

Notice of Meeting

Southern Area Planning Committee

Date: Tuesday 16 March 2021

Time: 5.30 pm

Venue: Being held virtually by Microsoft Teams. The public can listen to a live stream here:

<http://www.audiominutes.com/p/player/player.html?userid=tvbc>

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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 M Hatley (Vice-Chairman)	Ampfield & Braishfield
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 N Gwynne	Romsey Cupernham
Councillor A Johnston	Mid Test
Councillor J Parker	Romsey Tadburn
Councillor C Thom	Valley Park
Councillor A Ward	Mid Test
Councillor A Warnes	North Baddesley

Southern Area Planning Committee

Tuesday 16 March 2021

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 23 February 2021**
- 6 Information Notes 4 - 9**
- 7 19/01765/FULLS - 18.07.2019 10 - 26**

(OFFICER RECOMMENDATION: PERMISSION)
SITE: Land South of Hazelwood Farm, Flowers Lane,
Plaitford **MELCHET PARK AND PLAITFORD**
CASE OFFICER: Mr Mark Staincliffe
- 8 20/01959/FULLS - 02.09.2020 27 - 59**

(OFFICER RECOMMENDATION: PERMISSION)
SITE: Land at Plot 64 Oxlease Meadows, Romsey,
Hampshire, SO51 7AB **ROMSEY EXTRA**
CASE OFFICER: Mr Paul Goodman

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:

- (a) 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.
- (b) Applications (excluding notifications) where a Member requests in writing, with reasons and within the Application Publicity Expiry Date, 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.
- (c) 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.
- (d) Applications where the Head of Planning and Building Services recommends refusal of an application solely on the basis of failure to achieve nutrient neutrality where a Ward Member requests in writing, with reasons, within 72 hours of notification of the recommendation for refusal that they be submitted to Committee for determination. A Member can withdraw this request at any time prior to the determination of the application to enable its determination under delegated powers.
- (e) To determine applications (excluding applications for advertisement consent, certificates of lawfulness, 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 within the Application Publicity Expiry Date 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 Democratic Services 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 Democratic Services 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 and relevant Ward Members who are not Committee Members will have a maximum of five minutes. 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 on the Council's website. 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 19th 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

APPLICATION NO.	19/01765/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	18.07.2019
APPLICANT	Mr G Castle
SITE	Land South of Hazelwood Farm, Flowers Lane, Plaitford, MELCHET PARK AND PLAITFORD
PROPOSAL	Change of use of land to single gypsy plot
AMENDMENTS	27/08/2019- Additional foul sewage plan and nitrates details 09/06/2020- Nitrate budget report 28/07/2020- Amended Site plan and nitrate budget 08/09/2020- Amended Site plan and nitrate budget 18/02/2021- Visibility site lines and vehicle tracking plans.
CASE OFFICER	Mr Mark Staincliffe

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is presented to the Southern Area Planning Committee at the request of a Local Ward Member.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site has direct access on to Flowers Lane and is bounded on two sides by hedgerows and mature trees. The remainder of the site is surrounded by open land which was formally used for the grazing of horses. Towards the front of the site is a stable building and area of hard standing.

3.0 PROPOSAL

- 3.1 Material change of use of the land for the siting of 1 residential caravan, the laying of hardstanding associated with the residential use, soft landscaping and the use of the existing stable building for purposes ancillary to the residential use of the site.

4.0 HISTORY

- 4.1 TVS.08983- Erection of a block of four stables and alterations to existing access- **PERMISSION 04/07/2020**

5.0 CONSULTATIONS

- 5.1 **Landscape:** No objection subject to conditions.

- 5.2 **Trees:** No objection subject to condition

- 5.3 **Ecology:** The application was not accompanied by any detailed ecological information. Parts of the site appear to be covered by areas of rank grassland. There are concerns that protected species such as reptiles may be present and affected by the proposals.
- Officer comment:** Since the receipt of the ecological consultation response the application has been amended with the caravan sited exclusively within the existing stable application site and its associated hardstanding. The site has been historically used for agricultural purposes and most recently for the keeping of horses. The application site and the area for the stationing of mobile home is predominantly hardstanding and weeds. Further ecological survey work is not deemed necessary.
- 5.4 **Natural England:** Provided the Council as competent authority, is satisfied that the approach will ensure the proposal is nutrient neutral and the necessary measures can be fully secured; Natural England raises no further concerns.
- 5.5 **Gypsy Liaison Officer:** The Castle and Turner families are well known local families of Romany Gypsy ethnicity and there is no doubt the applicant and his partner are of Romany Gypsy ethnicity. Mr Castle carries out employment in groundwork and landscaping and as such travels regularly for economic purpose sometimes returning home at the end of the working day but also staying away when required necessitating him living in a touring caravan together with his partner during these times. It is his intention to continue working in this way.
- 5.6 The family have been informed that Hampshire County Council now has responsibility for one permanent residential site in the County and currently there are no pitches available with six applicants on the waiting list.
- 5.7 **Highways:** Amended plans have now been received in an attempt to overcome the original concerns expressed by the Highway officer with regards to vehicular visibility and onsite and off-site vehicle tracking. The Highway officer raises no objection.
- 5.8 **Planning Policy:** Policies COM2 and COM 13 are the most pertinent. COM2 - the application site lies outside the defined settlement boundaries, therefore falls within the countryside. On this basis the proposal needs to be considered against criteria a) and b) of this policy.
- 5.9 The proposal needs to comply with all elements of policy COM13. In relation to criterion c) in the Borough there remains a need for gypsy and traveller pitches. The current Gypsy and Traveller Accommodation Assessment (GTAA) was completed in 2017, with a base date of September 2016, covering the period 2016-2036. Based on the findings of the GTAA, and taking account of more recent applications, there remains a need for pitches for gypsies and travellers.

5.10 Other pertinent policies within the adopted Local Plan should be taken into account, along with relevant guidance within the NPPF and Planning Practice Guidance (PPG). The Council is in the process of preparing a Gypsy and Traveller Development Plan Document (DPD) in order to provide permanent gypsy, traveller and travelling showpeople sites to meet the unmet need.

5.11 A Regulation 18 document was subject to consultation in 2015 (based on a previous GTAA). The Sustainability Appraisal Scoping Report in relation to this DPD was updated in 2018. However, limited weight can be attached to this emerging DPD at this time.

6.0 **REPRESENTATIONS** Expired 05.03.2021

6.1 **Parish Council-** Object (summarised)

- The sewage treatment proposed produces an effluent which needs to be disposed of. The requirement for this type of effluent is that it can either be discharged to a water course which must flow throughout the year or to a soakaway. There is no such water course in the vicinity of the proposed location. The underlying ground in this area is clay which makes successful soakaways challenging. The application has provided no percolation figures to demonstrate that a soakaway could be made to work.
- Application form states that there will be no gain of residential units.
- Application form say no hazardous substances. Will bottled gas be used?
- No explanation is given of why the applicant could not continue to store his tourer wherever it was stored for the 14 years before he moved to Alderbury.
- There is no supporting evidence of the difficulty of living in bricks and mortar.
- the mobile home would be visible from the public highway. This development creep is already evident in Wellow Wood Road and appeal Inspectors have agreed this causes harm to the character and appearance of the rural setting.
- The condition of no business use from the site would be difficult to enforce.
- It is disingenuous to state that there are no gypsy sites in the *immediate* vicinity when there appear to be 4 pitches at the site of The Bungalow just 200m away, a further 3 and possibly 4 pitches in Wellow Wood Road which is only 500m away and a significant number (7-10) at a site in Scallows Lane (approximately 700m away).

6.2 The application generated 19 letters of objection. A summary of the points raised are set out below:

- Total number of gypsy plots in the locality is too high
- Touring caravan should be parked at 1,2,3 or 4 Sherfield Lane
- New cess pit required
- No need for more gypsy accommodation
- Increase in traffic & highway safety issues

- Noise and smell disturbance from the site
- Change of use will spoil the area
- Threat of further caravan storage on the site
- This and other plots would dominate the settle community
- Visual harm from the proposal
- Is the applicant a gypsy?
- The proposal is out of character
- Overlooking
- Overdevelopment of the site
- Site is in the Countryside and contrary to policy
- Impact on wildlife

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Planning Policy For Traveller Sites (PPTS)

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

COM2 (Settlement Hierarchy)
COM13 (Gypsies, Travellers and Travelling Showpeople)
T1 (Managing Movement)
T2 (Parking Standards)
E1 (High quality development in the Borough)
E2 (Protect, conserve and enhance the landscape character of the Borough),
E5 (Biodiversity)
E7 (Water Management)
E8 (Pollution)
LHW4 (Amenity)
T1 (Managing Movement)
T2 (Parking Standards)

7.3 Supplementary Planning Documents (SPD)

New Forest SPA Mitigation- Interim Framework
Gypsy and Traveller Development Plan Document [emerging]

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Amenity
- Landscape impact
- Highways
- Design and layout
- Ecology
- Trees
- Nitrate Neutrality and Ecology
- Accessibility
- Identified need for pitches
- Gypsy/traveller status of applicant

8.2 Principle of Development

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 to restrict development to areas within settlement boundaries, unless the proposal is considered to be appropriate within the countryside as set out in COM8-COM14, LE10 and LE16-LE18, or whether the proposal is considered to be essential to be located in the countryside.

8.4 The planning application has been submitted on the basis that the site will be used as a single gypsy plot and thus Policy COM13 of the RLP is relevant. Policy COM13 states that development to accommodate gypsies, travellers and travelling showpeople will be permitted provided that criteria a)-e) of the policy are met. These matters are considered in turn below.

8.5 COM13

Criteria a)- Accessibility to services and facilities

Paragraph 25 of the PPTS has introduced the word 'very' in that "LPA's should very strictly limit new traveller site development in open countryside that is away from existing settlements." However, the PPTS offer no guidance on how the word 'very' is interpreted. It is clear that the Government is adding an emphasis that Traveller sites in the countryside should be strictly limited. The application site falls within the designated countryside area and this matter is considered below.

8.6 Paragraph 5.131 of the RLP accepts that sites can be located outside of the defined settlement boundaries, provided that they are in locations where facilities and services, such as schools and local shops are accessible.

8.8 It is acknowledged that the nature of the road and the distance would mean that journeys from the site to these services would unlikely be undertaken on foot and would be most likely to involve use of a private car. However, most journeys would not be long and would be consistent with the general nature of the rural area, including those undertaken by nearby residents. In addition, the PPTS recognises that rural locations may be acceptable for such uses and the NPPF states that opportunities to maximise sustainable transport will vary between urban and rural areas. In this context, it is considered that the future residents of the site would have an acceptable level of access to services and that journeys would not be unusually or unacceptably long. The wording of paragraph 25 of the PPTS is noted however, the application site is considered to be reasonably close to the settlement and its facilities, and in this respect the proposal complies with criteria a) and is not in conflict with the PPTS.

8.9 Criteria b)- Gypsy Status

The definition of Gypsies and Travellers and Travelling Showpeople for the purpose of planning policy has been amended to remove the words “or permanently” from the definition of Travellers and Travelling Showpeople in Annex 1 of the PPTS. The Government believe it is fair that if someone has given up travelling permanently then applications for planning permission should be considered as they are for the settled community within national policy rather than the PPTS. The PPTS states “ In determining whether persons are “Gypsies and Travellers” for the purpose of this planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) Whether they have previously led a nomadic habit of life
- b) The reasons for ceasing their nomadic habit of life
- c) Whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

8.10 The supporting statement identifies the applicant as a gypsy by birth who has led a travelling lifestyle throughout his adult life without a permanent or settled base. Both of the applicant’s parents are now buried in the Sherfield English church yard together with numerous other members of the Castle family, a point in itself which indicates the Castle family ties to the local area and he applicant’s gypsy status.

8.11 The applicant has also confirmed that he owns six horses and attends many fairs around the country to trade in horses as well as travelling for his primary work as a landscape gardener. This has been supported by correspondence from clients he has worked for in the past. It is the applicant’s intention to continue working and travelling in this way.

8.12 Over recent years the Gypsy Liaison Officer has carried out planning enquiries on behalf of the Council regarding applications submitted by Mr Castle’s sister and other relatives living in the Wellow Wood Road area of Wellow in Hampshire. On the basis of the above evidence and the lack of any evidence to the cast doubt on the evidence it is accepted that the applicant is recognised as a gypsy and meets the definition as contained in the PPTS. In this respect the proposal complies with criteria b). The observations and comments contained within representations questioning the status of the applicant are noted, however the assertions made by the applicant and agent have be confirmed by the County Council Gypsy liaison Officer and on the balance of probabilities the applicant is of Gypsy heritage.

8.13 Criteria c)- Identified Need

At paragraph 27, the PPTS recognise that “if a LPA cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.” However, the change to the PPTS is the additional following sentence “The exception is where the proposal is on land designated as Green Belt, sites protected under the Birds and Habitats Directives and / or sites designated as Sites of Special Scientific Interest; Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park.” The site does not fall within any of the identified exception areas.

- 8.14 The Gypsy and Traveller Accommodation Assessment (GTAA) was completed on behalf of the Council in 2017, with a base date of September 2016. It covers the period 2016-2036. This replaces the GTAA referred to in paragraphs 5.132, 5.133 and 5.135 of the RLP. Based on the findings of the GTAA (2017), and taking account of more recent planning applications within the Borough, there remains a need for pitches for gypsies and travellers.
- 8.15 The GTAA provides a need figure for those meeting the planning definition of 'gypsies and travellers' and estimates an increase in need from 'unknown' gypsies (i.e. where through the GTAA interviews it was not known whether the planning definition is met by the household). The unknown group includes those households on unauthorised sites, those benefitting from temporary permission and those who were not available to take part in the GTAA.
- 8.16 Within the Borough there remains a need for sites for gypsy and traveller families. The Gypsy and Traveller Accommodation Assessment (2016) sets out that there is a need for three pitches for households that meet the planning definition. The GTAA estimates a scale of need of eleven pitches from those where it is unknown if they do or don't meet the planning definition. There is a further need for six pitches from those who do not meet the planning definition.
- 8.17 The GTAA highlights (para 7.115) that there may be situations where those families who have previously been classed as 'unknown' changing to 'meeting the definition' as acceptable additional evidence which demonstrates that they do meet the planning definition has been provided as part of the planning application process. As such the scale of need increases, assuming their needs are not met. Since the baseline date of the GTAA, two additional pitches have been permitted [1 at Wellow Wood Paddock (15/01814/VARS) and 1 at Leckford Lane in Stockbridge (16/00774/FULLN)]. The Stockbridge site had the status of 'unauthorised site'. The Wellow Wood Paddock site had a status of 'undetermined site'. These sites help to meet the overall need arising from gypsy households.
- 8.18 In addition since the GTAA additional evidence has been provided which demonstrates that there is potentially a need for two additional pitches (in addition to the previously identified three). This is based on confirmation that the families at The Paddock, Nursling (17/02656/FULLS) and Netherton Rd, Netherton (17/01736/FULLN) have moved from the 'unknown' level of need to 'meeting the definition' albeit that their applications have either been refused on other grounds or temporary permission granted. The granting of this permission would help meet a recognised need.
- 8.19 The Council's Local Development Scheme (LDS) was most recently updated in June 2018. This indicated the intention to undertake a Regulation 18 stage consultation on a Gypsy and Traveller DPD in quarter 4 of 2018, with the emerging DPD being incorporated into the next Local Plan after this stage. The Regulation 18 stage consultation did not take place and the timetable and approach for meeting the need is being reviewed.

- 8.20 The Local Planning Authority is not currently in a position to identify or offer an alternative site for this family to move to. Furthermore, it is unlikely that any suitable sites will be identified or allocated in the short term as identified above. As a result of this there is no alternate site available and in this respect the proposal complies with criteria c)
- 8.21 Criteria d)- Reason for the proposal to be located in the Borough
Para 5.137 of the RLP lists examples of specific reasons to locate within the Borough and these include the lack of availability of alternative accommodation or a local connection.
- 8.22 The County Council Gypsy Liaison Officer was consulted on the application and has provided a detailed response to the Council. This consultation response confirms that the applicant has a local family connection due to the applicant's birth in Romsey and having spent most of his life living in a caravan in the Sheffield English and Wellow area with family and relatives.
- 8.23 Furthermore, the applicant does not currently have a permanent pitch and there is no known availability in the Borough or in close proximity to it. The County Council Gypsy Liaison Officer has confirmed that Hampshire County Council has responsibility for one permanent residential site and currently there are no pitches available with six applicants on the waiting list. On the basis of the evidence submitted and consultation responses received it is accepted that there is a justifiable reason for the proposal to be located within the Borough. In this respect the proposal complies with criteria d)
- 8.24 Criteria e)- Site Size
During the consideration of the application additional evidence was requested to demonstrate that there was sufficient space on site to accommodate the Caravan, Touring Caravan, as well as manoeuvrability for vehicles within the site. The amended and additional plans demonstrate that there is sufficient space for the accommodation; parking and turning. The site also benefits from an existing stable which will be used as a utility room and ancillary storage. In this respect the proposal complies with criteria e)
- 8.25 To conclude on this matter, it is considered that the proposal fully accords with Policy COM13 and is thus also in compliance with COM2 of the RLP.
- 8.26 **Highways**
The application site utilises an existing vehicular access which was installed to facilitate the current use of the site for the stabling of horses. The application proposes to utilise the existing access with no proposed changes. For the avoidance of doubt additional information was requested to demonstrate vehicle tracking for the use of the access, vehicle tracking within the site and vehicle visibility splays for exiting the site. This information has been submitted and considered and no highway objection to the proposal is raised. The proposed development therefore accords with policy T1 and T2 of the RLP.

8.27 Amenity

The nearest residential property to the application site is Hazelwood Farm, some 30m from the location of the proposed caravan. Taking into consideration the existing development on site, the separation distance between the properties, intervening boundary treatment, single storey nature of the caravan and the proposed use of the site; it is considered that the proposal will not have an adverse impact on the residential amenities of adjoining properties in terms of loss of sunlight, daylight, privacy, overbearing impact or noise disturbance. For the reasons set out above the proposal accords with Policy LHW4 of the RLP.

8.28 Flooding

The application site is located within an area as determined by the Environment Agency to be at low risk from extreme flooding (i.e. Flood Zone 1). As such, there is no requirement for the application to be accompanied by any flood risk assessment and it would be unreasonable to withhold permission on flooding grounds. For the reasons set out above the proposal accords with Policy E7 of the RLP.

8.29 Landscape Impact and Design

The site itself has no statutory or non-statutory landscape designations. The immediate landscape is largely rural in appearance with residential development and agricultural operations and associated paraphernalia.

8.30 The site is currently enclosed on two sides by existing mature boundary hedging and the site layout ensures the retention of all large trees and existing hedgerows on site as well as providing additional native landscaping.

8.31 A substantial stable building is currently on site, though this will remain, the proposed caravan will be largely screened by this existing building and hedgerow. Though the site is located beyond any settlement boundary any public views of the proposed development will be seen in the context of existing built development. By virtue of the existing landscaping and built development the proposal will not be an obvious or detrimental feature within the immediate street scene or from longer distance views. However, changes such as additional boundary treatment and means of enclosure and commercial uses on site could result in harm to the character and appearance of the area. It is deemed necessary to impose conditions to prevent such uses without due consideration of the Council.

8.32 As such, it is not considered that the pitch, including the standard residential caravan and touring caravan, represent significant over development of the site in visual impact terms. Subject to conditions, the development is considered to accord with Policies E1 & E2 of the RLP in that the proposal would not adversely affect the character and appearance of the local area.

8.33 **Ecology**

International sites

The development will result in a net increase in residential dwellings within 13.6km of the New Forest SPA and within 5.6km of the Solent and Southampton Water SPA. These distances define the zones identified by recent research where new residents would be considered likely to visit these sites. These SPAs support a range of bird species that are vulnerable to impacts arising from increases in recreational use of the sites 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 dwellings) would have a likely significant effect on the SPAs when considered in combination with other plans and projects.

8.34 Subject to the completion of an agreement to secure the required contributions the proposed development would comply with the Council's adopted 'New Forest SPA Mitigation - Interim Framework', Solent Recreation Mitigation Strategy (2017), Policy E5 of the adopted Test Valley Borough Revised Local Plan 2016, and the Conservation of Habitats and Species Regulations 2010 (as amended).

8.35 Nitrates

The River Test and its major tributaries flow into the Solent. The Solent region is one of the most important for wildlife in the United Kingdom. There are currently high levels of nitrogen and phosphorus input into this water environment and there is evidence to suggest that this is having a detrimental impact on the biodiversity of this area. Housing and other certain types of development are currently contributing negatively towards this issue and there is evidence that further development, without mitigation, would exacerbate this impact.

The Solent region consists of the following Special Areas of Conservation (SAC) and Special Protection Areas (SPA):

- Chichester and Langstone Harbours SPA
- Portsmouth Harbour SPA
- Solent and Southampton Water SPA
- Isle of Wight Lagoons SPA
- Solent Maritime SAC
- Solent and Dorset Coast SPA (Proposed)

8.36 These sites are protected by National and European Law which requires the Council to undertake a formal assessment of the implications of any new plans or projects that may be capable of affecting the designated interest features of European Sites before deciding whether to grant planning permission for new residential development. This formal assessment is known as an Appropriate Assessment and considers the potential adverse effects of a plan or project (in combination with other plans or projects) on Special Areas of Conservation and Special Protection Areas. The European Court of Justice recently determined a

case related to considering water quality in Appropriate Assessments. The impact of the case law is that any development which could result in a decrease in water quality would cause a likely significant effect on the Solent's European sites.

8.37 In the context of planning, the impact comes from population increase and the resultant increase in effluent. Proposed developments for new housing, hotels and care homes (as well as other forms of overnight accommodation) are being affected by the issue as a result. Given the nature of this application the applicant was invited to provide an assessment. A finalised nitrate budget calculation and proposed mitigation has been submitted and an Appropriate Assessment submitted to Natural England. Natural England raise no objection subject to securing mitigation in perpetuity by way of a s106 agreement. The mitigation off-setting land that the applicant has progressed to demonstrate that the effect of nitrates on the European site, is not adverse. This land is located to the rear of the site and will include the provision of a reed bed. As such, the proposed development does not conflict with the Habitats Regulations and accords with Policy E5 of the TVBRLP.

8.38 On-site biodiversity

The initial submission resulted in the request for further survey work.

This request was made on the basis of a desk top exercise. Since the receipt of the ecological consultation response the application has been amended with the caravan sited exclusively within the existing stable application site and its associated hardstanding. The site has been historically used for agricultural purposes and most recently for the keeping of horses. The application site and the area for the stationing of mobile home is predominantly hardstanding and weeds. Further ecological survey work is not deemed necessary. The proposed development is considered to accord with policy E5 of the RLP.

8.39 Trees

Initial concerns were raised with regards to the proximity of the caravan to a large tree adjacent to the site. The application has been revised and the caravan moved to allow greater separation between the tree and caravan, Subject to the imposition of a condition requiring tree protection details to be installed during the development phase of the project, no objection is raised.

9.0 **CONCLUSION**

9.1 The applicant meets the definition of a Gypsy in the PPTS 2015, there is an identified need for pitches in the Borough and The Local Planning Authority is not currently in a position to identify or offer an alternative site for this family to move to.

9.2 The proposals comply with the requirements of TVBRLP Policy COM13 and the PPTS 2015. In this case the unmet need is considered a strong material consideration in favour of granting permission and there are no material planning considerations that would outweigh such a conclusion.

10.0 **RECOMMENDATION**

Delegate to Head of Planning and Building for the following:

The completion of a legal agreement to secure:

- 1. The retention (in perpetuity) of the off setting land together with measure for it suitable management, to ensure the scheme is nitrate neutral on the effect on the Solent and Southampton water SPA,**
- 2. The provision of a financial contribution towards the New Forest Special Protection Area (SPA),**
- 3. The provision of a financial contribution towards the Southampton Water 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:
Drawing 1 - Location Plan
Drawing 2 - Block Plan
Drawing 3F - Proposed Site Plan
21023 01- Swept Path Analysis
Reason: For the avoidance of doubt and in the interests of proper planning.**
- 3. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites (or any subsequent definition that supersedes that document).
Reason: It is necessary to keep the site available to meet that need in accordance with Test Valley Borough Revised Local Plan (2016) Policy COM13.**
- 4. No more than two caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Site Act 1968 as amended, shall be stationed on the site at any one time, comprising no more than one static and one touring caravan.
Reason: To accord with the terms of the application and to ensure satisfactory planning of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policy COM13.**
- 5. With the exception of the buying and selling of horses and ponies, no other commercial, industrial or business activities shall take place on any part of the site, including the storage of materials and goods.
Reason: In the interests of neighbouring amenity and to ensure the protection of this countryside location in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1, E2 & LHW4.**

- 6. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.**
Reason: To accord with the terms of the permission and in the interests of protection of this countryside location in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1, E2 & LHW4.
- 7. The existing stable building shall be used for purposes ancillary to the use of the land as a gypsy and traveller site and shall not be occupied as a permanent means of habitable accommodation at any time or used for any commercial activities.**
Reason: To comply with the terms of the application and to protect the amenities and character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policy COM13.
- 8. No development shall take place (including site clearance and any other preparatory works) until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location and specification of tree protective barriers. Such barriers shall be erected prior to any other site operations and at least three working days notice shall be given to the Local Planning Authority that it has been erected.**
Note: The protective barriers shall be as specified at Chapter 6.2 and detailed in figure 2 of B.S.5837:2012 unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2 (2016).
- 9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure shall be erected within the or on the site.**
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities and to ensure the protection of important trees and boundary features in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 & E2.
- 10. No development shall take place until full details of hard and soft landscape works have been submitted and approved. Details shall include:**

 - 1) Hard surfacing materials;**
 - 2) Planting plans;**
 - 3) Written specifications (including cultivation and other operations associated with plant and grass establishment);**
 - 4) Schedules of plants, noting species, plant sizes and proposed numbers/densities.**

The landscape works shall be carried out in accordance with the approved details.

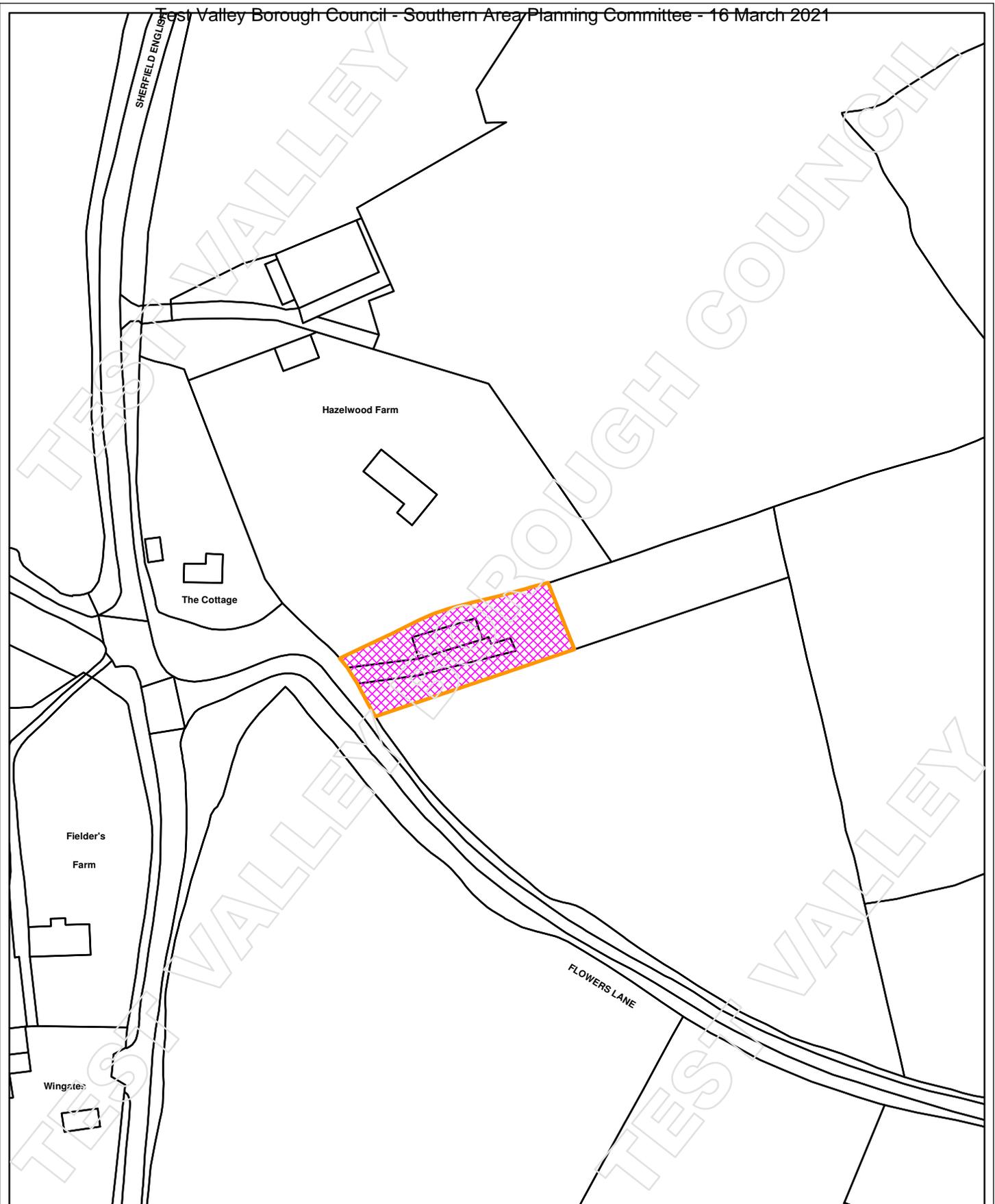
Reason: To enable the development to respect, complement and positively integrate into the character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.

- 11. No caravan shall be brought onto the site 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. 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 enable the development to respect, complement and positively integrate into the character of the area in accordance with Test Valley Borough.

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.**
-

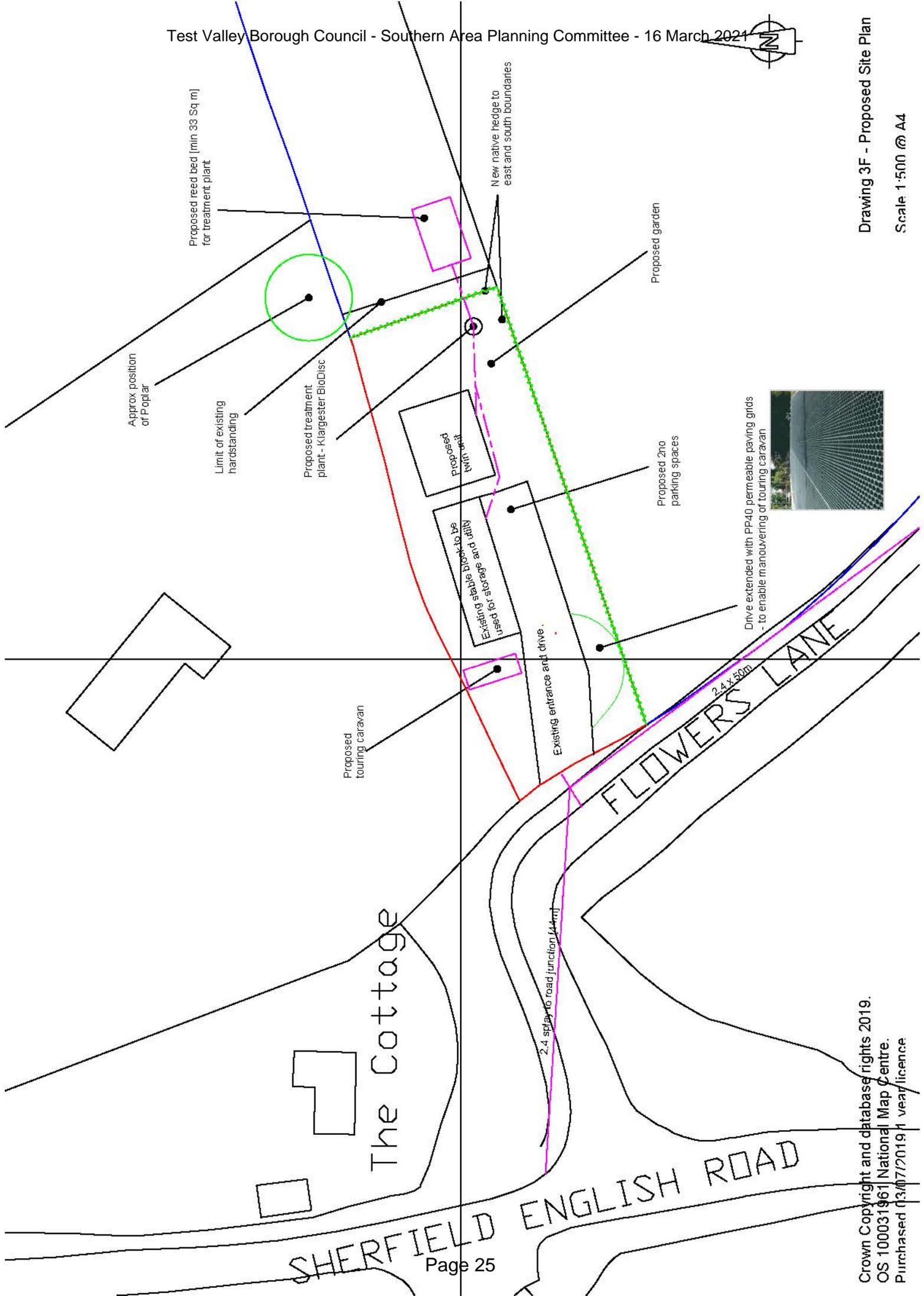
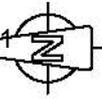


Siteplan



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19/01765/FULLS



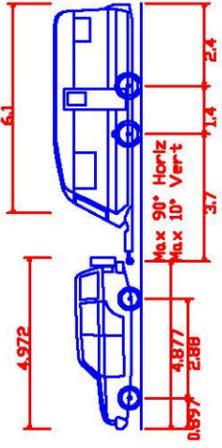
The Cottage

FLOWERS LANE

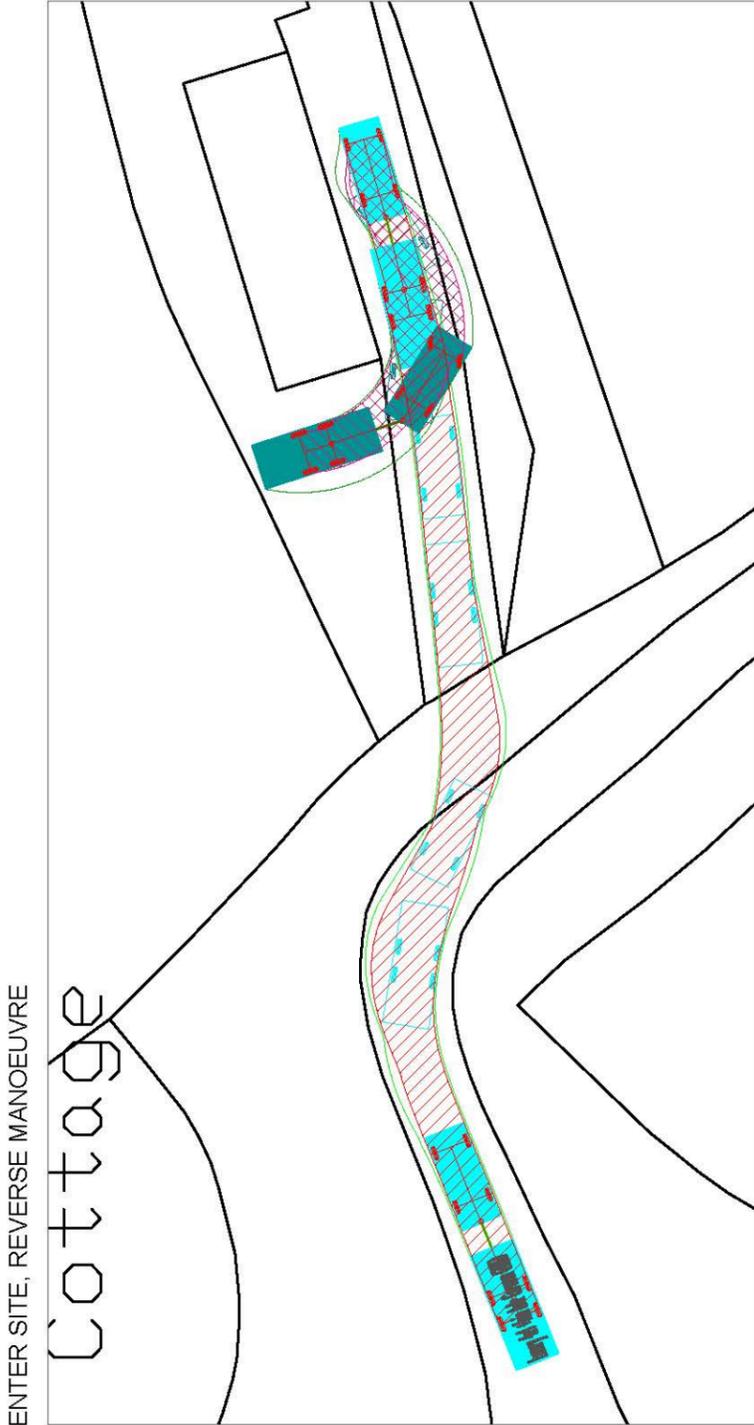
SHERFIELD ENGLISH ROAD



Project	LAND OFF FLOWERS LANE SHERFIELD ENGLISH	
Drawing Title	FLOWERS LANE SWEEP PATH ANALYSIS (BASED ON OS MAPPING)	
Drawing Status	FOR PLANNING	
Date	Scale	Size
FEB 2021	1:350	A3
Drawing No.	Rev	
21023 -01	-	



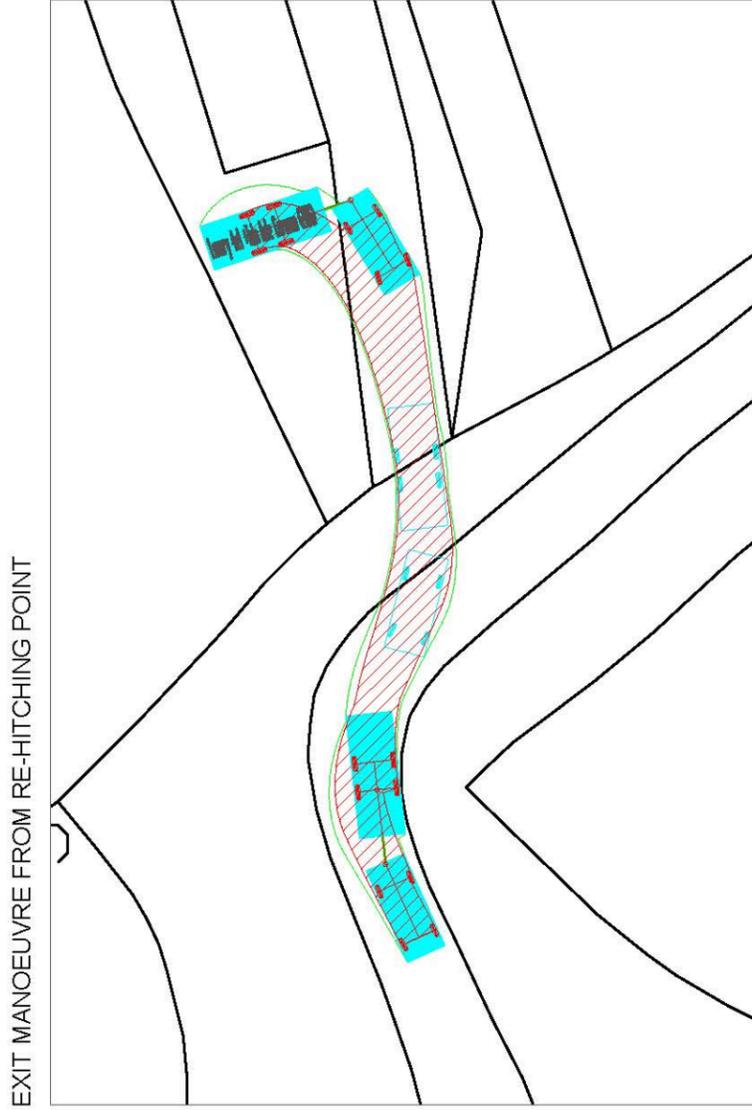
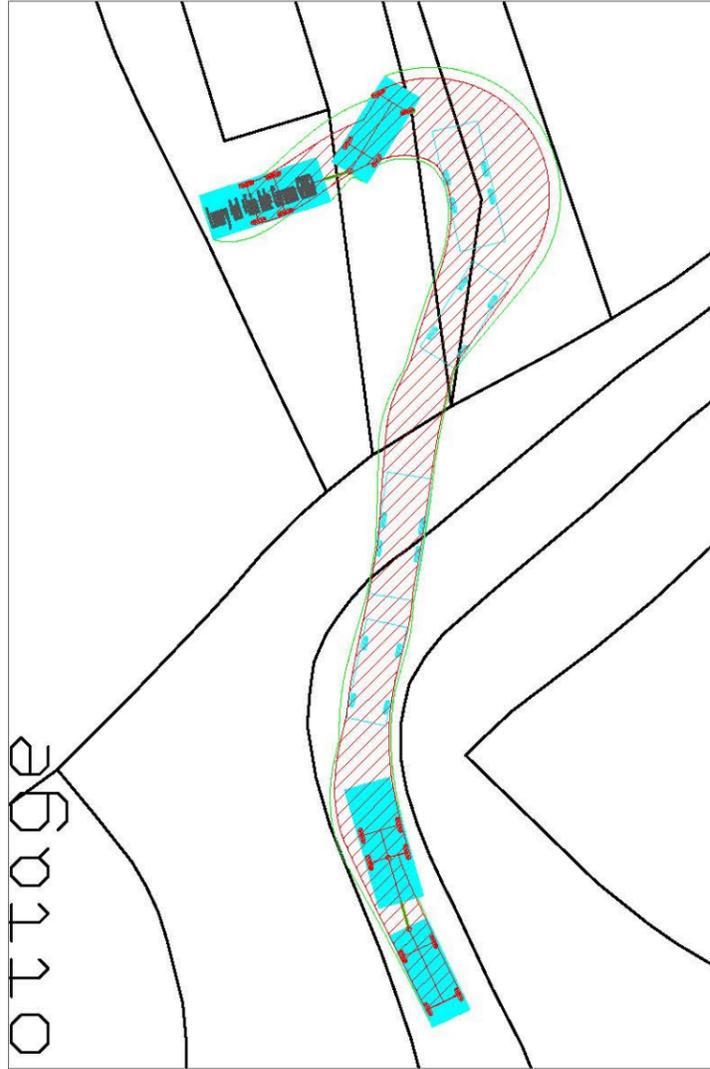
Luxury 4x4 +Twin Axle Caravan (2006)
 Overall Length 12.377m
 Overall Width 2.286m
 Overall Body Height 2.524m
 Min Body Ground Clearance 0.251m
 Max Track Width 2.130m
 Lock to lock time 4.005
 Kerb to kerb Turning Radius 5.800m



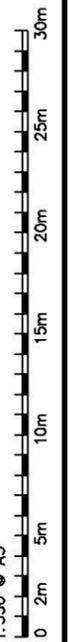
ENTER SITE, REVERSE MANOEUVRE

Cottage

EXIT MANOEUVRE FROM ABOVE REVERSING POSITION



EXIT MANOEUVRE FROM RE-HITCHING POINT



1:350 @ A3

ITEM 8

APPLICATION NO.	20/01959/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	02.09.2020
APPLICANT	Hanslip, Stratland Developments Ltd
SITE	Land at Plot 64 Oxlease Meadows, Romsey, Hampshire, SO51 7AB, ROMSEY EXTRA
PROPOSAL	Development of four detached dwellings on Plot 64 at Oxlease Meadows
AMENDMENTS	Amended plans received 08/10/20, 23/10/20, 05/11/20, 06/11/20, 10/11/20 and 05/01/21.
CASE OFFICER	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

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

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is situated to the northern side of Oxlease Meadows and outside of the settlement boundary of Romsey. The site is situated to the north of the now substantially complete development of Oxlease Meadows and formed part of the original outline application for that scheme. The site is also bordered to the east/northeast by ongoing residential development and to the north by an open field. The site is bordered to the west by the existing watercourse and the nature reserve secured as part of the Oxlease development.

3.0 PROPOSAL

- 3.1 The application proposes the development of four detached dwellings.

4.0 HISTORY

- 4.1 14/00204/OUTS - Outline - Proposed development of 64 units of residential accommodation. Full planning to change use of former farmland at Fishlake Meadows to nature reserve. 24.12.2014.

5.0 CONSULTATIONS

- 5.1 **Planning Policy & Transport (Policy) – Comment;**
- This site was included as part of the Oxlease Meadows development [14/00204/OUTS] for one separate dwellings. There have also been a number of applications for residential development in the vicinity of the site in recent years. These applications would also be a material consideration.

5.2 **Planning & Building (Trees)** – No objection, subject to condition.

5.3 **Planning & Building (Landscape)** – Objection:

- The proposed arrangement is described as a 'courtyard development' in the Design and Access Statement but the buildings are spaced apart and canted in relation to each other.
- The site layout plans submitted provide very little detail and importantly not enough to show how the site will work once occupied: for example there are some steep slopes within the garden of house 4 which lies very close the pond.
- No detail has been provided on the water bodies which will be used for SUD features, nor how access for their maintenance will be achieved
- The proximity of the properties to mature trees is an issue.
- The amount of hard surfacing proposed is excessive. With just four dwellings being served the access drive could be a shared surface eliminating the need for a separate footway.

5.4 **HCC Highways** – No objection, subject to condition.

5.5 **HCC Archaeology** – No objection

5.6 **Natural England** – No objection, subject to s106 to secure nitrate mitigation.

5.7 **Ecology** – Comments awaited on amended plans.

5.8 **Environment Agency** – No objection, subject to condition

6.0 **REPRESENTATIONS** Expired 26.01.2021

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

- Outside the Settlement Boundary TVBC Policy Com3
- Overdevelopment of the site
- Detrimental effect on the natural habitats including that of the Fishlake Nature Reserve
- Absence of an acceptable flood risk assessment
- The lack of provision of affordable housing
- Lack of solution to the nitrate issue

6.2 **Romsey & District Society (Planning)** – Objection:

- There is no justification offered for this application: it is outside the settlement boundary, there would be a detrimental effect on natural habitats, there is no flood risk assessment, nor a solution to the nitrate issue.
- The addition of 4 detached dwellings is an example of an opportunistic increase in dwellings without the consequent compensation to the community, namely providing more affordable homes in kind or by an additional financial levy.
- The plan for Plot 64 was for the erection of a single house with access from Cupernham Lane – not through the Oxlease development.
- Any additional access to Oxlease Meadows (via Cupernham Lane) will be contrary to the original development concept.

6.3 **20 Representations of Objection;**

- Contrary to countryside policy. No justification for proposed dwellings.
- Conflicts with the planning permission for Oxlease Meadows specifically in relation to access to the Plot from Cupernham Lane rather than Oxlease Meadows.
- Access should not be provided through Oxlease Meadows without the consent of the occupants.
- Development would result in the through route between Oxlease Meadows and development to the northeast.
- Concern that the proposals could be used to facilitate development of further land to the north.
- Impact of additional traffic movements on highways safety.
- Construction traffic should be routed through the site to the north.
- Lack of affordable housing provision.
- Concern that site could be brought forward in smaller parcels to avoid affordable housing provision.
- Lack of information on nitrate neutrality.
- Inadequate drainage details.
- Potential flooding impacts on Oxlease Meadows
- Amenity impacts by way of increased noise and light pollution.
- Overlooking to properties at the northern end of Oxlease Meadows.
- Impact on wildlife, protected species and biodiversity.
- Increased crime resulting from new development.
- Concern with regard to disruption resulting from works to install services.
- Impact on the character and appearance of the countryside area and woodland setting.
- Overhead power cables have been omitted and/or incorrectly plotted on the proposed plans.

6.4 **1 Representation received from Hampshire Swifts;**

- We fully support the recommendations of the Updated Ecological Appraisal that each of the newly built dwellings will include one Swift brick.
- Integration of Swift bricks is very easy to include into routine building practices and results in a permanent, discrete, maintenance-free biodiversity enhancer which will provide much needed breeding spaces for declining species of birds.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.3 Supplementary Planning Documents (SPD)

Affordable Housing

Infrastructure and Developer Contributions

New Forest SPA Interim Framework

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are the principle for development, housing land supply, affordable housing requirements, character of the area, highways, trees, protected species & ecology, amenity, archaeology and drainage.

8.2 **Principle of development**

The application site is, for the purposes of planning policy, within the countryside. The application site is not allocated for development in the currently saved policies of the Local Plan. The principle planning policy of the TVBLP therefore is policy COM2. Planning policy COM2 seeks to restrict development outside of settlement boundaries unless identified within the specified policies as being appropriate or where a countryside location is required.

8.3 It is not considered that the proposal is of a type appropriate in the countryside (criterion a) or that there is an essential need for the proposal to be located in the countryside (criterion b). A number of representations have drawn upon the fact that the site is in the countryside and therefore in accordance with policy COM2, there is a presumption against the grant of planning permission. However, planning law requires other material considerations to be taken into account and weighed against the departure from the policy of the Development Plan. These are addressed in the following paragraphs.

8.4 The National Planning Policy Framework

The National Planning Policy Framework (NPPF) is a material consideration in the assessment of planning applications. The NPPF identifies the three dimensions of sustainable development which should be taken into account, i.e. social, economic and environmental roles. The purpose of the planning system is to contribute to the achievement of sustainable development. For the assessment of planning applications, this means approving development proposals that accord with the development plan without delay. As noted above, the principle of additional housing in this countryside location is considered to be contrary to Policy COM2. The site was not allocated for development within the Revised Local Plan as an allocation site.

8.5 Housing Land Supply

Section 5 of the NPPF relates to housing. Paragraph 73 of the NPPF requires the Council to demonstrate a minimum of 5 years housing land supply (HLS) with a 5% buffer. An assessment of the HLS position as at 30 November 2020 has been undertaken. This uses the housing requirement established in policy COM1 and has regard to the conclusions of the Inspector's Report on the Examination of the Local Plan. The HLS position for Southern Test Valley, as at 1 April 2019 is 5.26 years of supply. This is reported against a target of 5.00 years. The existence of a five year HLS enables the Council to give weight to the policies of the adopted plan (in the context of footnote 7). The demonstration of a five year HLS does not in itself cap development and any application must be assessed on its merits.

8.6 Relationship with the settlement boundary and adjacent planning permissions

The settlement boundary for Romsey is situated to the south of, but does not contain the application site. However the site is adjacent, and in close proximity to, a number of other planning permissions. Most notably the application site formed part of the outline permission 14/00204/OUTS.

8.7 The application site benefited from outline permission for a single dwelling to the north of the development now known as Oxlease Meadows. However no reserved matters application was submitted for the site and has not therefore been granted within the required time limit set out in the outline permission. The outline permission, which established the principle of residential development for this site for a single dwelling, is a material consideration in relation to the current proposal. That outline permission granted a residential use of the site, albeit for a single dwelling, accessed via the Oxlease Meadows development to the south. However its weight is limited as a reserved matters application could not now be submitted.

8.8 In addition to the development at Oxlease Meadows planning permission for residential development at neighbouring sites to the northeast and east of the application site benefit from extant permissions for residential development and are at various stages of completion. The sites include (South of Wren's Corner, 16/01857/FULLS & 17/00915/OUTS, land west of Cupernham Lane) which benefit from permission for residential development which has not yet commenced. The land adjacent the site to the northeast benefits from permission for 73 dwellings (17/02183/OUTS) and is currently under construction. In addition further developments benefit from permission in the vicinity including 21 dwellings under application 16/01857/FULLS which was allowed on appeal. In determining that appeal the Inspector drew reference to both the neighbouring permissions and the Inspector's decision at the Abbotsford site. In addition to the examples above further residential development has been permitted in this vicinity, including sites along Cupernham Lane (e.g. 15/01832/OUTS, Land west of Baroona and Granton (17/0082/FULLS & 18/03223/FULLS) and more recently at Ringstead (19/02698/FULLS) and land to the north of Woodpeckers (20/01045/FULLS).

8.9 Abbotsford Appeal Decision

The appeal decision in relation to a development site at Abbotsford constitutes a material consideration relevant to the determination of the application. The appeal decision relates to land at Abbotsford, Braishfield Road in Romsey (15/03137/OUTS), and is quoted here as an example of how the Planning Inspectorate balanced the various issues that are comparably similar with the current proposal. This appeal was allowed on 24 November 2017.

8.10 The appeal decision (for 15/03137/OUTS) recognised that the scheme did not accord with policy COM2, a policy that forms an intrinsic part of the spatial strategy, and that this was not a technical or minor breach (see paragraphs 20, 21 and 23 of the Decision Notice). Paragraph 22 also considers the status of the settlement boundaries in the context of development that was permitted outside the settlement boundaries prior to them being finalised within the

Revised Local Plan – it recognises that future plans may review such boundaries but it is not for the appeal Inspector to anticipate the outcome of such a process.

8.11 The appeal decision considers the weight that should be attributed to the departure from the Development Plan, having regard to the specific context of the site (including the relationship with existing development, Ganger Farm (under construction), and the countryside, as well as the suburban context) and the aim of the policy (COM2), this is then weighed up with other material considerations including social, economic and environmental factors (paragraphs 23 – 25, and 37 – 44). For Abbotsford, the Inspector considered that the material considerations indicated a decision other than in accordance with the development plan was acceptable.

8.12 Paragraph 23 of the Inspectors report states;

“However, it is clear that the aim of that policy is to direct development to the most sustainable locations and in so doing to reconcile the need for development with the need to protect the countryside. The appeal scheme would be located very close to the existing settlement and would benefit from easy access to existing facilities and services therein. Further, it is divided from the countryside by the large Ganger Farm development and is in a generally suburban context. Those matters, together, significantly limit the appeal site’s contribution to the countryside. Whilst I acknowledge RLP Policy COM2 forms an intrinsic part of the spatial strategy for the RLP, in the circumstances of this appeal, the proposed development would not materially undermine its spatial strategy or the intrinsic character and beauty of the countryside. This limits the weight that I attach to the development plan conflict that I have identified.”

8.13 As with many of the other developments on Cupernham Lane the application site shares a number of significant comparisons with the Abbotsford site being situated in a newly suburban context. In this case the comparisons are compelling and considered to be materially significant in the determination of the application and also informed the decision of the Inspector on the land to the south of the application site.

8.14 Conclusion on the Principle of Development

The previous outline permission for residential of the site is a material consideration in determining the application. However its weight is limited by the inability to present a reserved matters application at this time.

8.15 The planning history in the vicinity of the site, particularly that work on the Oxlease site is substantially complete and the development to the northeast is progressing, are considered to represent a material consideration to which significant weight in the determination of this application can be given and should be taken into account. The planning permissions in the vicinity along with the existing residential development adjacent to the site form the context for the site and the proposal. As a result of the adjacent development the application site is bordered by residential development to the south east and northeast.

- 8.16 Whilst technically within the countryside the existing relationships are considered to be a strong material consideration in favour of the development. These matters have been considered by multiple Planning Inspectors who have reached similar conclusions on the principle of development in the area – notably which quoted in the Abbottsford appeal referred to above. In conjunction with the consideration of the previous outline permission it is considered that the grant of planning permission in this case as a departure from the Local Plan is justified.
- 8.17 **Affordable Housing**
Romsey Extra is classed as an undesignated area and therefore, under Policy COM7 applies. Policy COM7 states that the Council will negotiate on housing sites of 11-14 dwellings (or sites of 0.34 – 0.49ha) for up to 30% of dwellings to be affordable and 15 or more dwellings (or sites of 0.5ha or more) for up to 40% dwellings to be affordable. Therefore based upon the number of proposed dwellings (4), the trigger for Affordable Housing has not been met, and therefore no provision of Affordable Housing will be required. However, the site size of land measures 0.85ha, and this does fall within the above parameters. The above area of land is broadly equivalent to the size of site (excluding constraints) reasonably expected to deliver the number of dwellings in that step of the sliding scale, assuming an average density of development. The purpose of the equivalent site area threshold is to avoid any applicant being able to deliberately reduce the number of dwellings below a threshold purely in order to reduce the amount of affordable housing able to be sought, when in planning terms a higher number of dwellings could be appropriately accommodated.
- 8.18 In this case, as is discussed in more details below, the site is subject to significant constraints from protected trees, the existing pond and proximity to the SSSI which have reduced the developable area below the threshold. In this case it is not considered that there has been any deliberate effort to artificially reduce the number of dwellings below the threshold. As is discussed in more detail below the density of the site is comparable to neighbouring sites and the increase in numbers to reach the threshold of 11 dwellings to trigger affordable housing commensurate with a site of 0.85ha would very likely have an adverse impact on the character of the site and/or protected trees and ecology. As a result the number of dwellings falls below the trigger and the developable area falls below the area threshold and the provision of Affordable is not triggered.
- 8.19 **Character and Appearance**
Currently the site has a treed boundary with limited views through the site towards the ongoing residential development to the south and northeast. Currently public views are limited to those gained from the west on the opposite side of the canal. However the completion of the developments to the south and northeast will include the provision of a pedestrian/cycle route linking the developments which will pass to the east of the application site. Whilst views would still be restricted by the protected trees the proposed dwellings are likely to be partially visible from the new vantage points. Views from Cupernham Lane are obscured by the comparatively low level of the site, the neighbouring development and the surrounding woodland.

- 8.20 The adjacent developments are now substantially complete and have changed the views across the valley floor when viewed from the elevated Cupernham Lane and from the canal path to the west. The application site being situated on the lower ground will be most notably visible from the canal path. However those views will be in the context of the adjacent residential development and set against the backdrop of the woodland to the east and north of the site. In addition the western side of the application site incorporates the existing pond and mitigation buffer adjacent the canal further softening any developed character. The density of the development, whilst increase from the single large dwelling shown in the previous outline permission, is consistent with the planning permissions already granted nearby.
- 8.21 The western side of Cupernham Lane has historically been characterised by sporadic existing detached properties in large plots. However the extant permissions for development include a broader mixture of detached, semi-detached and terraced properties. However the closest development of Oxlease Meadows is comprised almost entirely of larger detached properties with the limited number of smaller dwellings situated at the southern end of the development away from the application site.
- 8.22 The detailed designs propose four detached properties of a unified but not identical traditional design. Whilst the house designs are less contemporary than those approved on the Oxlease Meadows site, it is considered that a subtly different character to this smaller scheme in the context of Oxlease Meadows will not detract from the character of the area. Whilst the detailing is more traditional the scale and materials proposed are in keeping with the surrounding residential development. Subject to suitable materials, which are controlled by condition, the design of the proposed units is considered appropriate in relation to existing properties in the vicinity and new developments.
- 8.23 The proposed development is considered to reflect the form and density of the neighbouring developments. Whilst views of the new dwellings will be possible from the canal path they will be partially obscured by the retained planting and seen in the context of the development to the south and east. Whilst the proposals will have some additional impact over the previously anticipated single dwelling it is not considered to be detrimental to a degree that would justify refusal of the application and as a result the proposals are considered to comply with policies E1 and E2 of the local plan.
- 8.24 Landscape Character
The Landscape Officer raised some concerns regarding the detail of the information provided and the relationship with site levels, protected trees and drainage features. Detailed consideration with regard to protected trees and drainage is given below. In addition the submission of amended plans has reduced the amount of hardstanding and improved the relationship of Plot 4 with the pond feature in the interests of biodiversity. Details of the levels can be secured by condition. As a result of the protected trees and ecology buffers, the scheme includes some significant areas outside of private dwellings that will need to be maintained in order to ensure that it remains an attractive

feature. Management of these areas is secured in the legal agreement and details of hard and soft landscaping is secured by condition. As a result it is considered that those matters raised by the Landscape Officer have been successfully addressed.

8.25 **Arboriculture**

A group Tree Preservation Order (TPO.TVBC.0354) protects the majority of the trees on the site under an area designation. The application has been submitted with detailed arboricultural information, which the Arboricultural Officer has advised is a fair reflection of the trees on the site.

8.26 The Arboricultural Officer has raised no objection to the loss of numerous low-quality trees on the edge of the woodland (W24) which are identified as providing very low amenity in this case. Whilst the report shows them as A category trees (as part of the overall woodland), the Arboricultural Officer has advised that an individual assessment of each tree would grade them as C quality because of their small size or poor form. They are not seen from any public viewpoints so their loss will not be significant visually. The report sets out tree planting recommendations in section 1.6 which would provide suitable replacement planting and is secured by condition.

8.27 Although post development pressure has not been addressed in the tree report, the Arboricultural Officer has assessed the relationship between the proposed dwellings and the retained trees with specific reference to Plot 4 which has the closest relationship to large trees. The closest part of the dwelling is the single storey garage, which has a dressing room/washroom above so this will have limited occupation. The nearest tree (T1) only has a 3m canopy on the building side so there is unlikely to be any extensive growth towards the house for some time, and any necessary pruning in the future can be done without adversely affecting the tree's health or appearance. The internal rooms within the building appear to have been designed to take account of the tree proximity, and the Arboricultural Officer is satisfied that there is adequate space for the new occupiers to reasonably enjoy the property, without wanting to severely prune or fell the nearby trees.

8.28 Subject to the required conditions the proposed development is considered to have no adverse impact on landscape character or protected trees and complies with Policy E2 of the TVBRLP 2016.

8.29 **Highways**

Many of the representations have raised concerns with regard to highways safety issues. Specifically concerns have been raised in relation to the use of the access being contrary to the previous outline planning permission which showed the Plot 64 site accessed from Cupernham Lane, the creation of a through route between Oxlease Meadows and the Meadow View development to the north, safety concerns associated with increased traffic movements, and the impact of further development to the north of the application site.

- 8.30 In terms of physical alteration to the previous permission the application proposed upgrade part of the emergency access route to a 5.5m carriageway and associated footway in order to provide vehicular access to the proposed development. For clarity it is not proposed to form any through route to the development under construction to the north.
- 8.31 As is indicated in the Highways Officers advice the application must be considered on its own merits and the Highways Officers assessment is of the impact of this proposal on the safety and efficiency of the public highway network and to ensure a safe and efficient site layout. It is clear from the representations received that many Oxlease residents feel that they were provided assurances that no further alteration to the access would be undertaken. The validity of any such assurances would be a civil matter between the relevant parties but do not alter the requirement for the local planning authority to determine the application as presented. Similarly any potential for future applications falls outside of the scope of the current application and is not a material consideration as identified in the Highways Officers advice.
- 8.32 The Highways Officer has raised no objection the details provided in relation to the provision of suitable visibility and turning space within the development.
- 8.33 The Highways Officer initially advised that a Stage 1 Road Safety Audit (RSA) be provided in support of the application. The Highways Officer has commented that The Stage 1 RSA raises a number of potential highway design issues and the applicant has provided an appropriate 'Designer's Response' in line with the principles of GG 119 (Highways England General Principles and Scheme Governance).
- 8.34 The Highways Officer has further advised that the development of four residential dwellings would not lead to a material detrimental impact upon the existing Oxlease Meadows development nor the safety and efficiency of the public highway network. As is identified by the Highways Officer Whilst the proposal as with any development would have some impact, in highways terms the proposal is effectively altering the existing estate from 63 dwellings to 67 dwellings and the volume of additional traffic generated by the additional four dwellings would not be classed as 'severe impact' under the provisions of the NPPF or would likely lead to any material impact upon highway safety when compared to the levels and volume of traffic already associated with 63 dwellings.
- 8.35 The proposed parking arrangement would meet the required standard and, subject to further conditions requiring the retention of parking and restricting the location of any gates, the proposed scheme is considered to have no significant detrimental impact on highways or pedestrian safety and accords with the relevant T policies of the TVBRLP 2016.

8.36 Biodiversity & Protected Species

Following initial concern raised by the Ecology Officer the application has been supported by revised and additional ecological survey work and biodiversity enhancement measures. As a result the proposals now include further mitigation outside of the application site to be secured by legal agreement.

8.37 River Test SSSI

The application site is situated adjacent to a tributary of the River Test Site of Special Scientific Interest (SSSI). Natural England have advised that there is potential for impacts upon the SSSI, during construction due to pollution impacts, and post construction due to surface water runoff from the site. However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on these sites as a result of the proposal being carried out in strict accordance with the details of a Construction Environmental Management Plan to be secured by condition. Natural England have therefore advised that the SSSI does not represent a constraint in determining this application.

8.38 New Forest SPA

The 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.

8.39 To address this issue, Test Valley Borough Council has adopted a strategy whereby a scale of developer contributions has been agreed that would fund the delivery of measures to address these issues. With respect to the New Forest, a new strategic area of alternative recreational open space is being delivered that would offer the same sort of recreational opportunities as those offered by the New Forest.

8.40 Solent and Southampton Water SPA – Solent Neutrality

There is existing evidence of high levels of nitrogen and phosphorus in the water environment across the Solent, with evidence of eutrophication at some designated sites. An Integrated Water Management Study for South Hampshire was commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities to examine the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. This work has identified that there is uncertainty regarding whether any new housing development does not contribute to net increases in nutrients entering these designated sites.

- 8.41 As such, the advice from Natural England is that the applicants for development proposals resulting in a net increase in dwellings are required to submit the nitrogen budget for the development to demonstrate no likely significant effect on the European designated sites due to the increase in waste water from the new housing.
- 8.42 The applicant has submitted information that quantifies the nutrient budget for the proposal, and a proposed mitigation strategy. The proposed strategy comprises the removal of off-site land measuring 0.45ha, from agricultural production. This land is located in Fullerton. To secure the future use of the land in perpetuity the recommendation includes provision for a legal agreement to be completed preventing the use of the land for agricultural production, and for suitable management, to ensure the anticipated benefits to the Solent are realised.
- 8.43 Through securing the implementation of this off-site mitigation the applicant has the projected nutrient budget will be negative. Subject to the required legal agreement the development will therefore not result in adverse effects on the Solent designated site through water quality impacts arising from nitrate generation.
- 8.44 Protected Species
Following initial concern raised by the Ecology Officer the application has been supported by revised and additional ecological survey work and biodiversity enhancement measures. The Ecology Officer has confirmed that the Biodiversity Enhancement & Mitigation Plan have addressed the previous concerns and proposes a good number of enhancement features are included within the built area. Natural England have also confirmed that, Natural England considers that the proposed development will not have likely significant effects on the Mottisfont Bat SAC.
- 8.45 However further revisions in relation to Plot 4 and its set back from the existing pond were required. In addition further details associated with the extended area of ecological mitigation to the south of the site have been provided in accordance with the Ecology Officers advice. Those details are currently under consideration and the members will be updated at SAPC.
- 8.46 Great crested newts and reptile translocation
This area of suitable GCN habitat is one of the ecological corridors connecting the larger populations of GCN to the east of the site with suitable habitats and populations to the west of Cupernham Lane. It is therefore important that this ecological corridor is functionally maintained to prevent populations of GCN becoming isolated. Similar to the situation with bat habitat the additional mitigation land is proposed to offer enhanced connectivity with the translocation site which is situated between the application site and the proposed enhancement area. Again the detail of the scheme remain under discussion and members will be updated at SAPC.

8.47 Water management

The 2016 Local Plan includes a requirement in policy E7 to achieve a water consumption standard of no more than 100 litres per person today. This reflects the requirements of part G2 of the 2015 Building Regulations. In the event that planning permission was to be recommended a condition would be applied in order to address this. Subject to such a condition the proposal would comply with policy E7.

8.48 Drainage and Flood Risk

The application is supported by a Drainage Strategy and Flood Risk Statement which has been subject to revision and further details following on from initial objections raised by the LLFA and the EA. The revised information has resolved the previous concerns. The reports detail the proposed surface water drainage and conclude that, in accordance with the SuDS principles that the development would not result in additional runoff. Following review of the additional information the LLFA and EA have raised no objection subject to conditions. The EA have advocated a condition requiring finished floor levels to be set no lower than 21.15 metres above Ordnance Datum.

8.49 Those conditions require development to be constructed in accordance with the approved plans but also investigation of the receiving watercourse and long term maintenance arrangements. Subject to the required conditions the proposed development is not considered to result in adverse flood risk and complies with TVBRLP Policy E7.

8.50 Residential Amenities

There are two elements to the consideration of amenity. Firstly is the amenity of the future residents of the development site and secondly the impact of the proposal upon the amenity of existing neighbouring properties.

8.51 Impact on existing dwellings

The site is bordered to the south by the Oxlease Meadows development. To the northeast is the development at land west of Cupernham Lane. However the potential for additional overlooking and/overshadowing impact is limited by the separation distances, woodland planting and the development to the northeast being situated on higher ground. Whilst the rear facing elevations within the development to the south and the front elevations of the proposed dwellings are orientated facing each other there remains a substantial separation distance between the properties. The rear gardens of the closest relevant properties situated 26m from the southern boundary of the application site with distances 38m between the dwellings at the closest point. The two sites are further separated by the retained and enhanced tree planting on the southern edge of the site and the maintenance compound for the Fishlake Meadows Nature Reserve. These distances are well beyond what would be considered acceptable in a residential setting and has been allowed at appeal on neighbouring sites. As a result it is considered that the proposed development would not result in any significant overlooking, overshadowing or overbearing impact and complies with policy LHW4.

8.52 Impact on proposed dwellings

The layout for the provision the 4 dwellings provides for adequate private amenity space, following the revised layout in relation to trees, and indicates that suitable relationships between the properties could be achieved to avoid significant impacts on amenity by virtue of overlooking, overshadowing and overbearing.

8.53 Impact during construction works

Representations have raised concern with regard to the impact of noise, mud and dust during construction works. Whilst some degree of disturbance is inevitable during construction work conditions can be applied to limit the hours of construction and to require an environmental management plan to limit amenity impacts. Subject to the required conditions the proposed development is considered to have no significant adverse impact on amenity and complies with TVBRLP Policies LHW4 and E8.

8.54 **Archaeology**

The Archaeology Officer has identified that the location of the development site on the edge of the floodplain is an area where a higher archaeological potential exists for early prehistoric settlement, and indeed evidence of such was found during survey ahead of development to the south. However the existing development and pond on site suggest that the archaeological potential of this location has already been compromised to some extent, and combined with the relatively modest scale of development the Archaeological Officer has raised no objection. As a result the proposal are in accordance with policy E9 (b) of the TVBRLP.

8.55 **Social Benefits**

In terms of social benefits the proposal would provide additional housing, albeit not affordable, to meet a local need. It would be sited close to the facilities and services provided by its proximity to Romsey town. Furthermore the proposal would link to new pedestrian and cycle routes through neighbouring sites which will improve accessibility to access footpath links to the existing network encouraging non-car modes of transport.

8.56 The Council can demonstrate a five year housing land supply, a matter that was considered at the Abbotsford Inquiry. Even so the Inspector, mindful of the national imperative set out in paragraph 47 of the Framework, to boost significantly the supply of housing, attached substantial weight in favour of the appeal.

8.57 **Economic Benefits**

In line with residential development of this scale there would be economic benefits from the proposed development through employment and additional spending power resulting from the construction phase and from future occupiers of the proposed development. The benefits here are more generic than site specific but nonetheless provide weight to the grant of planning permission.

8.58 Planning balance

The application site remains in the countryside area as defined by the local plan and as a result is contrary to policy COM2. However the direct comparisons with the Inspectors considerations at the Abbotsford inquiry, the planning history of the site and the neighbouring permissions are material considerations of great weight in favour of granting permission. In addition the proposed development will facilitate the delivery of Economic and social benefits.

8.59 The proposal is in conflict with the development plan. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, an assessment is required as to whether there are other material considerations that would outweigh that development plan conflict. In this case the development plan conflict is considered to be outweighed by the other material considerations, including the benefits of the appeal. As a result it is concluded that permission should be granted as a departure from local plan policy COM2.

9.0 CONCLUSION

9.1 The location of the site in a sustainable location and comparable to a recent permission granted at appeal which is a strong material consideration in favour of the principle of development.

9.2 Potential concerns with regard to the impact protected species and biodiversity have been resolved. Subject to securing the required conditions and s106 obligations the proposed development is considered acceptable.

10.0 RECOMMENDATION

10.1 **Delegate to Head of Planning & Building for completion of satisfactory consultation with Natural England and s106 legal agreement to secure;**

- **Removal of nitrate mitigation land from agricultural production**
- **Future management of the nitrate mitigation land, and**
- **New Forest SPA contribution.**
- **Future management of on-site landscaped and biodiversity enhancement areas outside of residential garden areas for a minimum period of 10 years.**
- **Provision of off-site Ecological Compensation and Enhancement Strategy land and detailed future management plan for a minimum period of 10 years.**

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. **No development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 3. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.**

Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 4. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Barrell Treecare Arboricultural Impact Appraisal and Method Statement reference 18315-AA3-DC dated 10 August 2020 and the associated tree protection plan BT3.**

Before the commencement of development of the site, details of new specimen trees (with a plan showing the locations), details of species and size shall be submitted to and agreed by the Local Planning Authority. The new trees shall be planted in the approved positions before the first occupation of the approved dwelling. These must be planted in accordance with the recommendations in BS 8545 (2014) Trees: from nursery to independence in the landscape -Recommendations. If any of proposed trees die following planting, they shall be replaced with similar trees in similar positions within six months of the death of each specimen.

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

- 5. 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 policy E2.

- 6. 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 policy E2.

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

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

Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.
- 8. Landscape implementation, management and maintenance for a minimum period of 5 years shall be undertaken in accordance with the specifications on the landscape plan approved under Condition 7. Any plants which die within the first 5 years shall be replaced. Implementation, management and maintenance of on-site landscaped and biodiversity enhancement areas outside of residential garden areas shall be undertaken for a for a minimum period of 10 years in accordance with details secured in the associated s106 legal agreement.**

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.
- 9. The development shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
- 10. Any gates shall be set back at least 4.5 metres from the edge of the carriageway of the adjoining highway.**

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

11. Prior to the commencement of development full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The approved statement shall include scaled drawings illustrating the provision for –

- 1) The parking of site operatives and visitors' vehicles.
- 2) Loading and unloading of plant and materials.
- 3) Management of construction traffic and access routes.
- 4) Storage of plant and materials used in constructing the development.
- 5) Vehicle tracking associated with vehicles utilised during construction.

The approved scheme shall be implemented prior to the commencement of development and retained for the duration of the construction period.

Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2016 policy T1.

12. There shall be no construction or demolition works, no machinery shall be operated, no processes carried out and no deliveries received or dispatched outside the following times: 07:30 to 18:00 hours Monday to Friday and 08:00 to 13:00 hours on Saturday. In addition, no such activities shall take place on Sundays, Bank or Public holidays.

Reason: In the interests of the amenities of neighbouring properties in accordance with Test Valley Borough Local Plan policies E8 and LWH4.

13. 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.

14. The drainage system shall be constructed in accordance with the Detailed Surface Water Drainage Arrangement ref: 08-144/355. Surface water discharge to the existing pond shall be limited to 5.0 l/s. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;

- a. Maintenance schedules for each drainage feature type and ownership.
- b. Details of protection measures.

Maintenance and protection measures shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Revised Local Plan 2016 policy E7.

- 15. Prior to the first occupation of development the condition of the existing pond, which will take surface water from the development site, shall be investigated and a report on its condition, capacity and any required remedial works be submitted to and approved in writing by the Local Planning Authority. If necessary, improvement to its condition as reparation, remediation, restitution and replacement shall be undertaken in accordance with the approved details and evidence of the works submitted and approved in writing by Local Planning Authority.**

Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Revised Local Plan 2016 policy E7.
- 16. Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Updated Ecological Assessment (ecosupport, 23rd October 2020) unless otherwise agreed in writing by the Local Planning Authority. Ecological mitigation, compensation and enhancement features shall be created/installed as per ecologists instructions and retained in perpetuity in a condition suited for their intended purpose.**

Reason: To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and with Policy E5 of the Test Valley Borough Council Adopted Local Plan 2011-2029.
- 17. No development shall take place unless or until an Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Environmental Management Plan shall cover the control of noise, dust and spoil during the demolition, site preparation and construction phases of development. The Environmental Management Plan shall include the provision of wheel washing, and any other suitable facility, to avoid the deposit of spoil onto the highway network. Work shall be undertaken in accordance with the approved Environmental Management Plan.**

Reason: In the interests of the amenities of neighbouring properties in accordance with Test Valley Borough Local Plan policies E8 and LWH4.
- 18. The development shall be carried out in accordance with the submitted flood risk assessment (ref Aqua Callidus Consulting/20035/09th November 2020) and the following mitigation measures it details: Finished floor levels shall be set no lower than 21.15 metres above Ordnance Datum (AOD), as stated in section 13.4 (page 8).**

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Test Valley Borough Revised Local Plan 2016 policy E7.

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

D102 I

D103 M

D112 M

D-115J

D-145 C

D-211 E

D-240 E

D-245 E

D-250H

D-303 C

D-310 E

D-315 E

D-320 E

D-325H

D-502 F

D-504 C

08-144/355

08-144/354

08-144

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

20. **No development shall take place unless or until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The construction method statement include full details of the means by which the works will avoid impacts upon the SSSI, and should be consistent with Environment Agency pollution prevention guidelines. All contractors working on site shall be made aware of the designation afforded the SSSI and be provided with a map that clearly shows the defined boundaries in relation to the development site. No equipment, materials or machinery shall be stored within 5m of the water's edge (including any drain or waterbody connected with the canal). No heavy machinery shall be operated within 5m of the water's edge.**

Reason: To protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and with Policy E5 of the Test Valley Borough Council Adopted Local Plan 2011-2029.

21. **Prior to the first occupation of the dwellings hereby permitted details of the restrictions to limit the use of the access from Cupernham Lane to emergency access only shall be submitted to and approved in writing by the local planning authority. Emergency access restrictions shall be installed in accordance with the approved details and retained in perpetuity.**

Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2016 policy T1.

Notes to applicant:

- 1. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
- 2. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
- 3. The applicant is advised that the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:**
 - on or within 8 metres of a main river (16 metres if tidal)**
 - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)**
 - on or within 16 metres of a sea defence**
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert**
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.**

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or email the EA local PSO team on psohiw@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and they are advised to consult with the EA at the earliest opportunity."



Siteplan



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20/01959/FULLS



Ecology buffer zone 10m deep marked with post and rail fence and dog-proof wire. Final location of fence to be agreed on site to ensure 10m setback.

Approximate canal position
 Approximate path position
 10m

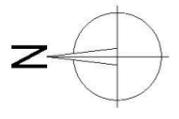
project Plot 64
 Oxlease Farm, Romsey
 Hampshire
 client Stratland Developments
 drawing Site Plan as Proposed

date July 2018
 scale 1 : 500 @A3
 job 1819
 dwg D-112 rev. M

Crafted
architects RIBA

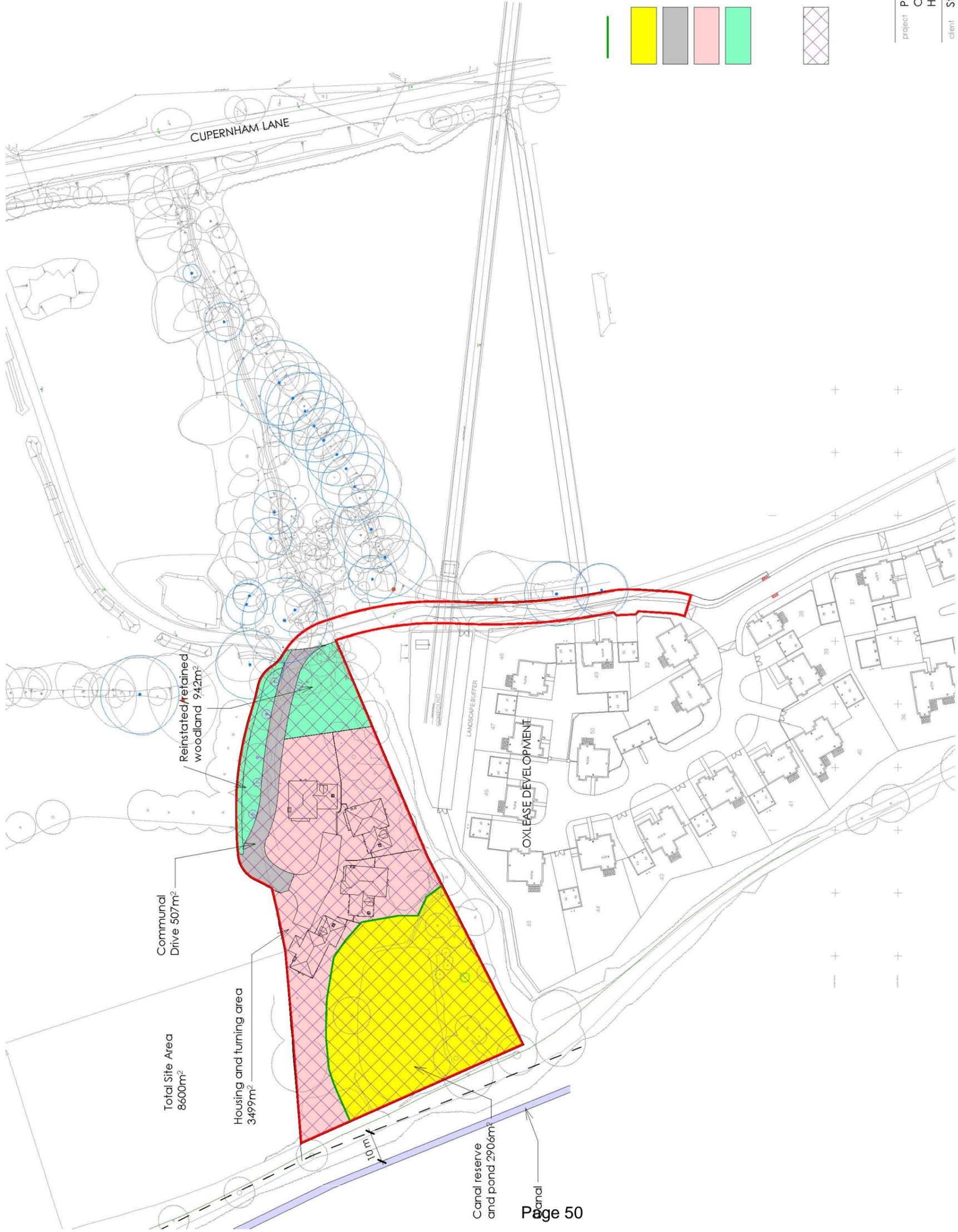
410 The Grange, Romsey Road, Michelmersh, Romsey, SO51 0AE 01794 400311 jules@craftedarchitects.co.uk
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Rev.	Description	Date
G	Ecology buffer boundary amended	Oct 20
H	Plot 4 and road revised, construction buffer zone shown and revised	Dec 20
I	Plot 4 design revised, Road returned to previous position	Dec 20
J	Plot 4 design revised	Dec 20
K	Canal with 10m buffer shown	Feb 21
L	Buffer zone revised	Feb 21
M	Red line boundary added, buffer zone revised	Feb 21



Scale -1:500

Site Plan as Proposed
 1 : 500



Total Site Area
8600m²

Housing and turning area
3499m²

Communal Drive
507m²

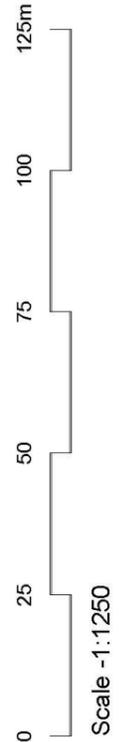
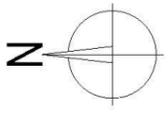
Reinstated/retained
woodland 942m²

Canal reserve
and pond 2906m²

10m (min) ecology buffer zone	2906m ²
Canal reserve and pond	507m ²
Communal drive	3499m ²
Housing and turning area	942m ²
Reinstated/retained woodland	7855 m ²
Site Area (Total of above)	

Site Area Plan with added woodland to SE
1 : 1250

Rev.	Description	Date
H	Woodland to SE added	Dec 20
I	Construction buffer zone added to key and increased to 6m	Dec 20
J	Plot 4 design revised	Dec 20
K	Canal with 10m buffer shown	Feb 21
L	Buffer zone revised	Feb 21
M	Red line boundary added, buffer zone revised	Feb 21



Scale -1:1250

project Plot 64
Oxlease Farm, Romsey
Hampshire

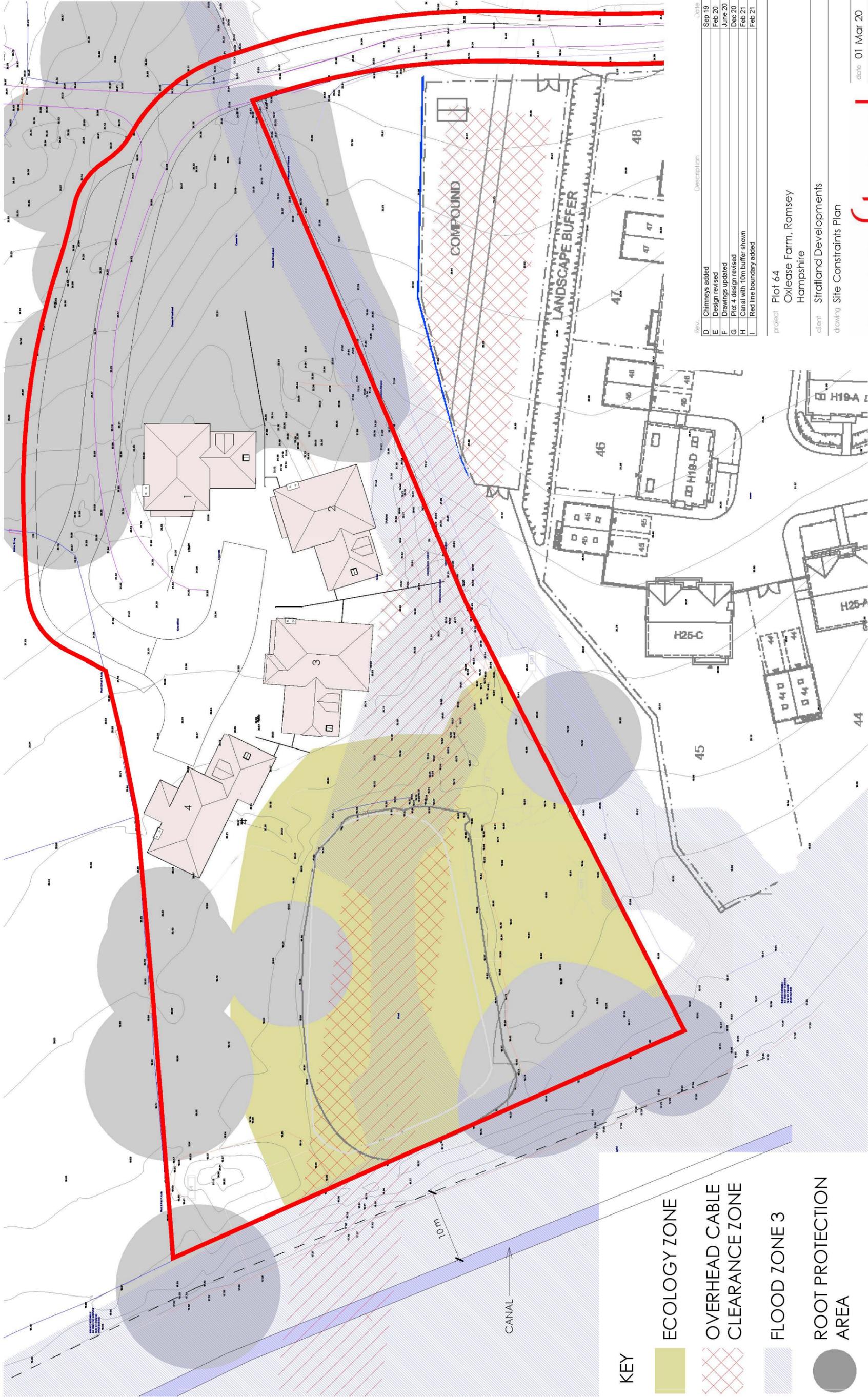
client Stratford Developments

drawing Site Area Plan

date 02 Jul 20
scale 1 : 1250@A3
job 1819
dwg D-103 rev. M

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KEY

- ECOLOGY ZONE
- OVERHEAD CABLE CLEARANCE ZONE
- FLOOD ZONE 3
- ROOT PROTECTION AREA

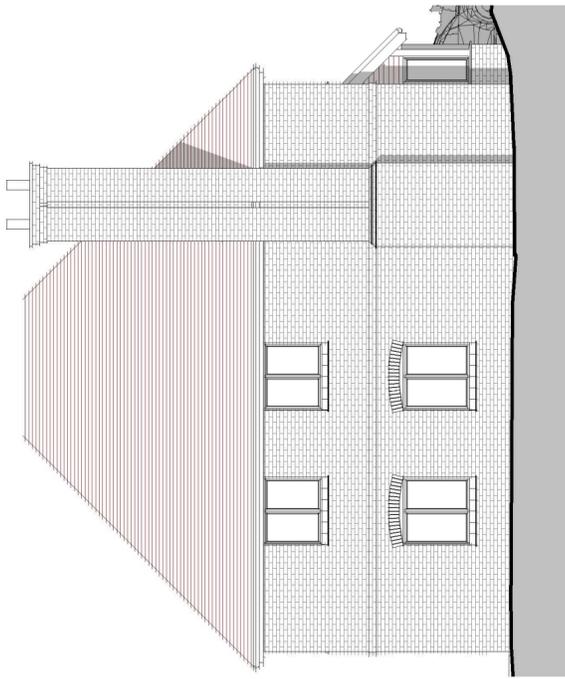
REV.	Description	Date
D	Chimneys added	Sep 19
E	Design revised	Feb 20
F	Drawings updated	June 20
G	Plot 4 design revised	Dec 20
H	Canal with 10m buffer shown	Feb 21
I	Red line boundary added	Feb 21

project Plot 64
Oxlease Farm, Romsey
Hampshire
client Stratland Developments
drawing Site Constraints Plan

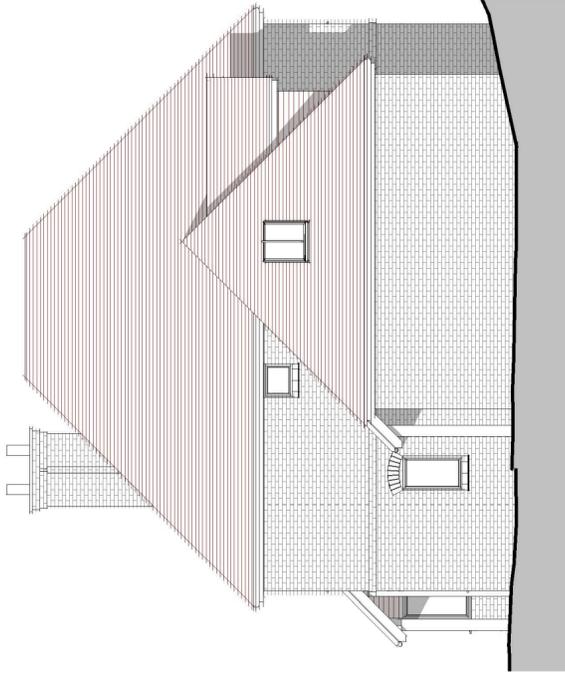
date 01 Mar 20
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job 1819
dwg D-102 rev. 1

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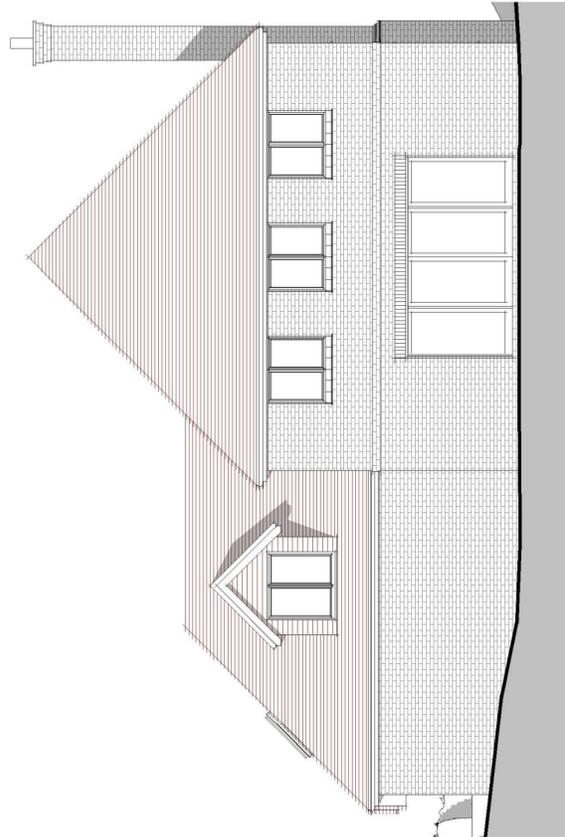
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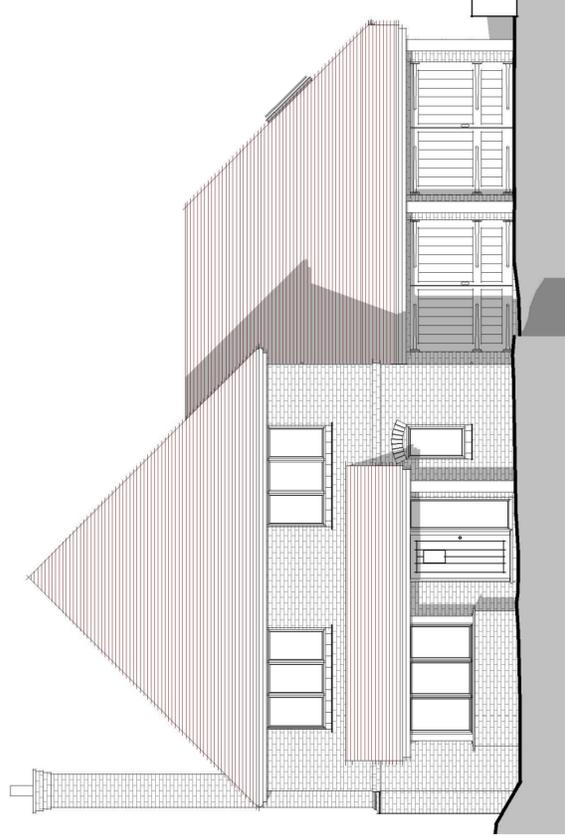
Elevation - Plot 1 - North
1 : 100



Elevation - Plot 1 - South
1 : 100



Elevation - Plot 1 - East
1 : 100



Elevation - Plot 1 - West
1 : 100



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Rev.	Description	Date
A	Boys added	July 19
B	Chimneys added	Sep 19
C	Roofline finalised	Nov 19
D	Design revised	Feb 20
E	Plots 2 and 3 moved north	May 20

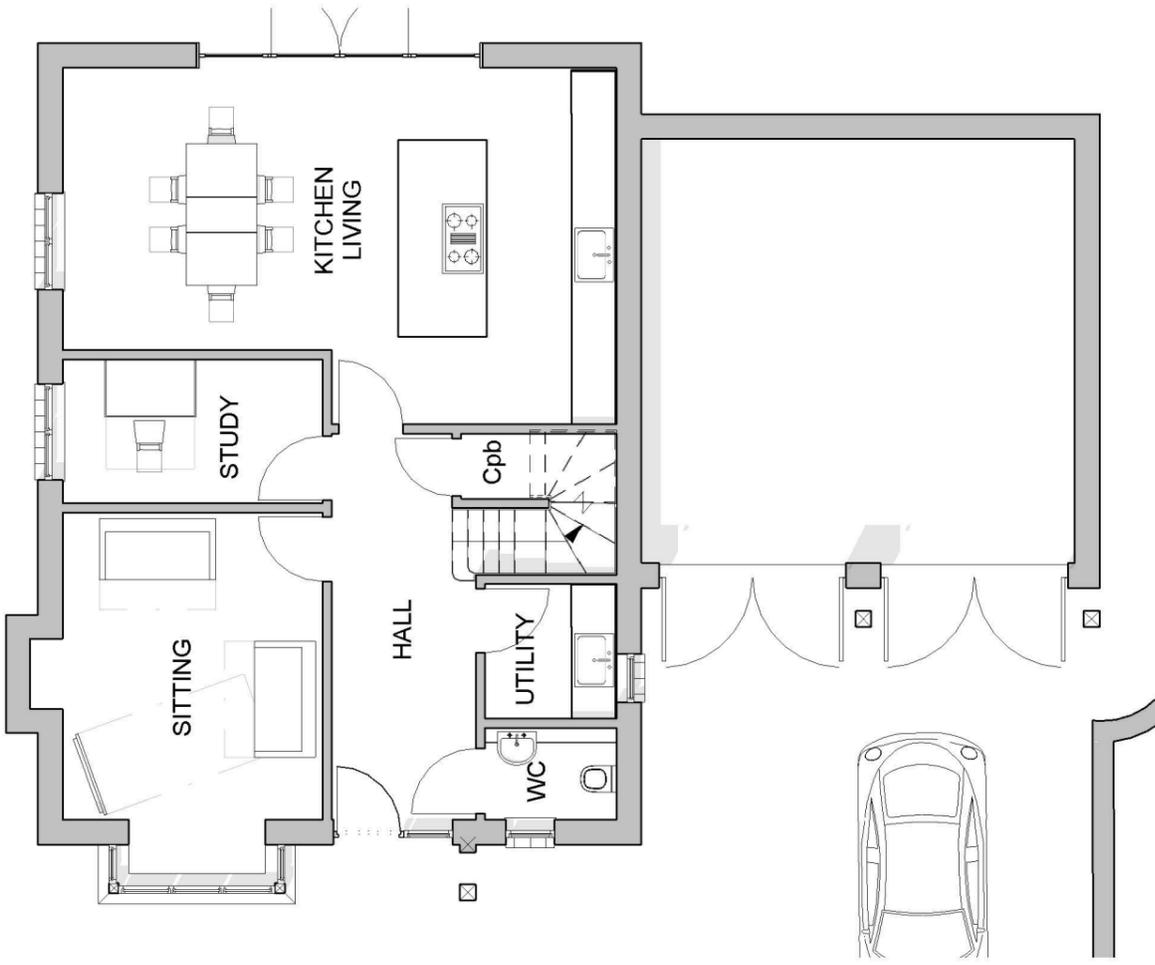
project Plot 64
Oxlease Farm, Romsey
Hampshire

date 05 Jul 19
scale 1 : 100 @A2
job 1819

client Straliland Developments
drawing Plot 1 - Elevations

dwg D-310 rev. E
RIBA #

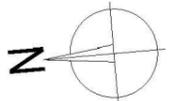
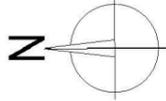
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Plot 1 - Ground Floor Plan as Proposed
1 : 100



Plot 1 - First Floor Plan as Proposed
1 : 100



project Plot 64
Oxlease Farm, Romsey
Hampshire

client Stratland Developments

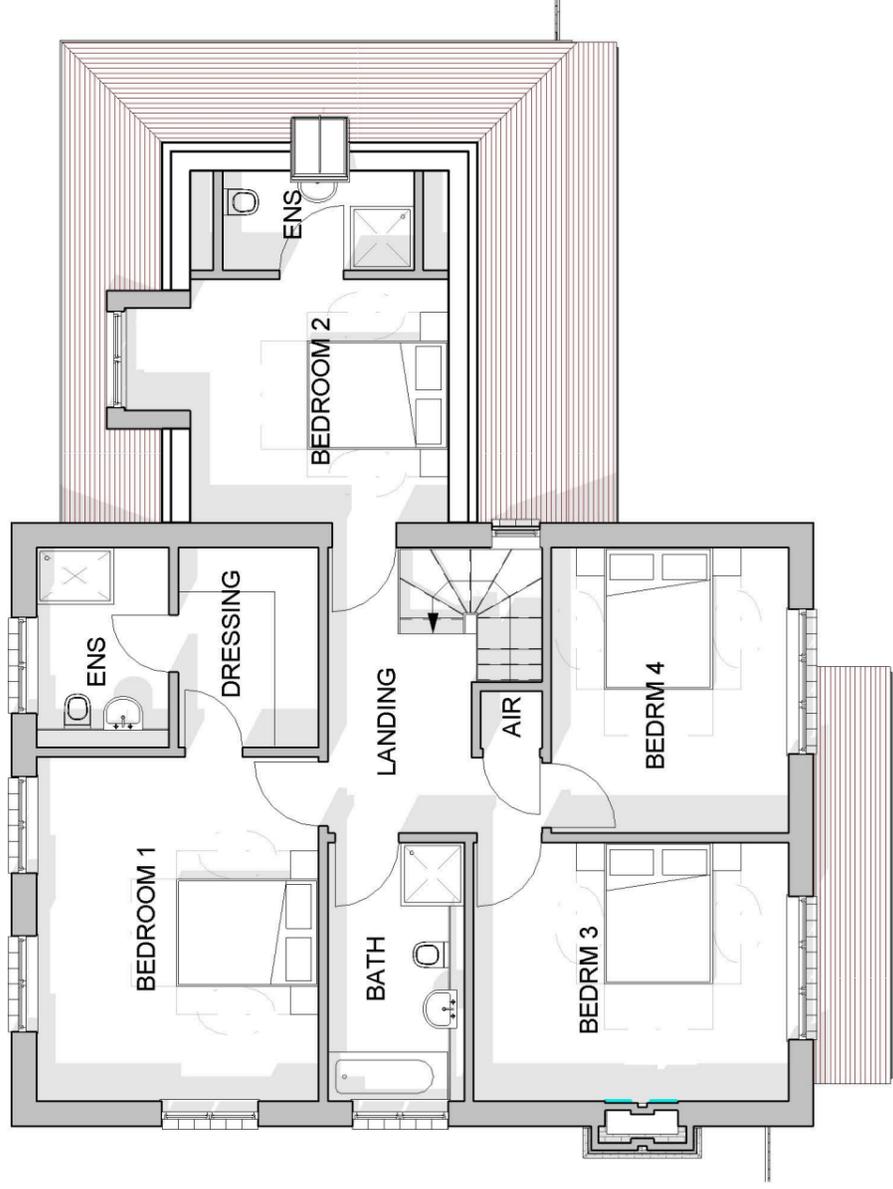
drawing Plot 1 - Floor Plans as Proposed

Rev.	Description	Date
A	Bays added	July 19
B	Chimneys added	Sep 19
C	Front doors centralised	Sep 19
D	Design revised	Feb 20
E	Plots 2 and 3 moved north	May 20

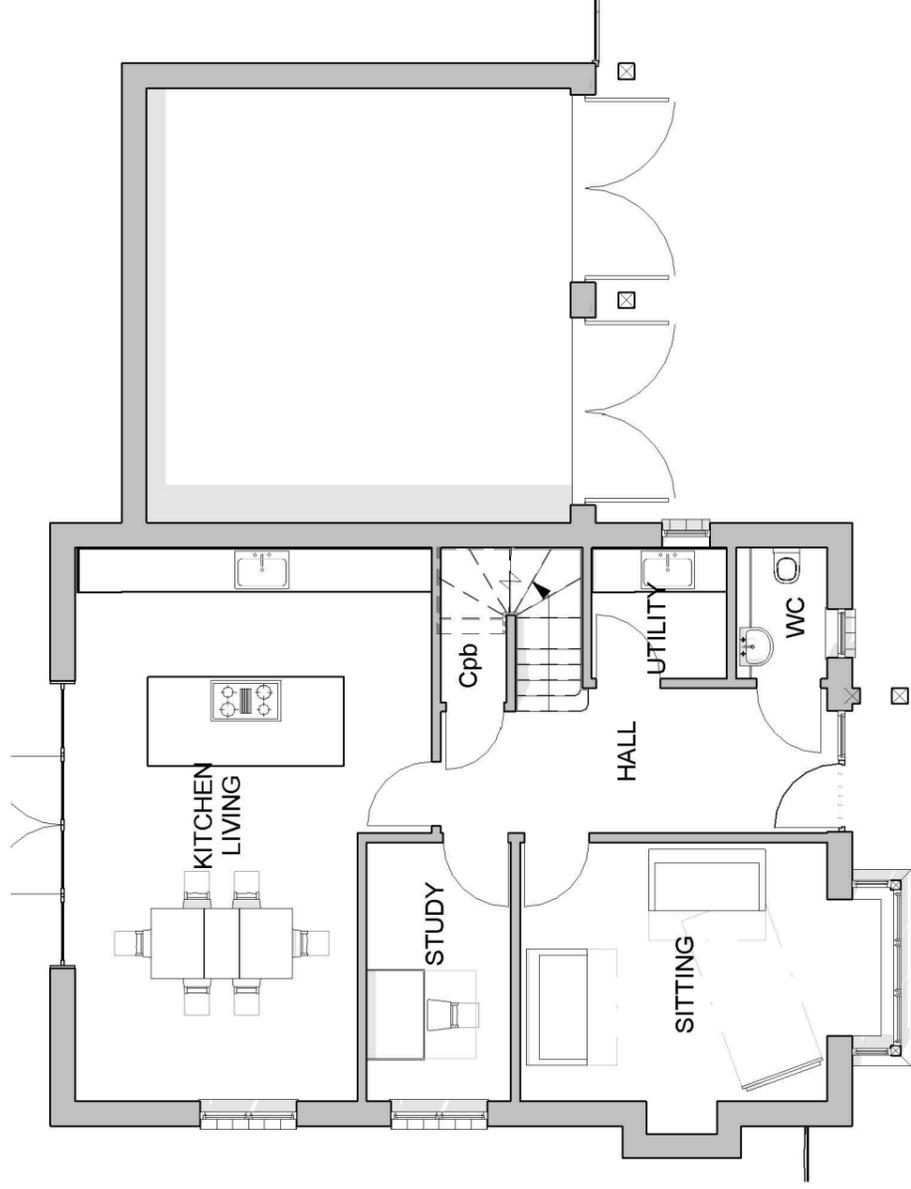
date 01 Mar 2019
scale 1 : 100 @A3
job 1819
dwg D-211 rev. E

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Plot 2 - First Floor Plan as Proposed
1 : 100



Plot 2 - Ground Floor Plan as Proposed
1 : 100

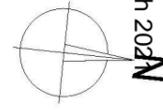


project Plot 64
Oxlease Farm, Romsey
Hampshire

client Stratland Developments

drawing Plot 2 - Floor Plans as Proposed

Rev.	Description	Date
A	Boys added	July 19
B	Chimneys added	Sep 19
C	Front doors centralised	Sep 19
D	Design revised	Feb 20
E	Road layout altered, plots 1 and 2 revised	May 20

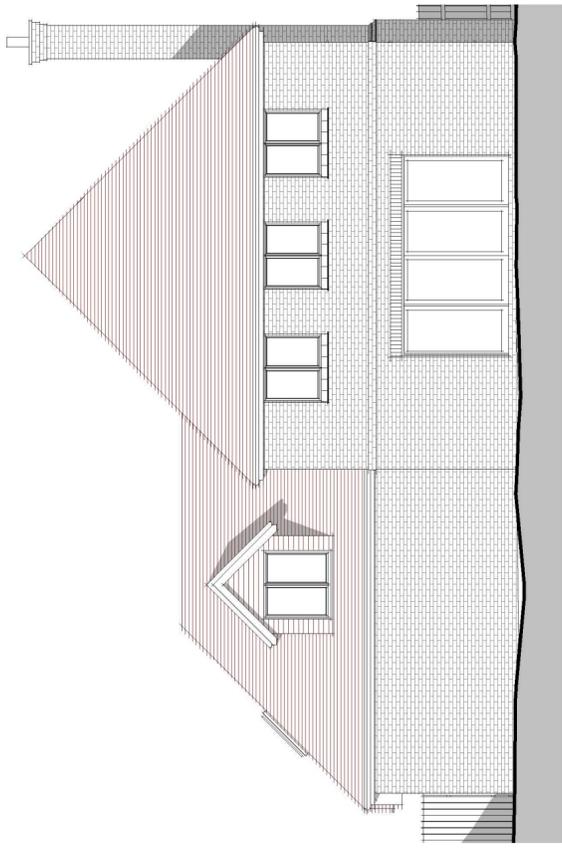


16 March 2021

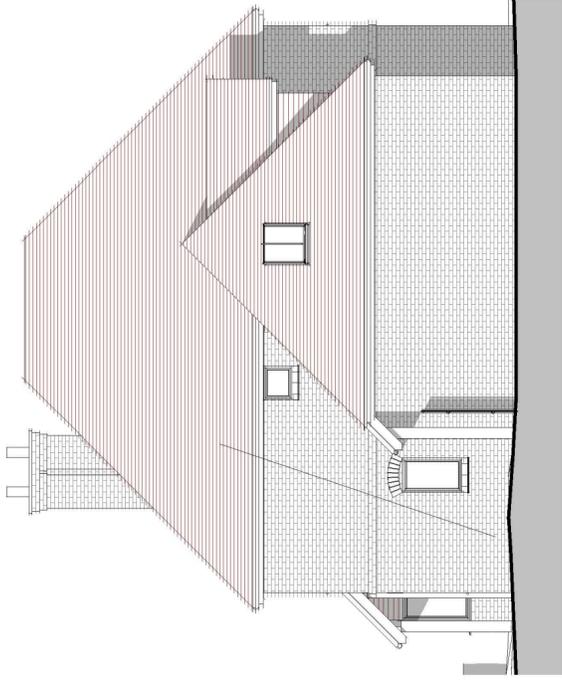
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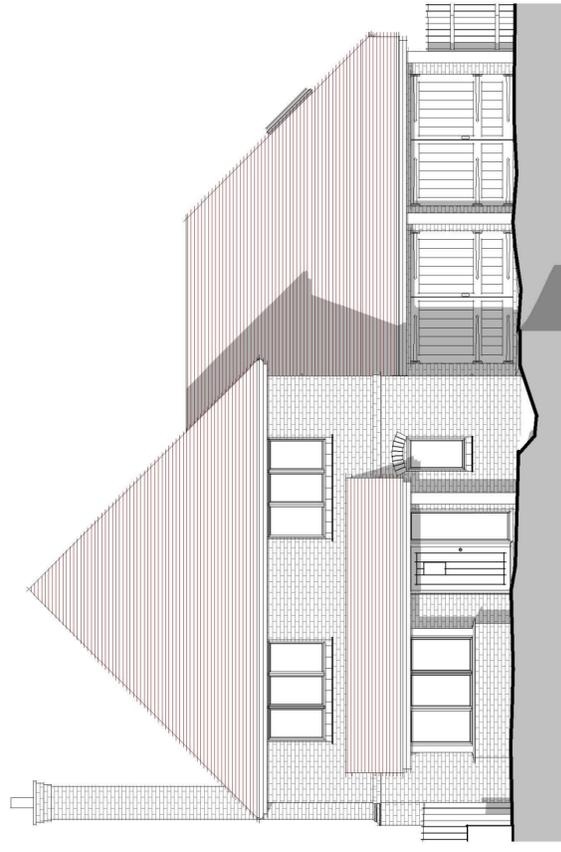
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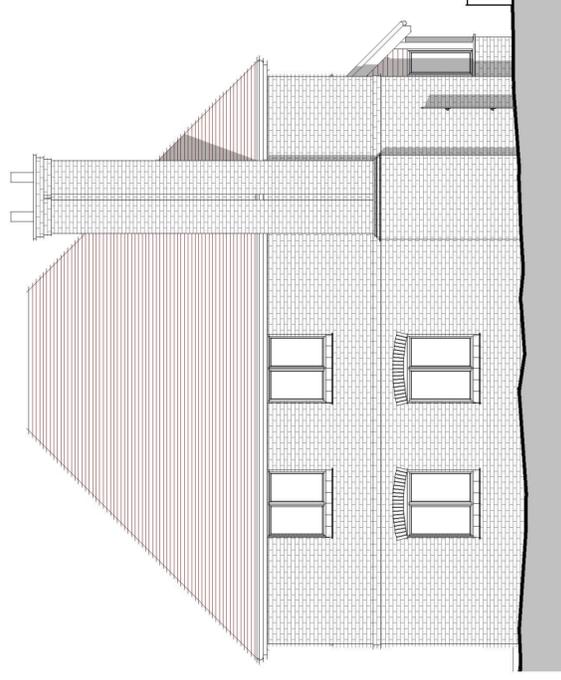
Elevation - Plot 2 - South
1 : 100



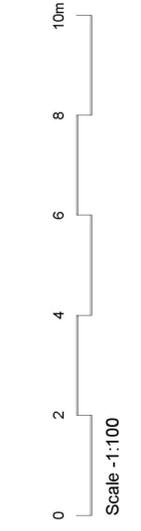
Elevation - Plot 2 - West
1 : 100



Elevation - Plot 2 - North
1 : 100



Elevation - Plot 2 - East
1 : 100



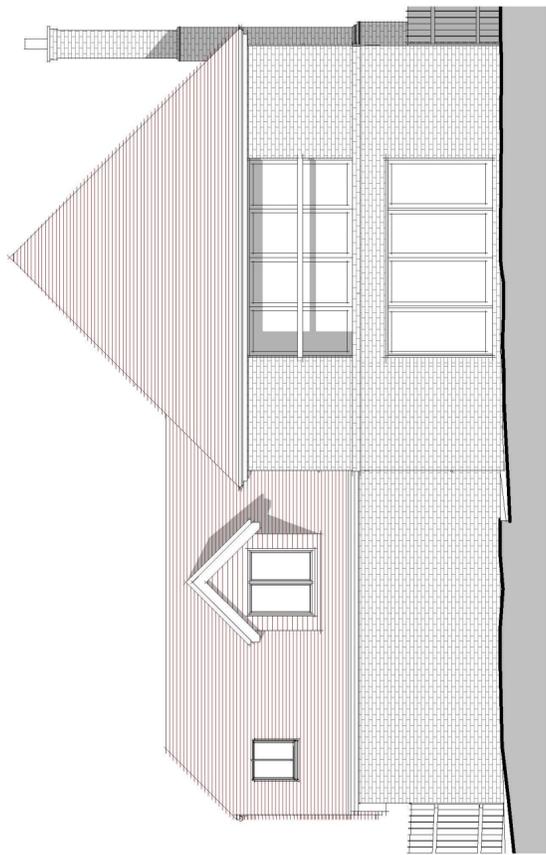
Rev.	Description	Date
A	Boys added	July 19
B	Roof altered	July 19
C	Front doors centralised	Sept 19
D	Design revised	Feb 20
E	Road layout altered, plots 1 and 2 revised	May 20

Project: Plot 64
Oxleese Farm, Romsey
Hampshire
Client: Stralland Developments
Drawing: Plot 2 - Elevations

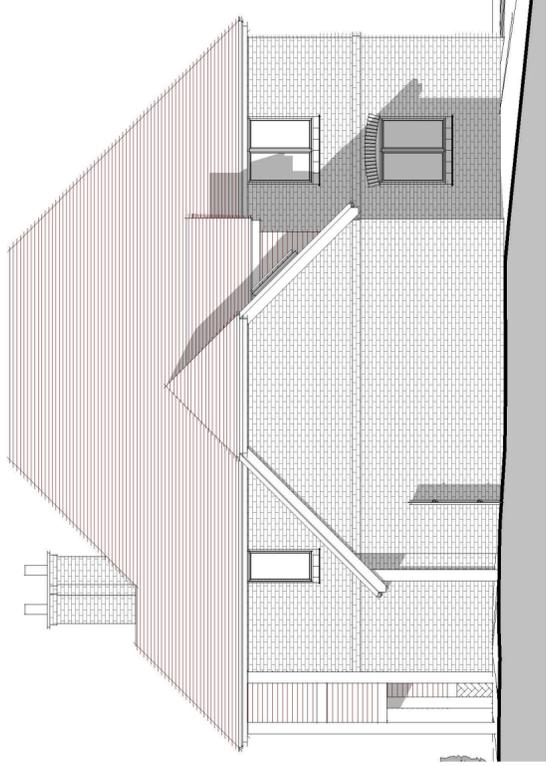
date: 05 Jul 19
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job: 1819
dwg: D-315 rev: E

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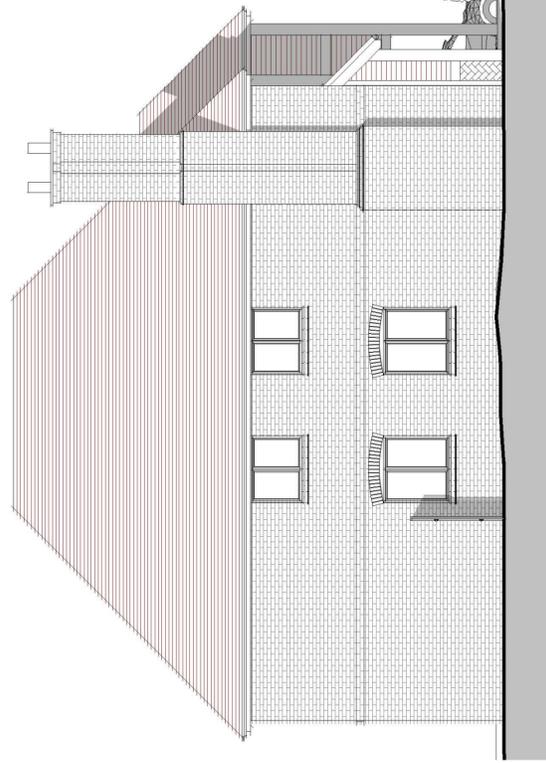
Elevation - Plot 3 - South
1 : 100



Elevation - Plot 3 - East
1 : 100



Elevation - Plot 3 - North
1 : 100



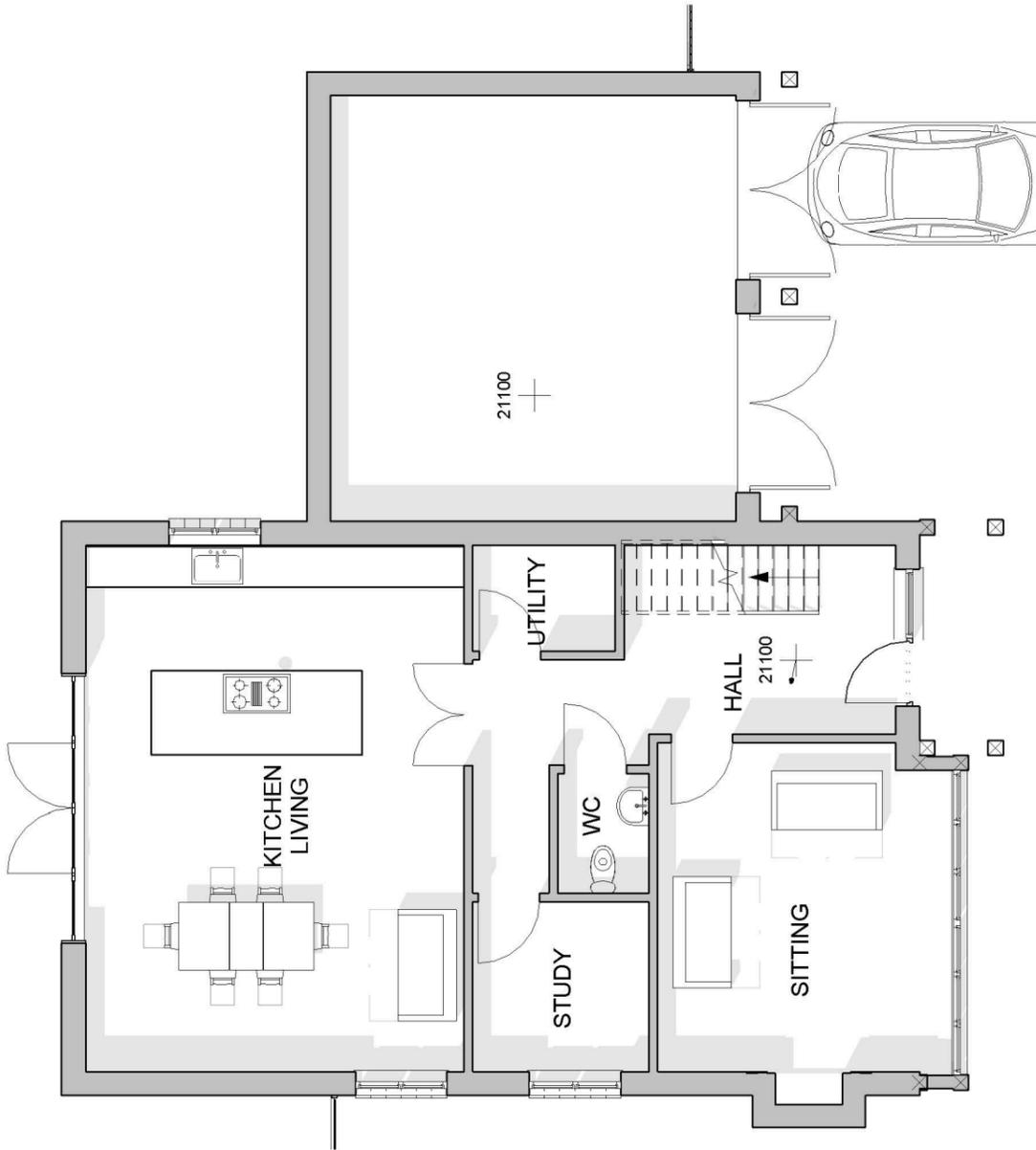
Elevation - Plot 3 - West
1 : 100

Rev.	Description	Date
A	Boys added	July 19
B	Boys added	July 19
C	Front doors centralised	Sept 19
D	Design revised	Feb 20
E	Drawings updated	June 20

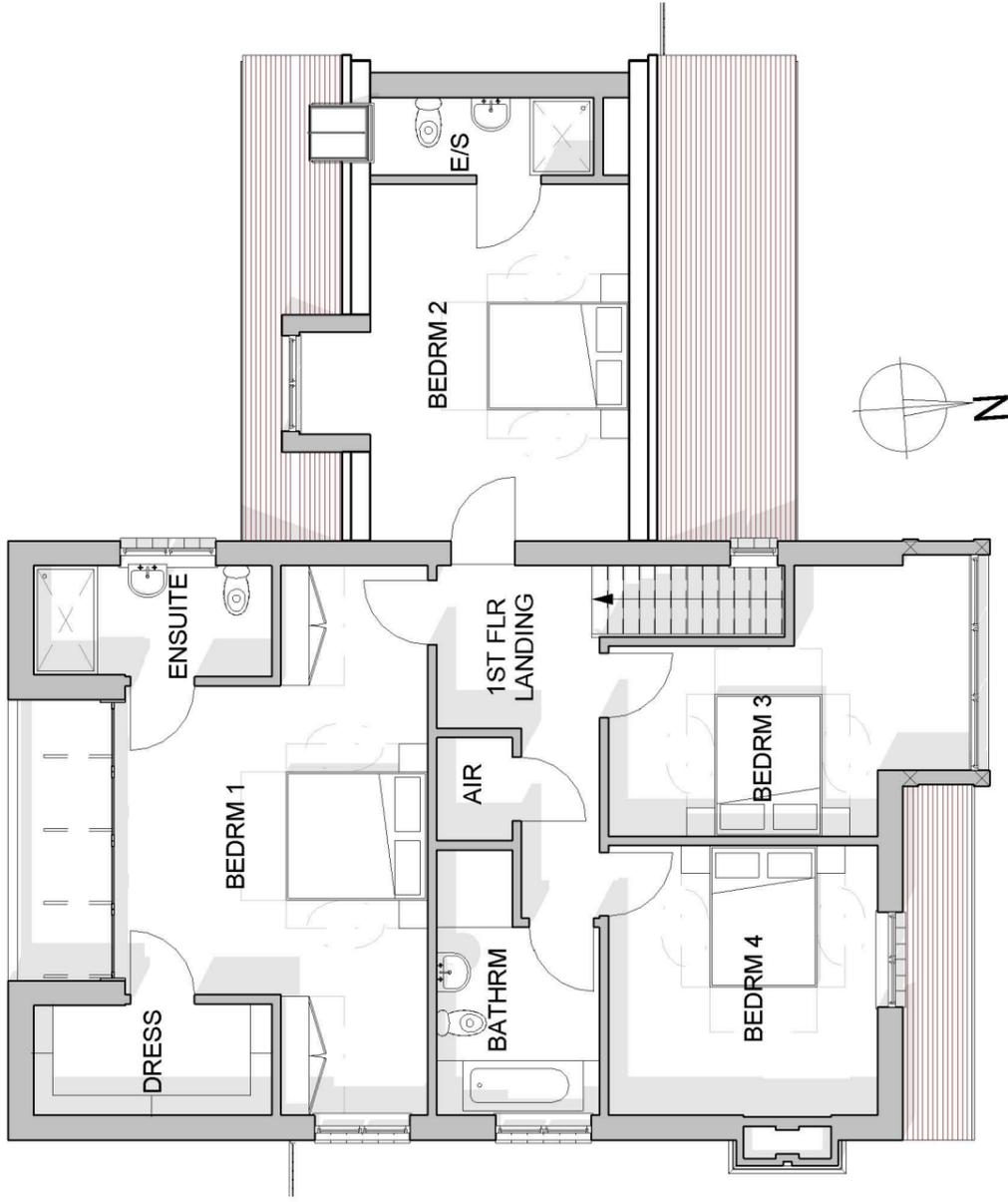


project Plot 64
Oxleese Farm, Romsey
Hampshire
client Stralland Developments
drawing Plot 3 - Elevations

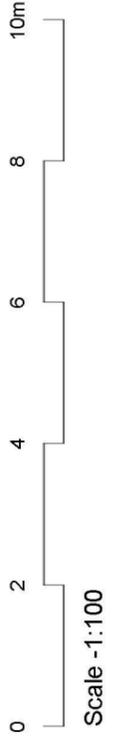
date 05 Jul 19
scale 1 : 100 @A2
job 1819
dwg D-320 rev: E
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Plot 3 - Ground Floor Plan as Proposed



Plot 3 - First Floor Plan as Proposed



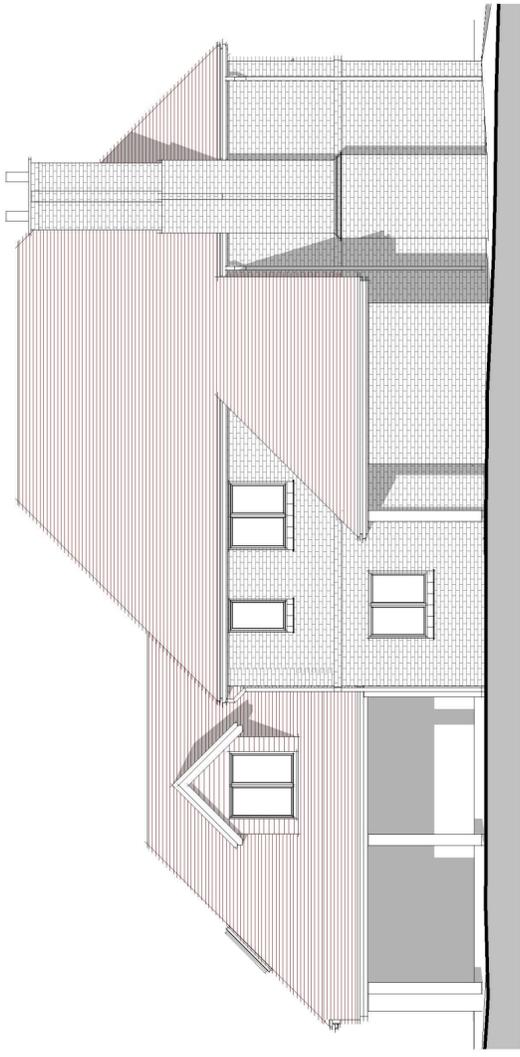
REV.	Description	Date
A	Bays added	July 19
B	Chimneys added	Sep 19
C	Front doors centralised	Sep 19
D	Design revised	Feb 20
E	Drawings updated	June 20

project Plot 64
 Oxlease Farm, Romsey
 Hampshire
 client Stratland Developments
 drawing Plot 3 - Floor Plans as Proposed

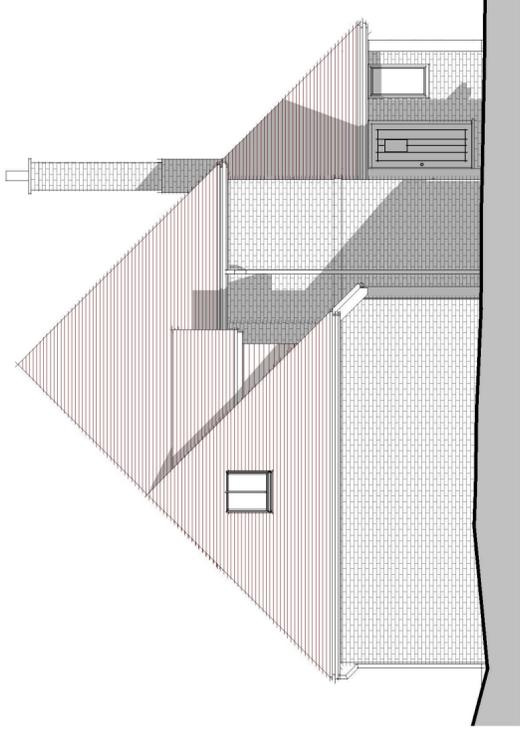
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 job 1819
 dwg D-245 rev. E

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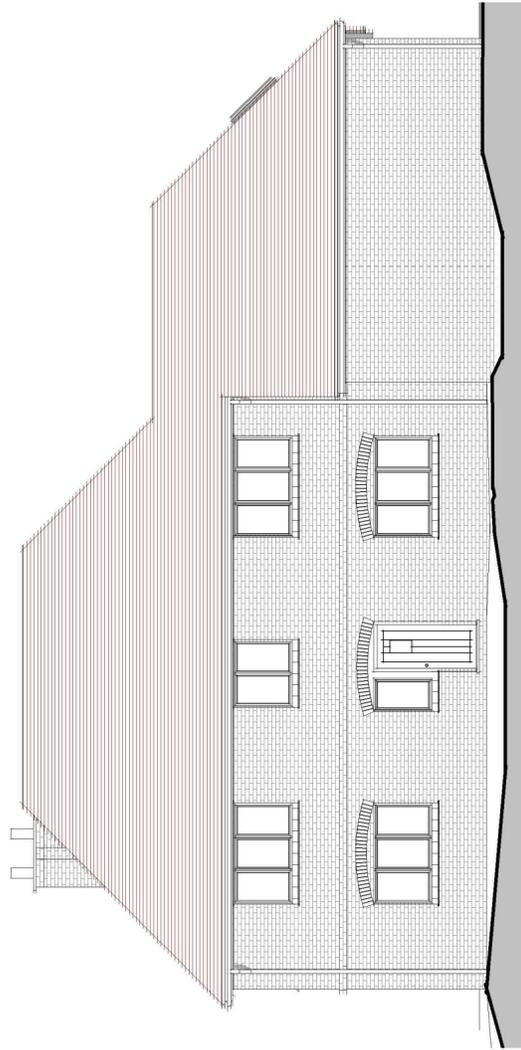
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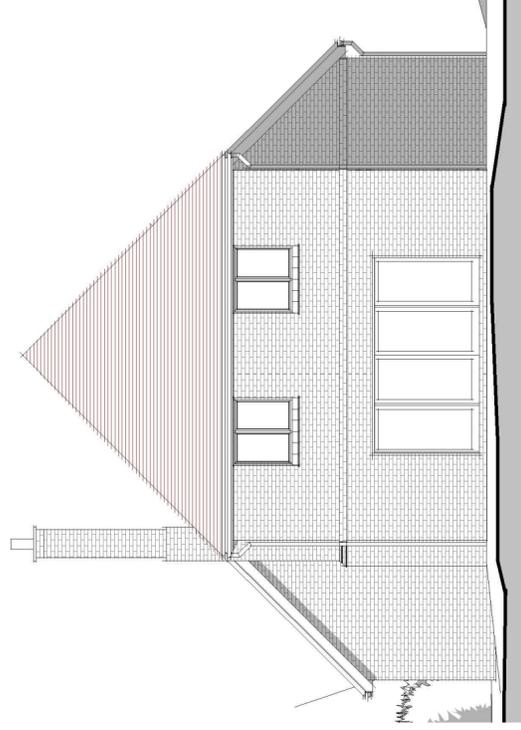
Elevation - Plot 4 - North East
1 : 100



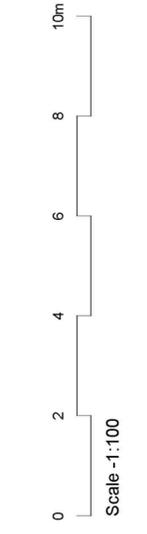
Elevation - Plot 4 - South East
1 : 100



Elevation - Plot 4 - South West
1 : 100



Elevation - Plot 4 - North West
1 : 100



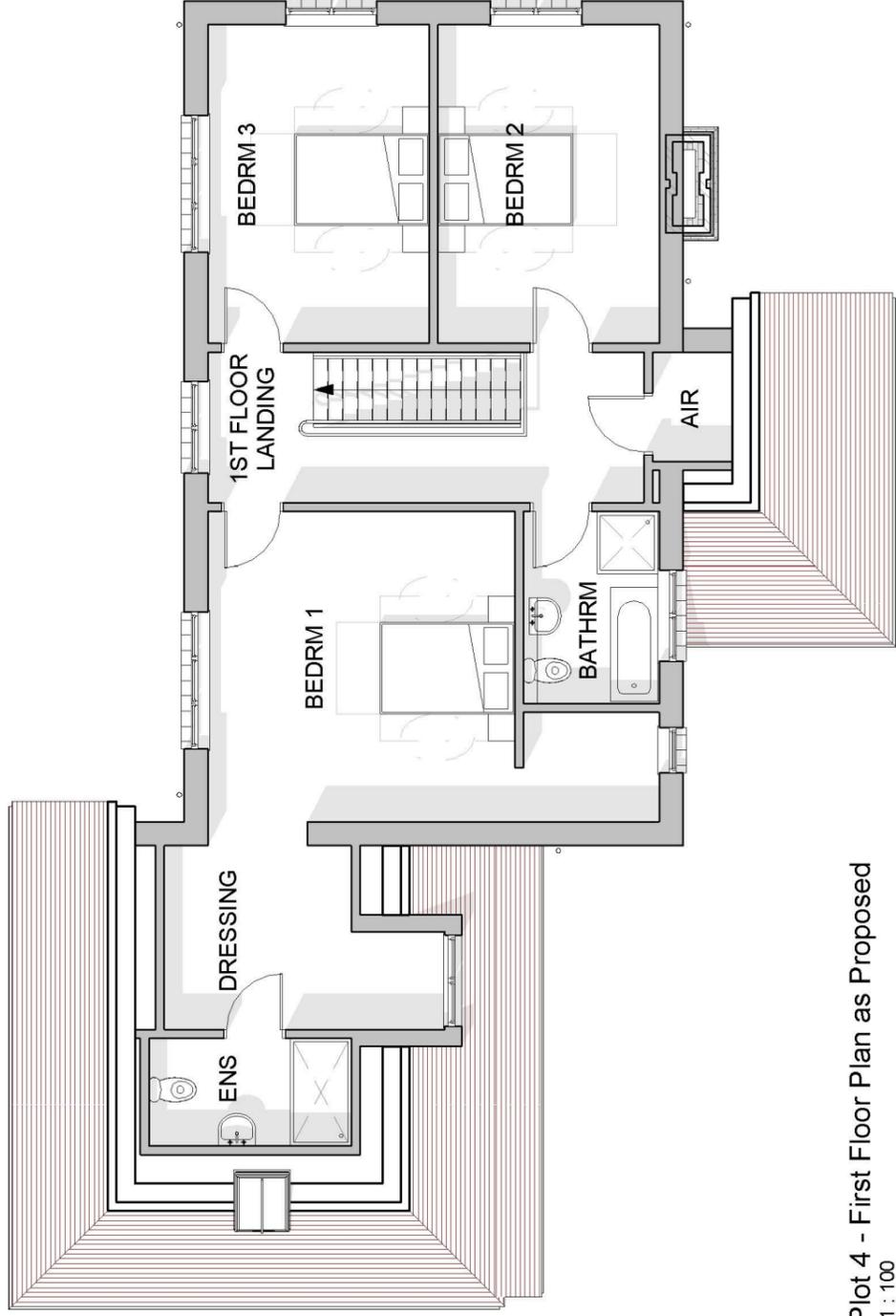
Rev.	Description	Date
C	Front doors centralised	Sept 19
D	Front doors updated	June 20
E	Room over garage in plot 4 removed, garage width reduced to 6m	July 20
F	Position revised, plan mirrored, Ecology buffer shown	Oct 20
G	Plot 4 design revised	Dec 20

project Plot 64
Oxleese Farm, Romsey
Hampshire
client Stratland Developments
drawing Plot 4 - Elevations

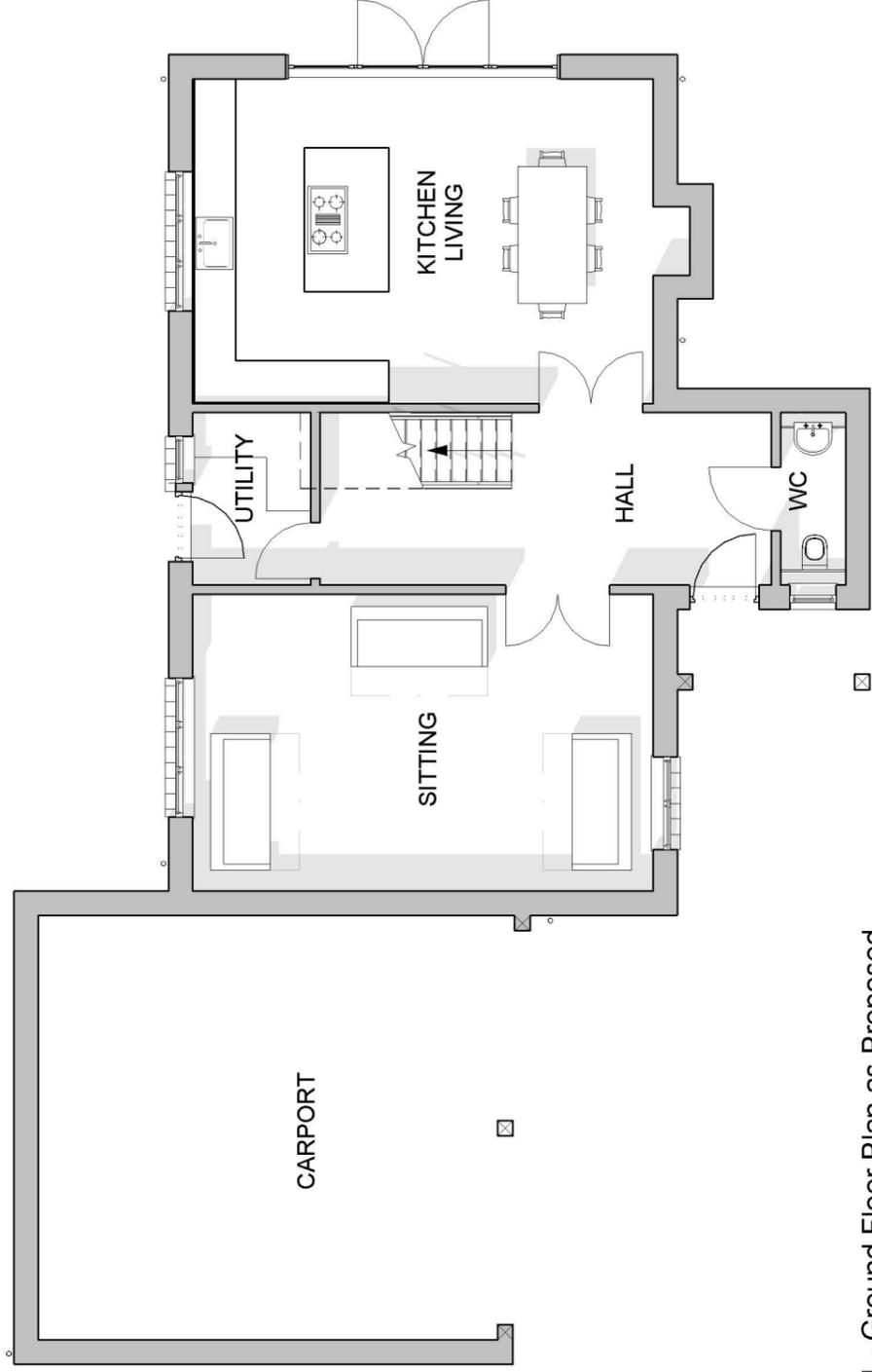
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job 1819
dwg D-325 rev. H

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Plot 4 - First Floor Plan as Proposed
1 : 100



Plot 4 - Ground Floor Plan as Proposed
1 : 100



project Plot 64
Oxlease Farm, Romsey
Hampshire
client Stratfield Developments
drawing Plot 4 - Floor Plans as Proposed

Rev.	Description	Date
B	Chimneys added	Sep 19
C	Front doors centralised	Sep 19
D	Design revised	Feb 20
E	Drawings updated	June 20
F	Room over garage in plot 4 removed, garage width reduced to 6m	July 20
G	Plot 4 position revised, plan mirrored	Oct 20

16 March 2021

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Test Valley Borough Council Southern Area Planning Committee

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date 05 Jul 19
scale 1 : 100 @A3
job 1819
dwg D-250 rev. H

RIBA