

**Minutes of the Southern Area Planning Committee
of the Test Valley Borough Council**
held in Main Hall, Crosfield Hall, Broadwater Road, Romsey
on Tuesday, 7 June 2022 at 5.30 pm

Attendance:

Councillor M Cooper (Chairman)

Councillor M Hatley (Vice-Chairman)

Councillor G Bailey
Councillor P Bundy
Councillor J Burnage
Councillor S Gidley

Councillor M Maltby
Councillor J Parker
Councillor A Ward
Councillor A Warnes

Also in attendance:

Councillor N Daas

17

Apologies

Apologies for absence were received from Councillors A Dowden, C Dowden and Jeffrey.

18

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>
7	11-62	21/02715/FULLS	Mr Perress on behalf of Oxlease Meadows Residents Group (Objector) Mr Clake (Objector) Mr Goodenough (Applicant's Agent)
9	79-98	21/03052/VARS	Ms Green (Applicant's Agent) Councillor Daas (Ward Member)
10	99-110	22/00360/FULLS	Mr Knowlson (Applicant)

19

Declarations of Interest

There were no declarations of interest.

20

Urgent Items

There were no urgent items to consider.

21

Minutes

Resolved:

That the minutes of the meeting held on 16 May 2022 be confirmed and signed as a correct record.

22

Schedule of Development Applications

Resolved:

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

23

21/01542/VARS

APPLICATION NO.	21/02715/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	30.11.2021
APPLICANT	Mr Hanslip
SITE	Land North of Oxlease Meadows, Oxlease Meadows, Romsey, ROMSEY EXTRA
PROPOSAL	Erection of 43 dwellings and apartments, access, parking, landscaping and associated works following demolition and site clearance
AMENDMENTS	Amended Plans/Additional Information received 29.09.21, 17.01.22, 08.03.22, 09.03.22, 31.03.22, 08.04.22, 21.04.22 & 17.05.22.
CASE OFFICER	Paul Goodman

REFUSED for the reasons:

- 1. The proposal represents unjustified development in the countryside beyond the defined settlement boundaries and established building lines within this part of the Borough, for which no overriding need or justification has been provided. The proposed development would result in the introduction of additional housing that would be inappropriately located on a rural site away from existing settlement boundaries and would breach established informal building lines. The built development,**

so close to the nature reserve and public vantage points, would be an obvious and harmful intrusion into this countryside setting, adversely affecting the character and appearance of the area when viewed from public vantage points and would result in visual harm to the character and appearance of this area. The proposal is therefore contrary to Policies COM2 and E2(a) of the Test Valley Borough Revised Local Plan 2016 and the National Planning Policy Framework (2021). The Council can demonstrate a 5 year supply of housing land and the local plan is also not absent or silent in respect of policies that affect the development and against which it can adequately be considered, there is therefore currently no need to release further land for housing.

2. The benefits of the scheme advanced by the applicant are acknowledged. However, the adverse impacts highlighted above would conflict with the development plan as a whole; it would conflict with the general spatial strategy including the settlement hierarchy and delivery strategy (COM2). In doing so to grant permission would undermine the development plan and the sustainable pattern of development that it seeks to achieve across the Borough. This is of substantial importance in the plan led system, given section 38(6) and the advice in the NPPF. The benefits outlined by the applicant are not, in the Council's judgement, sufficient to outweigh the real harm to both the character and appearance of the area and the development plan as a whole, which is real, obvious and significant. The proposal would thus result in conflict with local and national planning policies. The public benefits identified are limited and in most cases generic benefits which could be provided by any site and a site that would not result in harm to such a sensitive rural area. The proposal contravenes the key development plan policies, and the limited benefits it brings about do not outweigh those contraventions. Particularly because the Council has already planned to deliver substantially the same benefits elsewhere around the borough in a way that is more sustainable, through its adopted local plan. Recent appeal decisions relating to other sites are noted. However, those sites were considered on their own merits and are not, in the view of the Council comparable to the proposal. In summary, granting planning permission for the development would cut across many years of careful, detailed planning for the sustainable growth of Test Valley Borough. Delivering the proposal on this site may be many things, but it would not be "plan-led", in accordance with local and national planning policies and would result in harm to the character and appearance of the area. The proposal is therefore contrary to Policies COM2 and E2(a) of the Test Valley Borough Revised Local Plan 2016 and the National Planning Policy Framework (2021)
3. The proposed development is contrary to policy E5 of the Test Valley Borough Local Plan, the New Forest Special protection area (SPA) interim mitigation framework and The Conservation of Habitats and Species Regulations 2017 in that no contribution is provided in order to address the impact of the development on the New Forest SPA resulting in the development having an unmitigated additional burden.

4. 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. In the absence of a completed legal agreement securing the proposed off site mitigation, the applicant 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).
5. In the absence of a legal agreement to secure the provision of and a financial contribution towards on and off site new affordable housing, including their subsequent retention in perpetuity to occupation by households in housing need, the proposal is contrary to policies COM6 and COM7 of the Test Valley Borough Revised Local Plan (2016) and the Infrastructure and Developer Contributions Supplementary Planning Document (2009).

24

21/01542/VARS

APPLICATION NO.	21/01542/VARS
APPLICATION TYPE	VARIATION OF CONDITIONS - SOUTH
REGISTERED	20.05.2021
APPLICANT	Mr D Spiteri
SITE	1 Upton Crescent, Nursling, SO16 8AA, NURSLING AND ROWNHAMS
PROPOSAL	Vary condition 9 of 19/02582/FULLS (Demolition of existing detached double garage and erection of 2 bed dwelling) - substitute drawings to allow for changes to windows and entryway
AMENDMENTS	31 July 2021 – amended plans received
CASE OFFICER	Kate Levey

WITHDRAWN at the request of the interim Head of Planning and Building.

25

21/03052/VARS

APPLICATION NO.	21/03052/VARS
APPLICATION TYPE	VARIATION OF CONDITIONS - SOUTH
REGISTERED	18.10.2021
APPLICANT	Waitrose Limited
SITE	Waitrose, 32 Alma Road, Romsey, SO51 8AS, ROMSEY TOWN

PROPOSAL	Variation of condition 18 of approved application 08/00911/FULLS (Extension to food store and associated works) to allow a wider delivery window for HGVs and Ecomm deliveries (home delivery service)
AMENDMENTS	Amended hours – January 2021 Delivery Noise Impact Statement – Jan 2021 Ecomm impact statement – Jan 2021 Quiet Delivery Procedure – March 2022
CASE OFFICER	Sarah Barter

PERMISSION subject to:

1. The development hereby permitted shall be begun within three years from the date of the original permission ref: 08/00911/FULLS dated 3rd April 2013.
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 materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.
Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Revised Borough Local Plan policy E1.
3. The revisions to the landscaping of the public route to the south of the building shall be carried out in accordance with the details shown on the following drawings:
 - Drawing 16401.100 rev B “Removal Plan”
 - Drawing 16401.001 rev E “Outline Landscape Master Plan”
 - Drawing 16401.002 rev B “Landscape Masterplan”
 - Drawing 16401.301 rev B “Proposed Walkway Cross Section”
 - Drawing 16401.501 rev A “Detail Planting 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 Revised Borough Local Plan policy E1.
4. The management of the landscaped areas shall be carried out in accordance with the details contained in the following drawings and documents, as submitted and approved in relation to TVS.07802/14: - Drawing 412/17 'Maintenance responsibility zones' received 1.7.02 - 'Landscape Maintenance & Management Plan - January 2002 - revision A' received 25.2.02 Planting and works shall be carried out in accordance with the approved schedule.
Reason: To ensure that the works undertaken maintain 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 Revised Borough Local Plan policy E1.
5. The development shall be carried out in accordance with Glanville's "Flood Risk Assessment for Proposed Store Extension at Waitrose, Romsey", Issue 2 - dated April 2008 and received on 15 April 2008.

- Reason: To prevent the increased risk of flooding in accordance with policy E7 of the Test Valley Revised Borough Local Plan 2016.**
- 6. The new entrance/exit lobby proposed in the south-west corner of the building, as shown on drawing 0724-AG(P)-Z01 rev E, shall be made available prior to the first use of the extended area of the store and retained thereafter for use by customers for access and egress.**
- Reason: To protect the vitality and viability of the town centre through the ease of achieving linked pedestrian trips in accordance with Policies LE12 and T1 of the Test Valley Revised Borough Local Plan 2016.**
- 7. The scheme for extract ventilation (including details of the external appearance of equipment) as approved on 30th March 2005 under TVS.07802/20 and detailed in drawings: - D6/61605/M/1000 (rev B) Ground Floor Ventilation Layout - D6/61605/M/1001 Mezzanine Level Ventilation Layout - D6/61605/M/4000 Ventilation Schematic shall remain installed as approved and shall remain in full working order, and as long as the use continues it shall be operated and maintained in such a manner as to effectively suppress the emission of fumes and smells; and shall include such equipment (including grease filters and odour neutralising plant) as may be specified to meet this requirement. Details of any new or amended extract ventilation required as a result of this extension to the store shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of this development. This development shall be carried out in accordance with the agreed details.**
- Reason: To protect the amenities of occupiers of adjoining properties in accordance with Policy LHW4 of the Test Valley Revised Borough Local Plan 2016.**
- 8. All fixed refrigeration plant, ventilation plant or other permanently located noise emitting plant or machinery shall be so designed, constructed or enclosed as to ensure that at the boundary of the development site there is an increase of no more than 5dB(A) Leq as measured in accordance with BS4142:1997, fully controlling tonal or impulsive character noise. Where the equipment is likely to be in use when background noise levels fall below 30dB(A) specific details of the noise control should be agreed in writing with the local planning authority prior to the installation or commissioning of the plant or equipment.**
- Reason: In the interest of residential amenity in accordance with Policies LHW4 of the Test Valley Revised Borough Local Plan 2016.**
- 9. No goods, plant or materials (other than the storage containers previously permitted between the periods as stated within Condition 21), shall be deposited or stored in the open (or displayed for sale in the open) on the site (including within the service yard).**
- Reason: In order to protect the amenities of the area, and/or to maintain adequate parking areas in accordance with Policies T1 and LHW4 of the Test Valley Revised Borough Local Plan 2016.**
- 10. The boundary wall to the retail service yard shall be a minimum height of 3.5m.**
- Reason: In the interest of residential amenity in accordance with policy LHW4 the Test Valley Revised Borough Local Plan 2016.**

11. All work in relation to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 07:30 and 20:00 Monday to Friday and 07:30 and 13:00 Saturdays and at no time on Sundays or Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To protect the amenities of the adjoining occupiers during the construction period in accordance with Policy LHW4 of the Test Valley Revised Borough Local Plan 2016.
12. The retail store premises shall be used for Class A1 (convenience goods) and for no other purpose, including any purpose in Class A1 of the Schedule of the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
Reason: In the interest of the local amenities and the character of the area in accordance with Policies LE12 and LHW4 of the Test Valley Revised Borough Local Plan 2016.
13. The retail use hereby permitted shall not open to customers except between the following times 08:00 and 20:00 Monday to Saturday, including public holidays, but allowing Friday to trade between the times of 08:00 and 21:00, and between 09:00 to 17:00 on Sundays other than on the 21st, 22nd and 23rd of December where the retail use shall not be open to customers except between 08:00 and 22:00 hours except where these dates fall on a Sunday.
Reason: In the interest of the local amenities and the character of the area in accordance with Policy LHW4 of the Test Valley Revised Borough Local Plan 2016.
14. No deliveries by HGVS shall be taken at or despatched from the site except between the hours of:
- 0700 to 2100 - Mondays to Saturdays (only 1 HGV allowed during 1700– 2100),
 - 0900 to 2000 - Sundays (only 1 HGV allowed during 1700 – 2000),
 - 0800 to 2000 - Bank and Public Holidays (an extension of 3 hours, only 1 HGV allowed during 1700 – 2000).
- No deliveries by ecommerce vehicles shall be taken at or despatched from the site except between the hours of and at the following locations:
- Monday – Saturday (including bank and public holidays)
- 0600 - 0800hrs - Front of store (Eastern Elevation)
 - 0800 - 2100hrs – Loading bay
 - 2100 - 2300hrs - Front of store (Eastern Elevation)
- Sunday
- 0600 - 0930hrs - Front of store (Eastern Elevation)
 - 0930 - 1630hrs - Loading bay
 - 1630 - 2300hrs - Front of Store (Eastern Elevation)
- Waitrose deliveries shall be undertaken in accordance with the Quiet Delivery Procedure – Servicing and Delivery Management Plan Waitrose Ltd – March 2022.
Reason: To maintain the character and amenities of the surrounding local area in accordance with Policy LHW4 of the Test Valley Revised Borough Local Plan 2016.

15. Measures to control trollies leaving the site shall be provided in accordance with the details contained in the following drawings and documents, as submitted and approved in relation to TVS.07802/14: - Drawing 98.044 SK57 revision A - Radford 'Radlock' brochure details The measures shall be installed and in operation before the store opens for trading. When installing the control measures the structures to be located immediately to the west of SCATS shall be positioned so as to restrict the width of the passageway leading onto the path to the rear of the properties on Station Road. In restricting the width of this passageway, a clear passage of 2.5m in width should be maintained. All such measures shall be retained at all times.
Reason: To ensure store equipment is retained within the site and in the interest of visual amenity in accordance with Policy E1 and T1 of the Test Valley Revised Borough Local Plan 2016.
16. Any external compactor shall only be used between the hours of 09:00 and 18:00 Monday to Saturday and 09:00 and 17:00 Sundays and Public Holidays.
Reason: In the interest of residential amenity in accordance with Policy LHW4 of the Test Valley Revised Borough Local Plan 2016.
17. The scheme for air quality shall be carried out in accordance with the details contained in the following documents, as submitted and approved in relation to TVS.07802/14: • Fax from Stranger Sciences & Environment to GL Hearn dated 5.11.01, which accompanied a fax from John Lewis Partnership to TVBC Environment & Health dated 30.1.02 • Letter from LSH to TVBC dated 4.7.02 The monitoring shall be undertaken in accordance with the approved scheme, including regular reports.
Reason: In the interest of local amenities in accordance with Policies E8 and LHW4 of the Test Valley Revised Borough Local Plan 2016.
18. The staff cycle parking shall be provided in a secure, covered, lockable enclosure, details of which shall be submitted to and approved in writing by Local Planning Authority.
Reason: To encourage use of modes of transport other than the private car in accordance with Policy T1 of the Test Valley Revised Borough Local Plan 2016.
19. The containers previously permitted shall only be sited within the service yard between 01 September and 31st January, with the siting of the chilled container not to occur before December 1st unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the character of the area and the amenities of the neighbouring residential properties in accordance with Policies E1 and LHW4 Test Valley Revised Borough Local Plan 2016.
20. No movements to and from the containers using the caged trolleys shall occur outside of the hours of 07:00 to 20:00 Monday to Saturday, 09:00 to 17:00 on Sundays or 08:00 to 17:00 hours on Bank Holidays.
Reason: To maintain the amenities of the local area in accordance with Policy LHW4 of the Test Valley Revised Borough Local Plan 2016.
21. The travel plan dated September 2008 (revision A) hereby approved shall be fully implemented in accordance with the details set out in the document.

Reason: To reduce the level of car-borne traffic in accordance with policy T1 of the Test Valley Revised Borough Local Plan 2016.

22. Notwithstanding the provisions of Class 12 of Schedule 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007, or any Order amending, revoking or re-enacting these Regulations, the occupiers of the development hereby approved shall retain clear glazing on the ground floor along the length of the southern boundary hereby approved (without the installation of window vinyl's or equivalent) unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of retaining a lively and attractive street scene without obstruction and to improve the natural surveillance offered by the development in accordance with policies T1, E1 and E2 of the Test Valley Revised Borough Local Plan 2016.

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

0724-YZ(P)-010 rev B "Site Location Plan"

0724-AG(P)-Z01 rev F "Proposed Site Layout"

0724-AG(P)-G01 rev C "Proposed Ground Floor General Arrangement"

0724-AE(P)-001 rev D "Proposed South and West Elevations"

0724-AE(P)-002 rev B "Proposed East Elevation"

0724-AX(P)-001 rev B "Proposed Sections"

0724-AG(P)-R01 "Proposed Roof Plan"

76285/SK001 "Preliminary Drainage Layout"

76285/SK002 "Preliminary Foundation Layout"

Landscape Statement - 16.12.08

16401.001 rev E "Outline Landscape Masterplan"

16401.002 rev B "Landscape Masterplan"

16401.100 rev B "Removal Plan"

16401.301 rev B "Proposed Walkway Cross Section"

16401.501 rev A "Detail Planting Plan"

For the avoidance of doubt the works to the existing building shall be carried out in accordance with the details shown on drawings 0724-

AG(P)-Z01 rev F "Proposed Site Layout"; 0724-AG(P)-G01 rev C

"Proposed Ground Floor General Arrangement"; 0724-AE(P)-001 rev D

"Proposed South and West Elevations"; 0724-AE(P)-002 rev B "Proposed

East Elevation"; 0724-AX(P)-001 rev B "Proposed Sections"; and 0724-

AG(P)-R01 "Proposed Roof Plan" and the following drawings are

approved solely for the purposes identified below:

- 6285/SK001 "Preliminary Drainage Layout" - details of proposed drainage
- 76285/SK002 "Preliminary Foundation Layout" - details of proposed foundations
- 16401.001 rev E "Outline Landscape Masterplan" - details of proposed landscaping
- 16401.002 rev B "Landscape Masterplan" - details of proposed landscaping
- 16401.100 rev B "Removal Plan" - identification of existing structures and features to be removed

- 16401.301 rev B "Proposed Walkway Cross Section" - details of proposed landscaping
- 16401.501 rev A "Detail Planting Plan" - details of proposed landscaping

Reason: To ensure that the development is carried out in accordance with the approved plans.

Notes to applicant:

1. The decision to grant planning permission has been taken because the proposed development is acceptable and it is not considered that it would have a significantly detrimental impact on residential amenities, flooding or archaeology. Subject to the completion of the necessary legal agreement the highway impact and the loss of the existing public open space would be appropriately mitigated. This informative is only intended as a summary of the reason for grant of planning permission. For further details on the decision please see the application report which is available from the Planning and Building Service.
2. Attention is drawn to the requirements of the Agreement dated 19th March 2013 under Section 106 of the Town and Country Planning Act 1990 which affects this development and the requirement to vary the wording to reflect the change sought in this permission.
3. 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.
4. Attention is drawn to the insufficient size of the loading bay for modern Waitrose delivery vehicles. The applicant should consider a further proposal to increase the size to accommodate the type of deliveries now being received at this store.

26

22/00360/FULLS

APPLICATION NO.	22/00360/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	14.02.2022
APPLICANT	Mr Sean Knowlson
SITE	Cobra Lodge, Upton Lane, Nursling, SO16 0YB, NURSLING AND ROWNHAMS
PROPOSAL	Erection of kennels / runs and consulting room
AMENDMENTS	Landscape information received 15 th April 2022
CASE OFFICER	Sarah Barter

PERMISSION subject to:

1. The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers**
Proposed block plan
Elevations and floor plans
Elevations and floor plans
Site location plan
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **The external materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.**
Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1
4. **The activities hereby approved shall only take place between the hours of: - 08:00 hours and 18:00 hours Monday to Friday; 08:00 hours and 17:00 hours on Saturday; 08:00 hours and 14:00 on Sundays.**
Reason: In order that the Local Planning Authority can exercise control in the locality In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policies E8 and LHW4.
5. **The kennels in the building, the subject of this planning permission, shall be used for the care of staff owned dogs only. All dogs using the kennels in this building shall be removed off-site outside of the hours set out in condition 4, and the building shall not be used for overnight boarding kennels.**
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of local amenity and to protect the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) policies E2 and LHW4.
6. **Landscape works shall be carried out before the end of the first available planting season following the first use of the building hereby approved in accordance with the approved information titled landscape plan and dated 15th April 2022. Any trees or planting that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within 5 years of planting, 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 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 E2.
7. **A maximum of 6 dogs shall use the three kennels and three kennel runs provided within the new building hereby approved.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of local amenity and to protect the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) policies E2 and LHW4

- 8. Should the applicant no longer operate at Cobra Lodge the permitted use of the building hereby approved for Hampshire Dog Club shall cease.**

Reason: To protect the amenity of the occupants of adjacent properties in accordance with policy LHW4 of the Revised Borough Local Plan 2016.

Note 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.**

27

Scheme of Delegations to Officers

Resolved:

That the Scheme of Delegations to Officers annexed to the report to Annual Council, in so far as it applies to the powers and duties of the Southern Area Planning Committee, be approved.

(The meeting terminated at 8.24 pm)