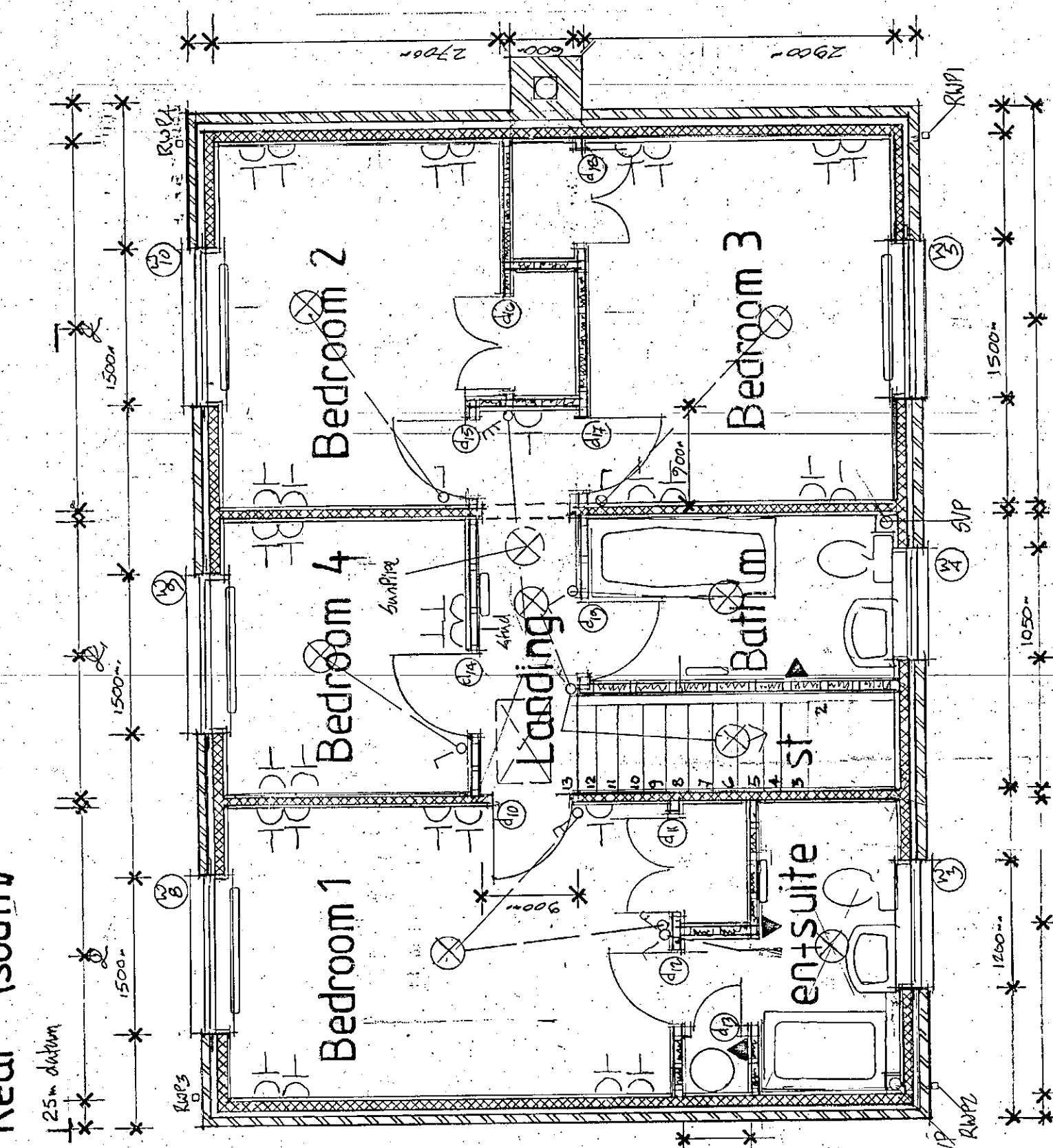








North to Crampmoor Lane

[illegible]

## ITEM 9

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<b>APPLICATION NO.</b>	18/01719/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	10.07.2018
<b>APPLICANT</b>	Mr John Kelly
<b>SITE</b>	Grain Buildings, Forest Of Bere Estate, Moor Court Lane, SO20 6RA, <b>KINGS SOMBORNE</b>
<b>PROPOSAL</b>	Change of use of land and buildings from sui generis (agricultural buildings) to B1 (light industry and offices) and B8 (storage).
<b>AMENDMENTS</b>	Commercial vehicle routing 22.08.2018 Transport Statement, Paul Basham associates January 2019.
<b>CASE OFFICER</b>	Ms Astrid Lynn

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 as a referral from the 30 October 2018 Southern Area Planning Committee.
- 1.2 Members attending the 30 October 2018 Southern Area Planning Committee, deferred the case pending receipt of further information with regards highways matters, specifically:
- Calculations regarding vehicle movements to and from the site;
  - Success of the existing Forest Extra allowed appeal routing agreement; and
  - Details of the Forest Extra proposed passing places and timescale for their implementation.

### 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site is located in the countryside within the Parish of Up Somborne, to the south of Moor Court Lane.
- 2.2 Diagonally opposite the site, to the north of Moor Court Lane/Chalk Vale, is the established Forest Extra commercial site allowed at appeal in 2015.
- 2.3 Farmland surrounds the remainder of the site. The village of Up Somborne, which comprises a largely linear development, lies to the north west, predominantly along Strawberry Lane.
- 2.4 The site is currently a complex of 2,026<sup>2</sup>m of agricultural steel portal buildings with associated grain silos. Building 'A' measures 1000<sup>2</sup>m, Building 'B' measures 87<sup>2</sup>m, Building 'C' measures 668 <sup>2</sup>m and Building 'D' measures 251<sup>2</sup>m.

2.5 These buildings have until recently been in agricultural use; however the applicant submits that this use has now ceased, that the buildings are not as suitable for modern agricultural use as others elsewhere on the estate, and no expressions of interest for this use from other users, have been received by the owners.

2.6 The site lies within flood zone 1, where there is a low probability of flooding.

2.7 Moor Court Lane is a metalled road until it is adjacent to the application site, and to which it provides access. Further to the east, this Lane is an unmade track.

### 3.0 **PROPOSAL**

3.1 The proposal is to change the use of the land and buildings from agricultural use, to B1 (a) and (c) (light industrial and offices) and B8 (storage) use.

3.2 No alterations are proposed to the buildings, land, or access.

3.3 Vehicular access would remain as existing, from Moor Court Lane.

### 4.0 **HISTORY**

4.1 None on site.

4.2 Diagonally opposite site: Forest Extra:

4.3 **12/01765/FULLS** Retrospective application for a Material Change of Use to Class B1 Offices, Class B2 Industrial and Class B8 Storage and Distribution Uses (mixed use). Refused 17.12.2013. Appeal Withdrawn. 24.09.2015.

4.4 **12/01746/CLPS** Certificate of Lawful Proposed Development for B2 Industrial Use. Not Issue Certificate. 10.10.2012. Appeal Allowed 24.09.2015.

4.5 **13/0970/PP** Enforcement appeal Allowed subject to a S.106 agreement and seven conditions. 24.09.2015:

4.6 The S.106 Agreement included clauses to require a

- Transport Contribution £ 25,317.65 and
- Traffic Regulation Order contribution £7,500.00 and
- Lorry Routing Agreement.

The conditions included:

1. No machinery shall be operated on the land, no process shall be carried on and no deliveries taken at or dispatched from the land except between 0730 hours and 1800 hours Mondays to Fridays, and 0830 to 1300 hours on Saturdays. None of these activities shall take place on any Sunday nor on any day that a Bank or Public Holiday.
2. No machinery shall be operated, no work shall be carried out and no storage of materials, plant or equipment shall take place outside of the building.

3. Within three months of the date of this permission, a scheme of noise control measures shall be submitted for approval to the Local Planning authority for approval. It shall include an assessment of noise by a competent noise control professional, sound testing to verify the performance of the building for preventing the escape of noise for noise control measures, particularly in respect of insulating the building, controlling breakout noise from noisy internal operations and arrangements for the testing of wood chippers. The use hereby permitted shall cease immediately if the noise scheme to be undertaken in accordance with the approved details is not carried out within three months of the date of its approval and thereafter retained.
4. The fire exit doors on the western elevation except for the explicit purpose of emergency entry to or exit from the premises, shall be kept closed at all times unless an alternative internal lobby arrangement for each door is submitted to and approved in writing by the Local Planning Authority, The arrangement of the new lobby shall be provided within two months of the date of approval and in accordance with the approved lobby details.
5. All site based vehicles (e.g. forklift trucks and Lorries) which are fitted with reversing alarms shall use a white noise type reversing alarm instead of a 'bleeper' type alarm.
6. No paint spaying activities, with the exception of paint applications by hand held spray cans shall take place at any time on the land.
7. Within one month of the date of this permission, details of parking spaces and manoeuvring space to enable large vehicles to turn around and enter and leave the site in a forward direction shall be submitted to the Local Planning Authority. There should be sufficient space for five Lorries and 31 vehicles (unless the Local Planning Authority approves a lesser number); including disabled spaces and any new surfacing of the open areas around the building should be included. The approved parking and turning scheme shall be implemented within two months of its approval.

## 5.0 CONSULTATIONS

5.1 **HCC Ecologist-** No objection subject to an informative.

5.2 **HCC Highways-** No objection subject to conditions. (Summarised)

The application proposes a change of use from agricultural to B1 (light industry and offices) and B8 (storage). The existing ground floor area of 1845m<sup>2</sup> is to be maintained. The submitted Transport Statement specifies a likely 50/50 split between B1 and B8 uses.

5.3 It has been determined that there are none or not enough comparable sites contained within the TRICS database to provide a representative dataset for the proposal in terms of location, land use and size. As such, a first principles approach utilising a comparable site has been utilised. Whilst this approach is provided within the submitted Transport Statement, the applicant is requested to provide their TRICS research to this effect for review and comparison.

The site in question is the nearby Forest Extra site. An application was submitted in 2012 for this proposal and whilst that application was refused, it was not refused on highways grounds and an appeal for a lawful B2 use was granted.

- 5.4 Whilst TVBC raised no highways objections initially to the proposal with regards to traffic generation in September 2012, a number of representations were received and to further explore the traffic impact of the proposal a classified turning count was undertaken between April/May 2013 by TVBC. The results were provided within a Technical Note dated 1 October 2013. The results of the classified turning count survey demonstrated a total of 142 vehicle movements on Chalk Vale and 218 movements on Sparsholt Road daily for a 12-hour period 0700-1900hrs.
- 5.5 TVBC raised an objection with regards to the local highway network being inadequate to accept the type of vehicles being generated, however it was decided that if the applicant was willing to fund a scheme for the provision of passing places and to fund the cost of a Traffic Regulation Order for a lorry restriction on Strawberry Lane and secure a lorry routing agreement then the objection would be overcome.
- 5.6 The funding of the above and the lorry routing agreement was secured through the Section 106 for the Forest Extra site. Whilst the Lorry routing agreement is in place as well as width restrictions on Strawberry Lane, the scheme for the implementation of passing places has not yet been implemented, however the implementation of the scheme is understood to be imminent as confirmed by HCC Highways colleagues.
- 5.7 Whilst the eventual use at the Forest Extra site related to B2, the application in highways terms was assessed for a material change of use to a mix of B1 Offices, B2 Industrial and B8 Storage and Distribution. As such, the trip rate information utilised within the assessment of that application would be considered comparable regardless of the fact that the end use was/is predominantly B2.
- 5.8 In order to test the robustness of the trip generation data utilised, a Manual Classified Turning Count was undertaken in 2019. The results of which demonstrated lower trip rates than those found in 2013. This would correspond with the end use being wholly B2. In line with the above, Highways Development Planning would maintain its consideration that the data utilised is comparable.
- 5.9 The current application, however, proposes a mix of B1/B8 and whilst the information submitted by the applicant suggests a likely split of 50/50 within the updated Transport Statement there is a concern with regards to the control of this. If planning permission is granted by TVBC then there will either need to be some form of control regarding the provision of a 50/50 split, or if that control is not achievable then further assessment would be required based upon different ratios of B1/B8 due to the differences in trip rates associated with the two uses.



6.0 **REPRESENTATIONS** Expired 19.10.2018

6.1 **Kings Somborne Parish Council** – Objection. (Summarised):

- Support residents objections;
- Objections are based on highways issues and the lack of supporting infrastructure to enforce restrictions cited;
- Additional passing places required along Chalk Vale have not been constructed;
- The Traffic regulation order is not enforced & warning signs are ignored by drivers due to lack of police presence;
- Inaccuracies in highways matters;
- Potential increase in traffic flow in this very rural environment;
- If approved the installation of adequate passing places should be mandatory and installed prior to the commencement of development.

6.2 **33 letters of objection** from 31 local residents have been received. These are summarised below:

**Lack of highways infrastructure**

- Errors in applicants assessment of the local road network: submitted photographs fail to show narrow lanes and blind corners on Strawberry Lane, Chalk Hill and Chalk Vale;
- No information provided in respect of the road width of Strawberry Lane;
- Chalk Vale is not subject to a TRO, Strawberry Lane has a vehicle width restriction, 6'6" except for access,
- Chalk Hill has a vehicle weight restriction 7.5 tonnes.
- The Highways Technical note states that '*the final 0.6km section between Gypsy Lane and Strawberry Lane offers reduced opportunities for passing ...*'
- The Commercial Routing Agreement fails to clarify:  
The definition of commercial vehicles;  
How the Estate will notify tenants and operators the required access route;  
Who will be party to the agreement as well as TVBC;  
If the Estate is a legal entity?
- It is incorrect to state that application 12/01765/FULLS was refused for unrelated highways matters;
- The two refusal reasons are copied in the response and include reference to excessive number and size of vehicles on the local road network; and the absence of a required legal agreement for off-site highways works and road network restrictions.
- The trip records submitted date to 2013.
- Recent occupants included a balcony constructor and a wood chipper. Vehicle trips would be different depending on survey times. The proposal cannot be properly assessed until tenants have been selected and likely traffic volumes reviewed;
- Internal floor space was used as a measure for calculating trip generation for the Forest Extra site, which equates to the same site area as this application which would therefore mean similar trip levels;

- The application proposed routing arrangement differs to that allowed at Forest Extra in that it excluded access via Chalk Hill;
- Three passing spaces is insufficient to avoid damage to verges, vehicles often have to pass where only room for one vehicle;
- Forest extra are already having a severe impact on the road network and the Forest of Bere Estate development will make this worse;
- Pre-application advice provided in the application confirms that the development is acceptable subject to provision of both agreed passing space highways and landscape mitigation, these passing spaces have not yet been provided;
- A definition of commercial vehicles and the defined traffic regulation route is requested.
- It is unclear which vehicles are to be included in a 'routing agreement'; nor is the route clear.
- Which highways improvements are to be funded?
- A routing agreement is not enforceable, therefore the application should be refused;
- Police have insufficient resources to monitor any enforcement of signage.
- HGV drivers do not know of the existence of the TRO, nor do they know the area or roads networks;
- The development should be refused based on the speculative nature of vehicle volume and type;
- Refusal should also be based on lack of passing spaces even if the 3 proposed are provided.
- An estimated 10 or 12 employees are noted, however 45 parking spaces are requested indicating the potential for more activity and traffic.
- Not against job creation in the area, but the infrastructure as it is, cannot sustain any further traffic;
- Traffic has increased X10 accessing Forest Extra, with 90% bypassing Chalk Vale, despite the TRO;
- Boutique businesses are proposed for a building of 2,000<sup>2</sup>m which is considered modest and is questioned.
- The application is not compliant with policy T1 of the Local Plan: the development will intensify the site use and increase traffic in the surrounding road network.

### 6.3 **Amenity impacts**

- There are residential properties on both Chalk Hill and Chalk Vale;
- The noted PROW is only one of a number in existence;
- An HCC bicycle route is also designated along approach routes;
- Forest Extra traffic has previously forced pedestrians to get up on to the bank at the side of the Strawberry Lane where they were afraid of slipping down under the wheels of the lorry;
- Why should the village of Up Somborne, Chalk Vale and Chalk Hill suffer and not the tenants of the applicant.

- There are no pavements on these lanes.
- Drivers of deliveries to Forest extra disregard the routing agreement, recently one reversed up Strawberry Lane.
- Passing places will become overnight parking places for lorries accessing either industrial estate;
- Noise nuisance and traffic volumes will double destroying the tranquil nature of the area;
- Whilst the applicants efforts to create additional income for his estate is appreciated, the development cannot justify the detrimental effect on the entire village and wider community;
- Recent increase in the use of the Lane as a short cut from the main Romsey Road.
- The new units proposed will also require workers car and delivery vans;
- Proposed passing spaces will lead to an accumulation of litter; overnight parking by lorry drivers and travellers;
- The LPA should promote sustainable and healthy transport options, not degrade cycle routes;
- The Council are installing fitness equipment in the recreation ground for the good health of the community, and lives will be endangered getting to the facility if this application is approved as there are no footpaths;
- The lanes are regularly used by walkers, cyclists and horse riders who are increasingly endangered by the increased road traffic.
- It is counter intuitive to allow development of a de facto industrial estate at the top of a quiet and peaceful hamlet;
- The application seeks to operate on Saturdays, a busy community time raising potential road safety issues, such operating times would make weekends a no-go area as well as week days;
- This would blight the area.

#### 6.4 Landscape impacts

- Use of verges for passing traffic often uses private land, harmful to the eco-system;
- Loss of ancient hedgerows.
- The development will change the character of the area by the in-combination development with Forest Extra;

#### 6.5 Change of use

- Though the application suggests that up to 10 employees will be employed, the *Employment Density Guide 3<sup>rd</sup> Edition* (2015), by The Homes & Community Agency, indicates that B8 uses for a 2000<sup>2</sup>m shed would equate to 21 – 29 employees; and B1 use employment would increase to 153-250 for 2000<sup>2</sup>m.
- A road traffic accident will occur at some point and the risk is increased as a result of the proposed change of use and associated traffic intensification;
- The proposed 3 passing bays that have yet to be constructed may facilitate passing at these points, but provide no benefit on the narrow approach road closer to the site;



- Up Somborne is a thriving village. HGV's and speeding white vans already make it challenging to walk safely on the roads, which the proposal would add to;
- Houses at the top of Strawberry Lane share the same post code as Forest Extra, and lorries and vans frequently stop outside them looking for Forest Extra, which would only increase with this application;

#### 6.6 **Alternative route**

- An alternative access is from the south across the applicants own land, avoiding the narrow village lanes. This route was rejected by the applicant in his answers to community questions, because it would have to cross his farmyard.
- Even if the TRO worked, this would simply push traffic onto other adjacent unsuitable roads;

#### 6.7 **Ownership**

- The applicant/owner reassures the objectors that they do not wish to cause disruption, but these reassurances do not offer any protection against future owners;

#### 6.8 **Additional commercial local premises**

- There are 14 available commercial properties in a 5 mile radius of the site and 58 within 10 miles;

#### 6.9 **Small scale business**

- The application is for a small scale business, but approval gives no control over possible future significant traffic growth;
- The development proposal is not sustainable.

#### 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

LE16 : Re-Use of buildings in the countryside

E2: Protect, conserve and enhance the landscape of the Borough

LHW4: Amenity

T1: Managing Movement

T2: Parking Standards

##### 7.3 Supplementary Planning Documents (SPD)

King's Somborne Conservation Area policy 1987

##### 7.4 Other matters

Kings Somborne Neighbourhood Plan Area Designation December 2015

Kings Somborne Neighbourhood Plan Request for Screening Opinion May 2018.

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Highways impact
- Landscape impacts
- Amenity impact

8.2 The site lies in an area designated as countryside according to the Test valley Borough Revised Local Plan 2016, (RLP), policy COM2. This states that development outside settlement boundaries will only be permitted where either a) appropriate for a countryside location in accordance with RLP policies COM8-14, LE10, LE16-18, or essential to be located in the countryside.

8.3 The proposed development is for the re-use of existing buildings in the countryside, which requires compliance with RLP policy LE16, one of the listed policies under RLP policy COM2 a) noted above.

8.4 TVBRLP policy LE16: The re-use of an existing building in the countryside.  
*'The re-use of buildings in the countryside for commercial use (including tourist accommodation) will be permitted provided that:*  
*a) The building is structurally sound and suitable for conversion without substantial rebuilding, extension or alteration; and*  
*b) The proposal would not result in the requirement for another building to fulfil the function of the building being converted; and*  
*c) The proposed use is restricted primarily to the building; and*  
*d) Development would lead to an enhancement of its immediate setting*  
  
*The re-use of buildings in the countryside for residential use will be permitted provided, in addition to criteria a)-d) above, that:*  
*e) The proposal is for occupational accommodation for rural workers; or*  
*f) It is demonstrated that every reasonable attempt has been made to secure commercial use (including tourist accommodation); or*  
*g) There is no other means of protecting and retaining the building which is of architectural or historic merit'.*

8.5 When assessed in relation to RLP policy LE16 the proposal is  
a) For the use of a structurally sound buildings suitable for conversion without substantial rebuilding, extension or alteration; and  
b) The proposal would not result in the requirement for another building to fulfil the function of the building being converted; and  
c) The proposed use is restricted primarily to the buildings; and  
d) Development could lead to a enhancement of the immediate setting, in the provision of landscaping and management of all vehicular transport accessing the site, whereas presently no controls can be exerted over these.

Criteria e) to g) are not relevant in this case.

- 8.6 The development is considered in accord with RLP policy LE16, subject to conditions to ensure no storage should take place outside of the buildings to ensure compliance with LE16 c) and d) above.
- 8.7 The objections raised in respect of the application, relate to their experience of a development allowed by the Inspector at appeal. Planning law requires that this current application is assessed on its own 'material planning' merits, not those of the adjacent development.
- 8.8 Compliance with RLP policy LE16 ensures the development also accords with RLP policy COM2 a) subject to all other material planning considerations. The development is therefore in principle acceptable.
- 8.9 **Highways impact**  
Highways Movement  
Highways impact is assessed within RLP policies T1 and T2.  
Policy T1: Managing Movement addresses impacts on highways, rights of way, pedestrians, cycle or public transport users. This policy requires that development has no adverse impact on the function, safety and character of and accessibility to the local or strategic highways network or rights of way network.
- 8.10 The application is submitted with an amended Transport Statement, (Paul Basham Associates) January 2019. This was submitted after Southern area Planning Committee deferred a decision on highways grounds in October 2018.
- 8.11 This additional Statement updates count survey information from trip rates and trip generation; reviews trip generation for B1/B8 land uses; explains further why the Forest Extra site is considered comparable to the current site (despite its use class being different to that proposed here) and why TRICS data is not available; provides details on predicted trip generation and a commentary on potential relationships between predicted trips and parking.
- 8.12 The response from HCC Highways to this information is one of no objection subject to conditions to ensure the use of the buildings is in a 50/50 split. This would ensure that traffic generated by the proposed activities can be accommodated on the local road network and would not lead to an adverse effect on the safety and free flow of vehicles on the local highway network.
- 8.13 It is considered that appropriate conditions would include a 50% B1(a) and (c) and a 50% B8 floor space restriction. Highways information as submitted and as agreed with HCC Highways Officers clarifies that this would generate a level of traffic that can be accommodated on the local road network and therefore would not lead to an adverse effect on the safety and free flow of vehicles on the local highway network. It has not been demonstrated that a greater proportion of either use can be accommodated safely. The applicant has agreed to such a restriction.

- 8.14 A further condition would provide on-site parking areas for all related vehicles, to protect the visual amenities of the local area and ensure sufficient parking is available to serve the proposed uses
- 8.15 In addition, a condition is required to ensure no goods, plant or material shall be stored in the open (or displayed for sale in the open) on the site. This would limit the available space for storage and therefore reflect the transport statement which is based on floorspace calculations. This would prevent adverse impact on highways safety and protect the character and appearance of the area. In addition it would ensure the delivery and maintenance of adequate parking areas.
- 8.16 Clarification has been received from TVBC Highways that the Traffic Regulation Order associated with the adjacent Forest Extra development has been implemented, and is already in place. HCC Highways has also confirmed that the contribution required for implementing the highways improvements for the Forest Extra site, have been received and works are pending. It is not known if these highways works will have commenced at the time of this Committee although Officers have met with HCC since the Southern Area Planning Committee deferment in October 2019, and it is understood that the design for these passing bays has been commenced and that the works are pending.
- 8.17 These works may be a factor that contributes to the experiences of the local residents. No additional passing spaces are required by this application.
- 8.18 A routing agreement which mirrors that of the Forest Extra development, to avoid constrained local routes such as the residential Strawberry Lane and constricted Chalk Hill is considered a requirement of this development. The applicants have submitted a revised routing agreement which is identical with that agreed on the Forest Extra site. An s106 Agreement is required to ensure compliance with this Routing Agreement.
- 8.19 The drafted legal agreement obliges the operator of the site to inform drivers of the restrictions, in terms of both weight and of the routing restriction for all delivery vehicles.
- 8.20 Highways officers have also provided details of local traffic accident records, which indicate no recorded road traffic safety issues in the immediate area. This is considered indicative of current acceptable highways safety in the immediate area.
- 8.21 Whilst objectors raise concerns with regards the enforceability of the development, the use of conditions in this instance is, in planning terms, appropriate, reasonable and enforceable.
- 8.22 Subject to the highways works and completion of the S.106 Agreement, the development is considered compliant with all highways issues associated with RLP policy T1.

8.23 Parking Standards

Parking standards are addressed in RLP policy T2: Parking Standards and the associated Annexe G. Policy T2 requires that parking is provided as set out in Annexe G, which requires: 1 space per 30<sup>2</sup>m of office space; 1 space per 45<sup>2</sup>m for B1 (b) and (c); and 1 space per 90<sup>2</sup>m of warehousing. Cycle parking to set standards is also required. HGV parking provision should include 1 space per 500<sup>2</sup>m and additional spaces for further floorspace over 2,000<sup>2</sup>m.

8.24 The proposal includes 1,013<sup>2</sup>m of B1(a) or (c), requiring 35 car parking spaces. The provision of 1,013<sup>2</sup>m of B8 use requires a further 12 car parking spaces. Four HGV parking spaces would be required for the entire site. This would require a total of 47 car and 4 HGV parking spaces. The applicant has confirmed that there is space on site for these parking spaces.

8.25 45 car parking spaces are provided in the submitted plans. Though the submission states that HGVs are unlikely with a B1 Light Industrial use, up to 50% of the site use proposed could be in B8 use. The site is provided with considerable space around the buildings, in excess of the planned parking areas. It is therefore considered that the site can provide for adequate parking provision.

8.26 Subject to these conditions to ensure appropriate division of land uses, parking and to ensure no outside storage, the application is considered compliant with RLP policy T2.

8.27 **Landscape impacts**

Landscape impacts are addressed in RLP policy E2: Protect, conserve and enhance the landscape character of the Borough. Landscape impacts are addressed in terms of impacts in the public domain.

8.28 Landscape impact: On site works

No changes are proposed to the existing site buildings and parking is currently unmanaged on site.

8.29 The landscape character of the area is considered to be rural open countryside with minimal existing site screening. Public views of the site would be visible from Moor Court Lane only, against a backdrop of fields. Soft landscaping would be beneficial to soften the development, in particular the proposed parking areas. This would also enhance a currently hard landscape area which is set within fields. The application also includes storage, which would be visible from the public domain. It is considered reasonable to add the condition to ensure no outside storage is permitted.

8.30 The application is submitted with the benefit of a proposed site plan indicating landscape areas and allocated parking areas. However details of this landscaping is not currently provided, neither is an associated management plan, and would enhance the public view of the site. Subject to such conditions, the application would provide enhancement in the form of additional soft landscaping and would control the visual impact of outdoor uses, including outdoor storage, and is considered compliant with TVBRLP policy E2.

8.31 Landscape impact: Offsite works.

Concerns with regards landscape impacts off site are raised by objectors, including impacts on verges, hedgerows and the character of the area. Whilst most of these concerns relate to the impact from an existing permitted development, which this application is not assessing, the possible in-combination effect requires addressing.

8.32 This development provides a mechanism, via a S.106 Agreement, to control vehicle access routes and to require these to be in place prior to the first use of the development. Once these measures are in place it is considered that they will assist in minimising, as a secondary benefit, the effect of traffic arising from both sites on the local verges."

8.33 The Traffic Regulation Order has only been in place for a year and the required passing spaces for the Forest Extra development are not yet in place. These factors might contribute to the landscape concerns raised by local residents. The site is also currently in uncontrolled agricultural use and contains large buildings able to accommodate numbers of vehicles accessing local roads without restrictions.

8.34 This development would contrast with the existing use because it enables the management of road traffic, and on site use. Control of vehicle manoeuvring on site, hours of operation and outside storage would enable further benefits to local amenity, minimising noise and associated amenity impacts.

8.35 Subject to the completion of the S.106 agreement and the proposed conditions, all concerns raised have been addressed and the development is considered compliant with RLP policy E2.

8.36 **Amenity impact**

Amenity matters are assessed within TVBRLP policy LHW4: Amenity. The rural nature of the development location is noted. Amenity issues raised include the impact of associated vehicles on surrounding rural road networks.

8.37 Though amenity concerns are noted, it is considered that the scheme enables the management of the site traffic, and that essential passing bays will be in place. The proposal is therefore considered in accord with TVBRLP policy LHW4.

8.38 **Other matters**

Biodiversity matters are addressed within TVBRLP policy E5, and no issues arise in respect of the application, given that no changes are proposed to the buildings.

9.0 **CONCLUSION**

9.1 The development proposal does not change buildings on site and enables the addition of a road traffic management scheme, on site controls, parking and landscaping, to enhance the site, highways and amenity of the area. It is in principle acceptable and compliant with all related Local Plan policies.

## **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. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: WNBU420172\_201A; WNBU420172\_202A; WNBU420172\_203; WNBU420172\_204; WNBU420172\_205.**  
**Reason:** For the avoidance of doubt and in the interests of proper planning.
- 3. The premises shall be used for: light industrial; offices and storage and for no other purpose; including any purpose in Class B1 and B8 of the Schedule of to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**  
**Reason:** In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policies COM2, E2 and LHW4.
- 4. No goods, plant or material shall be stored outside of the buildings (or displayed for sale in the open) on the site.**  
**Reason:** To prevent adverse impact on highways safety, protect the character and appearance of the area, to ensure the delivery and maintenance of adequate parking areas, and to limit the area available on site for storage uses in accordance with Test Valley Borough Revised Local Plan (2016) Policies T1, T2 and E2.
- 5. Prior to the commencement of the development full details of soft landscape works shall be submitted and approved in writing, and 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.
- 6. Prior to the commencement of the development a schedule of landscape management and maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme, shall be submitted to and approved in**

writing by the Local Planning Authority. The approved management plan shall be carried out in accordance with the implementation programme.

Reason: To ensure the provision of amenity afforded by proper maintenance of existing and new landscape features as an improvement of the appearance of the site and to 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. No machinery shall be operated on the land, no process shall be carried on and no deliveries taken at or dispatched from the land except between 0730 hours and 1800 hours Mondays to Fridays, and 0830 to 1300 hours on Saturdays. None of these activities shall take place on any Sunday nor on any day that is a Bank or Public Holiday.

Reason: In the interest of local amenity and in compliance with Test Valley Borough Revised Local Plan policies COM2 and LHW4.

8. All site based vehicles (e.g. forklift trucks and lorries) which are fitted with reversing alarms shall use a white noise type reversing alarm instead of a 'bleeper' type alarm.

Reason: In the interest of local amenity and in compliance with Test Valley Borough Revised Local Plan policies COM2 and LHW4.

9. No more than 1003 square metres (gross internal floor space) of the buildings the subject of this permission (annotated as buildings A, B, C and D on Drw.No.A-WNBU420172\_202A) shall be used for business activities falling within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (including ancillary activities associated with that main use) at any one time.

Reason: It has been demonstrated that traffic generated by activity associated with a limited (50% of the overall total floor space available) of floor space in use will generate a level of traffic that can be accommodated on the local road network and therefore would not lead to an adverse effect on the safety and free flow of vehicles on the local highway network. It has not been demonstrated that a greater proportion of either uses can be accommodated safely. The proposal is in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

10. No more than 1003 square metres (gross internal floor space) of the buildings the subject of this permission (annotated as buildings A, B, C and D on Drw.No.A-WNBU420172\_202A) shall be used for business activities falling within Class B1(a) or B1(c) of the Town and Country Planning (Use Classes) Order 1987 (including ancillary activities associated with that main use) at any one time.

Reason: It has been demonstrated that traffic generated by activity associated with a limited (50% of the overall total floor space available) of floor space in use will generate a level of traffic that can be accommodated on the local road network and therefore would not lead to an adverse effect on the safety and free flow of vehicles on the local highway network. It has not been demonstrated that a greater proportion of either uses can be accommodated safely. The



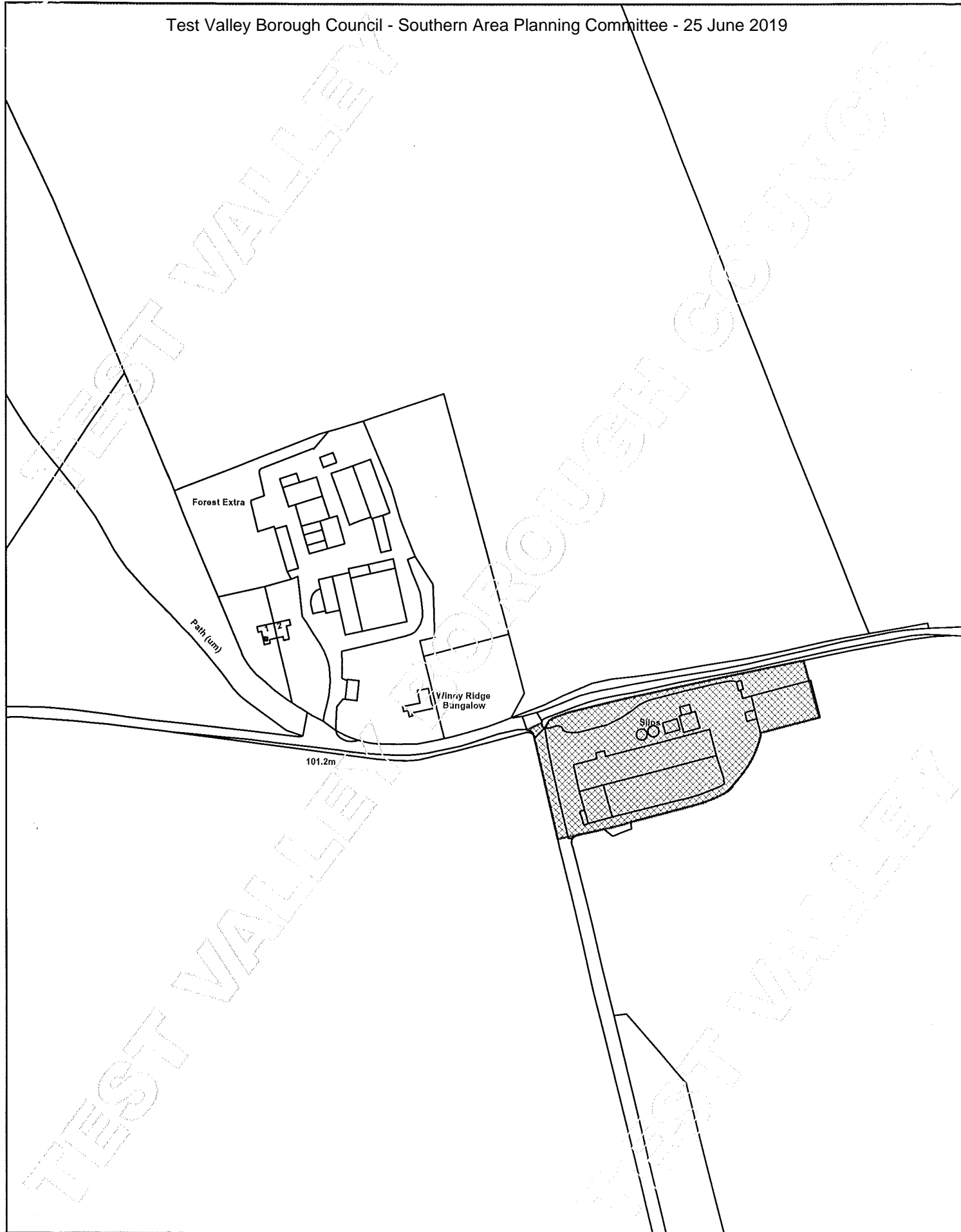
**proposal is in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.**

- 11. Parking of vehicles shall only take place on those parts of the site identified as "car parking" on Drw.No.A-WNBU420172\_202A.**

**Reason:** In order to protect the visual amenities of the local area and ensure sufficient parking is available to serve the proposed uses, in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1, E2 and T2.

**Notes to applicant:**

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
  - 2. Attention is drawn to the requirements of the Agreement dated .... under Section 106 of the Town and Country Planning Act 1990 which affects this development.**
-

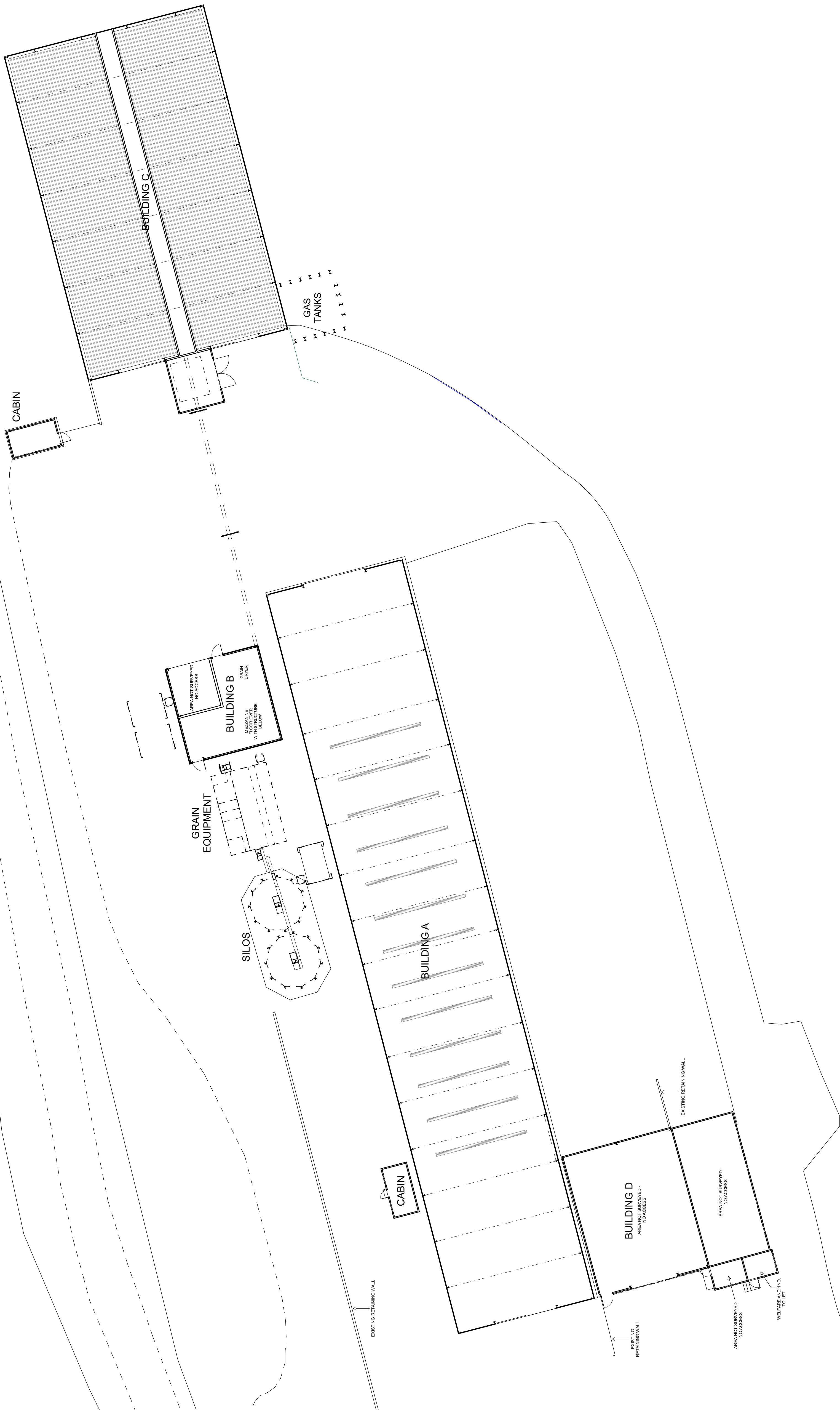


**Siteplan**

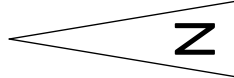
**Test Valley**  
Borough Council 








1:200 Scale in Metres



**NOTE: GRAIN EQUIPMENT SHOWN AT  
REDUCED DETAIL AND AS INDICATIVE**

<b>DATE</b>	<b>WORK STATE</b>		<b>REV'S</b>	<b>DESCRIPTION</b>	<b>DRAWING TITLE</b>	<b>PROJECT TITLE</b>
RIBA 	1 Jersey Street Manchester M2 7LH Tel: +44 (0)161 8355113 Fax: +44 (0)161 8355114 E: info@riba.org.uk W: www.riba.org.uk	2-CONCEPT DESIGN			EXISTING AND PROPOSED PLANS	GRAIN BUILDINGS MOOR COURT LANE UP SOMBORNE SO20 6RA
Chartered Practice	PLANNING	ISSUE STATUS			INTEGRATION DWG REV	WINBU420172_203
	JAS	CHECKED BY	PCA	DATE	SCALE @ A1	1:200
					BIM ISSUE REFERENCE	- - - - -A-WNBU420172_203

FOB -SAV-





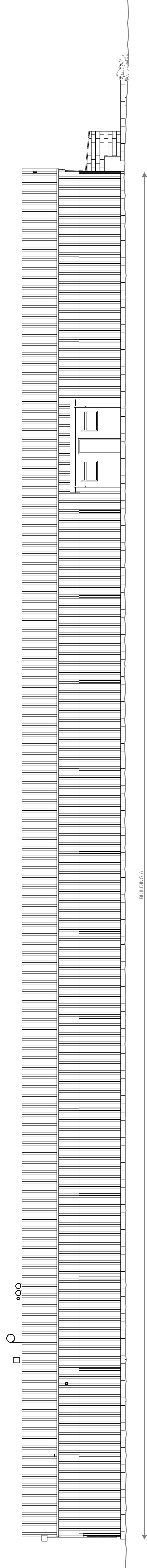
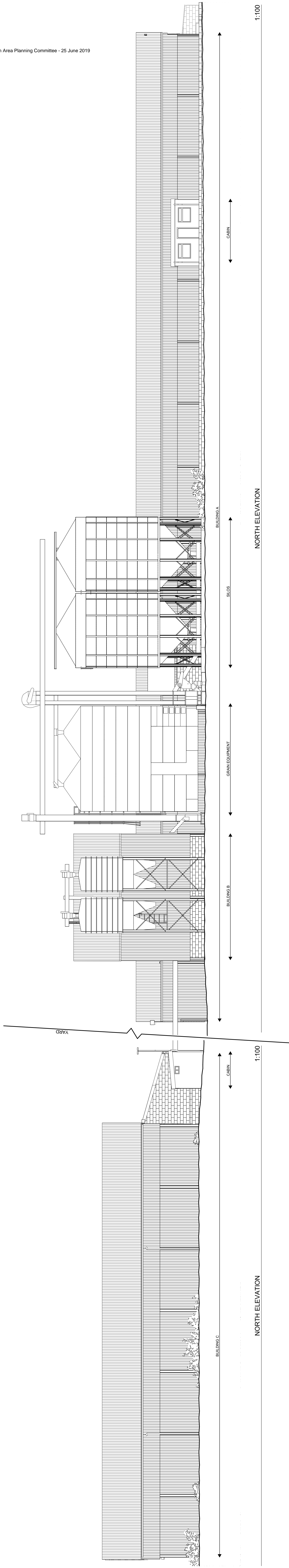
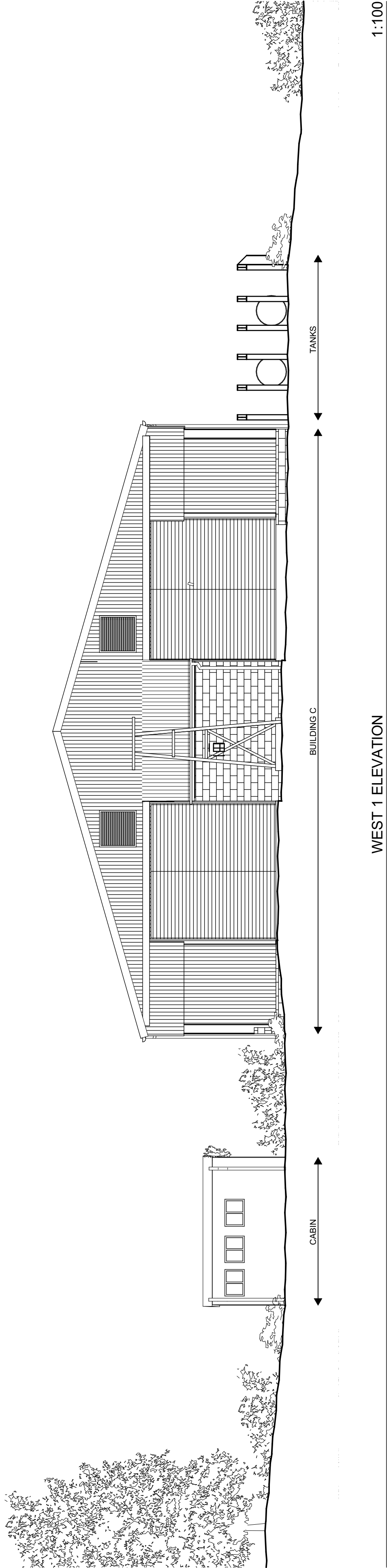
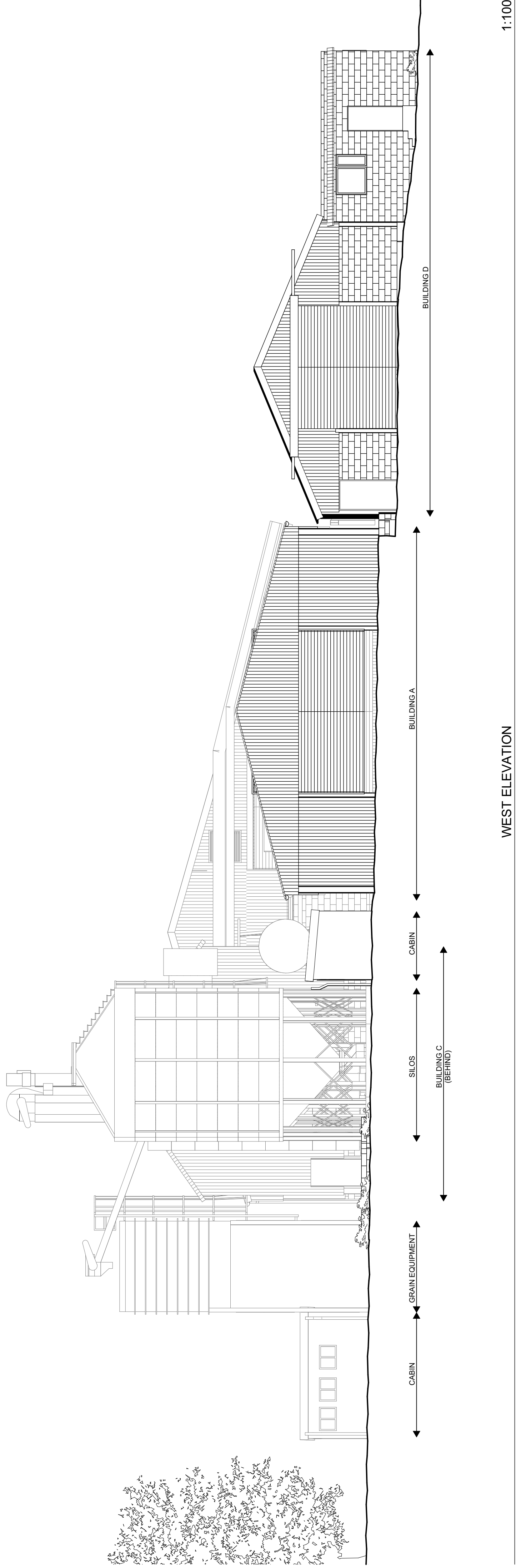
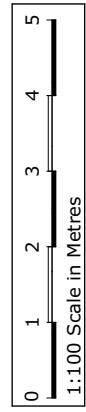


NOTES

These drawings have been prepared in accordance with the provisions of the Building Regulations 2010 and the Building Regulations 2010 (Approved Document A) and the Building Regulations 2010 (Approved Document B). They are intended to be used in conjunction with the Building Regulations 2010 (Approved Document A) and the Building Regulations 2010 (Approved Document B). They are not to be used for any other purpose without the written consent of the architect.

REVISIONS

REV	DESCRIPTION	BY	CHECK	DATE



PROJECT TITLE  
GRAIN BUILDINGS  
MOOR COURT LANE UP SOMBORNE SO20 6RA

INSTRUCTION	DATE	REV
1:100, 1:500	WNB/420172_205	1
2:CONCEPT DESIGN	PLANNING	2
DRAWN BY	CHECKED BY	DATE
JAS	PCA	JUNE 18
REVISED REFERENCE	FOR - SAY -	- A- WNB/420172_205

NOTE: GRAIN EQUIPMENT SHOWN AT  
REDUCED DETAIL AND AS INDICATIVE

RIBA #  
Chartered Practice



