

Notice of Meeting

Northern Area Planning Committee

Date: Thursday 20 April 2023
Time: 5.30 pm
Venue: Upper Guildhall, High Street, Andover

For further information or enquiries please contact:
Sally Prior - 01264 368000
sprior@testvalley.gov.uk

Legal and Democratic Service
Test Valley Borough Council,
Beech Hurst, Weyhill Road,
Andover, Hampshire,
SP10 3AJ
www.testvalley.gov.uk

The recommendations contained in the Agenda are made by the Officer and these recommendations may or may not be accepted by the Committee.

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 Northern Area Planning Committee

MEMBER

WARD

Councillor J Budzynski (Chairman)

Andover St Mary's

Councillor T Burley (Vice-Chairman)

Andover Harroway

Councillor C Borg-Neal

Andover Harroway

Councillor Z Brooks

Andover Millway

Councillor D Coole

Anna

Councillor C Ecclestone

Andover Millway

Councillor V Harber

Andover St Mary's

Councillor L Lashbrook

Charlton & the Pentons

Councillor P Lashbrook

Bellinger

Councillor N Lodge

Andover Downlands

Councillor J Neal

Andover Millway

Councillor K North

Andover Romans

Councillor R Rowles

Andover Winton

Northern Area Planning Committee

Thursday 20 April 2023

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 30 March 2023**
- 6 Information Notes 4 - 9**
- 7 22/01516/FULLN - 09.06.2022 10 - 19**

(OFFICER RECOMMENDATION: REFUSE)

SITE: Land adjacent to Brambles, Walworth Road,

ANDOVER TOWN (DOWNLANDS)

CASE OFFICER: Emma Jones

- 8 23/00228/FULLN - 30.01.2023 20 - 25**

(OFFICER RECOMMENDATION: PERMISSION)

SITE: 6 Manor Road, Andover, Hampshire, SP10 3JS,

ANDOVER TOWN (HARROWAY)

CASE OFFICER: Ash James

ITEM 6

TEST VALLEY BOROUGH COUNCIL NORTHERN 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.

In July 2021 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.	22/01516/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	09.06.2022
APPLICANT	Mr B Potheary
SITE	Land adjacent to Brambles, Walworth Road, ANDOVER TOWN (DOWNLANDS)
PROPOSAL	Erection of dwelling; with associated parking, turning, landscaping, private amenity space and access arrangements
AMENDMENTS	Amended plans and information received; <ul style="list-style-type: none">• 05.01.2023
CASE OFFICER	Emma Jones

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee in accordance with the Member and Officer Interests Protocol.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The site is located within the settlement of Picket Piece, Andover. The site lies in between two existing dwellings, and is currently vacant and undeveloped. The site contains an existing mature oak tree.

3.0 PROPOSAL

3.1 The proposal seeks full planning permission for the erection of a detached single storey dwelling with associated parking, turning, landscaping, private amenity space and access arrangements.

3.2 Amended plans and information have been submitted during the consideration of the application, as follows;

- Proposed dwelling amended to a single storey as opposed to a chalet bungalow as originally proposed, and number of bedrooms reduced from three to two;
- Proposed dwelling set back further within the plot;
- Location of proposed replacement trees amended;
- Updated tree assessment.

4.0 HISTORY

4.1 22/00156/FULLN; Erection of dwelling with associated parking, turning, landscaping, private amenity space and access arrangements – Withdrawn - 15.03.2022

4.2 21/01146/DDTPO; To fell two dangerous ash trees which are infected with Ash Dieback. They are situated on land adjacent to the property, close to houses, a footpath and the Walworth Road. (TPO.TVBC.170) – Fell Dangerous TPO Tree – 23.04.2021

5.0 CONSULTATIONS

5.1 **Trees**; Objection (summarised);

- The proposed house, driveway, parking area, turning areas and associated works, by virtue of their location and alignment threaten the retention of an important mature tree protected by a Tree Preservation Order; and prevent the replacement planting of two felled TPO'd. Contrary with Test Valley Borough Revised Local Plan policy E2.

5.2 **Ecology**; Objection (summarised);

- Concern raised regarding the longevity of TPO trees and replacement planting on site, and the ecological impacts as a result (loss in on-site habitats and biodiversity).

5.3 **Highways**; No objection

6.0 **REPRESENTATIONS** Expired 02.03.2023

6.1 **Andover Town Council**; Objection;

- Alteration from the original application not clear;
- No details provided of replacement trees being planted, as per Tree Officer's report;
- No nitrate neutrality assessment within the plans.

6.2 **2 x letters**; Objections from Brambles and Jadeem (both Walworth Road, Picket Piece) summarised as follows;

- Design;
- Noise;
- Over Development;
- Overlooking;
- Character of Area;
- Previous Planning Decisions;
- The building would be out of line of the current properties and would sit further back than the existing houses. This would be unsightly and out of character with the existing houses;
- This planning application seeks to build out of line with existing properties, which will cause overlooking;
- Previous application was withdrawn, and then this application submitted to once again ask for permission for that previously not granted. This is dishonest behaviour and not exactly endearing to future neighbours.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

COM2 - Settlement Hierarchy

COM6 - New Neighbourhood at Picket Piece, Andover

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

T1 - Managing Movement

T2 - Parking Standards

LHW4 – Amenity

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Character and appearance
- Amenity
- Highways
- Biodiversity
- Water management

8.2 **Principle of development**

The principle of the proposed development is acceptable by virtue of the position of the site within the Andover settlement boundary and the allocated new neighbourhood at Picket Piece, as defined by policies COM2 and COM6 of the RLP and the associated inset maps.

8.3 **Character and appearance**

This part of Walworth Road is generally characterised by detached dwellings set within relatively spacious plots, including wide site frontages onto Walworth Road, with the dwellings set back from the road. The proposed dwelling would be in keeping with the street scene and surrounding area in terms of its appearance, scale and materials, being of a simple form including a gabled roof. However, the position of the proposed dwelling, set back towards the rear of the site behind the adjacent existing dwellings, and within an uncharacteristically narrow plot and in particular at its frontage onto Walworth Road, would be at odds with the established building line/pattern of development at this part of Walworth Road. For comparison, the frontage of the site would measure approximately 6m in width, whereas the frontages of the existing plots either side of the application site measure between approximately 16m and 17m in width. The existing dwellings generally also have space around them within their plots, which cannot be said for the application proposal. Whilst back land development is found to the rear of dwellings fronting Walworth Road elsewhere, predominantly as a result of the allocated new neighbourhood at Picket Piece, there is generally a clear distinction between the back land development and the Walworth Road dwellings, for example through the provision of separation space or landscape features. This would not be apparent with this proposal. Overall it is considered that the proposed development would have a cramped appearance when viewed in the street scene with the existing dwellings.

- 8.4 The site contains an existing oak tree towards the frontage, which is subject of a tree preservation order (TPO), and which is considered to be an important landscape feature in the street scene and the surrounding area. The proposed development would have a cramped association with the existing Oak tree, with the proposed driveway, vehicle manoeuvring and parking areas, and the dwelling itself encircling the tree, with new hard surfacing being within the root protection area of the tree on three sides. It is considered that the proposed development would put future pressure on the existing Oak tree to be pruned further, or felled due to proximity and debris, and would reduce the useful life expectancy of the tree.
- 8.5 Two ash trees that were sited adjacent to the existing oak tree, which were also subject of the TPO, have recently been removed from the site due to ash dieback and being deemed as dangerous (see paragraph 4.2 of this report). These trees were also considered to be important landscape features. Tree Preservation legislation places a duty upon landowners to plant replacement trees for those removed. Therefore the applicant is required to plant another two trees which should be planted as close as reasonably practicable to the stumps of the two trees that have been removed. Two new trees are shown on the submitted site plan to be planted at the site – one to the front of the site, and one to the rear, behind the proposed dwelling. The proposed replacement tree to the rear of the site would not have the same visual prominence as the trees that have been felled. Furthermore, the proposed replacement tree to the front of the site would be restrained by surrounding hardstanding, including the existing adjacent footway/highway, and the proposed access/driveway, and it is considered that this would impede the successful growth of this proposed tree, such that it also would be unlikely to have the same visual prominence as the trees that have been felled. Overall, it is considered that the proposed replacement trees would not make the same important contribution to the character of the area as those that were felled.
- 8.6 In conclusion, it is considered that the layout of the proposed development would result in a form of development that would not be of a high quality in terms of design and local distinctiveness, and would not integrate, respect or complement the character of the area, or improve the character, function and quality of the area. Furthermore, the proposed development has not been designed or located to ensure that the health and future retention of important landscape features is not likely to be prejudiced, or that the proposed landscaping and landscape features, to replace the protected trees that have been removed from the site, could be successfully accommodated within the site to enable the proposed development to positively integrate into the landscape character of the area. The proposed development is therefore contrary to RLP policies E1 and E2.
- 8.7 **Amenity**
The main neighbouring properties to consider are the adjacent Ashtree House to the north east, and the adjacent Brambles to the south west. These are both two storey detached dwellings with associated outdoor amenity areas,

enclosed to the rear by close board fencing. It is considered that the single storey nature of the proposed dwelling, with its roof sloping away from these neighbouring properties and their outdoor amenity areas, as well as the proposed separation distances between windows, and the intervening boundary treatments, would mean that the residential amenity of these neighbouring properties would not be adversely affected by the proposed development in terms of a loss of privacy, daylight or sunlight. Overall it is considered that the proposal would provide for the privacy and amenity of its occupants and those of neighbouring properties, and would comply with RLP policy LHW4.

8.8 **Highways**

The proposed internal site layout is considered to be adequate with sufficient space for the safe and efficient manoeuvring of vehicles. The proposed on site car parking provision of two spaces is also in accordance with the Council's adopted parking standards for a two bedroom dwelling, in accordance with RLP policy T2.

8.9 A new vehicular access is proposed onto Walworth Road to serve the proposed development. However, no plans have been submitted to demonstrate that appropriate visibility splays could be provided at the proposed access (within land under the control of either the applicant or the Highway Authority) to ensure that it would provide safe access onto the highway network, taking into account all users, including pedestrians using the adjacent footway. The proposal therefore fails to comply with RLP policy T1.

8.10 **Biodiversity**

The application is supported by an ecological survey, which proposes mitigation measures to ensure that biodiversity is protected and enhanced at the site, and these measures could be secured by condition in the event that planning permission were to be granted. However, as already discussed within this report, the proposed dwelling would be within close proximity of the existing Oak tree on site, and the development overall (with the associated hardstanding etc) would result in limited opportunities for the successful establishment of the required replacement planting of the previously removed trees. The proposal would therefore have implications for the longevity of the existing tree and the proposed replacement planting, and the ecological impacts of this, for example through the loss in on-site habitats and biodiversity, have not been considered. It has not been demonstrated that the proposed development would conserve and enhance biodiversity, and would not be in compliance with RLP policy E5.

8.11 *Nutrient neutrality*

The water environment within the Solent region is one of the most important for wildlife in the United Kingdom. The Solent water environment is internationally important for its wildlife and is protected under the Water Environment Regulations and the Conservation of Habitats and Species Regulations, as well as national protection for many parts of the coastline and the sea.

An Advice Note produced by Natural England (updated in March 2022) advises that there are high levels of nitrogen and phosphorus input into this water environment with sound evidence that these nutrients are causing eutrophication at these designated sites. These nutrient inputs are currently caused mostly by wastewater from existing housing and agricultural sources. The resulting dense mats of green algae are impacting on the Solent's protected habitats and bird species.

- 8.12 There is uncertainty as to whether new growth will further deteriorate designated sites. This issue has been subject to detailed work commissioned by local planning authorities in conjunction with Natural England, Environment Agency and water companies. Until this work is complete, the uncertainty remains and the potential for future housing development across the Solent region to exacerbate these impacts create a risk to their potential future conservation status.
- 8.13 As such, it is Natural England's view that there is a likely significant effect on the internationally designated sites in the Solent due to the increase in waste water from new development providing overnight accommodation. Natural England has advised that one way to address this issue is for new developments to achieve nutrient neutrality to ensure that new development does not add to existing nutrient burdens and that the scheme can be delivered in line with the Conservation of Habitats and Species Regulations 2017 (as amended).
- 8.14 This application is accompanied by a Nitrogen Budget Calculation, demonstrating that the proposed development would result in an increase of nitrates at the site. This would therefore need to be offset. The application submission sets out that "offsite mitigation will be provided via a S106 agreement". No details of what the offsite mitigation would consist of have been provided, and no legal agreement has been completed to secure any such mitigation. As such, it cannot be concluded that the proposal will not result in a likely significant effect on the internationally designated nature conservation sites in the Solent, in accordance with the requirements of the Conservation of Habitats and Species Regulations. As such, the proposal fails to comply with Policy E5 of the RLP.
- 8.15 **Water management**
Policy E7 of the RLP also requires new homes to achieve a water consumption standard of no more than 110 litres per person per day in order to secure increased water efficiency. A condition to this effect could be recommended in the event that planning permission was being granted.
- 9.0 **CONCLUSION**
- 9.1 The layout of the proposed development would result in a form of development that would not be of a high quality in terms of design and local distinctiveness, and would not integrate, respect or complement the character of the area, or improve the character, function and quality of the area. Furthermore, the proposed development has not been designed or located to ensure that the health and future retention of important landscape features is not likely to be

prejudiced, or that the proposed landscaping and landscape features, to replace the protected trees that have been removed from the site, could be successfully accommodated within the site to enable the proposed development to positively integrate into the landscape character of the area.

9.2 In addition, it has not been demonstrated that the proposed vehicular access would facilitate safe access from the site onto Walworth Road such that the function and safety of the highway network for all users would not be adversely impacted. Furthermore, the proposed development has not been designed or located to ensure that the health and future retention of existing and proposed important landscape features would not be prejudiced, and this would have implications for the conservation and enhancement of biodiversity at the site through the potential loss of habitats. It has also not been demonstrated that the proposal can achieve nutrient neutrality. As such, it cannot be concluded that the proposal will not result in a likely harmful significant effect on the internationally designated nature conservation sites in the Solent, in accordance with the requirements of the Conservation of Habitats and Species Regulations and as advised within guidance from Natural England.

9.3 Although the proposed development would have an acceptable impact on the residential amenity of neighbouring properties and of the proposed dwelling itself, this would be outweighed by the harm that has been identified in respect of the other material planning considerations. The proposed development would be contrary to policies E1, E2, E5, E8 and T1 of the Test Valley Borough Revised Local Plan 2016.

10.0 **RECOMMENDATION**

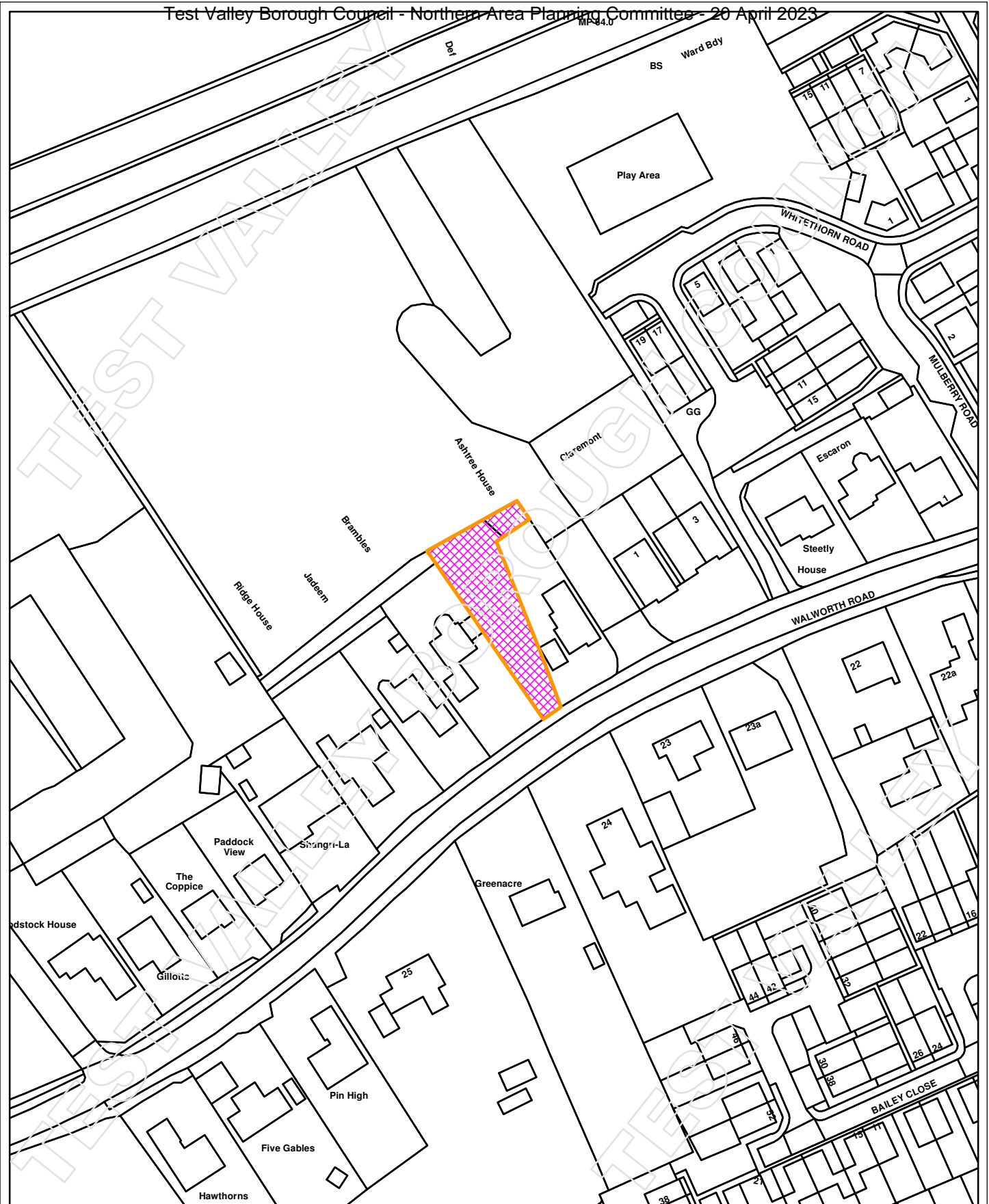
REFUSE for the reasons:

- 1. The layout of the proposed development would result in a form of development that would not be of a high quality in terms of design and local distinctiveness, and would not integrate, respect or complement the character of the area, or improve the character, function and quality of the area. Furthermore, the proposed development has not been designed or located to ensure that the health and future retention of important landscape features is not likely to be prejudiced, or that the proposed landscaping and landscape features, to replace the protected trees that have been removed from the site, could be successfully accommodated within the site to enable the proposed development to positively integrate into the landscape character of the area. The proposed development is contrary to policies E1 and E2 of the Test Valley Borough Revised Local Plan (2016).**
- 2. It has not been demonstrated that appropriate visibility splays would be provided at the proposed vehicular access in order to facilitate safe access from the site onto Walworth Road, such that the function and safety of the highway network for all users would not be adversely impacted. As such, the proposal fails to comply with Policy T1 of the Test Valley Borough Revised Local Plan (2016).**

3. **The proposed development has not be designed or located to ensure that the health and future retention of existing and proposed important landscape features would not be prejudiced, and this would have implications for the conservation and enhancement of biodiversity at the site through the potential loss of habitats. As such, the proposal fails to comply with Policy E5 of the Test Valley Borough Revised Local Plan (2016).**
4. **It has not been demonstrated that the proposal can achieve nutrient neutrality. As such, it cannot be concluded that the proposal will not result in a likely harmful significant effect on the internationally designated nature conservation sites in the Solent, in accordance with the requirements of the Conservation of Habitats and Species Regulations and as advised within guidance from Natural England. As such, the proposal fails to comply with Policy E5 and E8 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.**
-



Siteplan



REPRODUCED FROM ORDNANCE SURVEY MAPPING
 WITH THE PERMISSION OF THE CONTROLLER OF
 HER MAJESTY'S STATIONERY OFFICER © CROWN COPYRIGHT.
 UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT
 AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS.

22/01516/FULLN

revisions	date
A	22.09.22
B	28.07.22

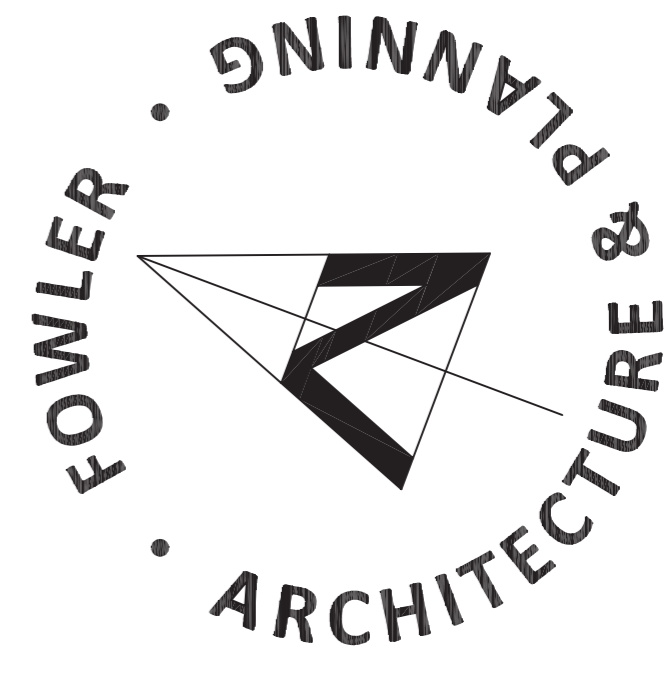
Contractors, Sub Contractors and Suppliers are to check all relevant dimensions and levels of site and buildings before commencing any step drawings or building work.
This drawing is copyright and may not be reproduced in any part of form without the written consent of Fowler Architecture and Planning

project
LAND ADJACENT TO BRAMBLES
Picket Piece

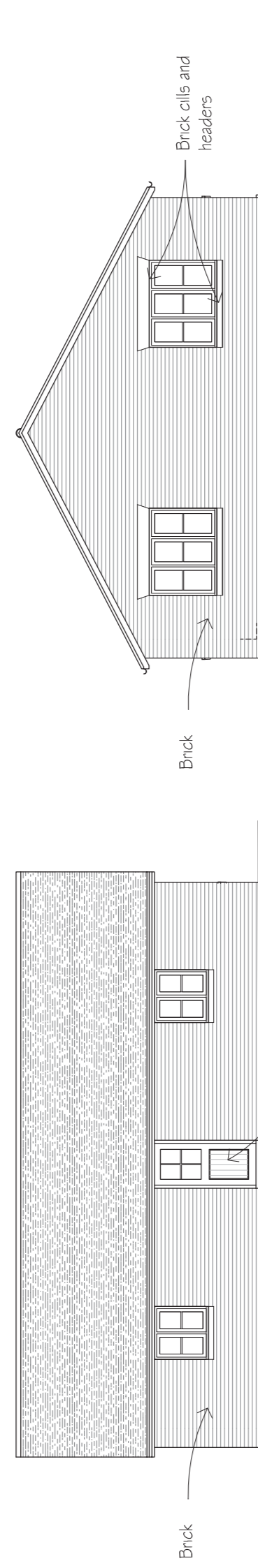
Design Scheme

scale	drawn by	date
1:200/100@A1	CR	June '22

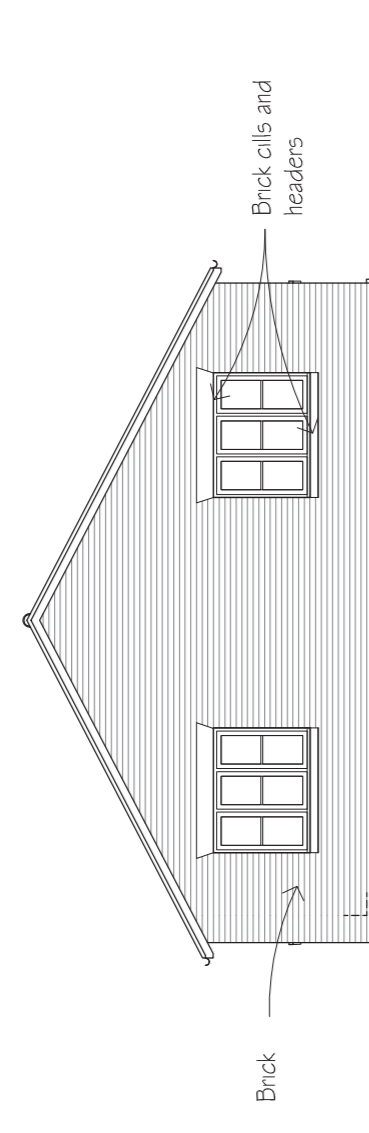
drawing no	rev
201102-150	B



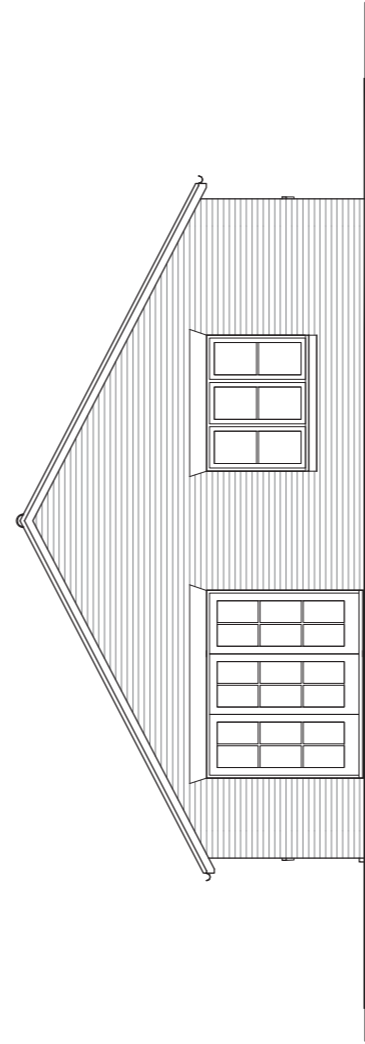
39 High Street
Pewsey
Wiltshire
SN9 5AF
tel (01672) 569444
fax (01672) 569488
enquiries@faap.co.uk



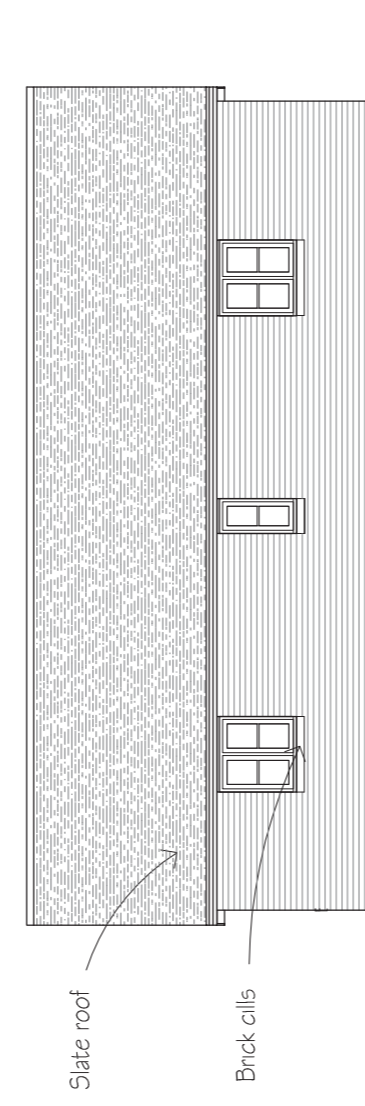
North east elevation
1:100



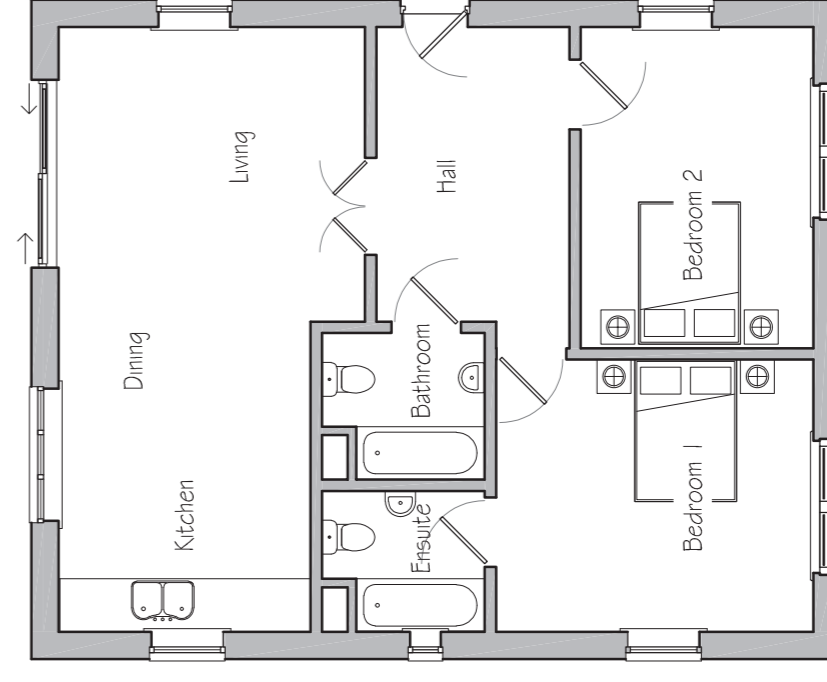
South east elevation
1:100



North west elevation
1:100



South west elevation
1:100



Ground floor plan
1:100



Site plan
1:200

ITEM 8

APPLICATION NO.	23/00228/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	30.01.2023
APPLICANT	Mr and Mrs Wayne Owen
SITE	6 Manor Road, Andover, Hampshire, SP10 3JS, ANDOVER TOWN (HARROWAY)
PROPOSAL	Demolish single storey side extension, erection of two storey side and single storey rear extension
AMENDMENTS	Amended plans to set the two storey side extension back by 1.4m from the principal elevation – received 28.03.2023
CASE OFFICER	Ash James

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee in accordance with the Member and Officer Interests Protocol.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is a two storey detached dwelling, located within the Andover Town (Harroway) Parish. The property features brick and render exterior walls, artificial slate tiles, and UPVC windows and doors. There is an existing driveway to the front of the property which is accessed from Manor Road and provides parking for two cars.

3.0 PROPOSAL

3.1 The application is for a two storey side extension to the south elevation, and a single storey rear extension. The materials proposed which match those on the existing property. No changes to the access or parking arrangements are proposed.

4.0 HISTORY

4.1 22/00082/FULLN - Single storey side and rear extensions to replace existing. PERMISSION subject to conditions and notes. 11.03.2022.

5.0 CONSULTATIONS

5.1 **Highways:** No objection.

6.0 **REPRESENTATIONS** Expired 06.03.2023

6.1 **Andover Town Council:** No response.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

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

Policy SD1 – Presumption in Favour of Sustainable Development
Policy COM2 – Settlement Hierarchy
Policy E1- High Quality Development in the Borough
Policy E2 - Protect, Conserve and Enhance the Landscape
Policy E5 - Biodiversity
Policy LHW4 – Amenity
Policy T2 – Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring property
- Impact on ecology
- Impact on parking provision

8.2 **Principle of development**

The site lies within the settlement boundary as defined on the Inset Maps of the TVBRLP. In accordance with Policy COM2 of the TVBRLP development is permitted provided the proposal is appropriate to other policies of the Revised Local Plan. The proposal is assessed against relevant policies below.

8.3 **Impact on the character and appearance of the area**

There is some variation of design within the properties of Manor Road, as such there is no defined uniformed appearance within the street scene. Views of the side extension would be visible within the street scene. The extension has been designed so that it would appear in keeping with the host dwelling. The two storey element is set back approximately 1.4m from the principal elevation of the dwelling and the proposed ridge line is stepped down from existing. There is a separation gap of approximately 2.9m between the proposed side extension and the nearest neighbouring property no. 4 Manor Road, this distance combined with the slight change in land levels between the properties reduces any terracing effect as would be perceived in the street scene. The proposal also includes matching materials to ensure that it is in keeping with the host property.

8.4 The single storey rear extension is located in a position such that limited public views would be possible. Any glimpsed views of the proposal would be seen in the context of the existing dwelling and in this respect the proposal would not adversely affect the character and appearance of the area, in compliance with Policies COM2 and E1 of the TVBRLP.

8.5 Policy E2 of the TVBRLP seeks to ensure that development does not have a detrimental impact on the landscape character of the area. The proposal does not result in the loss of important local features such as trees or hedges, therefore it is considered that the proposal would not have a detrimental impact on the appearance of the immediate area and the landscape character of the area within which it is located, in accordance with E2 of the TVBRLP.

8.6 **Impact on amenity of neighbouring property**

Overshadowing

The proposal is situated on the southern elevation of the property. Given the orientation of the site, with the immediate neighbour to the south, no. 4 Manor Road, any shadow caused by the development will cast back onto the host dwelling and its front and rear garden, thus the proposal would not have an adverse impact on the neighbouring property in terms of overshadowing.

8.7 *Outlook and Overbearing*

The proposal would bring built form closer to the side elevation of no. 4 Manor Road and its two windows at first floor level which serve a bathroom and a hallway. The proposal would result in a separation gap of approximately 2.9m between the extension and the side elevation of no.4 Manor Road. It is considered that the extension would not result in a significant change to the existing outlook from these windows and by virtue of the separation distance and the nature of the use of these rooms a feeling of overbearing would not arise.

8.8 *Privacy*

There are no new windows proposed on the side elevation at first floor level, and whilst the additional windows to the rear elevation at first floor level would be capable of providing additional overlooking opportunities, this is not considered above mutual overlooking available between the neighbouring properties. Therefore the proposal would not give rise to an adverse impact on the living conditions of neighbouring properties by virtue of loss of privacy, shadowing, outlook or overbearing. The proposal is in accordance with Policy LHW4 of the TVBRLP.

8.9 **Impact on ecology**

During a site visit, the roof tiles and soffits were deemed to be in good condition, and the Agent confirms that the roof was replaced circa 2011 and fitted with artificial slates. Giving consideration to the age and condition of the roof, the proposal is not considered to give rise to any adverse impacts on existing habitat or on-site ecology and this has been confirmed by TVBC's Ecologist, however an informative note has been added to remind the applicants their duty the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. The proposal is in accordance with Policy E5 of the TVBRLP.

8.10 **Impact on parking provision**

Due to internal rearrangements the proposal does not give rise to an additional demand for car parking or result in the loss of existing car parking spaces to serve the dwelling, the parking arrangement remains as existing, in accordance with the parking standards as set out in Annex G and Policy T2 of the TVBRLP.

9.0 **CONCLUSION**

9.1 The principle of the development is considered acceptable in accordance with policy COM2. The proposal would not have a detrimental impact on the character and appearance of the area nor an adverse impact on the neighbouring properties. In addition to this the proposal is considered to be in accordance with policies E1, E2, E5, LHW4, and T2 of the TVBRLP.

10.0 **RECOMMENDATION**

PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan: 1081/15 A.
Reason: For the avoidance of doubt and in the interests of proper planning.**

Notes 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.**
 2. **Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**
-



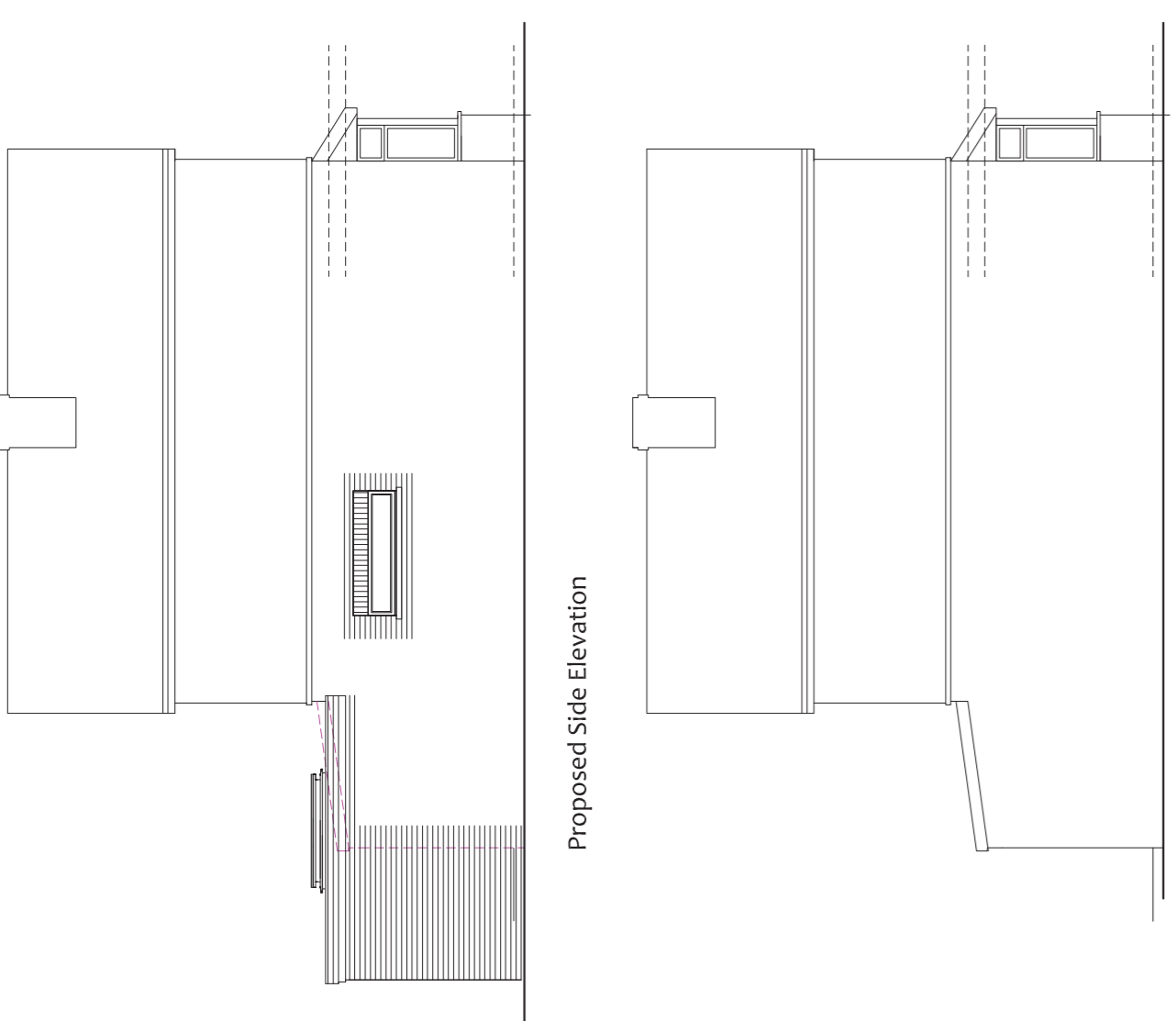
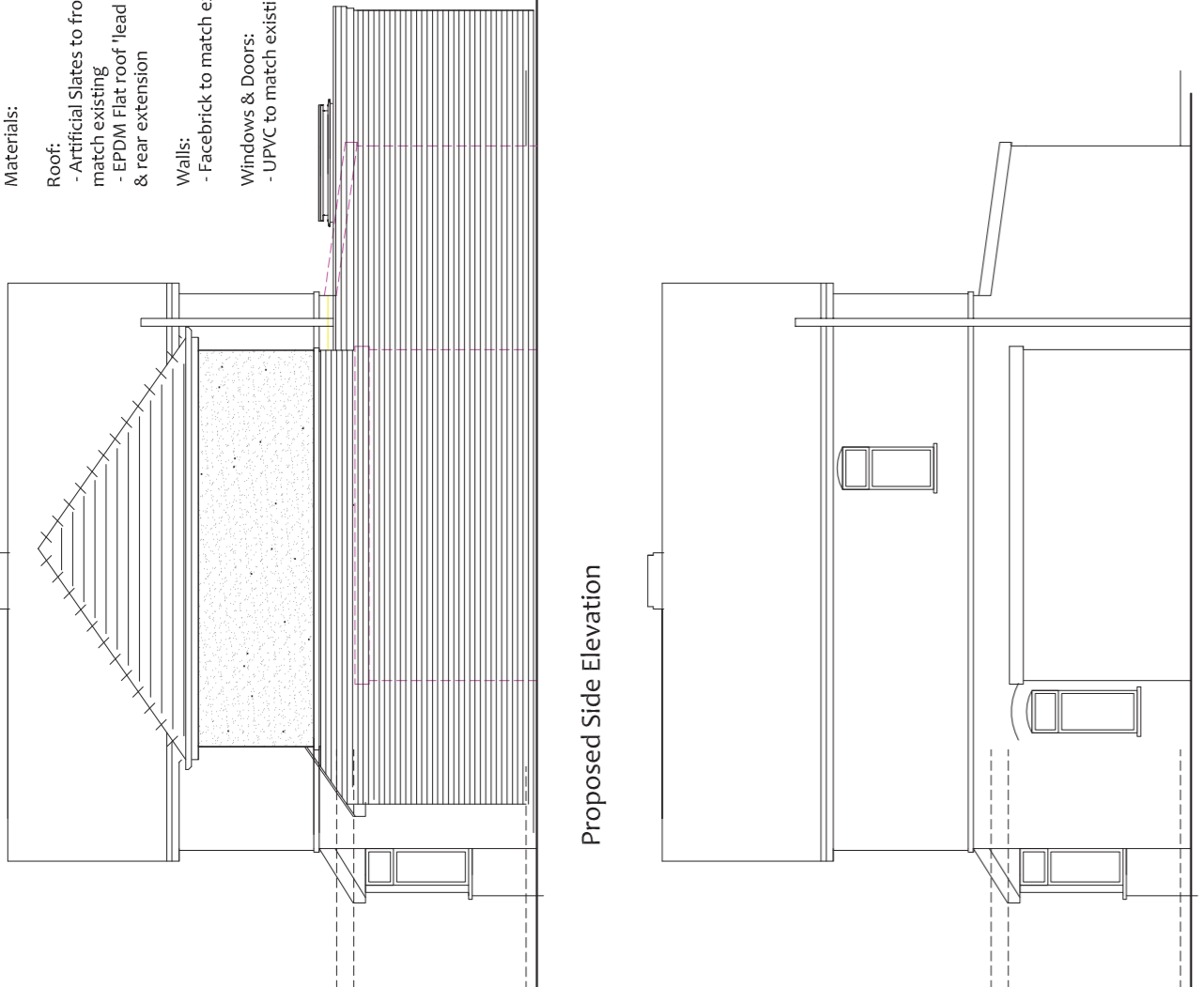
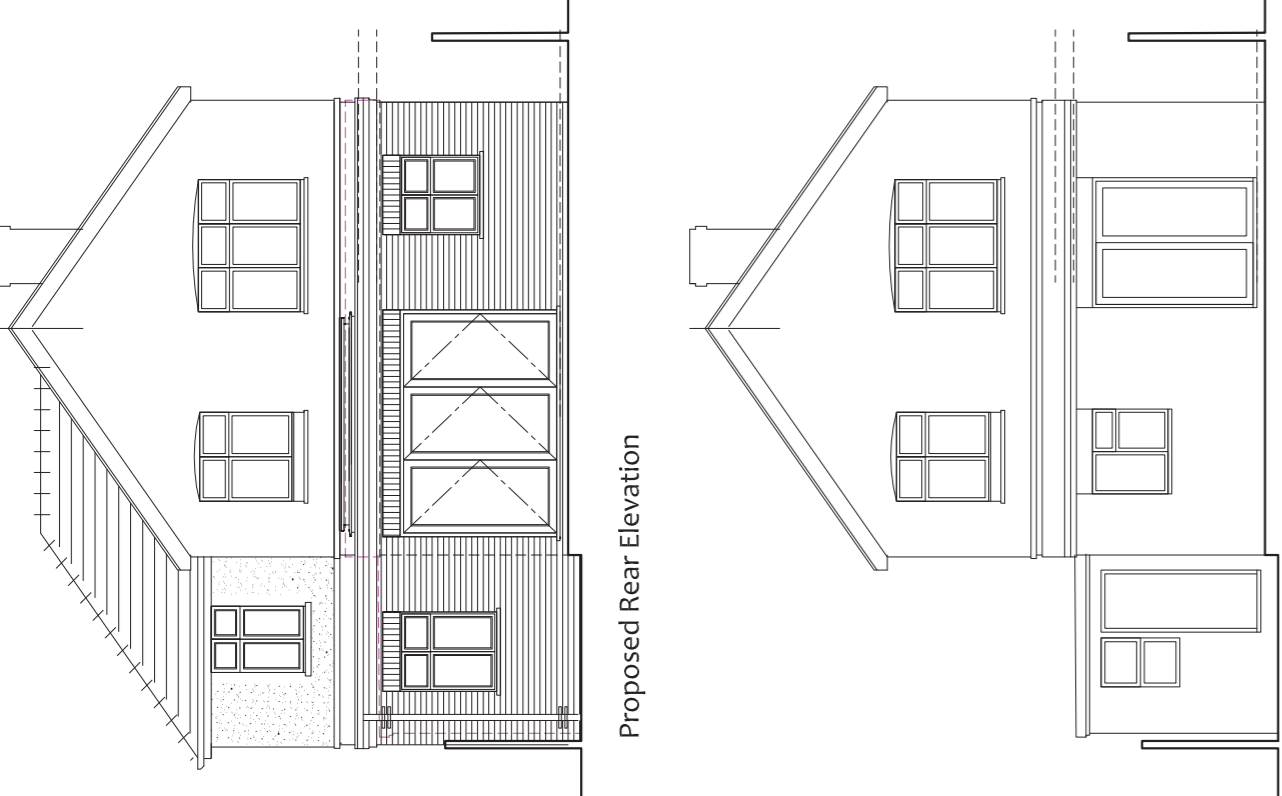
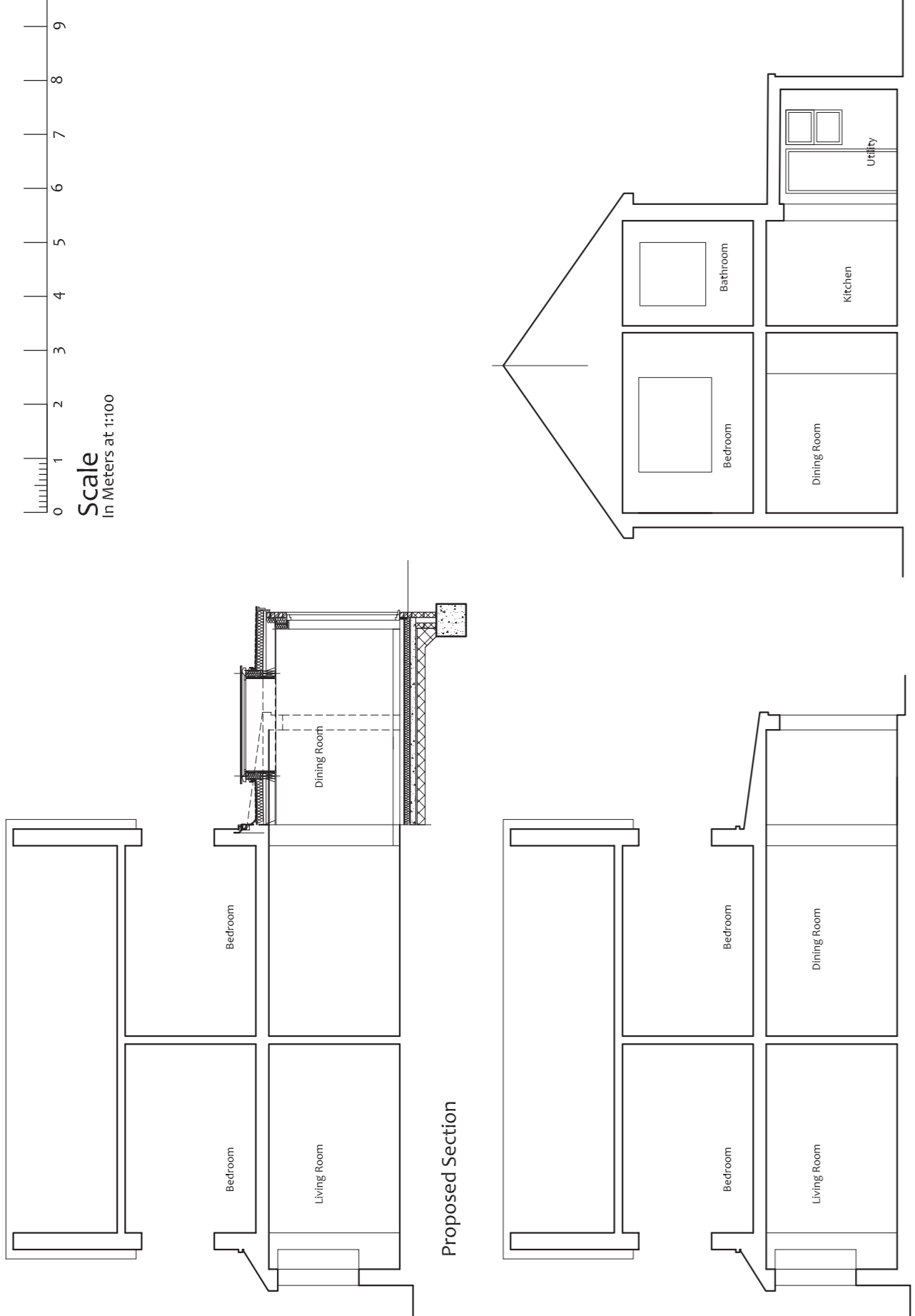
Siteplan



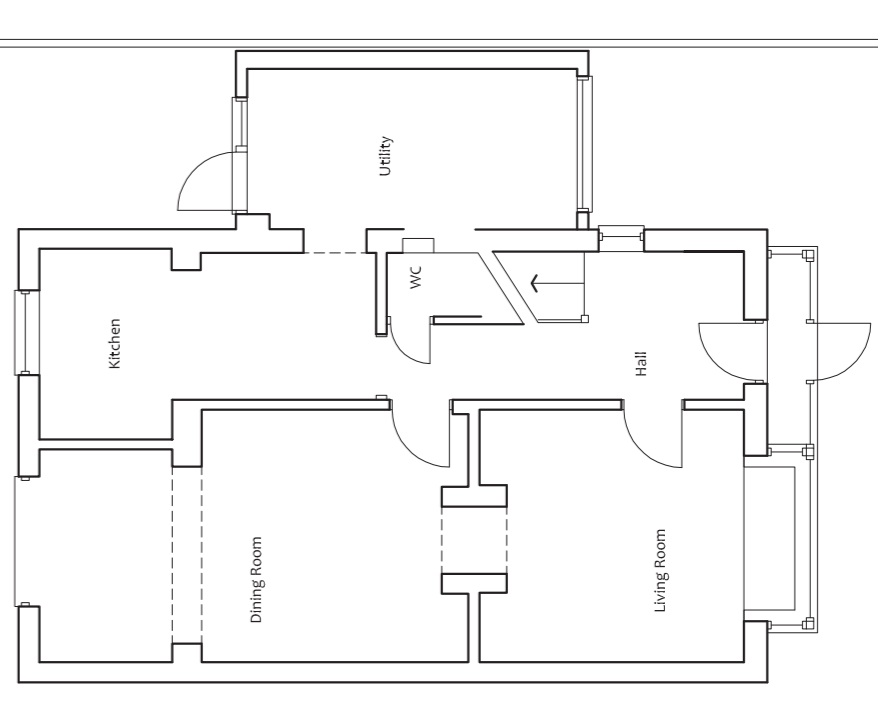
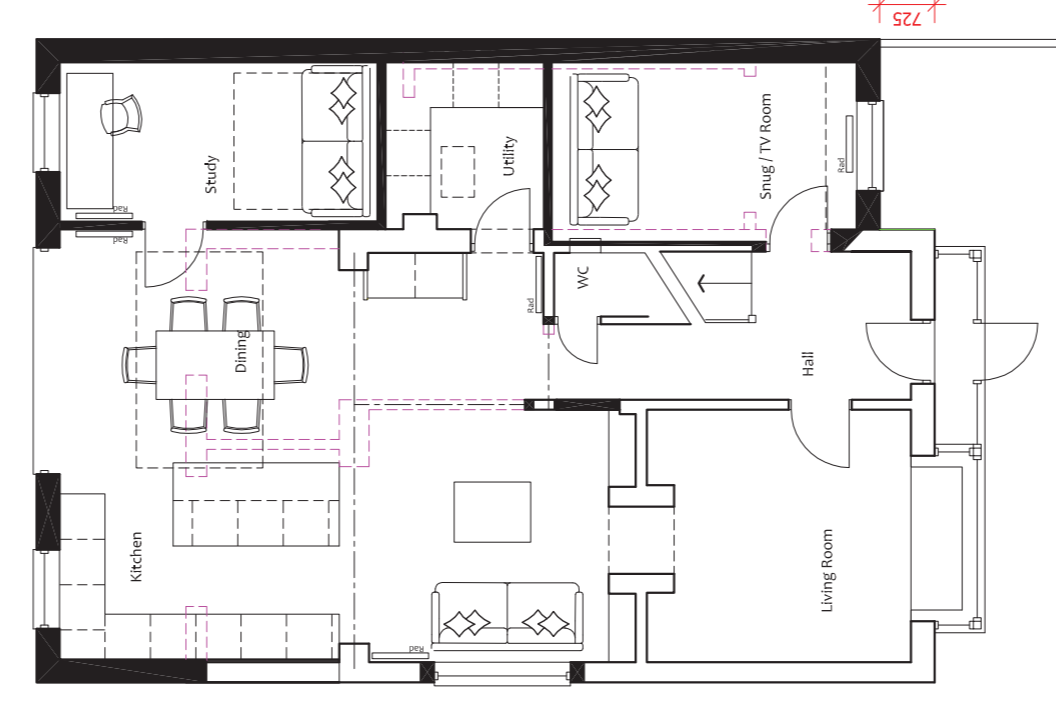
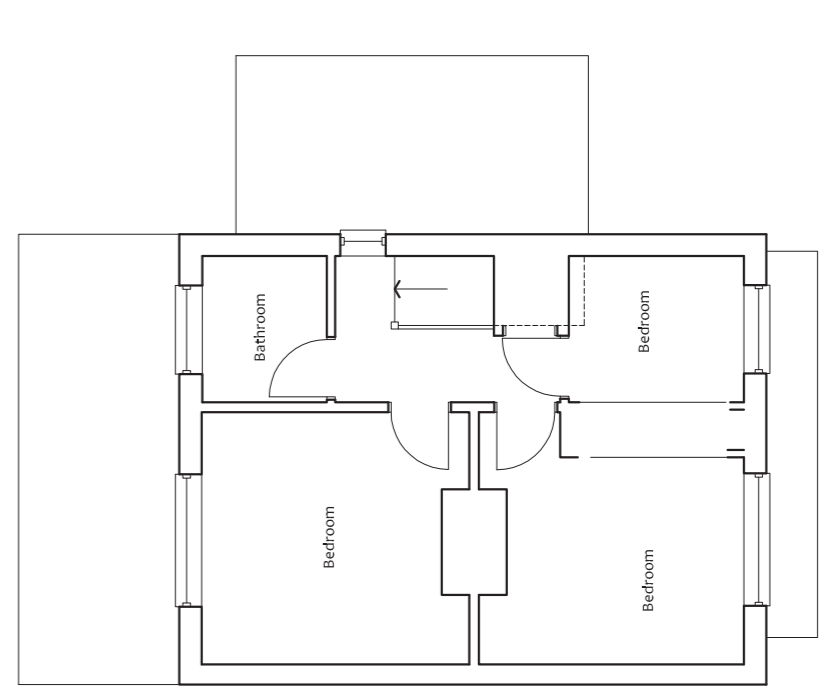
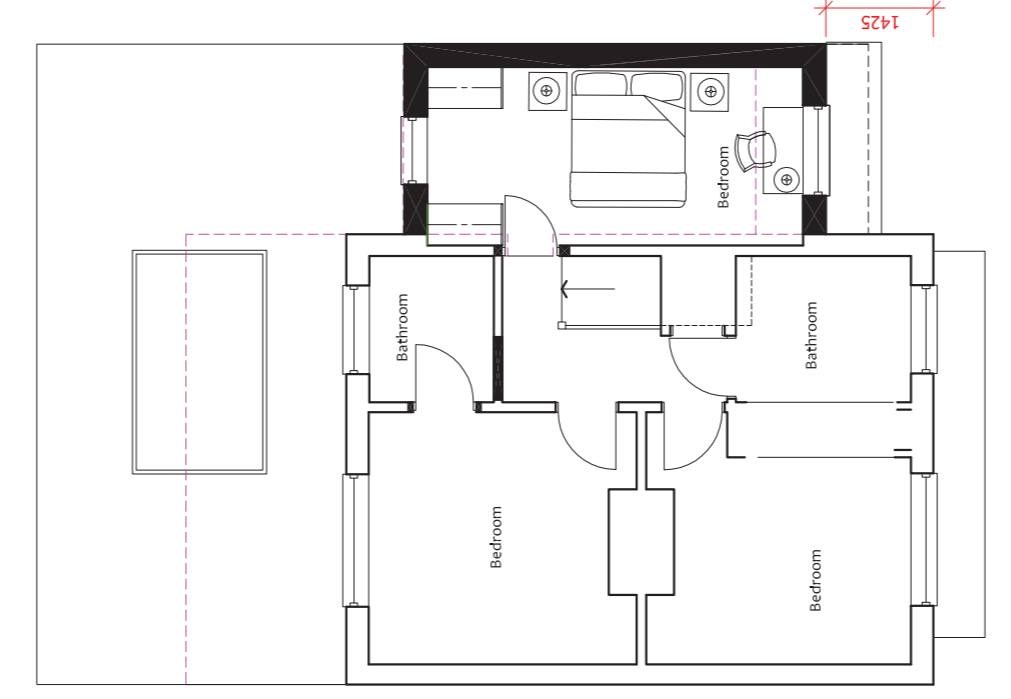
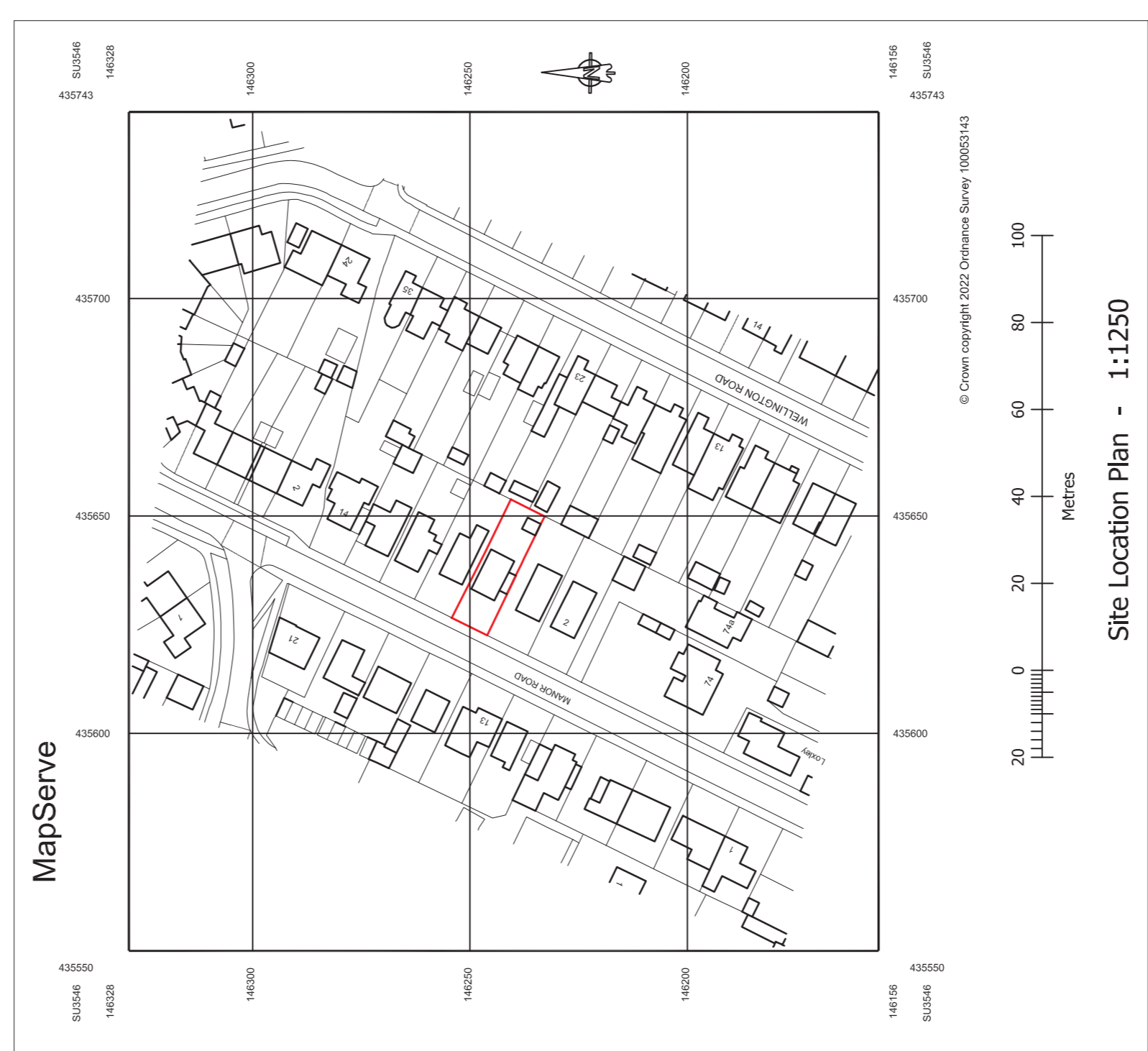
REPRODUCED FROM ORDNANCE SURVEY MAPPING
 WITH THE PERMISSION OF THE CONTROLLER OF
 HER MAJESTY'S STATIONERY OFFICER © CROWN COPYRIGHT.
 UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT
 AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS.

23/00228/FULLN

Scale
in METERS at 1:100



Materials:
Roof: -Solid tiles to form pitched roof to match existing.
-EPDM flat roof 'lead grey' to part side & rear extension
Walls: -Feedback to match existing
Windows & Doors: -UPVC to match existing



BUILDING DESIGN SERVICES
architectural services
1 Pelican House, New Street, Andover
SP10 1DR
T: 01264 333604

PROJECT: 6 MANOR ROAD,
ANDOVER,
SP10 3JS

DRAWING: FLOOR PLANS, ELEVATIONS
SITE LAYOUTS

SCALE: 1:100, 1:200, 1:1250@A1 DATE: JAN 2023
DRWG NO: 1081 / 16

The Drawings Copyright © Building Design Services or its licensors. All drawings to be checked on site prior to commencement. Any discrepancies to be brought to the attention of clients agent immediately.
All drawings to be read in conjunction with relevant Engineering drawings and specifications.
Full approval of any work as stated or uncovered to be obtained by either Client or Building Design Services Project.

ALTERNATIVE SCHEME - OPTION 1
PLANNING APPLICATION DRAWING