

**Minutes of the Southern Area Planning Committee
of the Test Valley Borough Council**
held in Main Hall, Crosfield Hall, Broadwater Road, Romsey, Hampshire, SO51 8GL
on 21 September 2021 at 5.30 pm

Attendance:

Councillor M Cooper (Chairman)

Councillor M Hatley (Vice-Chairman)

Councillor P Bundy
Councillor J Burnage
Councillor C Dowden
Councillor S Gidley

Councillor I Jeffrey
Councillor M Maltby
Councillor J Parker
Councillor A Ward

Also in attendance
Councillor T Burley
Councillor A Johnston

Councillor T Swain

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Apologies

Apologies for absence were received from Councillors Bailey, A Dowden and Warnes.

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Public Participation

In accordance with the Council's scheme of Public Participation, the following spoke on the applications indicated:

<u>Agenda Item No.</u>	<u>Page No.</u>	<u>Application</u>	<u>Speaker</u>
8	34-59	21/01959/FULLS	Parish Councillor Dougall (Houghton Parish Council) Mr Heffernan (Objector) Dr Lyons (Applicant's Agent) Councillor Johnston (Ward Member) 5 mins
9	60-85	21/02090/FULLS	Mr March (Objector) on behalf of residents Mr Sennitt (Applicant's Agent) Mr Riddle (Applicant)

10	86-98	19/02786/FULLS	Mr Morrell (Objector) Mr Cox (Objector) Mr Clark (Supporter) Councillor Swain (Ward Member) 5 mins
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Declarations of Interest

Councillor Bundy declared a personal interest in application 19/02786/FULLS in that he was the Chairman of Nursling and Rownhams Parish Council and given his position on the Parish Council the public perception may be that he was unlikely to be able to approach this matter with an entirely open mind. He made a statement and then left the room whilst the application was considered.

Councillor Maltby declared a personal interest in application 19/02786 in that he was a member of Nursling and Rownhams Parish Council. He left the room whilst the application was considered.

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Urgent Items

There were no urgent items to consider.

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Minutes

Resolved:

That the minutes of the meeting held on 31 August 2021 be confirmed and signed as a correct record.

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Schedule of Applications

Resolved:

That the application for development as set out below be determined as indicated.

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18/02007/FULLS - 29.08.2018

- APPLICATION NO.** 18/02007/FULLS
APPLICATION TYPE FULL APPLICATION - SOUTH
REGISTERED 29.08.2018
APPLICANT Mr James Ward
SITE Land South of Wellow Way, Scallows Lane, West Wellow, **WELLOW**
- PROPOSAL** Change use of land to residential caravan site with four caravans, two ancillary utility buildings, hardstanding and sewage treatment plant
- AMENDMENTS** Additional information received 17.12.18, 05.09.19 and 18.12.20.
- CASE OFFICER** Mr Paul Goodman
- 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 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.
 3. **No more than four 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 two static and two touring caravans.**
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.
 4. **No 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.
 5. **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.

6. **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 boundary features in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 & E2.

7. **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.

8. **The utility buildings hereby permitted 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.

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

- Site Layout Plan**
- Side Elevation**
- Side Elevation (2)**
- Rear Elevation**
- Front Elevation**
- Floor Plan**
- Post and Rail Fence**

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

Notes to applicant:

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

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21/01959/FULLS - 30.06.2021

APPLICATION NO.	21/01959/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	30.06.2021
APPLICANT	Trustees of the Captain Busk Grandchildren Settlement
SITE	Houghton Allotments, Houghton, HOUGHTON
PROPOSAL	Erection of 4 dwellings with parking, landscaping and access, retaining part of existing allotments
AMENDMENTS	None
CASE OFFICER	Sarah Barter

REFUSE for the following reasons (updated reason 1 to include correct NPPF paragraph and updated wording in last sentence)

- 1. The proposed development results in the direct loss of an established, and well used allotment site that is meeting, and would continue to meet, local demand for this community resource. The loss of an established allotment site within the settlement results in the unacceptable loss of allotments to serve the needs of the community to the detriment of their health, welfare and leisure needs, contrary to Policy LHW1(f) of the Test Valley Borough Revised Local Plan (2016) and Paragraph 99 of the National planning Policy Framework. In reaching this conclusion the Council recognises the social, environmental and economic benefits that might otherwise arise from the proposal, including the delivery of open market housing requirements in the Borough, but these factors are not sufficient to outweigh this principle issue.**

- 2. The application fails to demonstrate that the layout, access and highway network is safe, functional and accessible for all users and that the development does not have an adverse impact on the function, safety and character of and accessibility to the local highway network. The development is contrary to policy T1 of the Revised Borough local Plan.**
- 3. Inadequate survey and mitigation information has been submitted in order for the local planning authority to conclude that the proposed development would not have an adverse impact on protected species. The proposed development is therefore considered contrary to Policy E5 and Policy COM2 of the Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).**
- 4. In the absence of a legal agreement to secure and monitor the proposed mitigation measures enabling the achievement of nitrate neutrality, the proposed development by means of its nature, location and scale could have likely significant effects upon the nearby Solent and Southampton Water European Designated Site which is designated for its conservation importance. Consequently, the application has failed to satisfy the Council that the proposal would not adversely affect the special interest of the Solent and Southampton Water European Designated Site, therefore the application is contrary to Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).**

Note to applicant:

- 1. The Committee considered that the weight afforded to the unjustified loss of allotments and the significant level of local representation made both in advance- and during-Committee, about the adverse effect on local allotment provisions and the effect on the health, social and wider amenity benefit associated with their loss on the community (with no suitable alternative provided) should be afforded significant weight in the planning balance. Although the Committee recognised there were some benefits to the relatively small level of additional market housing being provided in the village this should be afforded only moderate weight. In this respect the Committee were aware from the Officer report that there wasn't a demonstrable need for market housing in the village, and that housing land supply in the Northern Test Valley housing market area was currently significantly above that required by Government. In overall terms the social, health and amenity value associated with existing allotment sites in settlements far exceeded any general benefit to housing delivery that might otherwise arise from this proposal.**

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20/02090/FULLS - 14.07.2021

APPLICATION NO.	20/02090/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	14.07.2021
APPLICANT	Mr Chris Riddle
SITE	Land adjacent to Oaks Down, Bassett Green Road, CHILWORTH
PROPOSAL	Retention of dwelling and garage
AMENDMENTS	Additional landscape drawing received 03.09.2021
CASE OFFICER	Miss Sarah Barter

Delegated to Head of Planning and Building for completion of legal agreement to secure:

- **Offsite nitrate mitigation**

Then PERMISSION subject to conditions & notes:

- 1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers**
Site plan
005 A
006 A
007 A
008 A
Tracking plan 1
Tracking plan 2
Tracking plan 3
MPN VLBGR
Reason: For the avoidance of doubt and in the interests of proper planning.
- 2. Development shall be provided using the materials approved on the 19th December 2018 under application 18/00395/VARS – Vandersanden Antique Flemish red multi brick, K render Antique White and slate roof tiles.**
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. Prior to occupation or during the next planting season, whichever is sooner, the landscape detail set out in drawing no MPN VLBGR submitted on the 21st September 2021 shall be provided and maintained and retained at all times. Any fencing or other means of enclosure that shall be erected shall be placed behind the alignment of the hedge as shown on the same drawing.**
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.

- 4. The works hereby approved should be undertaken in full accordance with the provisions set out within the BMJC Tree Survey, Arboricultural Impact Assessment and Tree Protection plan reference 15-0280 dated 8th January 2016 or as may otherwise be agreed in writing with the Local Planning Authority. Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Revised Borough Local Plan policy E2.**
- 5. Tree protective measures installed (in accordance with the tree protection condition above) 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 without the prior written agreement of the Local Planning Authority. Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Revised Borough Local Plan policy E2**
- 6. All service routes, drain runs, soakaways or excavations in connection with the same shall remain wholly outside the tree protective barrier without the prior written agreement of the Local Planning Authority. Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Revised Borough Local Plan policy E2**
- 7. Prior to occupation a parking layout for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear shall be submitted to approved in writing by the local authority. This space shall thereafter be reserved for such purposes at all times. Reason: In the interests of highway safety in accordance with policy T1 of the Test Valley Borough Revised Local Plan 2016.**
- 8. 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.**
- 9. The window in the northern side wall elevation of the development hereby permitted shall be fitted with obscured glazing and shall be non-opening, and thereafter retained as such, unless otherwise agreed in writing by the Local Planning Authority. Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LWH4.**

- 10. 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 windows/dormer windows in the northern side elevation of the proposal hereby permitted [other than those expressly authorised by this permission] shall be constructed.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4

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. Road traffic noise can be intrusive and due to the proximity of the M27 consideration should be given to window installation. The glazing should include a specification suitable for addressing road traffic noise. The aim being that noise from the motorway should not be audible inside the property. Acoustic trickle vents should also be considered for the provision of ventilation without the need to open the window.**
- 3. The various trees standing within this site are all protected by an area Tree Preservation Order (TPOTVBC.373). Damage to the trees is an offence under the Town and Country Planning Act 1990. Failure to comply with the tree protection conditions above is likely to result in damage to the trees. Tree damage may lead to the prosecution of those undertaking the work and those causing or permitting the work.**
- 4. Birds' nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.**

5. You attention is drawn to the legal agreement associated with this application completed on the xxx.

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19/02786/FULLS - 28.09.2020

APPLICATION NO.	19/02786/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	28.09.2020
APPLICANT	Mr William Ashdown
SITE	Land to the rear of Cranmer Drive, Nursling, Southampton, SO16 0XH, NURSLING AND ROWNHAMS
PROPOSAL	Laying of hardstanding to form path route through Home Covert
AMENDMENTS	Arboricultural and topographical surveys submitted – 14.05.2021
CASE OFFICER	Mr Nathan Glasgow

PERMISSION subject to:

1. The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers:
Location Plan
Proposed Site Layout
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The development hereby approved shall be undertaken in full accordance with the provisions set out within the RG Tree Consultancy Arboricultural report reference 00487/1/2021 dated 5th May 2021 and its associated plans.
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.
4. Development shall proceed in accordance with the measures set out in Section 'Impact Assessment and Mitigation' of the Ecological Impact Assessment (EPR, May 2020). Thereafter, the enhancements shall be permanently maintained and retained in accordance with the approved details.
Reason: To avoid impacts to protected species and to conserve and enhance biodiversity in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).

5. **Prior to the commencement of development hereby permitted, a schedule of landscape management and maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas. The landscaping shall be maintained 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 Revised Local Plan (2016) Policies E1 and E2.

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.**

(The meeting terminated at 7.20 pm)