

## Notice of Meeting

# Southern Area Planning Committee

**Date:** Tuesday 8 October 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 M Cooper (Chairman)

Romsey Tadburn

Councillor A Finlay (Vice-Chairman)

Chilworth, Nursling & Rownhams

Councillor N Anderdon

Chilworth, Nursling & Rownhams

Councillor G Bailey

Blackwater

Councillor P Bundy

Chilworth, Nursling & Rownhams

Councillor J Burnage

Romsey Cupernham

Councillor A Dowden

Valley Park

Councillor C Dowden

North Baddesley

Councillor S Gidley

Romsey Abbey

Councillor M Hatley

Ampfield & Braishfield

Councillor J Parker

Romsey Tadburn

Councillor A Ward

Mid Test

Councillor A Warnes

North Baddesley

## **Southern Area Planning Committee**

Tuesday 8 October 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 17 September 2019**
  - 6 Information Notes 4 - 9**
  - 7 19/01116/FULLS - 09.05.2019 10 - 26**
- (OFFICER RECOMMENDATION: PERMISSION)**  
SITE: 3 Bracken Place, Chilworth, SO16 3NG  
**CHILWORTH**  
CASE OFFICER: Mr Mark Staincliffe
- 8 19/01459/FULLS - 17.06.2019 27 - 37**

**(OFFICER RECOMMENDATION: PERMISSION)**  
SITE: Mobile Home, Wellow Wood Paddock, Wellow  
Wood Road, West Wellow, SO51 6EP **WELLOW**  
CASE OFFICER: Mr Nathan Glasgow

## ITEM 6

# TEST VALLEY BOROUGH COUNCIL SOUTHERN AREA PLANNING COMMITTEE INFORMATION NOTES

### **Availability of Background Papers**

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

### **Reasons for Committee Consideration**

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

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

## **Public Speaking at the Meeting**

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

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

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

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

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

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

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

## **Conditions and Reasons for Refusal**

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

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

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

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

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

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

## **Deferred Applications**

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

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

## **Visual Display of Plans and Photographs**

Plans are included in the officers' reports in order to identify the site and its surroundings. The location plan will normally be the most up-to-date available from Ordnance Survey and to scale. The other plans are not a complete copy of the application plans and may not be to scale, particularly when they have been reduced from large size paper plans. If further information is needed or these plans are unclear please refer to the submitted application in the reception areas in Beech Hurst, Andover or the Former Magistrates Court office, Romsey. Plans displayed at the meeting to assist the Members may include material additional to the written reports.

Photographs are used to illustrate particular points on most of the items and the officers usually take these. Photographs submitted in advance by applicants or objectors may be used at the discretion of the officers.

## **Human Rights**

The European Convention on Human Rights" ("ECHR") was brought into English Law, via the Human Rights Act 1998 ("HRA"), as from October 2000.

The HRA introduces an obligation on the Council to act consistently with the ECHR.

There are 2 Convention Rights likely to be most relevant to Planning Decisions:

- \* Article 1 of the 1st Protocol - The Right to the Enjoyment of Property.
- \* Article 8 - Right for Respect for Home, Privacy and Family Life.

It is important to note that these types of right are not unlimited - although in accordance with the EU concept of "proportionality", any interference with these rights must be sanctioned by Law (e.g. by the Town & Country Planning Acts) and must go no further than necessary.

Essentially, private interests must be weighed against the wider public interest and against competing private interests. Such a balancing exercise is already implicit in the decision making processes of the Committee. However, Members must specifically bear Human Rights issues in mind when reaching decisions on all planning applications and enforcement action.

## **Natural Environment and Rural Communities Act 2006 (NERC)**

The Council has a duty under the Natural Environment and Rural Communities Act 2006 as follows: "*every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*".

It is considered that this duty has been properly addressed within the process leading up to the formulation of the policies in the Revised Local Plan. Further regard is had in relation to specific planning applications through completion of the biodiversity checklists for validation, scoping and/or submission of Environmental Statements and any statutory consultations with relevant conservation bodies on biodiversity aspects of the proposals. Provided any recommendations arising from these processes are conditioned as part of any grant of planning permission (or included in reasons for refusal of any planning application) then the duty to ensure that biodiversity interest has been conserved, as far as practically possible, will be considered to have been met.

### **Other Legislation**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination of applications be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the Borough comprises the Test Valley Borough Revised Local Plan (2016), and 'made' Neighbourhood Plans. Material considerations are defined by Case Law and includes, amongst other things, draft Development Plan Documents (DPD), Supplementary Planning Documents (SPD) and other relevant guidance including Development Briefs, Government advice, amenity considerations, crime and community safety, traffic generation and safety.

On the 19<sup>th</sup> February 2019 the Government published a revised National Planning Policy Framework (NPPF). The revised NPPF replaced and superseded the previous NPPF published in 2018. The revised NPPF is a material consideration in planning decisions.

So that sustainable development is pursued in a positive way, at the heart of the revised NPPF is a presumption in favour of sustainable development. Decisions should apply a presumption in favour of sustainable development. This does not change the statutory status of the development plan as a starting point for decision making. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Where a planning application conflicts with an up to date development plan, permission should not usually be granted. Local planning authorities may take decisions which depart from an up to date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

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

- Approving development proposals that accord with an up to date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

- The application of policies in the revised NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the revised NPPF when taken as a whole.

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

## ITEM 7

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<b>APPLICATION NO.</b>	19/01116/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	09.05.2019
<b>APPLICANT</b>	Bracken Place Day Nursery Ltd
<b>SITE</b>	3 Bracken Place, Chilworth, SO16 3NG, <b>CHILWORTH</b>
<b>PROPOSAL</b>	Erection of a purpose built nursery building in the southeast corner of the site
<b>AMENDMENTS</b>	Additional information received 10.07.2019
<b>CASE OFFICER</b>	Mr Mark Staincliffe

Background paper (Local Government Act 1972 Section 100D)

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### 1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee at the request of a Member due to the significant level of representations received from local residents.

### 2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is approximately 0.66ha in size and comprises a 2 storey property currently used as a nursery. Surrounding the site are large areas of hardstanding and outdoor amenity space and parking used in association with the nursery.

2.2 The site is located within land designated as open countryside and is largely contained by a dense assortment of mature woodland. To the North and West of the site are the M3 & M27 motorways, to the South of the site is a vacant residential care facility and Stoneham golf club.

2.3 The nursery is currently served by an adopted access in the form of Bracken Place Road which is a single track road with passing places and links to the A27, which is approximately 0.5 miles from the site.

### 3.0 PROPOSAL

3.1 The application seeks planning permission for the erection of a purpose built nursery building. Were planning permission to be granted for the new building, the number of children in the current building on site would be slowly reduced and would no longer be used as a Nursery Facility.

3.2 The planning application is seeking planning permission for the use of the site to care for up to 96 children. This is the current maximum number of children that the nursery is registered to care for on-site.

### 4.0 HISTORY

4.1 18/01731/FULLS- Conversion of the existing nursery building to 8 residential dwellings and the erection of a purpose-built nursery- **Planning application REFUSED for 5 reasons:**

1. **The proposal represents unjustified development in the countryside for which there is no overriding need has been provided. The proposed development would result in the introduction of development inappropriately located on a rural site within a Local Gap away from existing settlement boundaries, adversely affecting the character and appearance of the area. The proposal is therefore contrary to Policies COM2, E3 and E2(a) of the Test Valley Borough Revised Local Plan 2016 and the National Planning Policy Framework (2018).**
  2. **The conversion of the existing building into residential accommodation would result in the requirement for another building to fulfil the function of the building being converted and would therefore conflict with policy LE16 b) of the Test Valley Borough Revised Local Plan 2016. Furthermore the proposal has failed to demonstrate compliance with Policies COM 2 a) & b) as the proposal is not essential to be located in the countryside or compliant with the policies listed in a) of that policy and LE16 e) - f) as the applicant has failed to provide evidence that the proposal is accommodation for a rural worker or for commercial purposes**
  3. **The layout of tandem parking for a nursery use for pick up and drop off is not considered acceptable. The nature of tandem parking could lead to vehicles being blocked in by other vehicles and as such lead to in-efficient and potentially unsafe traffic manoeuvres internally to the site and therefore conflicts with Policy T1 c) of the Test Valley Borough Revised Local Plan 2016.**
  4. **The proposed nursery would fail to provide a sufficient and convenient level of parking and would therefore fail to accord with Policy T2 and Annex G of the Test Valley Borough Revised Local Plan 2016.**
  5. **The proposed development is contrary to policy E5 of the Test Valley Borough Local Plan, the New Forest Special protection area (SPA) interim mitigation framework, Solent Recreation Mitigation Strategy and The Conservation of Habitats and Species Regulations 2010 in that no contribution is provided in order to address the impact of the development on the New Forest SPA and Solent and Southampton Water Special Protection Area resulting in the development having an unmitigated additional burden. Furthermore, the proposed development fails to provide and/or secure adequate provision for necessary contributions for the provision of affordable housing. The application is therefore contrary to Policy COM7 & Policy E5 of the Test Valley Borough Revised Local Plan 2016.**
- 4.2 TVS.04727/7- **Erection of single storey extension and conversion of existing outbuilding to provide 3 classrooms, entrance hall, dining area/wet playroom and toilet facilities (Increase maximum number of children on site to 100).  
Planning Permission Granted.**
- 5.0 **CONSULTATIONS**
- 5.1 **Trees-** No objection subject to conditions.

5.2 **Environmental Protection-** No objection subject to planning condition relating to noise mitigation.

5.3 **Highways-** No objection.

6.0 **REPRESENTATIONS** Expired 19.06.2019

6.1 **Bracken Hall 2, 3, 5, 7, 9, 10, 12, 14, 16 & 2 The Coach House(summarised)- Object:**

- Increased traffic movements
- Insufficient parking
- Access road inadequate
- Existing bridge not wide enough and is an accident hotspot
- Increasing capacity from 60 to 96
- Conflict with policy T1
- Constricted access via main roads to the site

6.2 **Stoneham Golf Club (summarised)- Object:**

- Conflict with Policy E3
- Urbanising impact of the development
- Removal of trees harms the character and appearance of the area
- Over development of the site
- Loss of spacious nature of the site
- Insufficient landscaping details
- No discussion on the use of the existing building

6.3 **Chilworth Parish Council:** No objection.

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 COM14: Community Services and Facilities

Policy LE17: Employment Sites in the Countryside

Policy E1: High Quality Development in the Borough

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

Policy E3: Local Gaps

Policy E5: Biodiversity

Policy T1: Managing Movement

Policy T2: Parking Standards

7.3 Supplementary Planning Documents (SPD)

Landscape Character Area LCA2B- North Baddesley to Chilworth Woodland Mosaic.

## 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 amenity of neighbouring property
- Impact on ecology
- Loss of Local Gap
- Sustainability

8.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

8.3 COM2 presents the way the settlements, classified in the settlement hierarchy, will develop in the future. COM2 seeks to promote a sustainable pattern of development and sets out how the site identification process for strategic sites was undertaken. As a matter of fact the site is not an allocation within the TVBRLP and is within an area classified as open countryside and a Local Gap.

8.4 The policy creates a presumption in favour of sustainable development within the defined limits of development, with education facilities outside these limits of development only being brought forward subject to a number of exceptions. Of particular reliance to this application are COM2 & LE17, these are considered below.

8.5 There is an existing nursery facility on site, and though the existing facility is operating and is rated as outstanding by OFSTED, the characteristics of the existing building are not conducive to a modern and practical nursery facility. The existing building still operates as a nursery, but is dated with regards to the provision of child care and far from a modern facility. The layout and design of the building over two floors creates difficulties to the operation of the nursery in accordance with current regulations and best practice, such as maintaining levels of supervision, caring for children and moving children around the building for activities such as meal times and outdoor play/activities.

8.6 To ensure that the facility is capable of operating cost effectively and competitively into the future a new single-storey nursery is proposed that would enhance the children's experience in a number of ways and would provide a far more efficient and comprehensive nursery service and also ensure that such a valuable local facility would be retained in this location long term.

8.7 The facility is well used and its location is some way from other nursery facilities and thus serving an identified demand for nursery places in the locality. To locate this facility in an alternative location, within a defined settlement boundary is unlikely to be practical due to the cost of purchasing land which could otherwise be used for residential or B1/B2 use, furthermore an alternative location may not meet the demand identified by the current location and thereby creating a deficiency of nursery places within this locality.

- 8.8 Other alternatives such as re-arranging the existing building or extending the existing building have been considered. However, these options would result in significant disturbance for the existing facility, would be a more costly option to that being proposed and in many circumstances not possible due to the two storey nature of the existing building and the change in levels over the existing site.
- 8.9 The existing facility is also an employment generating use, currently employing 21 full time staff and 5 part time staff. The proposal would see the new building located within the existing lawful site boundary, being well related to the existing building and no outdoor storage would be provided within the scheme.
- 8.10 For the reasons set out above it is therefore not only essential for the new building at the existing facility to be located in this countryside location and thus compliant with COM2 of the TVBRLP, but also policy compliant with regards to LE17 of the TVBRLP. Locating it on an alternative site would not be practical and could result in the loss of this important childcare facility and employment generating use.
- 8.11 **Impact on the character and appearance of the area**  
Policy E2 of the TVBRLP seeks to protect, conserve and enhance the landscape character of the Borough. The site is set within the Landscape Character Area LCA2B- North Baddesley to Chilworth Woodland Mosaic.. The valuable features that characterise this landscape area are rows of trees and wood pasture separated by green fields.
- 8.12 The proposed new nursery would be located within the rear portion of the site and would ultimately result in the loss of some trees within this area and would add built development into an area not previously developed and therefore would diminish the spacious nature of the site and the landscape immediately within the application site would become more urban in character.
- 8.13 Since the determination of the previous planning application the proposal to convert the existing building into residential units and the construction of a new car park and access are no longer proposed. This amendment has resulted in far less harm to the character and appearance of the area as fewer trees would be removed and there would be a significant decrease in hard surfacing within the site and the volume of residential paraphernalia associated with so many units would not be present. These factors address the reason for refusal relating to landscape impact under the previously refused application. The proposal is now considered acceptable.
- 8.14 The proposed new building is relatively modest and located at a lower level than the existing nursery building and road. As such, only limited and glimpsed views will be possible from the golf course and the road above the site due to the existing extensive planting on and around the site, furthermore with the requirement to provide additional landscaping on site this harm can be largely mitigated. On balance the proposed development is considered to accord with policy E2 of the TVBRLP.

8.15 **Impact on amenity of neighbouring properties**

As with the previously refused application, it is considered that there would be sufficient separation between the proposed nursery and neighbouring properties which would prevent adverse impacts on the amenities of neighbouring dwellings in terms of overshadowing and loss of light.

8.16 With regards to overlooking, the proposed nursery is single storey and located a significant distance from the nearest residential property. Taking into consideration the intervening distance and the single storey nature of the development proposed it is considered that the development will not result in any adverse impact in terms of loss of privacy or outlook to adjoining properties.

8.17 As a result of the above, it is considered that the proposals are in accordance with policy LHW4 of the TVBRLP.

8.18 **Impact on ecology**

The application is supported by Ecological Impact Assessment. The assessment has identified a bat roost present within a small loft space in the existing property and potential for crevice dwelling bats within the roof. A number of trees that will be removed were also surveyed, one of which with low potential to support bats that found no bats present. As the proposal no longer involves any works to the existing building this is a matter that does not need to be considered.

8.19 The survey has also outlined the potential for badger, reptiles, nesting birds and hedgehogs to be impacted by the works and has set out measures to avoid impacts to these species. Subject to the submission of a lighting strategy prior to the first occupation of the development and compliance with the recommendations set out in section 6.19 of the ACD EIA (June 2018) for ecological planning approval no objection is raised and the development would accord with Policy E5 of the TVBRLP.

8.20 **Design**

The design of the new building is considered to be appropriate in the context of the area. The proposed unit is of simple proportions with a rectangular footprint and a traditional roof form. However, it also has sufficient detailing to add interest to the design and thereby not look out of place within the immediate street scene. It is considered that the design and appearance of the building is attractive and relates well to the existing property and street scene. As such the proposed design is considered to meet the requirements of Policy E1 of the TVBRLP.

8.21 **Local Gap**

Policy E3 allows development within Local Gaps provided that it complies with a) & b) of the policy.

With regards to a) - It is considered that the size and scale of the building will fill an area of land within the existing site which is largely used as a carpark. However, the background text to the policy, at paragraph 7.28, states- 'The purpose of the policy is not to prevent all development within the Local Gap.

8.22 Taking into consideration the relatively small scale nature of the development, its location being within the curtilage of the existing property and the limited public and private views of the proposal it is considered that the proposal does not compromise the integrity of the gap as there would be no physical or visual separation of this land as the use would remain largely unchanged. The continued use of the land as a nursery is not considered to compromise the integrity of the gap.

8.23 With regards to b)- the proposal would not individually or cumulatively with other existing or proposed development compromise the integrity of the gap. Taking into consideration the above analysis it is considered that the proposal would not conflict with policy E3 of the TVBRLP.

8.24 **Sustainability**

The site is currently used as a nursery and the proposed nursery building, on the face of the evidence, is not going to result in vehicle movements greater than those resulting from the existing use of the site. Though the geographical location of the nursery will result in people accessing the nursery largely by private car, Overall it is concluded that the proposal would not result in an increased demand for travel to access the nursery services being provided.

8.25 The application and accompanying evidence clearly state that though an additional building will be provided on site the total number of staff and children will not increase above the current 96 children. As the submitted evidence relates to this maximum number of children a condition will be required to limit the number to 96. Subject to this condition it is considered that there is no conflict with policies COM2 & T1 of the TVBRLP.

8.26 **Children**

There appears to be confusion with regards to maximum number of children that could be accommodated on site at any one time. The supporting statement accompanying the planning application states that the nursery is registered to accommodate up to 96 children, whereas representations state that the maximum number permitted by previous applications is 60.

8.27 The figure quoted by the applicant is the license for the site and this falls outside of the remit of planning legislation. The 60 quoted by local residents was the maximum number originally granted by application TVS.04727/7. The maximum number was subsequently increased to 100 when planning application TVS.04727/8 was granted planning permission.

8.28 The current application has been considered on the basis of a maximum number of 96 children on site at any one time. As such, a condition limiting the total number will be required as an increase in these numbers could result in the need for additional parking or wider impacts on the local highway network.

8.29 **Parking**

Concerns were raised in relation to the parking provision on the previously refused planning application. As such, the parking layout and provision has been altered to overcome the reason for refusal. The car parking as proposed is unlikely to have a detrimental impact on the wider highway network and will also provide a safe and satisfactory internal arrangement for both staff and users of the site.

8.30 The application seeks to limit the total number of children to 96, which is 4 less than permitted by earlier consents. Furthermore, 1 additional formal parking space will be provided. Taking into consideration the above it is considered that the development will be an improvement on the existing situation and accord with Policy T1, T2 and Annex G of the TVBRLP.

8.31 **Highways**

Concerns have been expressed with regards to highway safety and the intensive use of the site for nursery accommodation. The licence for the current facility (not issued by the Local Planning Authority) is for 96 children. This is 4 children less than can lawfully be accommodated on site as approved by planning application TVS.04727/7.

8.32 It is accepted that the previous planning application sought permission for fewer children to be accommodated on site and the current proposal is likely to result in a greater number of traffic movements in comparison to that application. However, the site operator has a lawful fall-back position to use the current site for accommodating 100 children, this fall-back position is therefore a material planning consideration in the determination of the planning application and must be afforded significant weight.

8.33 Policy T1, amongst other things, states that 'development will be permitted provided that planning permission does not have an adverse impact on the function, safety and character of and accessibility of the local or strategic road network.' In this case the vehicle movements to and from the site will be no worse than the existing fall-back position and would therefore be compliant with the adopted policy.

8.34 The comments and observations submitted by local residents are noted, however, taking into consideration the nature of the road and the use of the existing site it is concluded that the development will not result in harm to the highway network and therefore accords with policy T1 of the TVBRLP.

8.35 **Noise**

Additional information has been submitted to overcome concerns expressed relating to noise from the adjacent highway network. This information proposes to install various acoustic measures within and around the site. The installation of these measures will need to be completed prior to the first use or occupation of the extension to ensure that noise levels within the new building and the external areas as an acceptable level. Subject to the implementation and retention of these in perpetuity, the development is considered to accord with Policy LHW4 of the TVBRLP.

9.0 **CONCLUSION**

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that “determination must be made in accordance with the plan unless material considerations indicate otherwise”.
- 9.2 It is agreed that the settlement boundaries are not out of date and nor are the associated policies. As relevant policies in the plan are not absent, silent or out of date an ordinary, straight planning balance can be undertaken.
- 9.3 In undertaking the balance it is necessary to first identify the development plan position. In particular the conclusion that there would not be a conflict with COM2 as the proposal is considered to be both essential and compliant with Policy LE17.
- 9.4 The scheme would, due to its size/scale and limited public views, have a neutral impact on the landscape character of the area and thus conforms with Policy E2 of the local plan it would also conform with the Council’s parking standards and there is no objection raised with regards to highway safety.
- 9.5 The appellant has advanced benefits in support of the appeal scheme. In social terms, it would update an existing child care facility and secure its operation long term with a facility fit for current guidance and best practice. It also delivers said benefit in an area that has been shown to have a demand for childcare places. This is a matter that should be afforded moderate weight in the planning balance.
- 9.6 In environmental terms, it is suggested that the scheme offers opportunities for enhancement through landscaping. However, additional landscaping is required to mitigate the removal of existing trees within the site. This should be afforded no weight.
- 9.7 In economic terms, the scheme would provide construction jobs and some local investment during its build out. Albeit that these jobs and investment would be transitory and limited due to the level of development proposed. Furthermore, it would secure employment within the site for the staff required to operate the facility. This a matter to which moderate weight in the planning balance.
- 9.8 With regards to Policy E3- The proposal would diminish physical separation within the local gap but this would be limited to the immediate site rather than the wider area. The purpose and integrity of the gap would be maintained in this instance and there would be no conflict with policy. The benefits outlined above are considered to be sufficient to outweigh the very limited harm that has been identified above.

## 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:  
NURS.CPE REV A  
CSL.101A  
SLP-01  
Tree Protection Plan Revision B  
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 Test Valley Borough Revised Local Plan (2016) Policy E1.
4. Details of any external lighting shall be submitted to and approved in writing by the local planning authority prior to first installing any such lighting before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.  
Reason: To safeguard the amenities of the area and/or in the interests of road safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.
5. Prior to the commencement of the use or first occupation of the building hereby permitted, the car parking spaces, shall be constructed, surfaced and laid out in accordance with the approved plans. The area of land so provided shall be maintained at all times for this purpose.  
Reason: To ensure sufficient off-street parking has been provided in accordance with the Test Valley Borough Revised Local Plan (2016) Policy T2 and in the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policy TRA02.
6. No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include-where appropriate: means of enclosure; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units,);

**Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. The landscape works shall be carried out in accordance with the approved details and shall be provided before the end of the first planting season after the first occupation or use of the building. The planting shall be maintained to encourage its establishment for a minimum period of five years following completion of the development. Any trees or planting that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced before the end of the current or first available planting season following the failure, removal or damage of the planting.**

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

- 7. No development shall take place above DPC level of the development hereby permitted until details of the screen planting in the area between ABC and ADC as marked on the approved plan, including positions or density, species, and planting size, have been submitted to and agreed in writing by the Local Planning Authority. The planting shall be carried out before the end of the current or first available planting season following completion of the development. The planting shall be maintained to encourage its establishment for a minimum period of five years following completion of the development. Any trees or planting that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced before the end of the current or first available planting season following the failure, removal or damage of the planting.**

**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 T1.**

- 8. The development hereby permitted shall be undertaken in full accordance with the provisions set out within the AJ Monk Consulting unreferenced Method Statement dated May 2019 and Tree Protection Plan Rev B dated May 2019**
- Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan (2016) policy E2.**

- 9. Tree protective measures installed (in accordance with the tree protection condition) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.**

**Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan (2016) policy E2.**

- 10. All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.**

**Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan (2016) policy E2.**

- 11. Prior to the first occupation or first use of the building hereby permitted, the noise mitigation scheme as set out in the Venta Acoustics letter of 16th July shall be installed and thereafter retained in accordance with the approved details.**

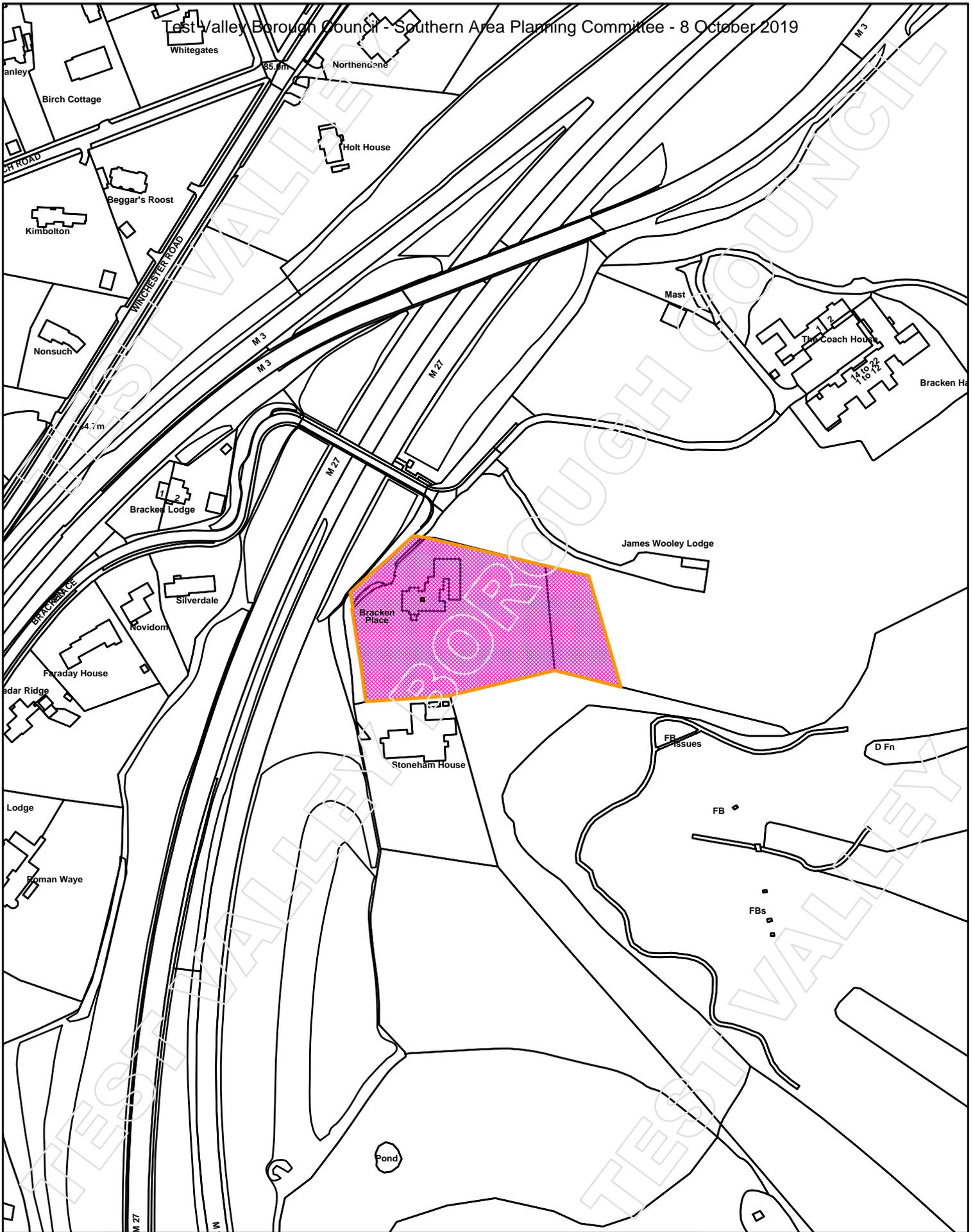
**Reason: To ensure that the development results in satisfactory amenity for the occupiers and users of the site and compliance with Policy LHW4 of the TVRLP.**

- 12. No more than 91 children shall be on site at any one time.**

**Reason: for the avoidance of doubt and to ensure compliance with Test Valley Borough Revised Local Plan (2016) policy T1 & T2.**

- 13. Development shall be carried out in full compliance with the recommendations set out in section 6.19 of the ACD EIA (June 2018) for ecological planning approval**

**Reason: To ensure compliance with Test Valley Borough Revised Local Plan (2016) Policy E5.**



**Siteplan**





Romsey Office  
 Building 300, The Grange, Romsey Road, Michelmersh, SO51 0AE  
 t: 01794 367703 f: 01794 367276 www.thrivearchitects.co.uk

PROJECT  
**3 Bracken Place**  
 Chilworth  
 For: Bracken Place Day Nursery

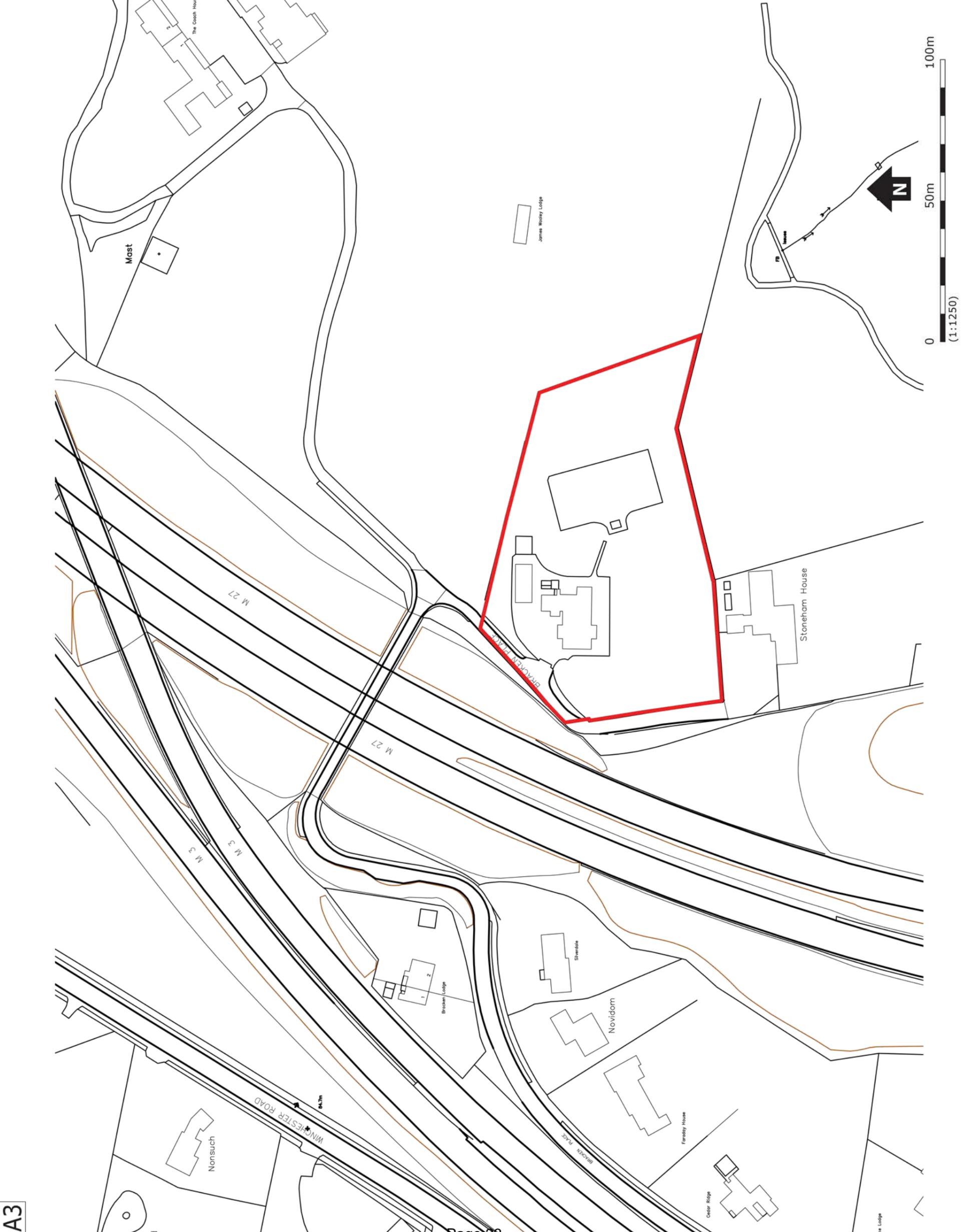
DRAWING  
**Site Location Plan - 01**

SCALE	DATE	AUTHOR	CHECKED
1:1250 @ A3	11/07/18	MB	MD
JOB NO.	DRAWING NO.	REV	
GENE160923	SLP-01	-	

**NOTES**  
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 Contractors, Sub Contractors and Suppliers are to check all relevant dimensions and levels of the site and building before commencing any shop drawings or building work. Any discrepancies should be recorded to the Architect.  
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REV	DESCRIPTION	DATE	AUTHOR	CHECKED

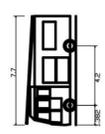
KEY  
 Site Boundary



**NOTES**

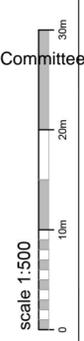
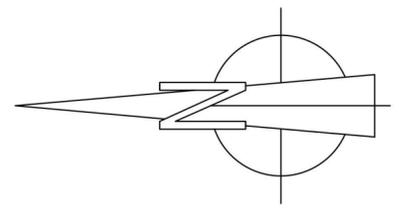
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 Licence No. 100007359. DO NOT scale from this drawing.  
 Contractors, Sub Contractors and Suppliers are to check all relevant  
 dimensions and levels of the site and building before commencing  
 any shop drawings or building work. Any discrepancies should be  
 recorded to the Architect.  
 Where applicable this drawing is to be read in conjunction with the  
 Consultants' drawings.

REV	DESCRIPTION	DATE	AUTH	CHK'D



Overall Suburb Fire Tender (LWB)  
 Overall Length 7.700m  
 Overall Width 2.400m  
 Overall Height 2.800m  
 Min Body Ground Clearance 0.300m  
 Lock to Lock Time 9.000m  
 Kerb to Kerb Turning Radius 7.400m

Test Valley Borough Council - Southern Area Planning Committee - 8 October 2019



**PLANNING**



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**PROJECT**  
**3 Bracken Place**  
 Chilworth  
 For: Bracken Place Day Nursery

**DRAWING**  
**Coloured Site Layout**

SCALE	DATE	AUTHOR	CHK'D
1:500 @ A2	March 2019	MD	
JOB NO.	DRAWING NO.	REV	
GENE160923	CSL.101	A	
CLIENT REF.			



A2





Floor Plan

## ITEM 8

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<b>APPLICATION NO.</b>	19/01459/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	17.06.2019
<b>APPLICANT</b>	Mr and Mrs Powell and Mr and Mrs Castle
<b>SITE</b>	Mobile Home, Wellow Wood Paddock, Wellow Wood Road, West Wellow, SO51 6EP, <b>WELLOW</b>
<b>PROPOSAL</b>	Erection of utility and storage buildings, fencing, and construction of permeable paving area (part retrospective)
<b>AMENDMENTS</b>	None
<b>CASE OFFICER</b>	Mr Nathan Glasgow

Background paper (Local Government Act 1972 Section 100D)

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### 1.0 INTRODUCTION

- 1.1 The application is presented to the Southern Area Planning Committee at the request of a Member for the reason of “concern that the density of development on this site is excessive for that required for a gypsy and traveller plot”.

### 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is located within the countryside as defined by the Inset Maps of the Revised Local Plan. The site is surrounded on all sides by countryside in the form of paddocks and is accessed directly from Wellow Wood Road on the southern boundary of the site. The site itself is bounded by hedgerow on all four sides, with the addition of a close-board fence, which is a subject of this application.
- 2.2 The area is predominantly paddock/agricultural with the nearest dwellings/buildings being Steplake Cottage, which is approximately 95m to the west of the site, with The Barn 89m to the east. Wellow Wood Methodist Church is also 95m away in a south-westerly direction.
- 2.3 The application site consists of two mobiles homes (one for each of the Powell’s and the Castle’s); an additional day room has recently been built under permission 18/03139/FULLS and various other small buildings are located throughout the site, also the subject of this application.

### 3.0 PROPOSAL

- 3.1 Erection of utility and storage buildings, fencing, and construction of permeable paving area (part retrospective).
- 3.2 The building (building 1) at Plot 1 (the Powell’s) is a general storage building, located in the south-west corner of the site. The remaining two buildings (buildings 2 and 3) are located in Plot 2 (the Castle’s) and consist of one storage building and one utility building; these are both located in the north-east corner of the site.

3.3 The measurements of the buildings are as follows:

- Building 1 – 5.51m wide x 3.76m deep x 2.9m high (with 2.1m eaves)
- Building 2 – 3.55m wide x 3.62m deep x 2.85m high (with 2.07m eaves)
- Building 3 – 1.85m wide x 2.46m deep x 2.19m high (with 1.56m eaves)

All three buildings are timber clad, shed-like units, with pitched roofs (with buildings 1 and 2 containing an overhanging front eave. The close-boarded fence is 1.80m in height.

3.4 *Existing Buildings:*

The day room and utility/shower room were permitted under 18/03139/FULLS in February 2019; their measurements are as follows:

- Day Room – 6m wide x 6m deep x 4.3m high (2.45m high eaves)
- Utility/Shower Room (“L” shaped) – 4.80m wide x 6.7m deep (3.8m at it’s short side) x 2.8m high (with 2.2m high eaves)

The two mobile homes are within the size allowances for a caravan under the Caravan Sites Control of Development Act 1960, which allows for a maximum height of 3.05m.

3.5 The application also includes the retention of boundary close-boarded fencing, which runs along the south and east boundaries, and for new permeable paving to the central court area of the site.

4.0 **HISTORY**

4.1 **18/03139/FULLS** – Retention of utility and shower room buildings and erection of day room – *Permission 19.02.2019.*

4.2 **17/01055/FULLS** – Retention of porch extension to lawful mobile home – *Permission 23.06.2017.*

4.3 **15/01814/VARS** – Variation of Condition 02 of planning permission 14/01282/FULLS (Continuation of use of land as a single gypsy plot and retention of shed) to allow for 2 no. additional caravans to be placed on site – *Allowed at Appeal 13.01.2017.*

4.4 **14/01282/FULLS** – Continuation of use of land as a single gypsy plot and retention of shed – *Permission 08.08.2014.*

4.5 **12/01993/FULLS** – Erection of stable block – *Allowed at Appeal 13.06.2013.*

4.6 **09/02695/FULLS** – Use of land as 2no private gypsy plots – *Allowed at Appeal 09.06.2011 (Temporary permission to 09.06.2014).*

5.0 **CONSULTATIONS**

5.1 **Ecology** – No objection.

5.2 **Landscape** – No objection subject to condition re. infilling of hedgerow.

5.3 **Romsey Ramblers** – No comment.

6.0 **REPRESENTATIONS** Expired 19.07.2019

6.1 **Melchet Park & Plaitford Parish Council** – Objection on further development in the countryside and contravening previous permissions.

6.2 **Wellow Parish Council** – Deferred to TVBC.

6.3 **Greylands and Ivy Cottage, Wellow Wood Road** – Objections on the following:

- Lack of information provided
- Previous planning permissions
- Intrusion into open countryside
- Additional fencing not subject to removal of PD
- Enforcement of potential conditions
- Over-use of site

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

COM13: Gypsies, Travellers and Travelling Showpeople

E1: High Quality Development in the Borough

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

E5: Biodiversity

LHW4: Amenity

T1: Managing Movement

7.3 Supplementary Planning Documents (SPD)

Wellow Village Design Statement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on character and appearance of the site
- Impact on amenity of neighbouring properties
- Impact on ecology

8.2 Principle of development

The application site is located within the countryside as defined by the Test Valley Borough Revised Local Plan (2016). Development located within the countryside will only be permitted if it is appropriate in the countryside as set out in policy COM13, one of the exception policies laid out within policy COM2.

- 8.3 Policy COM13 states:  
Development to accommodate gypsies, travellers and travelling showpeople will be permitted provided that:-
- a) it is located where services and facilities are accessible; and
  - b) the potential occupants are recognised as gypsies, travellers or travelling showpeople; and
  - c) the proposal helps meet the identified need; and
  - d) evidence is provided to justify the reason for the proposal to be located in the Borough; and
  - e) the site is of sufficient size to provide for accommodation; parking; turning and, where relevant, the servicing and storage of vehicles and equipment.
- Existing permanent authorised gypsy, traveller and travelling showpeople sites should be retained for the use of these groups unless it has been established that the sites are no longer required.
- 8.4 The application site benefits from permission 14/01282/FULLS, for the continued use of the land for a single plot. 15/01814/VARS granted further permission for the use of the land for 2 no. caravans on site. This latter permission was allowed at appeal in 2017 and includes the restrictions with regards occupation by persons meeting the definition of a gypsy. The proposed development is considered, in principle, compliant with the existing use of the land.
- 8.5 The proposal is for three buildings (two storage buildings and a utility building) 1.80m high close-boarded boundary fencing to the front and side (east) elevations and for the construction of permeable paving to the central court area of the site.
- 8.6 The DCLG publication of Planning Policy for Travellers Sites, August 2015, (PPG 2015), replaces the earlier March 2012 document and requires Local Planning Authorities should '*ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community*'. The provision of providing outside storage and utility buildings is considered to be necessary for residential purposes but would also ensure fair and equal treatment as suggested above in the Planning Policy for Travellers Sites. Therefore the proposal is acceptable in principle. If these buildings were not provided, the ability to safely house residential goods and items would not be possible for the occupants of the site, and would result in the likely sprawl of items across the site and not hidden from sight, thereby providing a detrimental visual appearance of the site.
- 8.7 In reference to policy COM13, the site is an existing gypsy and traveller plot where services and facilities are accessible; the occupants are recognised as gypsies and the proposal helps to meet the identified need. Criteria a) to c) of COM13 are met. It is also considered that criteria d) and e) were all agreed with the former permission for the land use.

8.8 Impact on character and appearance of the site

The landscape character of the immediate area is of rural paddock, grass pasture with low post and wire fencing. A public footpath is located approximately 100m north of the application site, and from here the only visible aspect of built form above the hedgerow is the day room previously permitted under 18/03139/FULLS (and other paraphernalia that are not subject to this application). The buildings subject to this planning application were screened by the hedgerow and are not visible from this footpath; this is also true of the close-board fencing at the site.

8.9 Views from Wellow Wood Road provide a similar outlook, with views dominated by the existing verdant boundary treatment, minus the access point to the plot. The buildings that are subject to this application again were not visible through/over this boundary treatment. The fence is visible, but only in small areas due to the screening provided by the verdant boundary treatment, minimising their impact along this street scene. The proposed permeable paving would replace the existing hardstanding, and would improve the immediate visual appearance of the site. It is noted however that this is an internal visual improvement as the paving is not visible from public vantage points, other than the access to the site.

8.10 The Landscape Officer has offered comments on the status of the existing hedgerow which delineates the northern boundary. As part of the appeal that was allowed in 2017, this section of hedgerow is conditioned to be maintained and retained for a period of five years. The Landscape Officer has suggested this condition is recommended on any permission and this is supported by the Case Officer. An additional five year period to re-establish the boundary is recommended by condition.

8.11 It is considered that the buildings and the fence that are subject to this application do not provide a negative impact to the character and appearance of the countryside setting of the site, and is in accordance with policies E1, E2 and T1 of the Revised Local Plan.

8.12 Impact on amenity of neighbouring properties

The application site enjoys an isolated location within the nearest residential properties situated 95m west (Steplake Cottage) and 89m east (The Barn). In addition to this, the Wellow Wood Methodist Church is 95m in a south-westerly direction. The buildings, fencing and permeable paving are not considered to have any significantly detrimental overbearing impact to any of these neighbouring properties nor do they represent an overdevelopment of the plot. The proposal is therefore considered to be in accordance with policy LHW4 of the Revised Local Plan.

8.13 Impact on ecology

The proposal is not considered to be provide an adverse affect to protected species or their habitats. The proposal is therefore in accordance with Policy E5 of the Revised Local Plan.

8.14 Other matters

Various objections have been received by local groups/residents. Melchet Park & Plaitford Parish Council has commented that the proposal provides further development which encroaches on the countryside, and also contravenes previous planning permissions. The development is contained within an existing lawful plot, and is not considered overdevelopment in the form of scale and mass within the plot, or by public vantage points.

8.15 The occupants of Greylands and Ivy Cottage too have concerns regarding the proposal. There is a perceived lack of evidence provided to support the application; however, the application meets the checklist requirements for a planning application, and the only outstanding information required can be obtained by condition, which has been recommended to ensure that the boundary treatment to the site is established and retained.

8.16 A list of conditions has been highlighted within this objection letter, but it is not considered that these are material to the subject matters of the planning application that is under consideration.

8.17 The objection letter also refers to the previous approval of 18/03139/FULLS and that this current application is not sufficient in detail. The plans provided are able to be scaled and measured and are considered acceptable for validation of and for determining the planning application.

8.18 Another point raised by the objectors is the further intrusion in to the countryside. This matter has been assessed and appraised within paragraphs 8.8-8.11 and that this is an existing site within the countryside with existing buildings; the buildings subject to this planning application are all retained within the boundary of the application site and thus is not considered to be further intrusion in to the countryside. Reference is also made within the objection that the Inspector removed Permitted Development rights with regards to fences, walls and other boundary features. This does not remove the right to install a fence, but actually requires, by way of a planning application, the written approval of the Local Planning Authority were a fence requested on-site. The applicants have, as per this planning application, applied to the Local Planning Authority to install a boundary fence.

8.19 The buildings, fence and proposed permeable paving are not considered to be further physical intrusion in to the countryside, are not entirely visible within the countryside setting of the site and the surrounding areas and do not result in a loss of amenity and/or privacy to neighbouring properties. Therefore, the proposal is considered to be in accordance with the Test Valley Borough Revised Local Plan (2016).

9.0 **CONCLUSION**

9.1 The proposal is considered to be in accordance with the Test Valley Borough Revised Local Plan (2016) and is therefore acceptable.

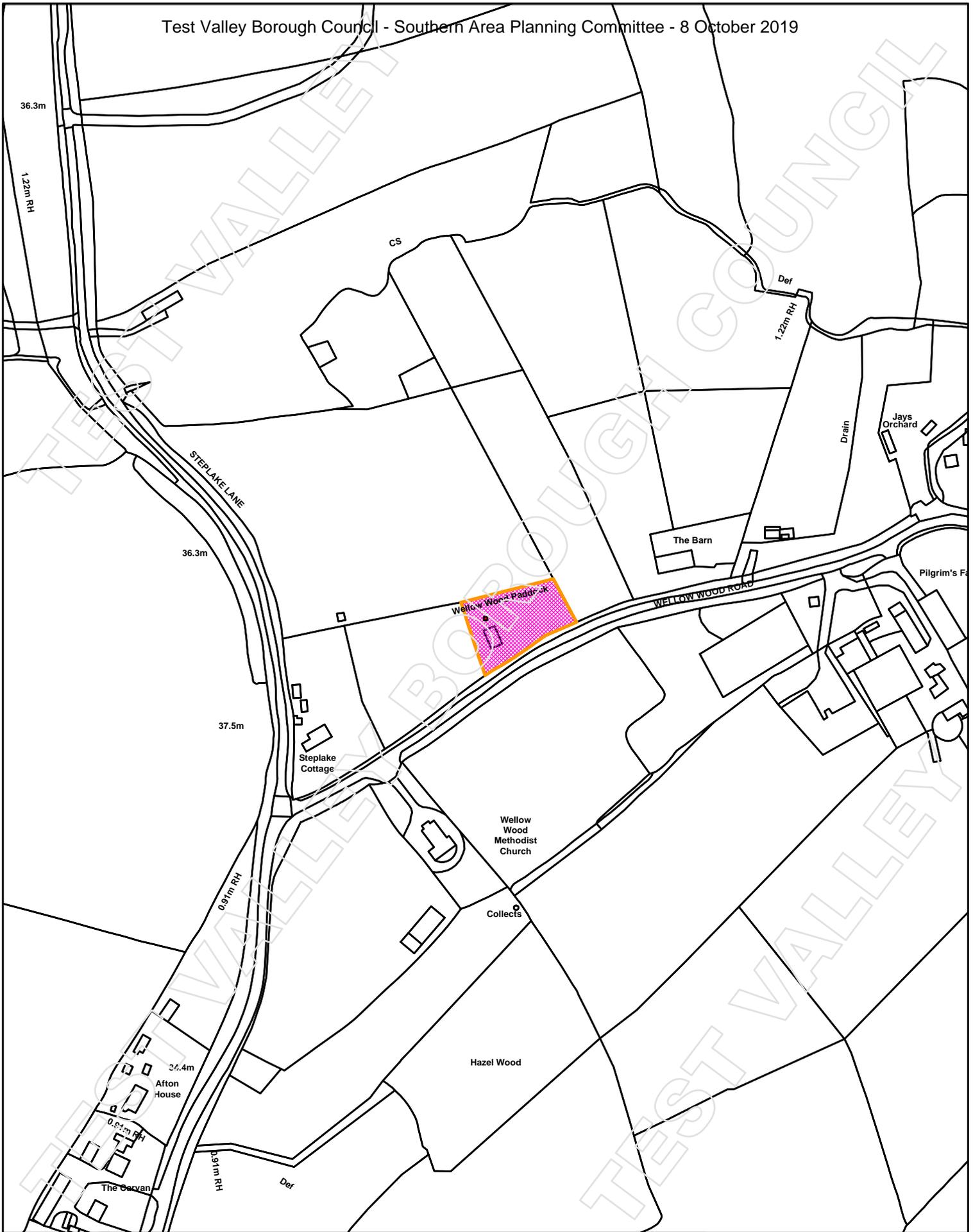
## 10.0 RECOMMENDATION

### PERMISSION subject to:

1. The development hereby permitted shall be begun within three years from the date of this permission.  
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers:  
Site Location Plan  
Block Plan - 2B  
Site Plan - 3D  
Elevations/Floor Plans - 7  
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The buildings the subject of this permission shall be used only for purposes incidental to the enjoyment of the existing Mobile Homes of the Wellow Wood Paddock site and shall not be used for a separate unit of accommodation or for any business, commercial or industrial purposes whatsoever.  
Reason: In the interests of the amenity of the area in accordance with Test Valley Borough Revised Local Plan (2016) policies COM2, E2 and LHW4.
4. Any trees or plants which comprise the planting around the boundary of the site which, within a period of 5 years from the date of this permission die, are removed or become seriously damaged or diseased shall be replaced in the next available planting season with others of similar size and species.  
Reason: In the interests of amenity and the appearance of the locality in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

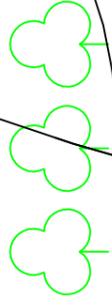
### Note to applicant:

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





WELLOW WOOD ROAD

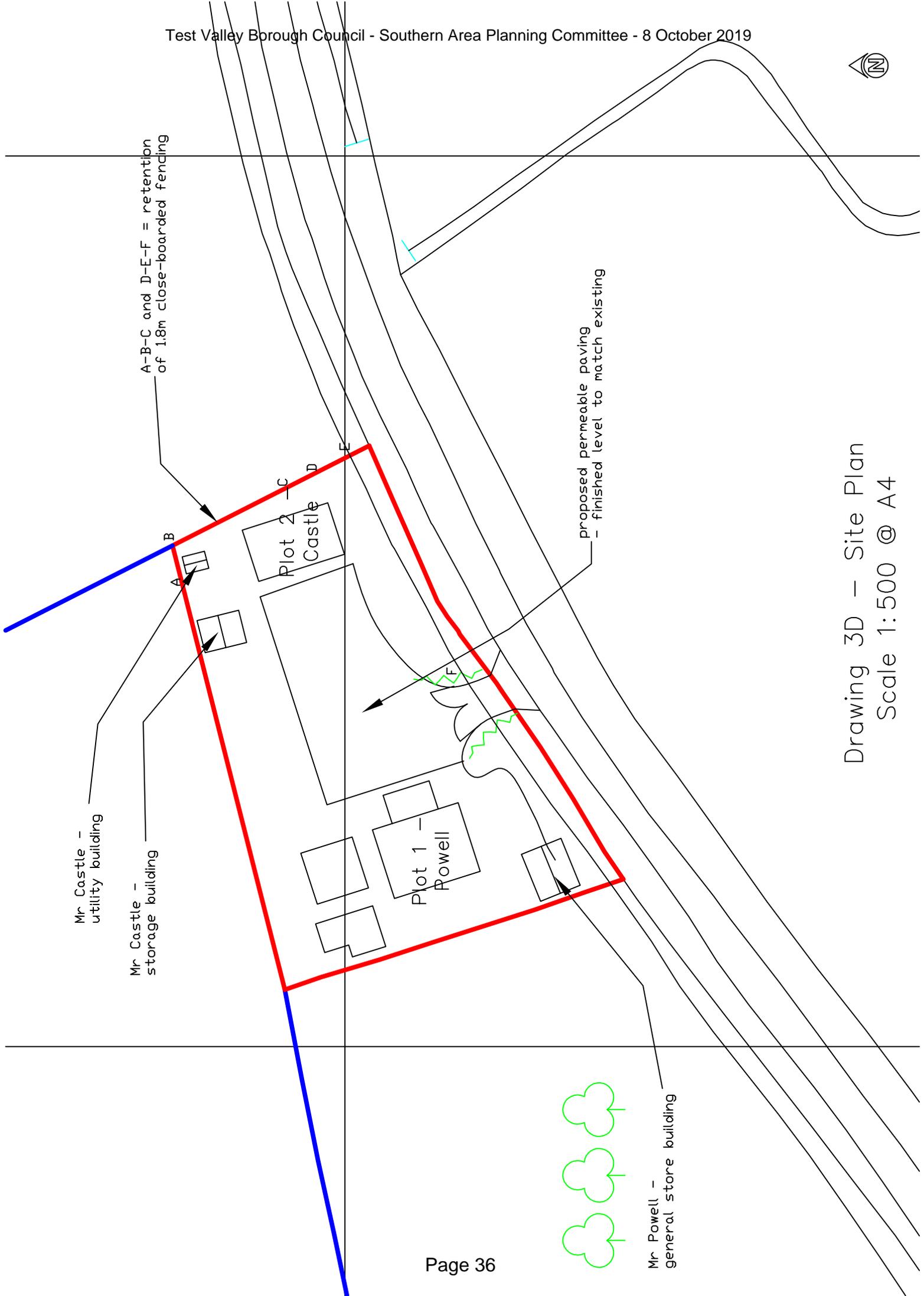
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Sheet 2B - Block Plan  
Scale 1:500 @ A3

Plot 2

Plot 1





Mr Castle - utility building

Mr Castle - storage building

A-B-C and D-E-F = retention of 1.8m close-boarded fencing

Plot 2 - Castle

Plot 1 - Powell

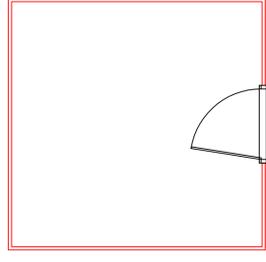
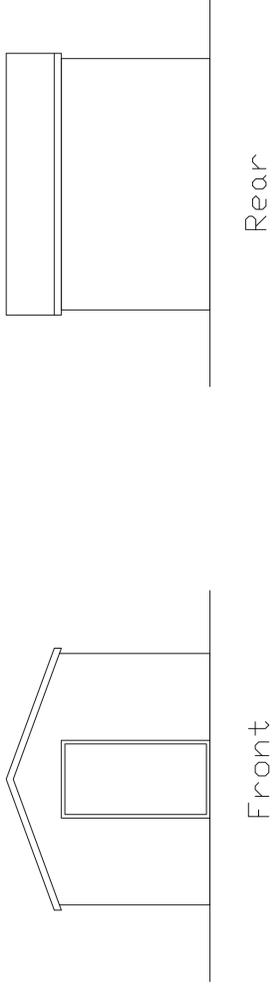
proposed permeable paving - finished level to match existing



Mr Powell - general store building

Drawing 3D - Site Plan  
Scale 1:500 @ A4

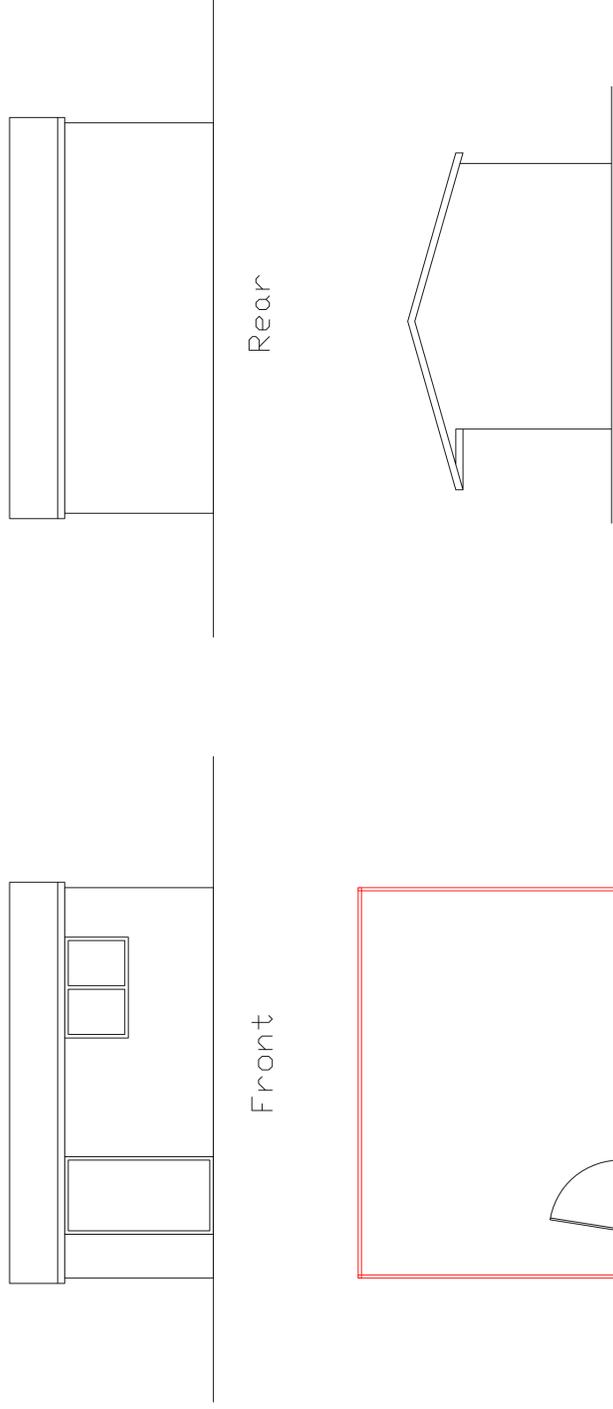
### Castle - Storage Shed



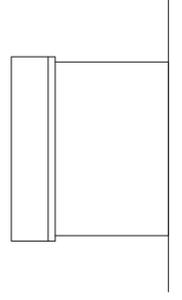
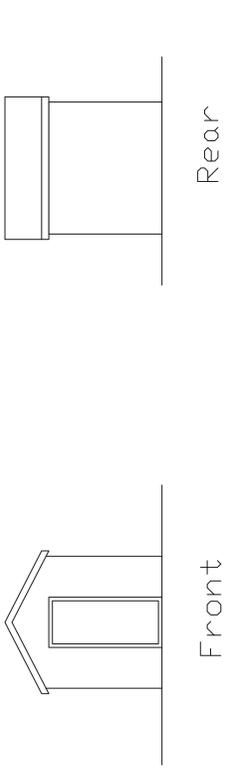
East [West handed]

Floor Plan

### Powell - Storage Shed



### Castle - Utility Room



East [West handed]

Floor Plan