

**Minutes of the Southern Area Planning Committee
of the Test Valley Borough Council**
held in Main Hall, Crosfield Hall, Broadwater Road, Romsey
on 13 December 2022 at 5.30 pm

Attendance:

Councillor M Cooper (Chairman)

Councillor G Bailey

Councillor P Bundy

Councillor J Burnage

Councillor A Dowden

Councillor C Dowden

Councillor S Gidley

Councillor J Parker

Councillor A Warnes

Councillor A Johnston

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Apologies

Apologies for absence were received from Councillors Hatley, Jeffrey and Maltby.

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Public Participation

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

<u>Agenda Item No.</u>	<u>Page No.</u>	<u>Application</u>	<u>Speaker</u>
7	11-30	21/02095/FULLS	Mr Hussey Miller (Applicant's Agent)
8	31-56	22/02387/FULLS	Mr Sennitt (Applicant's Agent)
9	57-66	21/02607/FULLS	Mr Hurst (Objector)
10	67-77	22/00451/FULLS	Mr Le Bas (Chilworth Parish Council)
11	78-91	22/01499/FULLS	Mr Le Bas (Chilworth Parish Council)

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Declarations of Interest

Councillor Parker declared a prejudicial interest in application 22/02387/FULLS as he is the Chairman of King John's House Trustees which is next to the application site. He remained in the room for the officer's presentation and 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 22 November 2022 be confirmed and signed as a correct record.

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21/02095/FULLS - 13.07.2021

APPLICATION NO.	21/02095/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	13.07.2021
APPLICANT	Mr And Mrs D Ridge
SITE	Awbridge Danes, Danes Road, Awbridge, SO51 0GF, AWBRIDGE
PROPOSAL	The erection of a pair of ancillary estate cottages, the improvement of an existing estate access, the closure of the existing vehicular access to the Listed House from Danes Road and the improvement of a length of existing estate drive.
AMENDMENTS	Amended Plans received 07.07.22, 12.08.22 & 20.09.22
CASE OFFICER	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. 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. The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 'Awbridge Danes' on the approved plans and shall be limited to a person solely or mainly working, or last working in the management of the Awbridge Danes Estate, or a widow or widower of such a person, and to any resident dependants.**

Reason: To avoid the establishment of a separate unit of accommodation in accordance with Test Valley Borough Revised Local Plan 2016 policies COM2 and COM11.

4. **The development hereby approved shall be undertaken in full accordance with the provisions set out within the Arboricultural Assessment and Method Statement Ref 19316-AA4-CA (barrell, 11th August 2022), Tree Protection Plan ref 19316-6 and Tree management and planting plan ref acta AD/03.**

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.

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 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. 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 soft landscape proposals shall include details of soft boundary treatments to the outside edges of the site. The details shall also include the provision of a legacy tree to the south of Block B of a species to be agreed with the LPA and suitable tree pits for new tree planting. 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. **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.**
9. **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.
10. **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 details shall include the provision of wheel washing, and any other suitable facility, to avoid the deposit of spoil onto the highway network. 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.
11. **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.
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. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no building, structure, walls or fences of any kind shall be erected without the prior written consent of the Local Planning Authority.**
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the setting of heritage assets and local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E9.
14. **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 [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) Policies E1 & E9.
15. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:**
LW/HA02/01A
LW/HA02/02A

LW/HA02/03A

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

- 16. Development shall proceed in accordance with the measures set out in Section 6 of the PEA and Bat Survey (Ecosupport, July 2021). Thereafter, the enhancements shall be permanently maintained and retained in accordance with the approved details.**

Reason: to conserve and enhance biodiversity in accordance with policy E5 of the Test Valley Borough Revised Local Plan (2016).

- 17. Prior to the commencement of development a habitat management plan shall be submitted to and approved by the local planning authority. The plan shall include:**
- i. Description and evaluation of the features to be managed;**
 - ii. Ecological trends and constraints on site that may influence management;**
 - iii. Aims and objectives of management;**
 - iv. Appropriate management options for achieving aims and objectives;**
 - v. Prescriptions for management actions;**
 - vi. Preparation of a work schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);**
 - vii. Personnel responsible for implementation of the plan;**
 - viii. Monitoring and remedial / contingencies measures triggered by monitoring.**

The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority.

Reason: to conserve and enhance biodiversity in accordance with policy E5 of the Test Valley Borough Revised Local Plan (2016).

- 18. No development above DPC level of the proposal hereby permitted shall take place until, details of the measures to be taken to physically and permanently close the existing access to Danes Road have been submitted to and approved in writing by the Local Planning Authority. This approved scheme shall be implemented on first occupation of the ancillary accommodation hereby permitted and, notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no access other than that shown on the approved plan shall be formed.**

Reason: In the interest of highway safety in accordance with Test Valley Borough Revised 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. Attention is drawn to the requirements of the Agreement dated 28th September under Section 106 of the Town and Country Planning Act 1990 which affects this development.

(Note: reference to Condition 12 in the Update Paper was incorrect, and this was amended, verbally by the Officer, at Committee to clarify that the intention was to modify condition 10).

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22/02387/FULLS - 15.09.2022

APPLICATION NO.	22/02387/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	15.09.2022
APPLICANT	Mr Tim Lincoln
SITE	Land to the Rear of 11 Church Street, Romsey, SO51 8BT, ROMSEY TOWN
PROPOSAL	Erection of one dwelling
AMENDMENTS	Amended information received 31.10.22
CASE OFFICER	Paul Goodman

REFUSED for the reasons:

1. By virtue of the scale, bulk and design of the proposal the development would be detrimental to the special architectural and historic importance of the King Johns House heritage asset and its setting. The development would result in less than substantial harm to the significance of this designated heritage asset and the conservation area in which it sits. The public benefits arising from the development would not outweigh this harm. As such, the proposal is considered to be contrary to Policies E9 and COM2 of the Test Valley Borough Revised Local Plan (2016), in addition to paragraph 202 of the National Planning Policy Framework.
2. 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).

3. The site lies within close proximity to the New Forest SPA which is designated for its conservation importance. In the absence of a legal agreement, the application has failed to secure the required mitigation measures in accordance with the Council's adopted 'New Forest SPA Mitigation - Interim Framework'. As such, it is not possible to conclude that the development would not have an in-combination likely significant effect on the interest features of the designated site, as a result of increased recreational pressure. The proposed development is therefore contrary to the Council's adopted 'New Forest SPA Mitigation - Interim Framework', Policy E5 of the adopted Test Valley Borough Revised Local Plan 2016, and the Conservation of Habitats and Species Regulations 2010 (as amended).

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21/02607/FULLS - 23.09.2021

APPLICATION NO.	21/02607/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	23.09.2021
APPLICANT	Mr Mark Weeks
SITE	14 Fairview Close, Romsey, SO51 7LS, ROMSEY TOWN
PROPOSAL	Change of use of amenity land to residential garden - (Retrospective)
AMENDMENTS	None
CASE OFFICER	Kate Levey

DEFERRED to seek advice from Environment & Health on the effect of noise generated by domestic activity taking place in closer proximity to the boundary of No. 5 Windfield Drive and the effect of that activity on the living conditions of that property.

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22/00451/FULLS - 21.02.2022

APPLICATION NO.	22/00451/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	21.02.2022
APPLICANT	Mr Mitesh Patel
SITE	High Pines, Heatherlands Road, Chilworth, SO16 7JB, CHILWORTH
PROPOSAL	Resurfacing driveway, create path, replacement gates and timber fence to the rear boundary
AMENDMENTS	None
CASE OFFICER	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 plans/numbers:
Proposed Plans - 3923-P-02 C
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The proposed internal footpath shall be made of a free draining material, with materials built up and not dug into the existing ground, unless otherwise approved in writing by 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 Borough Revised Local Plan (2016) policy E2.
4. No development shall commence (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. Once installed the fencing shall remain in place and maintained whilst works are being undertaken on site.
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 (2016) policy 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.

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22/01499/FULLS - 16.06.2022

APPLICATION NO.	22/01499/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	16.06.2022
APPLICANT	Mr and Mrs Patel
SITE	High Pines, Heatherlands Road, Chilworth, SO16 7JB, CHILWORTH
PROPOSAL	Replacement dwelling
AMENDMENTS	Re-orientation of garage – P03 A and P04 A
CASE OFFICER	Nathan Glasgow

Delegate to the Head of Planning and Building to seek advice from Environment & Health and then include a suitably worded condition controlling construction hours at the site 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/numbers:
Location Plan - 3986-P-01
Proposed Plans/Elevations - 3986-P-03 A
Proposed Garage - 3986-P-04 A
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 be those as listed on the approved plan 3986-P-03 A, unless otherwise approved in writing by the Local Planning Authority.
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 development hereby approved shall be undertaken in full accordance with the provisions set out within the EcoUrban Arboricultural Implications Assessment and Method Statement reference 201289 - AIA 2 dated August 9, 2022.
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.**
- 5. Development shall proceed in accordance with the measures set out in the 'Bats - Method Statement template to support a licence application' (Pro-vision, undated) unless varied by a European Protected Species (EPS) license modification issued by Natural England. Thereafter, the replacement bat roost features and enhancements shall be permanently maintained and retained in accordance with the approved details.**

Reason: To ensure the favourable conservation status of bats in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).

6. **The second floor window in the south elevation of the development hereby permitted shall be fitted with Level 3 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.

7. **On the day on which the dwelling hereby permitted is first occupied for residential purposes, the existing dwelling on the application site shall cease to be used for any purpose, and within three months of that day, the existing dwelling shall be demolished and the resultant materials cleared from the site in accordance with details to be submitted and approved in writing with the Local Planning Authority.**

Reason: For the avoidance of doubt and in the interests of proper planning, the application has considered the proposal of a replacement dwelling, and the provision of two dwellings would not accord with Policies E1, E2 or E4 of the Test Valley Borough Revised Local Plan (2016).

8. **The garages as shown on the approved plans shall be used only for purposes incidental to the enjoyment of the dwellinghouse and shall not be used for any business, commercial or industrial purposes whatsoever.**

Reason: In the interests of the amenity of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policy COM2.

9. **The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 120 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.

10. **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 details shall include the provision of wheel washing, and any other suitable facility, to avoid the deposit of spoil onto the highway network. 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.

11. **No work relating to the construction of the development hereby approved, including deliveries, collections or works of demolition or preparation prior to operations, shall take place before the hours of 07.30 nor after 18.00 on Mondays to Fridays; before the hours of 08.00 nor after 13.00 on Saturdays; and at all on Sundays and Public Holidays, unless otherwise agreed with the LPA.**

Reason: To protect the amenities of the local residents in accordance with Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).

Note to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to 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 8.45 pm)