

## Notice of Meeting

# Northern Area Planning Committee

**Date:** Thursday 20 July 2023

**Time:** 5.30 pm

**Venue:** Conference Room 1, Beech Hurst, Weyhill Road, Andover,  
Hampshire, SP10 3AJ

**For further information or enquiries please contact:**

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**Legal and Democratic Service**

Test Valley Borough Council,  
Beech Hurst, Weyhill Road,  
Andover, Hampshire,  
SP10 3AJ

[www.testvalley.gov.uk](http://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**

<b>MEMBER</b>	<b>WARD</b>
Councillor J Budzynski (Chairman)	Andover St Mary's
Councillor Z Brooks (Vice-Chairman)	Andover Millway
Councillor I Andersen	Andover St Mary's
Councillor C Borg-Neal	Andover Harroway
Councillor C Donnelly	Andover Downlands
Councillor A Gillies	Andover Winton
Councillor L Gregori	Andover Harroway
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 J Sangster	Andover Romans

## **Northern Area Planning Committee**

Thursday 20 July 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 29 June 2023**
- 6 Information Notes 4 - 9**
- 7 22/01992/FULLN - 04.08.2022 10 - 91**  
  
**(OFFICER RECOMMENDATION: PERMISSION)**  
SITE: Land West of Finkley Farm Road, Andover,  
**ANDOVER TOWN (ROMANS)**  
CASE OFFICER: Samantha Owen
- 8 TPO.TVBC.1256 92 - 102**  
  
**(OFFICER RECOMMENDATION: CONFIRM)**  
SITE: Trees along south side of Micheldever Road behind  
21b Wolversdene Road, Andover, SP10 2AY **ANDOVER**  
**TOWN (WINTON)**  
CASE OFFICER: Rory Gogan
- 9 23/01373/ADV N - 26.05.2023 103 - 109**  
  
**(OFFICER RECOMMENDATION: CONSENT)**  
SITE: A Plan Insurance, 7 Bridge Street, Andover, SP10  
1BE, **ANDOVER TOWN (WINTON)**  
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.

### **The Natural Environment and Rural Communities (NERC) Act 2006 and Environment Act 2021**

The Council has a duty under the Environment Act 2021, from the 1<sup>st</sup> January 2023, to ensure consideration is given to what can be done to conserve and enhance biodiversity through the exercise of its functions, agree policies and specific objectives based on those considerations and to act to deliver these policies and achieve objectives.

Previously the Council had 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 secured either by condition or, where appropriate, legal Obligation 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 and enhanced, 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

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<b>APPLICATION NO.</b>	22/01992/FULLN
<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	04.08.2022
<b>APPLICANT</b>	Taylor Wimpey West London
<b>SITE</b>	Land West of Finkley Farm Road, Andover, <b>ANDOVER TOWN (ROMANS)</b>
<b>PROPOSAL</b>	Erection of 102 dwellings and 350 sqm Class E retail convenience store and sub-station, including access, parking, public open space, landscaping, drainage and associated earthworks
<b>AMENDMENTS</b>	Additional Plan showing the proposed cycling improvements received 25 May 2023 Amended plans to reflect the changes to accommodate the concerns of the Designing out Crime Officer received 31 May 2023.
<b>CASE OFFICER</b>	Mrs Samantha Owen

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

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### 1.0 INTRODUCTION

- 1.1 This application was previously considered at the Northern Area Planning Committee (NAPC) on 30 March 2023 with a recommendation for Permission. Members deferred the application for the reasons set out below in paragraph 1.2. Members must now consider the application again in light of the contents of the original report together with this subsequent report dealing with the matters the subject of the deferment.
- 1.2 The Committee deferred the application to enable Officers to provide further information to Members with regard to:
- Education provision and why no contributions have been sought by the Education Authority;
  - The requirement for additional surgery and dentist facilities;
  - Sustainable Transport improvements particularly in relation to cycling that could be justifiably be provided in relation to the scheme;
  - The effective management of the non-adopted roads within the proposed scheme;
  - The supply of water to the proposed development;
  - The comments of the Designing out Crime Officer in relation to the current scheme.
- 1.3 Since the application was previously heard at NAPC on 30 March, there has also been a change to the wording of Condition 12 to bring the deliveries to the commercial premises into line with the Northern Local Centre, this has been agreed by Environmental Protection.

- 1.4 The Council's updated Infrastructure SPD was adopted in June 2023 and is a material planning consideration for this application. The SPD sets out what infrastructure is required for development. This application has been reviewed alongside the requirements of the new SPD and is considered to be in accordance with this SPD.

## 2.0 **CONSULTATIONS**

### 2.1 **Hampshire County Council (HCC) – Education Authority**

The Education Authority previously did not request a contribution towards education provision and the current post holder is unable to provide an explanation of why this decision was made. The Education Authority responded to the further consultation as follows;

The development will generate a total of 23 additional primary age children and 16 secondary age children. The development is served by Endeavour Primary School which has capacity and would be able to accommodate the additional children yielded from this development therefore no contribution is requested. The development site is served by Winton Academy which is currently full and an expansion of the school is being undertaken to mitigate for new development in the area and increase the secondary age population. A contribution is required to mitigate the impact of the additional 16 secondary school age children coming from this development. The requested contribution is **£523,072**. This contribution will go towards the planned expansion of Winton Academy to be completed by September 2024, this will include a new assembly hall space, two new science labs, two new general teaching spaces and additional facilities and storage.

### 2.2 **HCC - Early Years Education (EYE)**

Existing provision is mostly full to capacity, therefore parents with younger children from this development may need to travel to access childcare in the Andover area or more widely if commuting elsewhere to work. The LPA have queried directly with the HCC EYE Team whether they require any mitigation from the development and they have not requested any mitigation in the form of contributions or otherwise.

### 2.3 **Integrated Care Board (ICB) – GP provision**

The proposed development is for 102 dwellings and this will create an estimated population of 245 new residents based on an average household size of 2.4 persons. The two GP surgeries that serve this development are Charlton Hill Surgery and Shepherds Spring Medical Centre. These practices are supportive of the ICB's response in respect of this application. It is envisaged that the vast majority of the residents of the proposed development will register as patients with these practices, though occasionally GP surgeries will allow registrations from outside of catchment if the population from one development is too significant for one practice to manage.

The two catchment surgeries are oversubscribed by some 7,808 patients as of April 2023, they are undersized for increased population and will not be able to absorb the patients from the new development. Having no or limited access to the primary care will have a knock on effect on secondary healthcare in particular A and E services as those people who cannot access primary care will present themselves at A and E. The only way to mitigate the impact is to increase the physical capacity of the existing surgeries. The ICB has carefully calculated the space needed to mitigate the development utilising the document "Health Contributions Approach: GP Provision document" which was agreed by NHS England. This generated a contribution of **£62,720**. The contribution is not large enough on its own to undertake an expansion project so the ICB requests the contribution is ring-fenced for a future expansion project relating to Andover Primary Care Network's (PCN) practices which can be drawn down on once a project is viable.

#### **2.4 NHS England – Dentistry**

NHS Dentistry has been hugely impacted by Covid and is still facing shortages in the workforce to deliver NHS Dental Services. Unlike GP surgeries people can access NHS dentistry elsewhere for example in a neighbouring town. There are 4 general NHS dentists within Andover and one surgery that provides surgery and Orthodontics. If Dentistry services are required in an area the NHS undertakes a procurement process to deliver additional services. Future procurements would take account of the demand generated from this development. No financial contribution towards the provision of new dental services has been requested.

#### **2.5 Designing out Crime Officer (DoC)**

- The movement of the meeting space does address my concern about passing through the meeting place. However, the East West route, must be: wide, lit to BS 5489-1:2020, planting about the footpath must not obscure natural surveillance nor create a place in which a person might lie-in-wait unseen.
- The changes to the position of the rear garden gate reduces the vulnerability of those using the gate and the dwelling to crime. However, the connectivity between the two blocks of dwellings is still present. It is unfortunate that this cannot be removed.
- The fencing around the apartment blocks and the segregation of the gardens will provide private space about the ground floor apartments, which will reduce the opportunities for crime and disorder.

### **3.0 PLANNING CONSIDERATIONS**

#### **3.1 (i) Education provision**

The Education Authority previously provided advice on the 14<sup>th</sup> December 2022 advising that there was no requirement for a contribution towards Education. At the NAPC meeting on 30 March 2023 Councillors raised concern with regard to this response as they were aware other housing schemes within Andover during the same period had been asked for a



contribution. The Education Authority were asked to confirm why a contribution was not required. They responded and advised that a contribution should have been requested and they were unclear as to why the previous advice had been given. The site is served by Endeavour Primary School which has capacity sufficient to absorb the projected primary school age children that would be generated by this development. Secondary school aged children would be served by Winton Community Academy, this school is currently full. HCC is undertaking a £5.6 million planned expansion to be completed by September 2024 and this development would require a contribution of £523,072 to be paid towards this expansion. The applicant has agreed to pay this contribution and this will be secured through a section 106 legal agreement.

### 3.2 HCC Early Years Education (EYE)

The development would have a high number of 3, 4 and 5 bedroom homes which is most likely to indicate families with children. Within the Andover Romans Ward there is currently 4 x Full Day Care settings, 5 Childminders plus 1 x Full Day Care and 4 EYE settings in the neighbouring Andover Downlands Ward. All settings currently have high demand and nationally there is a shortage in qualified early years staff taking up positions within the early years sector which adds to the pressure. The local planning authority (LPA) has queried directly with the HCC EYE team whether they require any mitigation from the development and they have not requested any mitigation in the form of contributions or otherwise.

### 3.3 **(ii) The requirement for additional Surgery and Dentist facilities.**

#### GP Surgeries

The provision of GP surgeries and dentist facilities is overseen by the Integrated Care Board (ICB). The ICB plans and commissions health care services from providers and has delegated responsibility for commissioning primary health care services. Delivering GP services in a new location represents a challenge for the ICB as no new General Medical Services (GMS) contracts are now available. Therefore, for the new location to operate, either:

- The existing GMS service providers will have to relocate/expand; or
- A new Alternative Provider of Medical Services (APMS) or Personal Medical Services (PMS) contract will need to be created and procured for the new premises' location

### 3.4 At the moment the ICB does not hold capital and does not own buildings, the procurement of new premises is either by:

- Third-Party development (where a third-party developer funds the capital to build a new building, owns it and charges a commercial rent via a normally 25 year lease that represents the developer's return on capital, with the ICB reimbursing that rent); or
- GP owner-occupied scheme (where the GPs own and develop but receive a notional rent, as described above), to fund the cost of the build.

Either way, such developments are most likely to occur for occupiers who hold an existing GMS or PMS contract, as APMS contract holders will not have a sufficient contract term to either enter a 25-year lease or invest in a new GP premises development.

- 3.5 The proposed development is for 102 dwellings and this will create an estimated population of 245 new residents within the development based on an average household size of 2.4. The GP surgeries with catchment boundaries including the proposed development are:

- Charlton Hill Surgery
- Shepherds Spring Medical Centre

It is envisaged that the vast majority of the residents of the proposed development will register as patients with these practices, though occasionally GP surgeries will allow registrations from outside of their catchment if the registration of the new population from a development is too significant for one practice to manage. In relation to the above GP surgeries, it is important to note that they are currently oversubscribed by 7,808 patients as of April 2023. The practices are significantly undersized for the existing population and will not be able to absorb the increased patient numbers arising from the proposed development.

- 3.6 The only way to mitigate the impact is to increase the physical capacity of the existing surgeries. The ICB has calculated the space needed to mitigate the impact, drawing upon the document "Health Contributions Approach: GP Provision document" which was agreed by NHS England. The calculation for the proposed contribution is as follows

1. Residential development of 102 dwellings.
2. The current patient list is already over capacity
3. The increased population from this development = 245
  - No of dwellings x Average occupancy rate = population increase
  - $102 \times 2.4 = 245$
4. Additional GP space required to support this development = 19.6 m<sup>2</sup>
  - The expected m<sup>2</sup> per patient, for this size practice = 0.08m<sup>2</sup>
  - Population increase x space requirement per patient = total space (m<sup>2</sup>) required
  - $245 \times 0.08 = 19.6\text{m}^2$

Total contribution required = **£62,720**

- Total space (m<sup>2</sup>) required x premises cost = final contribution calculation
- $19.6 \text{ m}^2 \times £3,200 = £62,720$  (£615 per dwelling)

- 3.7 The contribution of £62,720 is directly linked to the proposed development and is fairly and reasonably related in scale and kind to the development. This funding on its own will not be enough to undertake an expansion project, so the ICB requests that the contribution is ring-fenced for a future expansion project relating to Andover Primary Care Network which can be drawn down

once a project is viable, deliverable and affordable to the practices. It cannot be guaranteed that this money will go to expanding the two surgeries noted above, the ICB will determine how best to deliver services within Andover and will spend the money on a viable project that will increase patient access to health services across the town. TW have agreed to pay the contribution and this will be secured through a S106.

### 3.8 Dental Services

NHS Improvement and the Integrated Care Board (ICB) have been responsible for the provision of dental services since July 2022. NHS Dentistry has been hugely impacted by Covid and is still facing challenges relating to shortages in the workforce. NHS Dentists are secured through a procurement process. The procurement process identifies needs, evaluates existing contracts and procurement options and then seeks to secure a formal agreement of a services contract. In Hampshire procurement has recently been carried out in Southampton, Havant, Portsmouth and Gosport. At present Andover has the following dental surgeries;

General Dental	Weyhill Road Dental Practice	8 Weyhill Road	Andover	SP10 3AA
General Dental	Blue Hayes Dental Surgery	Western Road	Andover	SP10 2JQ
General Dental	Wellum House Dental Practice	2 Winchester Road	Andover	SP10 2EG
General Dental	Andover Dental Practice	45 Charlton Road	Andover	SP10 3YJ
Orthodontic	Dental Concepts	Unit 1B, 132 Weyhill Road	Andover	SP10 3BE
Oral Surgery	Dental Concepts Andover	Unit 1B, 132 Weyhill Road	Andover	SP10 3BE

- 3.9 NHS England have also advised that unlike doctor's surgeries which rely on specific locations to draw their patients from you are able to secure an NHS dentist effectively anywhere, this may be in the town you work or a neighbouring town to where you live. Andover will be reviewed among the other local areas and procured accordingly, the additional population from this development would be taken into account in future procurements to ascertain if further NHS dentists are required. No financial contribution towards the provision of new dental services has been requested.

### 3.10 **(iii) Sustainable Transport improvements particularly in relation to cycling that could be justifiably be provided in relation to the scheme.**

In the previous Committee report the LPA raised concern and did not support the Highway Authority in the request for a contribution of £187,000 towards sustainable transport improvements as it was considered that the request contribution had not been justified in accordance with the relevant CIL tests. Members requested further work was carried out into this issue and the LPA and the Highway Authority have had further discussions. In discussions with the Highway Authority it was clear that they were able to show that without

providing some mitigation to the cycle network in the area the proposed development would result in a highway safety issue. The applicant's Walking, Cycling and Horse Riding Assessment and Review (WCHAR) confirmed that there were deficiencies in infrastructure along Smannell Road, which is supported by accident data involving cyclists and cars, at the Roman Way/Cricketers Way roundabout. The increased traffic from this development would further exacerbate the highway safety issue that has been identified and therefore mitigation is required.

- 3.11 Following further discussions with the Highway Authority and the applicant a solution was discussed that would improve the cycling infrastructure at these roundabouts. The proposal includes the following improvements;
- 3-4m footway/cycleway provision on the southern aspect of Roman Way in the vicinity of the junction;
  - Parallel crossing on Roman Way;
  - Cycle crossing on Smannell Road;
  - 3m cycleway on southern aspect of Smannell Road in the vicinity of the junction;
  - 3m cycleway provision on Cricketers Way in the vicinity of the junction.

This arrangement has been designed to enable cyclists to better navigate the roundabouts in a safer way when travelling from Roman Way onto Smannell Road and Cricketers Way.

- 3.12 The Highway Authority is satisfied the scheme demonstrates a proportionate improvement for cyclists manoeuvring the junction. The works would be carried out by the Highways Authority in accordance with the scheme put forward by the applicant which has been costed and the contribution of £187,000 is considered reasonably and fairly related in scale and kind to the development proposal which will be secured through a section 106 legal agreement. The works will be part of a comprehensive strategy that will be developed further via the emerging TVBC Local Cycling Walking Infrastructure Plan which will look to improve walking and cycling provision on this route.

3.13 **(iv) The effective management of the non-adopted roads within the proposed scheme**

At the previous NAPC meeting there was debate that the internal roads will not be offered for adoption and instead will be managed by a Management Company. The developer is proposing to use a crated drainage soakaway system that is located under the roads. The Highways Authority advised that they would not adopt roads with this proposed drainage system as this drainage system can lead to depressions within the road requiring repair. Since the previous NAPC meeting further discussions with the Highways Authority have been held to discuss what the issue is with the drainage system. The Highways Authority has advised that the failure of the road and the creation of depressions would only occur if the proposed crated drainage system was not adequately maintained. The system is seen as a long term maintenance liability by the Highways Authority and this is why they do not adopt this drainage system.

- 3.14 The crated drainage system must be kept clear of silt and debris to perform at its optimum level. There are a number of features within the crated drainage system that seek to keep debris and silt out of the system and these include catch pits and silt traps. These will be installed to prevent silt and debris entering the crated drainage system. Before entering the crated drainage system water will pass through the granular surrounds of the tank and a geotextile wrapping both of which will help stop silt and debris entering the crated drainage system. The manufacturer's guidelines for the crated drainage system states that the frequency of inspection will depend on each site and would need to be ascertained by regular inspections initially to determine silt and debris build up. This would be the responsibility of the Management Company. Once this is ascertained this will inform a maintenance regime to clear silt and debris which will then be the responsibility of the Management Company to follow.
- 3.15 If debris has entered the crated drainage system it would be sucked out of the soakaway using a Jet Vac system. The manufacturer's guidelines for maintenance require the catch pits, control manholes, interceptors and inspection chambers to be inspected regularly. The soakaways will need to be inspected after every major storm event. A plan showing the maintenance points for the crated drainage system under the roads has been provided by the applicant. A condition requiring details of the maintenance regime of the crated drainage system to be submitted to and approved by the local planning authority has been recommended. The maintenance regime will be the responsibility of the Management Company.
- 3.16 Further information has been supplied by the applicant regarding the ground structure and in combination with the Flood Risk and Drainage Strategy Report the ground conditions are considered suitable for a crated drainage system and this has been reviewed and agreed by an engineer of the Council. A letter from the applicant's engineer was received on the 30<sup>th</sup> June 2023 detailing installation of the crated drainage system and why they will be appropriate to use under a road. This additional information has been reviewed by the Interim Head of Building Control who is satisfied that the crated drainage system would satisfy the requirements of Part H of the Building Regulations.
- 3.17 Concern was also expressed by Members at the previous NAPC meeting that the roads were to be managed by a Management Company and how this would impact on future residents. The use of Management Companies to maintain roads is not unusual within developments of this size and any future residents would know that they would need to pay into the Management Company at the time of purchasing their property. Further discussions with the applicant have occurred since the previous NAPC meeting and they have provided further details on how the Management Company would be set up and operated. The main points are as follows;
- Taylor Wimpey (TW) would set up Resident Management Company Structure (RMC) prior to first occupation.
  - 2 Directors from Taylor Wimpey will stay on the Management Company until after the last unit is sold.

- 1 Director from the Registered Housing Provider (RHP) will also become a Director of the Management Company.
- The Management Company will appoint a Managing Agent who will deal with the day to day running of the Management Company following a tender process carried out by the RMC
- An annual budget will be set by the Managing Agent including paying into a reserve fund which will increase over time and will fund longer term maintenance/replacement costs.
- Any new owner will be made aware of the Management Company and the costs they will be liable for.
- The applicant has committed to rectify any defects with the road/drainage within the first five years of completion.

3.18 The Council's Solicitor has looked across the details submitted by the developer and is satisfied with the proposed set up of the Management Company in principle. Further information will need to be agreed regarding the Management Company including the regularity of meetings and financial details and this will be secured through the section 106 legal agreement.

3.19 It is considered that the road will be located within structurally stable chalk and utilising a crated drainage system would be acceptable in this geology. The reason why the Highways Authority will not adopt roads with crated drainage underneath them is due to the maintenance liability and whilst this is noted this does not mean that when appropriately managed crated drainage will not be a successful drainage system. The level of maintenance is understood and conditioned so that once agreed the Management Company would take responsibility for the maintenance of the drainage system and ensure that they operate effectively. Following further information from the applicant's engineer, the Interim Head of Building Control has advised that he is satisfied that the crated drainage system as proposed would meet Building Regulations.

3.20 **(v) The supply of water to the proposed development**

Southern Water were consulted following the deferment of the application at NAPC and they confirmed that they can supply water to the development and they can also facilitate foul water disposal for the development. In their response they raised an initial objection to the proposed drainage strategy. The site is located above a Groundwater Protection Zone (SPZ1) and it was considered that the drainage strategy does not include sufficient consideration of the principal chalk Aquifer or the associated public water supply and as such Southern Water requested enhanced treatment mitigations for the site. A meeting was held between the applicant, the local planning authority and Southern Water on the 29<sup>th</sup> June 2023 and the outstanding issues were resolved. Additional plans were submitted on the 29<sup>th</sup> June 2023 to reflect the discussion. Southern Water are now satisfied with the drainage strategy being proposed and have raised no objection subject to a condition. Condition 7 has been updated and the wording agreed with Southern Water.

**3.21 (vi) The comments of the Designing out Crime Officer in relation to the current scheme**

The Designing out Crime Officer (DoC) previously provided advice on the 20<sup>th</sup> September 2022. The DoC Officer made a number of recommendations that they suggested would help prevent crime and disorder on the development. These suggestions have to be balanced out against the quality of the environment being created. At the NAPC meeting of the 30<sup>th</sup> March 2023 it was asked whether the DoC Officer had seen the final Committee Report and how the Officer had balanced out their comments. Committee Reports are not routinely sent to be considered by consultees who have commented on the scheme and the Committee Report had not been seen by the DoC Officer. It was requested that the DoC Officer had sight of the Committee Report and whether they agreed with the conclusions reached.

3.22 Following NAPC and prior to contacting the DoC Officer their original comments were reviewed and further changes to the proposed scheme were put forward by the Case Officer and agreed with the applicant. These included reviewing the proposed landscaping to ascertain how this would impact on surveillance across the site and relocating rear access gates that open onto alleyways. The DoC Officer welcomed these changes but on reviewing the Committee Report also raised concern about the proposed meeting space location in the central landscape strip and the private amenity spaces of the ground floor flats not being segregated from each other.

3.23 Further changes to the layout were made to address these concerns and they are detailed below:

Movement of Meeting Place in central landscape strip

The DoC Officer raised concern that the main pedestrian route that crossed the central landscape strip passed through a meeting area with seats and that this could attract groups of people that could be intimidating to other users. The DoC Officer advised that this could be improved if the main pedestrian route through this meeting space was a straight line path where users could see the exit as they entered. This was acknowledged and the plans now show that the central meeting place has been moved to the south so that it is still part of the site layout but the main route across the landscape area is now a more direct route. Lighting for the development has been conditioned. The Landscape Officer has also advised that the landscaping will still allow for surveillance due to the trees being planted as quite mature specimen's meaning the crown of the trees will be higher and keeping hedges lower will allow views across the site. The landscaping will be maintained by the Council as all public open space is to be adopted. In an email of the 1<sup>st</sup> June 2023 the DoC Officer advised that the movement of the meeting place did address his concerns.

3.24 Private amenity space for ground floor flats.

Flat blocks A, B and C show that the ground floor flats have an area of patio space to the rear, this is located within a larger space that is bounded on all sides by hedging and a lockable gate to restrict access. The DoC Officer raised concerns that the occupiers of these ground floor flats at present could wander across the whole area and right up to their neighbours' windows and patio areas. To help provide the ground floor flats with an area of private space segregated from their neighbour, railings are proposed that effectively separate the garden into two halves, meaning that access between neighbouring plots is no longer possible. The DoC Officer has acknowledged this and advises that the segregation of the gardens will reduce the opportunities for crime and disorder.

3.25 Relocation of rear garden gates

Plots 1, 2 and 3 and 90, 91 and 92 were originally designed so that their rear garden gates opened out onto an alleyway between the rear boundary and the neighbouring house. The DoC Officer raised concerns about this and the existence of the alleyway. The alleyways cannot be removed from the scheme as this would increase bin dragging distances to an unacceptable level. Notwithstanding this, rear garden access to these plots have been altered so that residents would enter and exit their rear garden gate into an area with greater surveillance. Plots 1 and 2 now have access gates on the northern boundary facing the open space whilst Plot 3 has an access gate to the south which would face onto the car parking area. Plots 90 and 91 exit from their gardens onto the landscaped path that runs along the southern boundary of the site whilst Plot 92 has access on the northern boundary that leads to and from the car parking area. The DoC Officer acknowledges that these changes reduce the vulnerability of those using the gate and the dwelling to crime.

3.26 Since the previously deferred report more work has been done with the DoC Officer to further prevent crime and disorder on the development. Whilst most of the changes proposed by the DoC Officer have been accommodated the DoC Officer still has an outstanding objection as there is still a high level of permeability through the site. This is noted but the overall layout of the development would be impacted negatively if all permeability was removed. As such, whilst the concerns of the DoC Officer are noted permeability plays an important role in allowing residents to navigate through the development to areas of public open space and other facilities. It also plays a role in creating spacious developments with areas of attractive green space that are easily accessible. This permeability is also necessary for the developer to meet the requirements for bin dragging distances. It is considered that the changes that have been made to the layout do reduce the risk of crime and disorder to an acceptable level and whilst the permeability of the development remains this is necessary to ensure the development allows future occupiers access to facilities and to facilitate effective waste collection. It is considered that the development does accord with Policy CS1 of the RLP.



**4.0 CONCLUSION**

- 4.1 It is considered that the reasons for deferral as set out in para 1.2 of this report have now been addressed and provide conclusions on the points raised by Members at the NAPC meeting of the 30<sup>th</sup> March 2023.

**5.0 RECOMMENDATION**

**Delegate to the Head of Planning and Building that, subject to the completion of a satisfactory legal agreement to secure; mitigation land to offset the nitrogen load from the development, affordable housing provision and associated financial contribution, two adaptable dwellings built in accordance with Building Regulations standard M4(2) Category 2, the Framework Travel Plan and associated approval and monitoring fees, a Travel Plan Bond, transfer of onsite public open space to Test Valley Borough Council and associated commuted sum for its long term management and maintenance, details of the Management Company for the management and maintenance of internal roads and financial contributions towards: a). off-site public open space provision, b). off-site highway works c). doctor's surgeries and d). education provision; 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 occupation of the development authorised by this permission shall not begin until the following highways works are complete and operational;**
  - Highway improvement works shown on Drawing Number 18087/100 REVD or 06-034/1261B and 06-034/1262B hereby approved have been implemented in accordance with either of these drawings and;**
  - the North Way/Finkley Arch "L" Improvements as set out in Schedule 12, Part 1 of the S106 Agreement that accompanies the Outline permission TVN.09258 as permitted on 13<sup>th</sup> August 2008 and shown on Drawing Number 06-034-02-135 REV B**

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

- 3. The development hereby permitted shall not be carried out except In complete accordance with the details shown on the submitted plans, numbers;  
Proposed Floor Plans - Plan Ref no. 22016 P152 - Version Building D - 04/08/22  
Composite Plan - Proposed - Plan Ref no. 22016 P151 - Version Blocks B \_ C - 04/08/22  
Composite Plan - Proposed - Plan Ref no. 22016 P150 - Version Building A - 04/08/22  
Composite Plan - Proposed - Plan Ref no. 22016 P161 - Version A bin/cycle \_ substation - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P160 - Version  
Garages - 04/08/22**

**Proposed Elevations - Plan Ref no. 22016 P153 - Version Building D  
- 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P137 - Version Plot  
72 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P136 - Version Plot  
63-64 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P135 - Version Plot  
60-61 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P134 - Version Plot  
59 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P143 - Version Plot  
22 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P142 - Version Plot  
84 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P141 - Version Plot  
93-95 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P140 - Version Plot  
87-89 - 04/08/22**

**Site Location Plan - Plan Ref no. 22016 S101 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P110 - Version  
Plots 1-3 and 90-92 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P111 - Version  
Plots  
4-5 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P112 - Version  
Plots 10, 27, 28, 58, 81 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P113 - Version  
Plots 11-12, 65-66, 74-75 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P117 - Version Plot  
17 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P118 - Version  
Plots 18-20 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P119 - Version Plot  
35 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P120 - Version  
Plots 24 and 62 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P121 - Version  
Plots 25-26, 82-83, 85-86 - 04/08/22**

**Composite Plan - Existing - Plan Ref no. 22016 P122 - Version Plot  
29 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P123 - Version Plot  
30 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P114 - Version Plot  
13 and 102 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P115 - Version Plot  
14-15 and 97-98 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P116 - Version  
Plots 16, 21 and 23 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P128 - Version Plots 36-37 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P129 - Version Plots 38-39 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P130 - Version Plots 40-41 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P131 - Version Plots 50-51 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P132 - Version Plots 52-53 and 54-55 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P133 - Version Plots 56-57 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P124 - Version Plots 31-32 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P125 - Version Plots 33, 71 and 96 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P126 - Version Plots 73 and 99 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P127 - Version Plot 34 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P138 - Version Plots 76-77 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P139 - Version Plots 78-80 - 04/08/22**  
**Site Layout - Plan Ref no. 22016 P103B - Version Affordable housing layout – 31/05/23**  
**Details - Plan Ref no. WWL/E5020/001 D - Version Levels strategy layout – 31/05/23**  
**Details - Plan Ref no. WWL/E5020/002 D - Version Drainage strategy layout – 31/05/23**  
**Details - Plan Ref no. 22016 P104B - Version Boundary materials layout – 31/05/23**  
**Details - Plan Ref no. 22016 P105B - Version Building material layout - 31/05/23**  
**Site Layout - Plan Ref no. 22016 P101F - 31/05/2023**  
**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1001 PL05 - Version (1 of 5) – 31/05/23**  
**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1002 PL05 - Version (2 of 5) – 31/05/2023**  
**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1003 PL05 - Version (3 of 5) – 31/05/23**  
**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1004 PL05 - Version (4 of 5) – 31/05/23**  
**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1005 PL05 - Version (5 of 5) – 31/05/23**  
**Details - Plan Ref no. 06-034/1262 B - Version Sheet 2 - 30/10/22**  
**Details - Plan Ref no. 06-034/1261 B - Version Sheet 1 - 30/10/22**  
**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 1 - Version Sheet 1 – 31/05/23**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 2 - Version Sheet 2 – 31/05/23**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 3 - Version Sheet 3 – 31/05/23**

**Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 1 - Version Sheet 1 – 31/05/23**

**Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 2 - Version Sheet 2 – 31/05/23**

**Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 3 - Version Sheet 3 – 31/05/23**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 4 - Version Sheet 4 – 31/05/23**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 5 - Version Sheet 5 – 31/05/23**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 6 - Version Sheet 6 – 31/05/23**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1100 PL06 -**

**Landscape Legend – 31.05.23**

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

- 4. No development shall commence on site until a construction traffic management plan has been submitted to and approved in writing by the Local Planning Authority, which shall include:**

- (a) A programme of and phasing of demolition (if any) and construction work;**
- (b) The provision of long term facilities for contractor parking;**
- (c) The arrangements for deliveries associated with all construction works;**
- (d) Methods and phasing of construction works;**
- (e) Access and egress for plant and machinery;**
- (f) Protection of pedestrian routes during construction;**
- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;**
- (h) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e. wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process.**

**Demolition and construction work shall only take place in accordance with the approved management plan.**

**Reason: In the interest of the amenities of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8 and T1.**

- 5. No development shall take place (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence**

of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure a safe living/working environment in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.

6. Prior to the commencement of construction activity including site clearance or groundworks, a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The CEMP shall detail the significant risks posed to amenity from the emission of noise, vibration, light and dust and set out the mitigation measures to be employed to control such emissions and mitigate the effects of such emissions on sensitive land uses. The CEMP shall include details of the site compound location(s). The construction activity shall only take place in accordance with the approved CEMP.

**Reason:** In the interest of the amenities of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

7. No development shall commence until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment and Drainage Strategy, has been submitted and approved in writing by the Local Planning Authority. The submitted details shall be implemented as approved and must include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment and Drainage Strategy.
- b. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- c. Further information on turbidity generation and pollution prevention controls

**Reason:** To ensure satisfactory surface water drainage on site in accordance with Policy E7 of the Test Valley Borough Revised Local Plan 2016.

- 8. No development shall commence until the tree protection as shown on Drawing Number 1826-KC-XX-YTREE-TPP01REVA has been installed and at least 2 working days' notice of development commencing given to the local planning authority. The Tree Protection shall be retained and maintained for the full duration of the construction phases of the development. No activities shall take place within the protected areas.**

**Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy E2 of the Test Valley Borough Revised Local Plan 2016.**
- 9. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:**

  - a) No dwelling shall be occupied until a connection between it and the adopted highway has been constructed to at least binder course level for use by pedestrians, cycles and vehicles.**

**The development shall be carried out in accordance with the approved details.**

**Reason: To ensure that the roads, footway, footpath and cycleways are constructed to an appropriate standard to serve the development in accordance with Policy T1 of the Test Valley Borough Revised Local Plan 2016.**
- 10. No construction activity shall be carried out and no deliveries taken at or despatched from the site except between the hours of 07:30 hours and 18:00 hours Monday to Friday and 08:00 hours and 13:00 hours on Saturday and not at any time on Sundays, Bank or Public Holidays.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**
- 11. No percussive or vibratory piling work shall be conducted on site until a noise and vibration assessment has been conducted and a scheme of mitigation measures has been submitted to and agreed in writing by the local planning authority. The agreed mitigation measures shall be carried out in accordance with the approved details.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8**
- 12. All deliveries and waste collections to the retail unit shall be restricted to between 08.00 - 20.00 hours Mondays to Saturdays and at no time on Sundays or Bank Holidays, with the following exception:**

  - i) One delivery of newspapers between 06.00 to 08.00 hours daily by means of a light goods vehicle (i.e. not exceeding 3.5 tonnes maximum gross vehicle weight) is permitted.**
  - ii) Deliveries (in addition to the newspaper delivery) between 09.00 to 16.00 hours on Sundays and Bank Holidays is permitted.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 13. The commercial premises within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101B shall only be open between the hours of 0700 and 2300 hours on any day.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 14. Prior to the installation of any fixed external plant, or externally venting plant in connection with the commercial use hereby permitted within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101B, a specification of the proposed plant to be installed, including details of noise emissions, shall be submitted to and approved in writing by the local planning authority. The specification and accompanying details shall be implemented as approved.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 15. No artificial lighting shall be brought into use or illuminated unless back plates or other mitigation measures have first been installed where necessary to ensure that light at any residential property does not exceed 2 lux after 2300 hours when the light is illuminated. All such mitigation measures shall thereafter be permanently retained.**

**Reason: To safeguard existing and future residents from artificial light pollution having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**

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

**a. Maintenance schedules for each drainage feature type and ownership**

**b. Details of protection measures**

**Reason: To ensure satisfactory surface water drainage on site in accordance with Policy E7 of the Test Valley Borough Revised local Plan 2016.**

- 17. No development shall take place above DPC level of the development hereby permitted until a scheme showing EV Charging Points and Solar PV Panels has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**

18. Prior to the occupation of the first dwelling an implementation plan for the delivery of the landscaping as shown on the submitted plan, Drawing Numbers dated 31 May 2023:  
TWWL 23988 11 DR-SHEET 1  
TWWL 23988 11 DR-SHEET 2  
TWWL 23988 11 DR-SHEET 3  
TWWL 23988 11 DR-SHEET 4  
TWWL 23988 11 DR-SHEET 5  
TWWL 23988 11 DR-SHEET 6  
shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: To ensure the provision, establishment and maintenance to a suitable standard of the approved landscape designs to create and maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and to contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.
19. The apartment blocks hereby permitted, referred to as Blocks A, B, C and D on Drawing No. 22016/C101B shall not be occupied until the residential bin store associated with that apartment block has been fitted with internal lighting to allow for the safe use of the residential bin stores by future occupiers. The bin stores hereby permitted will be secured by a digi lock which shall be retained and maintained in good working condition thereafter.  
Reason: To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.
20. No development shall take place above DPC level of the development hereby permitted until an Employment and Skills Plan to encourage and promote skills and training in the construction industry in accordance with the Construction Industry Training Board (CITB) Client Based Approach to developing and implementing an Employment Skills Strategy on Construction projects, Local Client Guidance – England, v2, CITB and the National Skills Academy 2016 has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: Details are required prior to commencement in order to identify and provide skills needs and training delivery in accordance with Test Valley Borough Revised Local Plan 2016 policy ST1.
21. Prior to the occupation of the dwellings hereby permitted a lighting strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Strategy shall comply with BS 5489-1:2020. The development shall be carried out in accordance with the approved details.  
Reason: To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.



22. No dwelling hereby permitted shall be occupied until the parking and manoeuvring space associated with that dwelling has been provided in accordance with Drawing Number 22016/C101B 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.
23. Prior to occupation a maintenance plan for the surface water drainage shall be 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 satisfactory surface water drainage on site in accordance with Policy E7 of the Test Valley Borough Revised Local Plan 2016.
24. The commercial premises hereby permitted shall not be brought into use until the bin store associated with that commercial use has been fitted with internal lighting to allow for the safe use of the commercial bin stores. The bin store will be secured by a digi lock that has a different code to the adjacent residential bin store and the digi lock shall be retained and maintained in good working condition thereafter.  
Reason: To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.
25. Development shall proceed in accordance with the measures set out in Section 5 'Mitigation' and Section 6 'Enhancement Opportunities' of the Land West of Finkley Farm Road, East Anton, Andover, Preliminary Ecological Appraisal (RPS, July 2022). Thereafter, the mitigation and enhancement measures shall be permanently maintained and retained in accordance with the approved details, with a report from a qualified Ecologist providing confirmation and evidence to the Local Planning Authority within 6 months of final occupation.  
Reason: To ensure the favourable conservation status of protected species and enhance biodiversity in accordance with the Natural Environment and Rural Communities Act 2006, the NPPF and Policy E5 of the Test Valley Revised Local Plan DPD.
26. The communal parking areas as shown on Drawing No. 22016/C101B will be marked by the painting of numbers on the ground to each residential unit to which they are allocated. The car parking spaces shall be marked prior to the occupation of the dwelling they are allocated to.  
Reason: To ensure satisfactory parking levels are retained on site in accordance with Policy T2 of the Test Valley Borough Revised Local Plan 2016.
27. Rear access gates to all residential properties shall be fitted with a key operated lock that operates from both sides and shall be suitable for exterior use.  
Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with the adopted Local Plan, Policy CS1.

- 28. The retail convenience store hereby permitted shall be restricted to Use Class E (a) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 and for no other purposes within Class E of that Order.**

**Reason: To protect amenities of neighbouring uses and ensure adequate parking in accordance with policies T2 and E8 of the Test Valley Borough Revised Local Plan 2016.**

- 29. 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.**

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**Report to Northern Area Planning Committee 30.03.23**


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<b>APPLICATION NO.</b>	22/01992/FULLN
<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	04.08.2022
<b>APPLICANT</b>	Taylor Wimpey West London
<b>SITE</b>	Land West of Finkley Farm Road, Andover, <b>ANDOVER TOWN (ROMANS)</b>
<b>PROPOSAL</b>	Erection of 102 dwellings and 350sqm Class E retail convenience store, and sub-station, including access, parking, public open space, landscaping, drainage and associated earthworks
<b>AMENDMENTS</b>	Amended Design and Access Statement received 17 <sup>th</sup> August 2022 Amended Landscape Plans received 17 <sup>th</sup> October 2022 Additional plans showing Alternative Junction Arrangements received 30.10.2022 Additional Highway Technical Note 09 November 2022 Amended Soft Landscape Proposals 01 December 2022 Highways Technical Note 16.January 2023
<b>CASE OFFICER</b>	Mrs Samantha Owen
	Background paper (Local Government Act 1972 Section 100D)
	<a href="#">Click here to view application</a>

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**1.0 INTRODUCTION**

- 1.1 This application has been brought to the Northern Area Planning Committee at the request of a Ward Member for the following reason:
- Traffic flow impact and access, due to Estate expansion and the delays in the Finkley Arch junction opening.

**2.0 SITE LOCATION AND DESCRIPTION**

- 2.1 The site is located within the East Anton Major Development Area as defined under the previous Local Plan. It is located to the south of the Smannell Road and immediately adjacent to Finkley Farm Road to the east and Dairy Road to the south. The site at present is mown grass with part of the land being used for material storage and the siting of a compound used by the developer. The YMCA nursery is adjacent to part of the southern boundary of the site. The site slopes from a high point on the south boundary to a lower point on its northern boundary. To the north of the site is an area of public open space adjacent to Smannell Road which is a mix of grass, tree planting and also has a Locally Equipped Area for Play (LEAP) and Multi Use Game Area (MUGA) within it.

### 3.0 **PROPOSAL**

3.1 The application seeks full planning permission for the erection of 102 dwellings and a 350sqm retail convenience store (Use Class E) in addition to the erection of a sub-station and associated access, parking, public open space, landscaping, drainage and earthworks.

3.2 The site is already served by two road spurs, one from Finkley Farm Road and the other from Dairy Road. A further access point is proposed from Dairy Road to serve the commercial unit and apartments above this commercial unit located in the south east corner of the site.

### 4.0 **HISTORY**

4.1 TVN.09258 – Outline permission granted for Erection of 2,500 dwellings, employment, schools, local centres, playing fields, parkland, public open space, structural landscaping and associated infrastructure Permit 13.08.2008

4.2 21/02943/FULLN - Erection of 130 dwellings and a 375sqm Class E retail convenience store, including access, parking, open space, landscaping and a sustainable urban drainage system (SuDS)

Refused by NAPC on the 04.04.2022 with 16 reasons for refusal this decision has been appended at Appendix 1.

### 5.0 **CONSULTATIONS**

5.1 **Highway Authority: No objection, subject to the following being secured by way of section 106 legal agreement:**

- Approved Travel Plan and associated costed measures (approval fee of £1,500, monitoring fee of £15,000 and the securing of a travel plan bond which is agreed at £30,000;
- Construction Traffic Management Plan (CTMP);
- Financial contribution of £187,000 towards sustainable transport improvements;
- Delivery of improvements to Finkley Arch/North Way/Walworth Road as modelled prior to occupation.

**Officer Note:** The Case Officer has agreed with the Highway Authority that the CTMP can be secured through condition rather than section 106 legal agreement. It is considered by the local planning authority that the request for a financial contribution of £187,000 does not meet the CIL tests. This is discussed further in sections 8.17-8.22 of this report. As such, this has not been secured and there is an outstanding objection from the Highway Authority in this regard only.

### 5.2 Finkley Arch

As part of the original planning permission for East Anton, reference TVN.09258, a section 106 legal agreement was entered into securing an improvement scheme for the railway arch on North Way which would allow vehicles from the East Anton development an alternative means of travel out of

the site. Due to legal and technical complexities, the works have not yet been delivered to the trigger which was outlined in the section 106 legal agreement. The Highway Authority is working with third parties to resolve these issue to allow the developer, Taylor Wimpey, to deliver the scheme as soon as possible.

### 5.3 Proposed Accesses

#### *Dairy Road*

The proposed visibility splay of 2m x 43m can be achieved without obstruction and within the proposed adoptable highway. Swept Path Analysis shows that an 11.2m long refuse vehicle would encroach onto the opposite side of the internal access road, however the overhang is minimal and considered acceptable due to the scale of the development and limited conflict opportunities with other vehicles.

#### *Access from Dairy Road to proposed shop with flats above*

The visibility splays are shown to be 2.4 metres by 43 metres to the west and 2.4 metres by 30m to the east. It is noted that the design speed for Dairy Road is 20mph and therefore the visibility is robust and the Highway Authority is satisfied that the access is suitable for the proposed use.

#### *Finkley Farm Road*

The proposed visibility splay of 2m x 43m can be achieved without obstruction and within the proposed adoptable highway. Swept Path Analysis shows that an 11.2m long refuse vehicle would encroach onto the opposite side of the internal access road, however the overhang is minimal and considered acceptable due to the scale of the development and limited conflict opportunities with other vehicles.

### 5.4 Traffic Surveys

Traffic surveys were undertaken during the COVID-19 pandemic for the following junctions; A343 Newbury Road/Smannell Road, Finkley Arch, North Way/Walworth Road. For robustness, the Highway Authority requested Automatic Traffic Surveys (ATCs) at previous DfT count sites to provide a comparison between pre COVID-19 and 2022 traffic flows and this was provided by the applicant. Within the submitted Transport Assessment the applicant has also incorporated sensitivity testing for robustness. The Highway Authority is satisfied with this approach to sensitivity testing and raises no objection in respect of the robustness of the modelling assessment used within the Transport Assessment. The Highway Authority agrees with the assumption that the majority of the trips to the retail element of the application will be internal and that there will be limited new trips from the external local road network.

## 5.5 Junction Assessment

The following junctions have been modelled to take account of the additional traffic impact from the proposed development and have been assessed within the submitted Transport Assessment:

- A343 Newbury Road/Smannell Road;
- Finkley Arch;
- North Way/Walworth Road;

### *A343 Newbury Road/Smannell Road junction*

The modelling demonstrates that this junction will operate within theoretical capacity.

### *Walworth Road/ North Way/Finkley Arch Junctions*

The modelling outputs confirm that in the future year (2027) with development (and sensitivity test background flows) the junction(s) are anticipated to operate within theoretical capacity during both peak periods.

### *Smannell Road/A343/Newbury Road Junction*

The Highway Authority consider a financial contribution towards sustainable travel mode improvements necessary to mitigate the impact of the development upon the highway network. The provision of improved high quality, pedestrian and cycle facilities is considered appropriate in order to encourage the users of the development and existing car trips towards modal shift, and therefore minimising the overall development impact on the network, including the above junction.

## 5.6 Internal Road layout

The applicant has confirmed that the internal road will not be adopted and will remain private and therefore the alterations will not be made as requested by the Highway Authority. The applicant has confirmed that the internal road layout will be subject to an Advanced Payment Code (APC) notice.

Notwithstanding the above, it would be of public benefit if the internal footways and cycle ways were offered for adoption, which are suitable for adoption, and the Highway Authority would wish to continue this discussion outside the planning process with the applicant.

**Officer Note:** In line with sections 219 - 225 of the Highways Act 1980, the APC requires developers and/or landowners of new development streets to secure a bond with the street works authority (in this case Hampshire County Council as Highway Authority) to cover the cost of the proposed street works. Should the development streets not be completed to a satisfactory standard this bond protects Hampshire County Council (HCC) and the future residents of a development from the cost of having to complete or remedy these unsatisfactory street works. The APC makes it a legal requirement that the developer and/or landowner pay a lump sum or provide a financial surety to

HCC's satisfaction before works for the purposes of erecting the new buildings /dwellings can commence on site.

#### 5.7 Travel Plan

The Framework Travel Plan is approved and should be secured through a S106 legal agreement. The legal agreement should also include an approval fee for the Full Travel Plan of £1,500, Monitoring Fees of £15,000 and the securing of a Travel Plan Bond which is agreed at £30,000.

#### 5.8 WCHAR Routes

The applicant has provided a walking, cycling and horse-riding (WHCAR) assessment which is of suitable scope and covers the main walking and cycling routes to Andover Town Centre and Rail Station. The report provides a detailed description which is welcomed however, the Highway Authority does not agree with the conclusions reached by the potential to improve walking and cycling opportunities. The report concludes that where sub-standard pedestrian and cycling are located along the routes, there is limited or no scope to improve due to limited land, lack of strategic opportunities and where larger improvements could be made this development would not generate the required funds to implement in its entirety. The developer has identified some areas which are sub-standard and therefore would likely reduce the attractiveness of the route to active travel users and increase their use of the private car. HCC is currently drafting the Test Valley North Local Cycling and Walking Infrastructure Plan (LCWIP), which will likely include the identified routes and primary utility routes for walking and cycling. This document will look to deliver strategic routes which will provide full connectivity between facilities which will be delivered using funding from numerous sources, including developer contributions.

#### 5.9 Personal Injury Accidents

Four accidents were within the scope of the WCHAR assessment and therefore the applicant has focussed on these. The four accidents occurred on the double mini roundabouts on Smannell Road/Roman Way/Cricketers Way and involved three cyclists and one pedestrian. There is a shared use path along Smannell Road, but cyclists joining Smannell Road cannot easily join this provision and likely stay on carriageway. It has to be acknowledged that cyclists are choosing not to use the existing provision and therefore could be considered unsuitable in its current format.

#### 5.10 Section 106 requirements

It is considered necessary for a financial contribution towards sustainable modes improvements to be secured via Section 106 Agreement. This will be utilised towards the Northern Test Valley LCWIP which will set out the walking and cycling strategy for the area including links between the site, town centre and railway station. Specifically, the WCHAR provided to support the application which considers the suitability of existing key routes for walking and

cycling confirms deficiencies in infrastructure along Smannell Road, this is further supported by the accident record involving cyclists in the vicinity of the Roman Way and Cricketers Way roundabouts. A contribution requirement of £187,000 was therefore calculated based on the indicative cost of undertaking improvements on this part of the route. This is considered to meet the CIL tests.

#### **5.11 Landscape – No objection.**

New proposal are a substantial improvement from the previous application and is a significantly better and higher quality proposal. It is noted that Plots 1-2 and 90-91 are one bed flats, the properties have individual gardens, however for Plots 2 and 90 are segregated from the properties. Previous experience shows that these are likely to be poorly maintained and underutilised. It would be better to locate these properties together and create a communal garden.

An indicative soft landscaping plan has been proposed which provides a good indication of what is achievable within the layout shown – in principle there is no objection to this layout. A detailed landscape plan is required, secured through condition, to formalise what has been indicated. The trees proposed are smaller and more ornamental and it is considered that there is scope for more legacy trees across the development. To achieve high quality landscape the management and maintenance of the scheme needs to be properly carried out. A comprehensive management/maintenance plan has been submitted within the application which includes maintenance schedules and details of the works to be undertaken. The final page of the document highlights the soft landscaped areas; however it is not clear which of this is public or private. A detailed plan is required detailing which areas will be publicly maintained.

**Officer Note:** The Landscape Officer attended a meeting with the Council's Community and Leisure Officer and the applicant to discuss concerns over the hard and soft landscaping maintenance and management plan, amended plans were received 17.10.2022 and the Landscape Officer was satisfied with the amendments made.

#### **5.12 Designing Out Crime – Comment.**

Apartment blocks must sit within an area of semi-private space with a robust boundary treatment at least 1.2m high. A number of the proposed apartments have French windows these must have access onto an area of private space. The private garden must be at least 1.5m wide and enclosed with a boundary treatment of at least 1.2m high. Windows on the ground floor must be defended by planting. Hampshire Constabulary cannot support this application as the proposed dwellings do not have this basic level of protection. An area of proposed Public Open Space runs north to south through the centre of the development and it is considered that there is very little natural surveillance of this space with houses too distant and a lack of column lighting. To reduce opportunities for crime and disorder proposed planting should not obscure natural surveillance of the proposed footpath/cycleway from overlooking dwellings and the public realm. Lighting along this route must conform to the



relevant standards outlined in BS5489-1:2020. Safe crossing points are required through the POS corridor. Development is very permeable which will make policing of it difficult if an incident occurs. Some pedestrian routes provide access to the rear of properties and these have little natural surveillance which should be addressed. For a number of dwellings the external rear garden access is via a communal rear garden access path of from a rear car park. Concern is raised in this regard with respect to the increased opportunities for crime and disorder. If the planning authority is minded to grant planning consent with this arrangement, each rear garden access gate must be fitted with a key operated lock that operates from both sides of the gate and this should be secured through and appropriately worded condition. The DCO recommends that a lighting scheme for the whole development is secured through condition. The design of the lighting scheme must comply with BS 5489-1:2020.

**5.13 Waste and Recycling – No objection.**

Swept path analysis demonstrates that the refuse collection vehicles will be able to access and manoeuvre within development. Bin stores serving the proposed flats would need to have space for 3 x 1100 litre bins (refuse and recycling) and 1 x140 litre bin for food waste in order to future proof the development. In respect of the flats above the retail element of the proposal, the retail and residential waste bin store areas need to be kept completely separate.

**Officer Note:** Further clarification was sought from the Environmental Services Officer in respect of bin provision serving the proposed flats. The plans already showed separate bin stores for commercial and residential waste. It was confirmed that each bin store would provide as an alternative 1 x 1100 litres bins and 4 x 240 litres bins to provide for the development and allow flexibility for changes to waste collection operations as more efficient waste collection measures are implemented in future years. The Case Officer confirms that each proposed bin store can accommodate this requirement.

**5.14 Lead Local Flood Authority (LLFA): No objection subject to conditions.**

The two conditions recommended are as follows:

- Detailed surface water drainage scheme prior to development commencing
- Maintenance arrangements for surface water

**5.15 Environmental Protection: No objection subject to conditions.**

Seven conditions were suggested and these covered the following;

- Timing of construction activity
- Submission of a Construction Environmental Management Plan (CEMP)
- No vibratory or percussive piling work to be carried out on site without a noise assessment
- Restrictions on the timing of deliveries and collections to and from the proposed commercial premises (Block D)

- Restrictions on the installation of fixed external plant or externally venting plant on the proposed commercial premises without the specification of such plant being approved by the local planning authority prior to installation
- Artificial lighting mitigation measures to protect residential amenity
- Submission of a contaminated land assessment prior to development commencing.

5.16 The Environmental Protection Officer requested that the applicant provide a wall along the northern boundary of the residential garden proposed at Plot 41 given the garden's proximity to outside recreational space. A 1.8m high wall has been incorporated into the amended site layout. The Environmental Protection Officer also raised that the proposals subject of this application introduce residential uses closer to the YMCA facility than previously anticipated, particularly Plot 58, and as such the design of the YMCA facility should be reviewed to ensure that noise from plant and sports activities would still be acceptable.

**5.17 Ecology: No objection subject to conditions.**

The application was submitted with a Preliminary Ecological Appraisal (PEA) which represents the current conditions of the site. Provided the mitigation and enhancement measures proposed within the PEA are secured under planning condition no concerns are raised. The Ecologist has also recommended a separate condition requiring the submission of a detailed scheme of biodiversity enhancements to be incorporated into the development covering a minimum period of ten years.

**5.18 Andover Ramblers: Comment.**

No public right of way (PROW) crosses the development land, although footpath Andover AV7711 does go along the eastern border of the development. It is noted that the proposal is to have path/ cycle ways along the green routes (Design and Access Statement Part 2 Pages 27 and 29). Andover Ramblers requested whether there is scope to make these new routes PROWs. The Andover Ramblers also requested if a path could link AV7711 with the non-PROW path that runs from Smannell Road to River Way.

**5.19 Community and Leisure: Comment.**

A number of issues were initially raised by the Community and Leisure Officer in respect to the areas of hard and soft landscaping proposed. Following a meeting with the developer amended plans were received and Community and Leisure raised no further issues.

**Officer Note:** The applicant has confirmed that the proposed areas of public open space would be adopted by Test Valley Borough Council and maintained thereafter in perpetuity.

**5.20 HCC Education Authority: No objection.**

No financial contribution is required towards education provision.

**5.21 Housing: Comment.**

The site is located within the settlement boundary of Andover. The site is not in the Designated Protected Area (DPA). The Revised Local Plan and the Affordable Housing Supplementary Planning Document, classes Andover as Un-Designated Rural Area (U-DRA) and therefore, under Revised Local Plan (RLP) Policy COM7: Affordable Housing applies. The Council will negotiate on housing sites of 15 or more dwellings (or sites of 0.5ha or more) for up to 40% of dwellings to be affordable. Therefore, based upon the 102 new dwellings (and 350 sq. m of retail space) the affordable housing dwellings required to satisfy COM7 will be 40.8. Under Revised Local Plan COM7, whole dwellings will be sought on-site and where the number sought does not equate to a whole number of units, the remaining part dwelling will be sought as a financial contribution. Therefore 40 affordable dwellings will be required on site, and a financial contribution for the part unit 0.8 will be secured via the S106 legal agreement. The financial contribution based on values 23rd August 2022 will be £7,779.00 for part unit 0.8. Following discussion with the developer the proposed mix and tenure as set out in an email of the 20<sup>th</sup> September 2022 from TW is now acceptable.

- 5.22 There is currently evidence of need for two wheelchair adapted properties. The homes should be constructed in accordance with Building Regulations Part M4 (Category 3) wheelchair accessible M4 (3) (2) (b) revised edition 2015 or successor regulations. Development of adaptable/adapted homes contributes to the aims of the Council's Housing Strategy and will be encouraged in light of up to date evidence of need on the Housing Register. The requirement to meet the needs for these two adapted properties is 1 x 3 bed Part M4 (3) and 1 x 2 bed Part M4 (3) houses.

**5.23 Natural England: No objection.**

The nitrogen load from the proposed development and the proposed mitigation measures were set out in the Appropriate Assessment and these are to be secured through a S106 legal agreement.

**5.24 Trees: Comment.**

There are no large existing trees on the site but the north eastern site boundary has a line of maturing Lime trees which have been planted as part of a previous planting scheme. These trees are important and must be retained without detriment and future threat from this proposal. Block B is close to one of the Limes and although it appears to be currently outside the tree's root protection area (RPA) it has not taken into consideration the future growth of the tree. The proximity to the tree and the layout of the southern part of the block will put future pressure on the tree to be pruned or felled and ultimately not achieve its future potential. Block B and its proximity to the young Lime tree

needs to be assessed against the potential size of the Lime. Some internal layout changes may help by keeping the living areas of the flat the furthest away from the tree. There is conflict with the foul water sewer and some of the proposed new trees. The sewer is shown to pass under the trees in at least three places. The landscape plans show numerous new tree planting with some trees to be planted in areas with very little rooting area available. Although there is a list of proposed new tree species it has not been shown what tree is proposed to be planted where and whether the available soil is adequate to allow the tree to succeed. Further information and detail is required.

6.0 **REPRESENTATIONS** Expired 10.11.2022

6.1 **Andover Town Council: Objection**

- Over development of site
- Nitrate Neutrality has not been addressed
- No details on future proofing i.e. provision of air source heat pumps, electric charging points, solar panels and availability of green space.

6.2 **9 x objections** from 9 Sobers Square, Andover; 18 Brocade, Andover; 4 x Unknown addresses; Cashmere Drive, Andover; 79 Cashmere Drive, Andover; 5 Draper Close, Andover.

6.4 **1 letter of Support** from 21 Livia Close, Andover; **summarised as follows:**

- A much improved design, new design also seems to have more of an air feel about it not so all enclosed.
- The planting chosen will see some regular maintenance, some thought needs to be given to caring for the open space.

6.4 **9 letters of Objection, summarised as follows:**

Highways

- Traffic is a nightmare with only one exit in and out of the development
- Roads in the area are getting worse, with traffic jams daily.
- Dropping children at school means I cannot leave to work earlier to avoid the worst of the traffic.
- Lots of pollution with cars stuck in traffic.
- Those that live on the southern edge of the estate would benefit most from Finkley Arch being open
- Driving to Lidl on Walworth estate is a 2.5 mile journey with Finkley open this would reduce to about a mile.
- Many objections to the additional houses but traffic congestion is the worst.
- Parking on pavements already exists. At school time parking affects where children walk.
- Also a child's play area adjacent to the proposed development and additional traffic will make approaching and crossing these roads to access these areas more hazardous.
- Site is opposite the school, this will only exacerbate the congestion.

## 6.5 Travel Plan

- Residential Travel Plan is misleading in an ideal world we would all walk, cycle and share cars but in reality that is not what happens.
- Travel Plan encourages buying or leasing a hybrid/electric car – not likely to be achievable.
- Travel Plan suggests engaging with home working and helping residents to engage with employers to exercise their statutory right to flexible working– misleading there is criteria to be met before an employer agrees flexible working and can refuse the request.
- Travel Plan utilises information from the 2011 census and plans to reduce single occupancy car journeys by 10% which is insufficient to make a difference.

## 6.6 Other issues

- Still raises significant concerns regarding the overdevelopment and access to Smannell Road and Cricketers Way.
- Proposed development eliminates much needed green space.
- A few additional parking spaces does not mean that this submission is different to previously rejected scheme.
- Additional houses means more extraction of water and pollution.
- Taylor Wimpey have not communicated on the new planning application.
- When we bought the house Taylor Wimpey advised area would be used to build amenities.
- Concern about putting pressure on surrounding services.

## 7.0 **POLICY**

### 7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG)

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

COM1 – Housing Provision

COM2 – Settlement Hierarchy

COM7 – Affordable Housing

COM15 - Infrastructure

E1 – High Quality Development in the Borough

E2 – Protect, Conserve and Enhance the Landscape Character of the Borough

E5 – Biodiversity

E6 – Green Infrastructure

E7 – Water Management

E8 – Pollution

LHW1 – Public Open Space

LHW4 – Amenity

T1 – Managing Movement

T2 – Parking Standards

CS1 – Community Safety

**7.3 Supplementary Planning Documents (SPD)**

Affordable Housing SPD (2020)

Infrastructure and Developer Contributions SPD (2009)

Cycle Strategy and Network SPD

**8.0 PLANNING CONSIDERATIONS**

**8.1 The main planning considerations are:**

- Principle of development
- Highway Matters
- Parking
- Residential Amenity
- Character and appearance of the area
- Trees
- Community Safety
- Ecology
- Nutrient Neutrality
- Affordable Housing
- Public Open Space
- Rights of Way
- Noise
- Drainage and Flood Risk
- Waste and Recycling
- Education
- Skills and Training

**8.2 Principle of Development**

The site is located within the wider East Anton Major Development Area and within the Settlement Boundary for Andover as defined by Policy COM2. Within the settlement boundary area applications for development and redevelopment are considered acceptable in principle, subject to compliance with other relevant policies in the RLP.

**8.3 The application site incorporates land that was allocated for the Southern Local Centre (SLC); an area of commercial and community facilities as summarised in paragraph 5.1 to serve the wider development. A Children's Nursery was delivered in 2016/17. The SLC was required to be marketed and the details for marketing and the methods for marketing of both the Northern Local Centre and SLC are set out in the section 106 legal agreement (S106) for the outline planning permission, reference TVN.09258, signed on 12 August 2008. For the SLC, it required a marketing strategy to be agreed by the occupation of 300 dwellings south of Smannell Road. Subsequently and in accordance with this, the marketing strategy for the SLC was agreed by the Council in May 2016.**

- 8.4 The uses for the SLC were marketed altogether by the developer (or agents on their behalf), showing a breakdown of each of the uses, and was distributed in local media, on the marketing agents website, on central commercial property web databases as well as several marketing boards around the site in various locations. The outcome of these were submitted to the Council as private and confidential marketing reports. The Council reviewed the information and methods of marketing against the agreed marketing strategy, interest in the site and how the marketing agent recorded that information.
- 8.5 Under the terms of the S106, the developer was legally required to market the SLC uses until the 2,000th occupation. Provided marketing was undertaken satisfactorily in accordance with the marketing strategy, at the end of the marketing period, the land would no longer be required to be set aside for those uses contained in the S106. Therefore the developer is entitled to consider alternative uses for that land. The Council received marketing reports from the developer on the SLC in February 2017, May 2017, December 2018, February 2019 and February 2020. These Marketing Reports allowed consideration of the information and methods of marketing against the agreed marketing strategy. A final marketing report was received in January 2020 around the time of the 2000<sup>th</sup> occupation. The marketing report shows little commercial demand for an office, public house and a place of worship that can be taken forward.
- 8.6 Since the time of the outline planning permission there have been changes in demand and interest for the SLC. The health/medical use has not come forward as it is not required by the health authorities delivering primary care. This is due to changes in the model in how they commission and deliver health care i.e. supporting existing facilities instead of creating new facilities.
- 8.7 It is considered that the area of the site that was proposed to be the SLC was marketed in accordance with the Marketing Strategy as submitted under the requirements of the original S106 that accompanied the outline planning permission TVN.09258. The submitted marketing reports demonstrate that there was insufficient interest from providers to bring the proposed uses forward. It is concluded that the principle of this land being used for alternative uses including residential is acceptable and in this regard the scheme complies with policy COM2.

#### **8.8 Highway Matters**

Policy T1 of the RLP requires development to not have an adverse impact on the function, safety and character of the local or strategic highway network and to ensure that measures are in place to minimise the impact of new development on the highway and rights of way network and pedestrians, cyclists and public transport users. Development should have good connectivity to existing pedestrian, cycle and public transport links and any internal layout should be safe, attractive functional and accessible to all. Policy T2 requires development to have the appropriate level of car parking in accordance with Annex G of the RLP.

### 8.9 *Proposed Accesses/Internal Roads*

The site has two existing spurs from Dairy Road and these have been assessed by the Highways Officer with regard to visibility splays and swept path analysis for the 11.2m refuse vehicle. The Highways Officer is satisfied that the proposed visibility splays are acceptable and they raise no objection. The swept path analysis shows that the refuse vehicle will encroach onto the opposite side of the internal access roads from Finkley Farm Road and Dairy Road but this overhang is minimal and the Highways Officer has raised no objection. Internal roads are not proposed to be adopted and in these cases HCC advise that the internal roads will be subject to an APC Notice (Advance Payments Code). In line with sections 219 - 225 of the Highways Act 1980 the APC requires developers and/or landowners of new development streets to secure a bond with the street works authority (in this case HCC) to cover the cost of the proposed street works. Should the development streets not be completed to a satisfactory standard this bond protects HCC and the future residents of a development from the cost of having to complete or remedy these unsatisfactory street works. A condition is recommended that requires details of the highway construction to be submitted and agreed prior to development commencing.

### 8.10 *Traffic Movement*

At present vehicles accessing and exiting the site have three options; they can utilise Smannell Road, Viking Way or the road to Smannell and Finkley, and these latter two roads are rural in nature. Under the original outline permission for East Anton the developer was obligated to deliver a further access/egress route via the Finkley Arch and along North Way and Walworth Road. Improvements to the North Way/Walworth Road junction were also secured. The trigger point within the section 106 legal agreement for this route to open was by the 1600<sup>th</sup> occupation of the wider development. This did not occur. The 1600<sup>th</sup> occupation occurred following planning permission being granted in 2017 for Plot 90; an application by Test Valley Borough Council (TVBC) for a new industrial building on the edge of Walworth Business Park (planning reference 16/01344/OUTN). Plot 90 is a site located along the Walworth Road to the south east of the North Way/Walworth Road junction. Access to this site is from Walworth Road. It transpired that the access works for Plot 90 required a higher specification of works to Walworth Road to accommodate vehicle movements from both Plot 90 and East Anton. As the higher specification works were not in accordance with what was detailed within the section 106 for East Anton discussions subsequently took place post Plot 90 being permitted to agree a revised programme of improvement works to the North Way/Walworth Road junction that could serve both developments.

- 8.11 An agreement pursuant to section 278 of the Highways Act is currently being progressed with all interested parties to agree the works to Walworth Road that will serve both Plot 90 and East Anton. Whilst the Plot 90 section 278 agreement is expected to be signed and agreed, during the determination of this application consideration was also given to the fall-back position if these works did not go ahead. Under the original Outline application junction works



were agreed to accommodate the traffic from East Anton. Over the intervening years between completion of the original section 106 agreement and present day, these original junction works were no longer fit for purpose and as such the developer provided a revised scheme in support of this application as an alternative fall-back. The Highway Authority has raised no objection to either the higher specification of junction improvement works or the fall-back junction improvement works.

- 8.12 East Anton is now largely complete and as such pressure on the local road network has increased, with wait times at Smannell Road becoming longer a number of third parties have expressed their concern about a further 102 houses utilising the local road network without Finkley Arch and North Way being fully operational. The application has been submitted with a Transport Statement which has modelled all junction works and traffic flow for the new dwellings on the basis of the Finkley Arch/North Way/Walworth Road works being open and operational. The Highways Authority has raised no objection to the proposal subject to restricting occupation of the dwellings until the highway works above are operational. Accordingly, a Grampian condition has been recommended to ensure that the works to the junction and the Finkley Arch are completed and operational prior to occupation of the development.
- 8.13 The application was also submitted with a Travel Plan to encourage travel by modes other than single occupancy car use for residents and visitors of the proposed development. It sets out a number of measures to promote the use of walking, cycling and public transport amongst site users for local journeys. The Highway Authority has raised no objection to the Travel Plan subject to a Bond of £30,000. The Travel Plan and the Bond will be secured through the completion of a section 106 legal agreement.
- 8.14 The Highways Authority is also requesting that a Construction Traffic Management Plan (CTMP) be secured. A CTMP will establish traffic routing and ensure construction vehicles can access and egress the site safely. This is considered reasonable as the site is located within a residential area and the site will be active for a number of months. A condition has been recommended to secure this.
- 8.15 The Highways Officer has also requested a financial contribution from the developer of £187,000 towards sustainable mode improvements. As part of the application the applicant submitted a Walking, Cycling and Horse Riding Assessment and Review (WCHAR) which considers the needs of people walking, cycling or riding horses and seeks to create conditions which make walking and cycling more attractive. The WCHAR identified some deficiency in cycling infrastructure along Smannell Road in the area by the Roman Way/Cricketers Way mini roundabouts. This was supported by accident data that showed collisions with cyclist in the area of these mini roundabouts. A shared pedestrian/cycling route is provided on the north side of Smannell Road at this point and this transfers to the south side of the road approx. 100 metres to the west of the mini roundabouts. It was concluded in the WCHAR that those cyclists coming from Roman Way may have been on the road as the

junction geometry at this point does not cater well for cyclists from this direction when travelling west along the shared cycle way. The WCHAR suggested a change to the cycle connection or signage on the carriageway making drivers aware that cyclist would be on the road.

- 8.16 The Highways Authority in their response acknowledged the findings of the WCHAR and requested a contribution of £187,000 towards sustainable mode improvements. They indicated that this would be utilised towards the Northern Test Valley Local Cycling and Walking Infrastructure Plan (LCWIP) which will set out the walking and cycling strategy for the area including links between the site, town centre and railway station.
- 8.17 The Local Planning Authority can only seek a planning obligation such as the contribution proposed if it meets the tests as set out in the NPPF paragraph 57 and the CIL Regulations 2010. The tests are:
- Necessary to make the development acceptable in planning terms
  - Directly related to the development
  - Fairly and reasonably related in scale and kind to the development.

8.18 Necessary to make the development acceptable in planning terms.

The Highways Officer has advised that without the contribution the site would not be considered to adequately provide for travel by sustainable modes and offer off site mitigation to address the vehicular impact of the development. Notwithstanding this, the Highways Officer has not made it clear what the offsite mitigation would be. Meetings following the submission of formal comments from the Highways Authority established it would be to create a segregated cycle route along Smannell Road. The Highways Officer has provided no information on where the cycle route would start and finish or its location in relation to Smannell Road and the application site so that an assessment can be made on how this specific improvement would provide mitigation to address the vehicular impact of the development.

- 8.19 In their response the Highways Authority refer to the Northern Test Valley LCWIP which would, when complete, set out the cycling and walking strategy within the area. However, at this stage the County Council are working with TVBC to develop a LCWIP for the northern part of the Borough and no draft of the document has been published or shared with the Case Officer. As such, there is no identified scheme that the requested financial contribution would go towards. The Highways Authority have also not provided clarity as to why a lesser intervention, such as the addition of signage, would not be an appropriate form of mitigation to make the development acceptable in planning terms. The LPA consider that at this present time the Highways Authority has not provided sufficient justification or evidence to be able to conclude that the proposed works are necessary to make the development acceptable in planning terms.

**8.20 Directly related to the development**

In their response the Highways Authority has advised that the contribution is directly related to the development as it is required to address the deficiencies identified in the WCHAR. It is acknowledged that the development would increase vehicles on the highway network and that the provision of a segregated cycle route would improve sustainable modes of transport that would benefit the development subject of this application by address existing deficiencies in provision. However, the proposed segregated cycle route has not been identified or assessed and it is not clear if it is, at this stage, deliverable. Without identification or assessment of the route it is not possible to determine whether issues, such as those in respect of landownership, would affect its delivery and provision. As a result it cannot be concluded that it could be delivered to address the deficiencies identified in the WCHAR.

**8.21 Fairly and reasonable related in scale and kind to the development**

It is important that contributions are related to the scale of the development and that there is a clear audit trail. This is best achieved in this case by understanding the cost of the whole segregated cycle route and then it can be established whether the contribution being requested is fair and proportionate to the development it is seeking to mitigate. The Highways Authority have not provided a cost of the whole route and have advised that the sum requested is in line with a cost per dwelling based on sites across Hampshire of a similar scale. This cost is therefore an estimate and it has not been demonstrated that the contribution would fairly and reasonably relate in scale and kind to the development subject of this application.

- 8.22 It is considered that the requested £187,000 by the Highways Authority does not meet the tests planning obligations are required to meet and as such the LPA do not consider that this contribution can be requested. The WCHAR also suggested signage being placed on the carriageway to advise motorists that cyclists could be on the road. The Highways Officer has not provided any discussion on the provision of signage and whether this would be suitable. As such without the Highways Authority supporting this as a possible solution it is not considered that this can be secured.

**8.23 Parking*****Residential Parking***

Parking is to accord with Annex G of the RLP which requires 1 space for 1 bedroom dwellings, 2 spaces for 2 and 3 bedroom dwellings and 3 spaces for 4+ bedroom dwellings. Table 4.2 of the Transport Assessment accompanying the application provides a breakdown of the required parking. The 102 units require 205 car parking spaces and these have been provided either on plot or in parking areas in close proximity to the dwellings they serve. These car parking areas are necessary to serve the apartments and those houses that face onto the POS along Smannell Road. Annex G also requires and this is agreed as being the required amount of parking for the residential element of

the application. For developments over 5 dwellings 1 visitor space per every 5 dwellings is required and this development attracts 21 visitor spaces and these have been provided and are located throughout the development.

- 8.24 The proposed spaces comply with the standards for car parking and garages and these would be secured through condition to ensure adequate parking across the site. In shared parking areas spaces will be conditioned to be numbered so future residents are clear on whose space is who. Cycle spaces will be provided either within enclosed storage in the rear gardens or within dedicated cycle storage areas on the ground floor within the flats.

8.25 *Commercial Parking*

The proposed retail unit is 350sqm and at this size it would need to provide 25 car parking spaces to meet the requirements of Annex G. Only 15 are proposed. The Transport Statement advises that due to its location within the development and that it is located adjacent to community facilities that it is considered many users would make linked trips. A parking stress survey was also carried out and was included as part of the application. This looked at similar sized stores in the area to ascertain actual parking on one day. This utilised the number of parking spaces against the floor area of the store which provided a maximum parking demand. This showed that the proposed store would actually only require 12 car parking spaces and 15 car parking spaces are proposed. A commercial premises of the size proposed would require 2 cycle spaces in order to comply with the requirements of Annex G. Three cycle racks are proposed which has the ability to park 6 cycles.

- 8.26 It is considered that due to the location of the retail store within the development, the overprovision of cycle parking and the likelihood of linked trips occurring that a reduced parking provision on this site is justified. This is supported by a parking stress survey and it is considered that whilst the commercial parking does not accord with Annex G of the RLP, the lesser amount of car parking would not give rise to harm caused by inadequate parking. The Highways Officer has raised no concerns in this regard. The proposal is considered to comply with policy T2 of the RLP.

8.27 **Residential Amenity**

Policy LHW4 sets out that development will be permitted provided that:

- a) It provides for the privacy and amenity of its occupants and those of neighbouring properties;
- b) In the case of residential developments it provides for private open space in the form of gardens or communal open space which are appropriate for the needs of residents; and
- c) It does not reduce the levels of daylight and sunlight reaching new and existing properties or private open space to below acceptable levels

Paragraph 8.19 of the supporting text to policy LHW4 sets out that the public should not experience an overbearing impact on their living conditions.

- 8.28 The proposed layout of the development would not give rise to unacceptable overlooking to existing and proposed dwellings and neither would it reduce levels of sunlight and daylight to below acceptable levels on either existing or proposed dwellings. The development would therefore accord with Policy LHW4 of the RLP.

8.29 *Private Amenity Space*

Policy LHW4 requires development to have private open space in the form of gardens or communal open space. The dwellings across the development do have private open space in the form of gardens. The apartment blocks have either patios, terraces or balconies that are for private use. It is considered that the development would therefore accord with Policy LHW4 of the RLP.

- 8.30 The Landscape Officer has raised concern about the private amenity space for Plots 1-2 and 90-91, these are one bed flats and Plots 2 and 90 have gardens that are physically segregated from the flats. The Landscape Officer has indicated that this layout is likely to lead to poor maintenance and use of these gardens. One bedroom apartments meet a recognised housing need and whilst it is accepted that these can be delivered in different ways, this housing type also has to take account of the wider layout. Both Plots 1-2 and 90-91 have been designed to look like a single dwelling with one flat on the ground floor and one on the first floor. This arrangement is not unusual and creates the issue of how to provide private amenity space. Whilst it is accepted that the solution presented within the site layout may not be ideal from the Landscape Officer's perspective, it does meet policy requirements for private amenity space and how these areas are used and maintained is the responsibility of the homeowner. The areas of private amenity space would be enclosed by fences or walls as per all other plots within the wider development and therefore views of these private amenity areas are not possible from the public realm.

8.31 **Character and Appearance of the Area**

Both the NPPF and the National Design Guide support and promote good design. Good design should function well and add to the overall character of the area and should be visually attractive. East Anton has been built out over a number of years and as a new community has created its own identity and context. Policy E1 of the RLP requires development to be of high quality in terms of design and local distinctiveness. Policy E2 of the RLP requires development to protect, conserve or enhance the landscape character of the Borough.

8.32 *Design and Layout*

The proposed dwellings would be a mix of two and two and a half storey dwellings and two storey apartment blocks. The design of the dwellings would utilise standard developer house types, which is considered in keeping with the wider East Anton Major Development Area (MDA). The proposed materials of red brick, off white and dark boarding and brown and grey roof tiles are all materials seen elsewhere in the MDA and as such are considered acceptable.

**8.33 Levels**

The site slopes from south to north and there is also some undulation east to west as well. The preliminary levels plan shows that to accommodate the levels across the site, there is a need for retaining walls and underbuilding. It is accepted that there would be an issue with levels across the site and the aim was to reduce and contain the instances of underbuilding and retaining walls to the minimum, where they are present they should not be in prominent positions if it can be avoided. This has largely been achieved with the higher retaining walls between dwellings or along the boundary with individual plot car parking spaces. Retaining walls across the site are in the range of 100mm to 800mm. There are some examples of higher retaining walls and underbuilds which are visible from the public domain but this is at a minimum and is reflective of the fact that the site is on a slope and these features would be seen in context with that slope. It is considered that the levels change has been taken into account and reduced the impact of the levels change on the layout of the housing to an acceptable level such that it would not have a detrimental impact on the character and appearance of the area.

**8.34 Landscaping**

The proposed layout has been designed with a landscape approach and has provided generous areas of landscaping across the site as well as street trees where possible. There is a central area of landscaping that runs from north to south through the site, at the northern end this links to the large area of public open space alongside Smannell Road that already exists. To the north it links to landscaped footpaths that link to the west with small pockets of landscaping and to the east the commercial unit and a larger area of open space. The landscaping proposed is of high quality and proposes a large number of trees. Detailed planting plans have been provided and these would be secured along with the proposed implementation through conditions. It is considered that the proposal would protect, conserve and enhance the landscape character of the Borough in accordance and that appropriate measures are in place to ensure its long term management and maintenance. The proposal complies with policy E2 of the RLP.

**8.35 Trees**

The avenue of trees that have been planted along Finkley Farm Road are part of a wider strategy of tree planting along the main routes through the development. The proposed layout shows dwellings being in proximity to these trees. A comment has been raised by the Tree Officer regarding the proximity of Block B to one of these trees located within the vicinity of the south-eastern corner of the building in respect of future pressure to fell. The issue of proximity of buildings to these trees was raised as a previous reason for refusal under 21/02943/FULLN and it is considered that the scheme has been improved to address this reason for refusal and overcome the previous objection from the Tree Officer. A pair of semi-detached dwellings have now been replaced by a two storey apartment building. At its closest point this apartment block referred to as Block B to the canopy of the nearest tree is 3.5 metres with the closest

window being approximately 4 metres from the canopy which is an increase in distance between the proposed building and the trees from the previously refused scheme. Views from this window would not be dominated by the tree. Additionally the internal layout of the building shows the closest window is a secondary window to the main living space on both the ground and first floor and are not relied upon as the sole source of light for a room. This internal layout means that the tree would be under less pressure to be pruned or felled.

- 8.36 Whilst the Tree Officer has not expressed concern about Block D in relation to trees along Finkley Farm Road, this was a previous reason for refusal that has now been overcome. The building is further away from these trees with a minimum gap of 3.9 metres to the canopy. There are windows along the elevation facing the trees and some of these windows are the sole light source for a room, however where this occurs the trees are over 5 metres from these windows which do not look directly onto the canopy of the trees.
- 8.37 The original Design Code for East Anton required development fronting the main Spine Road to be closer plotted with a relatively formal building line. Trees would be planted in a verge and would be separated from dwellings by a path and front gardens of shallow depth of between 2-4 metres with a footpath of 1.2 metres. At its lowest separation the gap between house and tree would be 3.2 metres which is not dissimilar to the separation distances between the proposed flat blocks and the nearest street trees. The proposed relationship between the trees and the proposed development is not out of keeping with the wider Design Code for the development. Whilst this application is not bound to this Design Code development within this Parcel will need to blend with the wider development.
- 8.38 The Tree Officer also raised concern that some of the tree planting conflicted with the foul sewer. Amended Landscape Plans were received on the 17<sup>th</sup> October and the 1<sup>st</sup> December 2022 which showed the removal of these trees and replacement with other landscaping. These plans also showed tree pit details which were previously requested by the Tree Officer.
- 8.39 It is considered that the proposed development would accord with Policy E2 of the RLP.

#### 8.40 **Community Safety**

Policy CS1 of the RLP states; *Development will be permitted provided that it delivers safe, accessible and liveable environments and that design takes account of the need to reduce the opportunities for crime and other anti-social behaviour.*

- 8.41 The Designing out Crime Officer (DCO) has requested that access to all elevations of the apartment blocks from the public realm must sit within an area of semi-private space at least 1.5 metres wide enclosed by a boundary treatment of 1.2 metres high with ground floor windows defended by planting. The plans show that the ground floor flats do have access to outside private amenity space and that this is enclosed by a mix of railings and planting, it is more than 1.5 metres wide with planting alongside ground floor windows.

- 8.42 The development proposes Public Open Space (POS) that runs on a north/south axis through the site. The Designing out Crime Officer has raised concern that this route has very little natural surveillance, too much planting and a lack of lighting. The provision of POS is considered an important feature for creating both an attractive development and allowing recreational space for future occupiers. This has to be balanced against the potential for crime. The DCO believes that the houses either side of the POS are too far away to provide sufficient surveillance, notwithstanding this all the dwellings either side of the POS do look onto it and with the road serving these dwellings in front there will be a level of lighting and movement. The planting is a mix of trees, grasses and shrubs and would allow surveillance of the path that runs through the middle of the POS. The POS has a meeting place in the middle and this also allows for a pedestrian crossing point through the POS from the wider development. The DCO has raised concerns that due the limited surveillance this crossing point puts pedestrians at risk and that safe crossing points with greater surveillance should be provided. The proposed meeting place is 15m from its entrance and exit points. On both sides of this space are the internal site access roads and the distance between the principal elevations of the proposed properties to the boundary of this meeting space is 12m. At these distances, the current meeting point is small enough to see across it very easily and the route through is direct so users would be able to see the exit before entering the space. It is therefore considered that the concerns in respect of safety regarding this element of the proposal cannot be supported.
- 8.43 The DCO has also raised concern about the level of permeability that the development has which can make policing the development difficult. This needs to be balanced against the need for people living on the development to be able to make their way through and around the development, permeability increases opportunities for walking. It is acknowledged that this increased permeability may have an impact on policing crime, however its value to future occupiers outweighs this concern, particularly when the Designing out Crime is not indicating that the development as a whole has a significant crime problem. The Designing out Crime Officer has also requested that where rear access is proposed into gardens these are secured by a key operated lock that operates from both sides and this should be conditioned. Good lighting will also reduce the opportunities for crime and disorder and they have requested a condition requiring a lighting scheme to be submitted for all lighting across the development and that this lighting should conform to BS 5489\_1:2020, a condition will be attached that will require any future lighting scheme to accord with this standard.
- 8.44 On balance it is considered that the Designing out Crime Officers concerns re the POS and permeability of the development cannot be supported for the reasons set out above. It is considered that the amenity space serving the Apartment blocks is consistent with the Designing out Crime Officers' requirements to protect future occupiers from crime. The issue of rear lockable gates and lighting can be conditioned. It is considered that the development would accord with Policy CS1 of the RLP.



**8.45 Ecology**

The site is located within the centre of the East Anton development and has been maintained as a close mown open grass area. Policy E5 of the RLP requires development in the Borough to conserve and where possible restore and or enhance biodiversity.

- 8.46 The application is submitted with a Preliminary Ecological Appraisal and the Ecologist is satisfied that this represents the current condition of the site. The site is well kept grassland although orchids are present. There is a method statement to translocate these orchids. Enhancement measures are also proposed. These enhancement and mitigation measures can be secured through condition and a condition in this respect has been recommended. A condition is also recommended in respect of securing a detailed scheme of biodiversity enhancements, to include a long term management strategy over a minimum ten year period. This is to ensure that the site as a whole provides biodiversity enhancements as required by policy E5 of the RLP, the NPPF and the Natural Environment and Rural Communities Act 2006.

**8.47 Nitrate Neutrality**

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

- 8.48 As such, the advice from Natural England (March 2022) is that applications for development proposals resulting in a net increase in dwellings are required to submit a nitrogen budget for the development to assess the nitrogen load from the proposal. The advice also requires that, where the proposal will result in a net increase in nitrogen load, that applicants demonstrate that there will be no likely significant effect on the European protected sites due to the increase in waste water from the new housing.
- 8.49 Natural England advises that one way to address the uncertainty is to achieve nutrient neutrality whereby an individual scheme would not add to nutrient burdens. In this instance, a nutrient budget calculation was undertaken by the applicant identifying that the proposed scheme, in the absence of any mitigation generated, will generate a total additional nitrate load of 343/kg/yr and this is agreed by the LPA.
- 8.50 The developer proposes mitigation in the form of purchasing credits from Roke Manor, a former pig farm that is currently selling nitrogen mitigation credits to developers and Councils and has entered into an Agreement with Roke Manor to acquire nitrogen credits and this will be secured through the S106.

8.51 An Appropriate Assessment has been carried out and this has been reviewed by Natural England. It is concluded that the development can achieve nutrient neutrality by offsetting the increase in the nitrogen load and this would need to be secured through a S106 agreement to ensure that the purchased credits are tied to the development subject of this application. The development would therefore not result in an adverse effect on the integrity of the Solent designated sites through water quality from nitrate impacts and would accord with Policy E5 of the RLP and the Conservation of Habitats and Species Regulations (2017) (as amended).

**8.52 Affordable Housing**

Policy COM 7 of the RLP requires development to provide affordable housing in line with its policy which would be secured through a S106 Agreement. On a site of 102 houses, 40% of the dwellings would be required to be affordable with the housing being provided on site, this would amount to 40.8 dwellings with 40 provided on site and 0.8 as a contribution. The Council has also adopted an Affordable Housing Supplementary Planning Document (AHSPD) in September 2020 which supplements the existing policy COM7 and provides advice on how it is implemented. The AHSPD recommends that affordable housing is clustered in no more than 10 units. The tenure and mix of affordable housing is negotiated by our Housing Team based on need.

8.53 The application provides 40 affordable dwellings across the development they would be split into the following tenures 21 would be affordable social rent, 10 would be First Homes and 9 as shared ownership. They would be in cluster ranging from 3 to 8. The Housing Officer has requested that First Homes are not mixed with other tenures for example only one First Home in a flat block with all the other flats under differing tenures. Where flats and maisonettes are offered as First Homes this includes all the flats in a block and both the ground and first floor maisonettes, it is considered that this requirement has been met. The Housing Officer has raised no objections to the proposed tenure or clustering and as such this will be secured through a S106. .

8.54 The Housing Officer in their response agreed the layout and tenure plan for the affordable housing. Notwithstanding this in their response they also advised there is currently a need for wheelchair adapted housing (referred to as M4(3)) and requested two units of differing sizes as none were shown. Policy COM7 does not require the provision of wheelchair units, however in the Affordable Housing Supplementary Planning Document (AHSPD) it states that where there is a demonstrable need for a wheelchair adapted home this would be encouraged in light of up to date evidence of need. The developer was made aware of this in the Housing Officer's response, however no changes to the layout were made to accommodate the requirement and despite discussions with the developer to see if a unit could be provided the developer has concluded in an email of the 27<sup>th</sup> February 2023 that to accommodate the wheelchair adapted home would require significant changes to the site layout. Whilst the provision of wheelchair adapted homes is encouraged there is no requirement within Policy COM7 for a developer to provide these units.

- 8.55 The affordable housing that is proposed across the development is acceptable, whilst the delivery of wheelchair adaptable homes would have been a positive benefit of the proposal there is no policy requirement for them to be delivered and as such the development does accord with Policy COM7 of the RLP.

## 8.56 Public Open Space

### *Provision*

Policy LHW1 of the RLP requires new development where there is a net increase in population to provide open space to a standard of 3 hectares per 1000 population and this should comprise of outdoor sports facilities, parks and public gardens, informal recreation areas, provision for children and teenagers and allotments. Public Open Space (POS) is based on the future population of the development. This Parcel is slightly different in that part of the Parcel is the left over from residential Parcel L and this land would have been included within the original Outline for 2500 homes and as such at the time of the Outline sufficient POS would have been provided to reflect the level of development proposed. Of the 2500 dwellings that were granted consent under the Outline application 2484 were granted consent under subsequent Reserved Matters applications. This meant that there were 16 dwellings that were mitigated for under the Outline application in terms of POS that were never built, to avoid double counting all POS contributions have been calculated on 86 dwellings (102- 16) apart from Allotments which were not considered at the time of the outline so the contribution for this POS is based on the 102 houses. As calculations are worked out on numbers of persons the reduction in 16 houses amounts to 194.5 persons.

- 8.57 The amount of POS required is set out below:

	Area per 1000 population		Number of persons/1000		Area Required	Contribution
Outdoor Sports Facilities	1	x	0.1943	=	0.19ha	£208,987.14
Parks and Gardens	0.4	x	0.1943	=	0.08ha	On site
Informal Recreation	0.8	x	0.1943	=	0.16ha	On site
Provision for Teenagers and Children	0.6	x	0.1943	=	0.12ha	£117,390.23
Allotments	0.2	x	0.2305	=	0.05ha	£7,046.38
	3					

8.58 Parks and Gardens and Informal Recreation are to be provided on site with 0.3ha and 0.29ha provided respectively. Outdoor Sports and Facilities, Provision for Children and Teenagers and Allotments are proposed to be provided off site and would be secured as a financial contribution with a section 106 legal agreement. The Outdoor Sports Facilities contribution of £208,987.14 would go towards improving the Andover Bowls Club which is identified in the Council's Sport Facility Strategy 2020-2036 as needing improved pavilion facilities. The proposed dwellings are to the south of the existing MUGA and play facilities alongside Smannell Road. The application required the developer to provide facilities for Children and Teenagers as these facilities are often adopted and maintained by the Council. It was requested by the Council if this additional provision could be accommodated on the land to the north. To do this the Council would accept a contribution, this contribution would be used to create an expanded play area within a natural landscape and will provide new play equipment and an outdoor gym area. The final design of the new play area and equipment would be agreed following consultation with the local community. This was considered acceptable and would serve the new development as well as the wider community.

8.59 Allotments are maintained by the Town Council. As allotments are provided in specific areas with the correct facilities many smaller developments like this one are not of sufficient size to require additional allotment provision. In this case a contribution of £7,046 is required and this will be for the Town Council to put towards existing allotment provision in the town. The financial contributions aforementioned would be secured through a section 106 legal agreement.

8.60 *Maintenance and Management*

Policy COM 15 of the RLP requires the appropriate infrastructure to be secured. Provision for the long term maintenance and management of the open space is required, in order to ensure that it is available and contributes positively to the amenity of the area. The applicant proposes to transfer the landscaped areas of public open space within the Parcel and shown on Drawing Number 22016/C109B to Test Valley Borough Council, which would incur a long term cost for the Council to maintain these areas. A commuted sum is required in order to provide for this long term management and maintenance. This has been calculated based on the cost of maintaining the specific landscaping scheme proposed for these areas for a period of 20 years as per the Infrastructure and Developer Contributions SPD and amounts to £408,596.64 and this has been agreed by the developer and will be secured through a section 106 legal agreement.

8.61 **Rights of Way**

Policy T1 requires development to not have an adverse impact on the rights of way network in terms of function, safety and character. The site has no public rights of way surrounding the site and the closest right of way would be Andover Footpath 7711 to the east which follows the line of the Finkley Farm

Road and would be unaffected by the proposals. The Andover Ramblers acknowledge that no rights of way would be affected but have requested if it is possible to create a link between the non-Right of Way Path that runs alongside the western boundary of the site to Finkley Farm Road, this would be a straight route and would cross the open space to the north of the development. This proposed route would replicate the pedestrian path that is alongside Smannell Road albeit across open space as opposed to immediately adjacent to the road. The POS is an informal area for much of it allowing a freedom of movement of people across the space, for those who do not want to walk on the grassed area there is already a pedestrian footway adjacent to the road. The development does not give rise to any adverse impacts on existing routes and as such it is not considered that a route that effectively replicates an existing route can be justified. It is considered that the proposal accords with Policy T1 of the RLP.

#### **8.62 Noise**

The application is adjacent to the existing YMCA Nursery, MUGA and play area, it also proposes a retail outlet. Policy E8 is concerned with pollution from all sources, including noise. The policy states that development will be permitted provided it would not cause unacceptable risks to general amenity in respect of pollution impacts. The Environmental Protection Officer has raised no objection subject to conditions.

#### **8.63 Construction**

The Environmental Protection Officer has requested a number of conditions to minimise the impact to future residents from the construction process. These conditions have been recommended and restrict construction hours, require the submission and adherence to a Construction Environment Management Plan (CEMP) and the submission of a noise assessment if percussive or vibratory piling is required. These are not considered unreasonable and are considered necessary to make the development acceptable in respect of noise pollution.

#### **8.64 Commercial Use**

Block D on the plan shows commercial use at ground floor and residential above. The commercial use could cause a noise nuisance to neighbouring residential uses and as such the Environmental Protection Officer has noted that the block maintains some distance from most residential areas. Notwithstanding this the flats above would need some mitigation from the commercial use at ground floor and conditions restricting vehicles associated with deliveries and collection and the installation of any fixed external plant are recommended.

**8.65 Relationship with YMCA**

The YMCA Nursery has outside play space, children playing can be problematic where it is adjacent to outside relaxation areas. The play space for the YMCA is to the south of the building whilst the proposed development is to the north. Plot 58 to the north of the YMCA would be 12 metres from the building, the Environmental Protection Officer has raised concerns that activities within the YMCA could impact on the amenity of this property. The rooms within the YMCA building that are closest to plot 58 and the residential parcel are smaller rooms that support the wider use such as, training rooms, kitchen, and plant room. The plant room is internalised. If any additional external plant was required to serve the building this would be considered on its own merits through the appropriate planning process and would be subject to the usual considerations regarding any associated amenity impact on neighbouring residential uses. The nursery does have outdoor space but this is located to the south of the building away from the site. The building can be used for community uses but does not have a premises licence permitting entertainment and as such noise from any entertainment uses would not impact on this property.

8.66 Subject to conditions, it is considered that the development does accord with Policy E8 of the RLP.

**8.67 Drainage and Flood Risk**

Policy E7 deals with Water Management including flood risk. The site is located within Flood Zone 1 and as such there is no risk from flooding from rivers or sea and due to its location and level there is no risk from groundwater flooding. Drainage information has been provided as part of the application and the Lead Local Flood Authority have raised no objection subject to conditions which have been recommended. It is considered that the development does accord with Policy E7 of the RLP.

**8.68 Waste and Recycling**

The development has been designed to provide safe and easy access for refuse collection vehicles, bin stores are secure and lockable and are of sufficient size. The Environmental Services Officer has raised the issue of the commercial waste being separate from the residential waste. On Block D where there are proposed commercial uses at ground floor and residential uses above, there are clear and distinct bin stores for each separate use.

**8.69 Education**

Policy COM 15 of the RLP requires the appropriate infrastructure to be secured either through contribution or through works. On larger housing sites such as this HCC Education are consulted to provide advice on the possible impact on schools within the area. HCC Education has advised that they will not be seeking a contribution from this site towards education provision as it is not required for a development of the scale proposed.

**8.70 Skills and training**

Policy ST1 (skills and training) of the RLP requires, where a development has a significant impact on the labour market, contributions towards the enhancement of skills training and the provision of apprenticeships within the local community. In this instance, an Employment and Skills Plan is requested in accordance with the Construction Industry Training Board (CITB) Client Based Approach, in order to identify and provide skills needs and training delivery, and a condition is recommended to secure the submission of this.

**9.0 CONCLUSION**

- 9.1 The site is located within the settlement boundary for Andover where development and redevelopment is considered acceptable provided it accords with other policies within the plan. It is considered that the proposed layout will provide acceptable living conditions for future occupiers, in terms of overlooking and outlook and would provide private amenity space for future occupiers.
- 9.2 The proposed appearance of the buildings and apartment blocks are considered to be acceptable and will integrate into the wider character of the area which has been informed by a landscape led approach and high quality design.
- 9.3 The application is acceptable in terms of rights of way and education whilst, ecology, public open space, community safety and waste and recycling are acceptable subject to the securing of conditions.
- 9.4 A S106 legal agreement is being pursued to secure mitigation land to offset the nitrogen load from the development, affordable housing provision and associated financial contribution, the Framework Travel Plan and associated approval and monitoring fees, a Travel Plan Bond, a scheme of management and maintenance for areas of on-site public open space and financial contributions towards off-site public open space provision.
- 9.5 Subject to the completion of the S106 and the proposed conditions the development is considered to be acceptable and accords with the policies COM1, COM2, COM7, COM15, E1, E2, E5, E6, E7, E8, LHW1, LHW4, T1, T2, CS1.

**10.0 RECOMMENDATION**

**Delegated to the Head of Planning and Building that, subject to the completion of a satisfactory legal agreement to secure; mitigation land to offset the nitrogen load from the development, affordable housing provision and associated financial contribution, the Framework Travel Plan and associated approval and monitoring fees, a Travel Plan Bond, transfer of onsite public open space to TVBC and associated commuted sum for its long term management and maintenance and financial contributions towards off-site public open space provision, 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 occupation of the development authorised by this permission shall not begin until the following highways works are complete and operational;
  - Highway improvement works shown on Drawing Number 18087/100 REVD or 06-034/1261B and 06-034/1262B hereby approved have been implemented in accordance with either of these drawings and;
  - the North Way/Finkley Arch “L” Improvements as set out in Schedule 12, Part 1 of the S106 Agreement that accompanies the Outline permission TVN.09258 as permitted on 13<sup>th</sup> August 2008 and shown on Drawing Number 06-034-02-135 REV B

Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers;  
 Proposed Floor Plans - Plan Ref no. 22016 P152 - Version Building D - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P151 - Version Blocks B \_ C - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P150 - Version Building A - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P161 - Version A bin/cycle \_ substation - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P160 - Version Garages - 04/08/22  
 Proposed Elevations - Plan Ref no. 22016 P153 - Version Building D - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P137 - Version Plot 72 - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P136 - Version Plot 63-64 - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P135 - Version Plot 60-61 - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P134 - Version Plot 59 - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P143 - Version Plot 22 - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P142 - Version Plot 84 - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P141 - Version Plot 93-95 - 04/08/22  
 Composite Plan - Proposed - Plan Ref no. 22016 P140 - Version Plot 87-89 - 04/08/22



**Site Location Plan - Plan Ref no. 22016 S101 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P110 - Version**  
**Plots 1-3 and 90-92 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P111 - Version**  
**Plots 4-5 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P112 - Version**  
**Plots 10, 27, 28, 58, 81 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P113 - Version**  
**Plots 11-12, 65-66, 74-75 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P117 - Version Plot**  
**17 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P118 - Version**  
**Plots 18-20 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P119 - Version Plot**  
**35 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P120 - Version**  
**Plots 24 and 62 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P121 - Version**  
**Plots 25-26, 82-83, 85-86 - 04/08/22**  
**Composite Plan - Existing - Plan Ref no. 22016 P122 - Version Plot**  
**29 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P123 - Version Plot**  
**30 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P114 - Version Plot**  
**13 and 102 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P115 - Version Plot**  
**14-15 and 97-98 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P116 - Version**  
**Plots 16, 21 and 23 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P128 - Version**  
**Plots 36-37 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P129 - Version**  
**Plots 38-39 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P130 - Version**  
**Plots 40-41 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P131 - Version**  
**Plots 50-51 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P132 - Version**  
**Plots 52-53 and 54-55 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P133 - Version**  
**Plots 56-57 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P124 - Version**  
**Plots 31-32 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P125 - Version**  
**Plots 33, 71 and 96 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P126 - Version**  
**Plots 73 and 99 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P127 - Version Plot**  
**34 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P138 - Version  
Plots 76-77 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P139 - Version  
Plots 78-80 - 04/08/22**

**Site Layout - Plan Ref no. 22016 P103 - Version Affordable housing  
layout - 04/08/22**

**Details - Plan Ref no. WWL/E5020/001 C - Version Levels strategy  
layout - 04/08/22**

**Details - Plan Ref no. WWL/E5020/002 B - Version Drainage strategy  
layout - 04/08/22**

**Details - Plan Ref no. 22016 P104 - Version Boundary materials  
layout - 04/08/22**

**Details - Plan Ref no. 22016 P105 - Version Building material layout -  
04/08/22**

**Site Layout - Plan Ref no. 22016 C101 A - 17/10/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1001 PL04 - Version (1  
of 5) - 17/10/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1002 PL04 - Version (2  
of 5) - 17/10/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1003 PL04 - Version (3  
of 5) - 17/10/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1004 PL04 - Version (4  
of 5) - 17/10/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1005 PL04 - Version (5  
of 5) - 17/10/22**

**Details - Plan Ref no. 06-034/1262 B - Version Sheet 2 - 30/10/22**

**Details - Plan Ref no. 06-034/1261 B - Version Sheet 1 - 30/10/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 1 - Version  
Sheet 1 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 2 - Version  
Sheet 2 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 3 - Version  
Sheet 3 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 1 - Version  
Sheet 1 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 2 - Version  
Sheet 2 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 3 - Version  
Sheet 3 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 4 - Version  
Sheet 4 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 5 - Version  
Sheet 5 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 6 - Version  
Sheet 6 - 01/12/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1100 PL05 -**

**Landscape Legend - 01/12/22**

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

- 4. No development shall commence on site until a construction traffic management plan has been submitted to and approved in writing by the Local Planning Authority, which shall include:**
- (a) A programme of and phasing of demolition (if any) and construction work;**
  - (b) he provision of long term facilities for contractor parking;**
  - (c) The arrangements for deliveries associated with all construction works;**
  - (d) Methods and phasing of construction works;**
  - (e) Access and egress for plant and machinery;**
  - (f) Protection of pedestrian routes during construction;**
  - (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;**
  - (h) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e. wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process.**

**Demolition and construction work shall only take place in accordance with the approved management plan.**

**Reason: In the interest of the amenities of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8 and T1.**

- 5. No development shall take place (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.**

**Reason: To ensure a safe living/working environment in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.**

6. Prior to the commencement of construction activity including site clearance or groundworks, a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The CEMP shall detail the significant risks posed to amenity from the emission of noise, vibration, light and dust and set out the mitigation measures to be employed to control such emissions and mitigate the effects of such emissions on sensitive land uses. The CEMP shall include details of the site compound location(s). The construction activity shall only take place in accordance with the approved CEMP.

**Reason:** In the interest of the amenities of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

7. No development shall commence until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment and Drainage Strategy, has been submitted and approved in writing by the Local Planning Authority. The submitted details shall be implemented as approved and must include:

- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment and Drainage Strategy.
- b. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.

**Reason:** To ensure satisfactory surface water drainage on site in accordance with Policy E7 of the Test Valley Borough Revised Local Plan 2016.

8. No development shall commence until the tree protection as shown on Drawing Number 1826-KC-XX-YTREE-TPP01REVA has been installed and at least 2 working days' notice of development commencing given to the local planning authority. The Tree Protection shall be retained and maintained for the full duration of the construction phases of the development. No activities shall take place within the protected areas.

**Reason:** To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy E2 of the Test Valley Borough Revised Local Plan 2016.

9. No development shall not commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

- a) the width, alignment, gradient and surface materials for any proposed roads/footway/footpath/cycleway within and serving that development parcel including all relevant horizontal and longitudinal cross sections showing existing and proposed levels;

- b) No dwelling shall be occupied until a connection between it and the adopted highway has been constructed to at least binder course level for use by pedestrians, cycles and vehicles.**

**The development shall be carried out in accordance with the approved details.**

**Reason: To ensure that the roads, footway, footpath and cycleways are constructed to an appropriate standard to serve the development in accordance with Policy T1 of the Test Valley Borough Revised Local Plan 2016.**

- 10. No construction activity shall be carried out and no deliveries taken at or despatched from the site except between the hours of 07:30 hours and 18:00 hours Monday to Friday and 08:00 hours and 13:00 hours on Saturday and not at any time on Sundays, Bank or Public Holidays.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 11. No percussive or vibratory piling work shall be conducted on site until a noise and vibration assessment has been conducted and a scheme of mitigation measures has been submitted to and agreed in writing by the local planning authority. The agreed mitigation measures shall be carried out in accordance with the approved details.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 12. Deliveries and collections to and from the commercial premises within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101 Rev A shall only be undertaken between the hours of 07:30 and 18:00 Monday to Saturday and at no other time.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 13. Prior to the installation of any fixed external plant, or externally venting plant in connection with the commercial use hereby permitted within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101 Rev A, a specification of the proposed plant to be installed, including details of noise emissions, shall be submitted to and approved in writing by the local planning authority. The specification and accompanying details shall be implemented as approved.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 14. No artificial lighting shall be brought into use or illuminated unless back plates or other mitigation measures have first been installed where necessary to ensure that light at any residential property does not exceed 2 lux after 2300 hours when the light is illuminated.**

**All such mitigation measures shall thereafter be permanently retained.**

**Reason: To safeguard existing and future residents from artificial light pollution having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**

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

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

**Reason: To ensure satisfactory surface water drainage on site in accordance with Policy E7 of the Test Valley Borough Revised local Plan 2016.**

- 16. No development shall take place above DPC level of the development hereby permitted until a scheme showing EV Charging Points and Solar PV Panels has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**

- 17. No development shall take place above DPC level of the development hereby permitted until a detailed scheme of biodiversity enhancements to be incorporated into the development, including a planting plan, location plans, and a long term management strategy, covering a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details, with photographic evidence provided to the Local Planning Authority within 6 months of first occupation of the development.**

**Reason: To enhance biodiversity in accordance with the NPPF and the Natural Environment and Rural Communities Act 2006 and with Policy E5 of the Test Valley Revised Local Plan (2016).**

- 18. Prior to the occupation of the first dwelling an implementation plan for the delivery of the landscaping as shown on the submitted plan, Drawing Numbers**

**TWWL 23988 11 DR-SHEET 1**

**TWWL 23988 11 DR-SHEET 2**

**TWWL 23988 11 DR-SHEET 3**

**TWWL 23988 11 DR-SHEET 4**

**TWWL 23988 11 DR-SHEET 5**

**TWWL 23988 11 DR-SHEET 6**

**shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

**Reason:** To ensure the provision, establishment and maintenance to a suitable standard of the approved landscape designs to create and maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and to contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.

19. The apartment blocks hereby permitted, referred to as Blocks A, B, C and D on Drawing No. 22016/C101A shall not be occupied until the residential bin store associated with that apartment block has been fitted with internal lighting to allow for the safe use of the residential bin stores by future occupiers. The bin stores hereby permitted will be secured by a digi lock which shall be retained and maintained in good working condition thereafter.

**Reason:** To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.

20. No development shall take place above DPC level of the development hereby permitted an Employment and Skills Plan to encourage and promote skills and training in the construction industry in accordance with the Construction Industry Training Board (CITB) Client Based Approach to developing and implementing an Employment Skills Strategy on Construction projects, Local Client Guidance – England, v2, CITB and the National Skills Academy 2016 has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** Details are required prior to commencement in order to identify and provide skills needs and training delivery in accordance with Test Valley Borough Revised Local Plan 2016 policy ST1.

21. Prior to the occupation of the dwellings hereby permitted a lighting strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Strategy shall comply with BS 5489-1:2020. The development shall be carried out in accordance with the approved details.

**Reason:** To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.

22. The development shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles in accordance with Drawing Number 22016/C101A 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.

23. The commercial premises hereby permitted shall not be brought into use until the bin store associated with that commercial use has been fitted with internal lighting to allow for the safe use of the commercial bin stores. The bin store will be secured by a digi lock that has a different code to the adjacent residential bin store and the digi lock shall be retained and maintained in good working condition thereafter.

**Reason:** To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.

- 24. Development shall proceed in accordance with the measures set out in Section 5 'Mitigation' and Section 6 'Enhancement Opportunities' of the Land West of Finkley Farm Road, East Anton, Andover, Preliminary Ecological Appraisal (RPS, July 2022). Thereafter, the mitigation and enhancement measures shall be permanently maintained and retained in accordance with the approved details, with photographic evidence provided to the Local Planning Authority within 6 months of occupation.**  
**Reason: To ensure the favourable conservation status of protected species and enhance biodiversity in accordance with the Natural Environment and Rural Communities Act 2006, the NPPF and Policy E5 of the Test Valley Revised Local Plan DPD.**
- 25. The communal parking areas as shown on Drawing No. 22016/C101A will be marked by the painting of numbers in the ground to each residential unit to which they are allocated. The car parking spaces shall be marked prior to the occupation of the dwelling they are allocated to.**  
**Reason: To ensure satisfactory parking levels are retained on site in accordance with Policy T2 of the Test Valley Borough Revised Local Plan 2016.**
- 26. Rear access gates to all residential properties shall be fitted with a key operated lock that operates from both sides and shall be suitable for exterior use.**  
**Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with the adopted Local Plan, Policy CS1.**
- 27. The retail convenience store hereby permitted shall be restricted to Use Class E (a) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 and for no other purposes within Class E of that Order.**  
**Reason: To protect amenities of neighbouring uses and ensure adequate parking in accordance with policies T2 and E8 of the Test Valley Borough Revised Local Plan 2016.**
- 28. 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.**

**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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**Update Report to Northern Area Planning Committee 30.03.23**


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<b>APPLICATION NO.</b>	22/01992/FULLN
<b>SITE</b>	Land West, Finkley Farm Road, Andover, , <b>ANDOVER TOWN (ROMANS)</b>
<b>COMMITTEE DATE</b>	30 March 2023
<b>ITEM NO.</b>	7
<b>PAGE NO.</b>	10-61

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**1.0 REPRESENTATIONS****1.1 1 x letter of objection from 39 Tweed Road**

- Unadopted area of land adjacent to Endeavour Primary School has been forgotten about by Taylor Wimpey
- The land is filled with building materials, such as bricks, litter and rocks
- Taylor Wimpey are keen to proceed on this development whilst disregarding their existing customers.
- Tried to work with Councillor and developer since August 2022 and it's still not sorted
- Development should not be approved until this issue is sorted or it should be included in this plan.

**2.0 CONSULATIONS****2.1 Highways**

Further emails were received from the Highway Authority on the 28<sup>th</sup> and 29<sup>th</sup> March 2023 that provides more information on why they believe that the requested financial contribution of £187,000 does meet the CIL tests. The response of the 28<sup>th</sup> March is set out below.

**2.2 Necessary to make the development acceptable in planning terms;**

Whilst the existing outline consent for the wider site secured measures towards active travel, this current application places additional demand from residents on infrastructure and must be viewed against current policy criteria and standards, for example the requirements of LTN 1/20 were not in place at the time of the original consent. Furthermore, the current application places additional vehicular trips on this route and on the network between the site and town centre, at junctions which experience congestion during peak periods and in some locations, for example A343/Smannell Road/Newbury Road is approaching theoretical capacity. As set out in our response, the contribution is considered necessary to off-set the vehicular impact by improving pedestrian and cycle infrastructure to present a genuine choice of transport modes for all. The Highway Authority are not seeking any further off-site

junction improvement works or contributions towards capacity led highway schemes on account of the financial contribution being provided for active travel improvements to off-set the vehicular impacts in this case. It is also considered necessary that the specific safety deficiencies as identified in the WCHAR report are addressed and the financial contribution is considered a fair and reasonable approach. In the absence of the contribution it is not clear how these deficiencies could be addressed and the residents would be reliant on sub standard active modes provision.

### 2.3 Directly related to the development:

The contribution is required to address deficiencies identified in the site specific WCHAR which considers the suitability of routes between the site and key facilities. The contribution requirement being identified within the scope of the agreed WCHAR assessment itself demonstrates a direct requirement between the development and the requirement for improvement. The purpose of the WCHAR is confirmed by the developer as required to “assess the provision for pedestrians and cyclists between the Application Site (referred to herein as the ‘Site’) and Andover town centre and railway station.” Thus demonstrating the direct relationship.

Specifically, in relation to the location where the contribution has been calculated the WCHAR confirms that whilst cyclists travelling west from Roman Road to Smannell Road the existing layout and geometries do not cater well for this manoeuvre and that there is a likelihood that cyclists are opting to not use the shared use path. The contribution requirement being based on the cost to provide segregated cycle provision in this location is therefore considered to directly address this issue. The contribution is also required in order to address the vehicular impacts of the development upon the highway network as explained above. The current TVBC Local Plan Policy T1 sets out that development will be permitted when “measures are in place to minimise its impact on the highway and rights of way network and pedestrians, cycle or public transport users”. The contribution requirement is therefore considered to be in accordance with TVBC’s current Local Plan.

### 2.4 Fairly and reasonably related to the development:

The scope and content of the WCHAR was agreed between the Highway Authority and Developer as being of a fair and reasonable extent given the characteristics of the site. The WCHAR report itself confirms “Given the size of the proposed development, particularly considering that around half of the proposed dwellings already benefit from outline consent, and that the wider MDA has already delivered a suite of improvements to pedestrian and cycle facilities, the focus of this WCHAR has been on the potential for improvements which are proportionate to the development impact.” Whilst the WCHAR suggests additional lining and signage could potentially assist with addressing the issues identified, this is not considered sufficient by the Highway Authority

and instead it is considered necessary for the development to contribute towards providing a policy compliant route. The contribution is calculated based on the specific cost of providing cycle crossing facilities and a segregated cycle route along Smannell Road in the vicinity of the roundabouts (specific extent measured at 97m. These sums were provided by the Department for Transport in its guidance to Local Authorities on producing LCWIPS. Whilst it is acknowledged the sums are indicative, given the scheme in its entirety is to go through subsequent design stages, it is considered a fair and reasonable approach to addressing the issues identified above. In order to further substantiate the requirement is proportionate, it confirmed that it is in line with a cost per (net) dwelling based on sites across Hampshire of a similar scale.

Specifically in terms of safety, the Highway Authority have no safety concern regarding the A343/Smannell Road/Newbury Road roundabout as confirmed in our discussion yesterday. As you know the Highway Authority have not provided a reason for refusal at this stage, given the formal response set out no objection subject to the contribution sum being secured. Clearly as set out above, and within the highway authority's formal responses to the application the contribution is required in part to address the accident record and specific safety related issues identified within the WCHAR report and therefore should a reason for refusal be required and defended at Appeal this would include the safety issues discussed within our responses and failure to provide policy compliant modal choice.

- 2.5 A further email from the Highway Authority was received on the 29<sup>th</sup> March 2023 providing further information on the requested contribution, the contents of this email are set out below in their entirety;
- 2.6 In order for us to be satisfied that the contribution meets the CIL tests i.e is necessary in planning terms, we would have been equally satisfied that if the contribution is not provided the resultant impact would be unacceptable. So that means we would object on the basis that the contribution, which we consider necessary, is not being secured.

In this scenario, the development coming forward without mitigation would be considered contrary to para 110 of the NPPF in that it fails to ensure that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

The residual cumulative impact of the development coming forward without mitigation towards delivery sustainable modes improvements would be considered severe in accordance with NPPF paragraph 111 in that the supporting context (paragraph 112) is not considered met as this confirms that developments should;

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas;
- b) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

The issues have been identified within the WCHAR report, accident record and also wider transport assessment work which assesses the vehicular impact on surrounding junctions for which the financial contribution towards sustainable modes is considered to offset. It is specifically required in order to address the documented safety issues involving cyclists at the Smannell Road/Roman Way/Cricketers Way roundabouts. The existing facilities are not considered suitable, attractive or policy compliant and in the absence of a reasonable contribution towards improving this element of the route the impacts are left unaddressed.

I am satisfied that the committee report reflects our formal response and position accurately in that we raised no objection subject to the contribution. However if you require a reason for refusal based on TVBC's stance to not secure it I would suggest;

The applicant has failed to provide a mitigation scheme to improve cycle infrastructure on Smannell Road and therefore would result in an unacceptable impact on the safety and operation of the highway network. In the absence of an acceptable mitigation scheme, the proposed development would be contrary to NPPF Paragraph 111 in that it would result in a severe impact on the local road network.

Reason: In the interest of Highway Safety

### **3.0 PLANNING CONSIDERATIONS**

#### **3.1 Highways**

In the main Agenda Report in paragraphs 8.18 to 8.22 the Case Officer assesses the Highway Authority's request for a contribution of £187,000 towards sustainable modes of transport and off-site mitigation and why it is considered that the contribution does not meet the CIL tests. Since the writing of the main Agenda Report further discussions have been ongoing with the Highway Authority in this respect.

3.2 It is considered that the Highway Authority have provided further information to support their position and the LPA and the applicant would need time to consider this. To allow this to happen the LPA are proposing an amended recommendation to delegate to the Head of Planning and Building the requirement to consider and assess the response and agree a satisfactory resolution with the Highway Authority and the applicant. The Highway Authority has confirmed that they would welcome working collaboratively with the LPA post Committee to resolve this matter.

3.3 The Highway Authority requested Condition 9 of the main Agenda Report which sought details of the road construction. The applicant has advised that information relating to criterion (a) of this proposed condition have already been submitted as part of the application and was asking what further information was required. The Highway Authority has reviewed the condition and information submitted with the application and are satisfied that the information already submitted addresses criterion (a) of Condition 9 of the main Agenda Report and are happy that this condition can be amended to remove this criterion.

3.4 A Highway Informative has also been added to pick up the issue raised in the Highway Authority's response of the 2<sup>nd</sup> December 2022 advising that the change in access location may require the extinguishment of highway rights.

### 3.5 **Ecology**

Condition 17 of the main Agenda Report requires a detailed scheme of biodiversity enhancements to be submitted. Condition 24 of the main Agenda Report requires development to be carried out in accordance with the Mitigation and Enhancement requirements of the Preliminary Ecological Appraisal. The applicant has queried that as these two conditions are both seeking similar outcomes are they both needed.

3.6 The land at present is mown grass and has little biodiversity. The PEA sets out the following enhancements:

- A range of bird boxes
- Swift Bricks
- Landscaping to provide foraging habitats for birds and bats
- Bat boxes/bricks will be included across the development
- Bug Hotels and bee bricks

3.7 It is considered that these enhancements would increase biodiversity across the site. The landscaping is to be managed by TVBC who will ensure the foraging habitats are maintained. It is considered that the existing PEA does deliver biodiversity enhancements and these enhancements are secured through condition. The Council's Ecologist has agreed that Condition 17 can be removed as it effectively duplicates Condition 24 of the main Agenda Report.

- 3.8 The wording of Condition 24 has also been slightly amended to require an Ecologist's report to confirm that the Mitigation and Enhancements have been provided as opposed to a photographic record, the latter being considered to not provide sufficient clarity on a development of this size.

3.9 **Affordable Housing**

In the main Agenda Report in paragraph 8.54 there is a discussion on the provision of adapted wheelchair units. What was not clear was that whilst these are not being provided the developer is proposing at least two dwellings to provide adaptable units built in accordance with Building Regulations standard M4(2) Category 2 that can meet the changing needs of occupiers, these will be secured through the S106 legal agreement and the resolution has been updated to reflect this.

3.10 **Environmental Protection**

Whilst Condition 12 sought control over delivery times there was no corresponding condition on the opening hours of the development. To protect residential amenity Environmental Protection have suggested a Condition with the opening hours reflecting the trading hours of the commercial premises at the Northern Local Centre. This condition is included within the Amended Recommendation as condition 13, which states the following:

The commercial premises within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101 Rev A shall only be open between the hours of 0700 and 2300 hours on any day.

Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

3.11 **Other Matters**

The third party representation refers to land to the south of the application site on land on the opposite side of Dairy Road. This land is not part of the application site and ownership is retained by Taylor Wimpey. The representation requests that permission is withheld until this issue is sorted or the land is included in this plan. Whilst this is noted the land is outside of the application site and therefore cannot be addressed through this application and neither is it appropriate to withhold further development until this matter has been resolved. The LPA have brought this to the attention of the applicant.

**4.0 AMENDED RECOMMENDATION**

**Delegated to the Head of Planning and Building that, subject to the completion of a satisfactory legal agreement to secure, mitigation land to offset the nitrogen load from the development, affordable housing provision and associated financial contribution, two adaptable dwellings built in accordance with Building Regulations standard M4(2) Category 2, the Framework Travel Plan and associated approval and monitoring fees, a Travel Plan Bond, transfer of onsite public open space to TVBC and associated commuted sum for its long term management and maintenance, financial contributions towards off-site public open space provision, details of the Management Company for the management and maintenance of internal roads; and satisfactory resolution of off-site highway mitigation measures 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 occupation of the development authorised by this permission shall not begin until the following highways works are complete and operational;**
  - Highway improvement works shown on Drawing Number 18087/100 REVD or 06-034/1261B and 06-034/1262B hereby approved have been implemented in accordance with either of these drawings and;**
  - the North Way/Finkley Arch “L” Improvements as set out in Schedule 12, Part 1 of the S106 Agreement that accompanies the Outline permission TVN.09258 as permitted on 13<sup>th</sup> August 2008 and shown on Drawing Number 06-034-02-135 REV B**

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

- 3. The development hereby permitted shall not be carried out except In complete accordance with the details shown on the submitted plans, numbers;**

**Proposed Floor Plans - Plan Ref no. 22016 P152 - Version Building D - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P151 - Version Blocks B \_ C - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P150 - Version Building A - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P161 - Version A bin/cycle \_ substation - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P160 - Version Garages - 04/08/22**

**Proposed Elevations - Plan Ref no. 22016 P153 - Version Building D - 04/08/22**

## **APPENDIX 2**

**Composite Plan - Proposed - Plan Ref no. 22016 P137 - Version Plot 72 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P136 - Version Plot 63-64 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P135 - Version Plot 60-61 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P134 - Version Plot 59 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P143 - Version Plot 22 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P142 - Version Plot 84 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P141 - Version Plot 93-95 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P140 - Version Plot 87-89 - 04/08/22**  
**Site Location Plan - Plan Ref no. 22016 S101 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P110 - Version Plots 1-3 and 90-92 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P111 - Version Plots 4-5 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P112 - Version Plots 10, 27, 28, 58, 81 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P113 - Version Plots 11-12, 65-66, 74-75 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P117 - Version Plot 17 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P118 - Version Plots 18-20 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P119 - Version Plot 35 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P120 - Version Plots 24 and 62 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P121 - Version Plots 25-26, 82-83, 85-86 - 04/08/22**  
**Composite Plan - Existing - Plan Ref no. 22016 P122 - Version Plot 29 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P123 - Version Plot 30 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P114 - Version Plot 13 and 102 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P115 - Version Plot 14-15 and 97-98 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P116 - Version Plots 16, 21 and 23 - 04/08/22**  
**Composite Plan - Proposed - Plan Ref no. 22016 P128 - Version Plots 36-37 - 04/08/22**



## APPENDIX 2

**Composite Plan - Proposed - Plan Ref no. 22016 P129 - Version Plots 38-39 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P130 - Version Plots 40-41 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P131 - Version Plots 50-51 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P132 - Version Plots 52-53 and 54-55 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P133 - Version Plots 56-57 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P124 - Version Plots 31-32 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P125 - Version Plots 33, 71 and 96 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P126 - Version Plots 73 and 99 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P127 - Version Plot 34 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P138 - Version Plots 76-77 - 04/08/22**

**Composite Plan - Proposed - Plan Ref no. 22016 P139 - Version Plots 78-80 - 04/08/22**

**Site Layout - Plan Ref no. 22016 P103 - Version Affordable housing layout - 04/08/22**

**Details - Plan Ref no. WWL/E5020/001 C - Version Levels strategy layout - 04/08/22**

**Details - Plan Ref no. WWL/E5020/002 B - Version Drainage strategy layout - 04/08/22**

**Details - Plan Ref no. 22016 P104 - Version Boundary materials layout - 04/08/22**

**Details - Plan Ref no. 22016 P105 - Version Building material layout - 04/08/22**

**Site Layout - Plan Ref no. 22016 C101 A - 17/10/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1001 PL04 - Version (1 of 5) - 17/10/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1002 PL04 - Version (2 of 5) - 17/10/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1003 PL04 - Version (3 of 5) - 17/10/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1004 PL04 - Version (4 of 5) - 17/10/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1005 PL04 - Version (5 of 5) - 17/10/22**

**Details - Plan Ref no. 06-034/1262 B - Version Sheet 2 - 30/10/22**

**Details - Plan Ref no. 06-034/1261 B - Version Sheet 1 - 30/10/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 1 - Version Sheet 1 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 2 - Version Sheet 2 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 3 - Version Sheet 3 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 1 - Version Sheet 1 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 2 - Version Sheet 2 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 3 - Version Sheet 3 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 4 - Version Sheet 4 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 5 - Version Sheet 5 - 01/12/22**

**Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 6 - Version Sheet 6 - 01/12/22**

**Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1100 PL05 - Landscape Legend - 01/12/22**

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

- 4. No development shall commence on site until a construction traffic management plan has been submitted to and approved in writing by the Local Planning Authority, which shall include:**
- (a) A programme of and phasing of demolition (if any) and construction work;**
  - (b) The provision of long term facilities for contractor parking;**
  - (c) The arrangements for deliveries associated with all construction works;**
  - (d) Methods and phasing of construction works;**
  - (e) Access and egress for plant and machinery;**
  - (f) Protection of pedestrian routes during construction;**
  - (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;**
  - (h) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e. wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process.**

**Demolition and construction work shall only take place in accordance with the approved management plan.**

**Reason: In the interest of the amenities of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8 and T1.**

- 5. No development shall take place (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.**

**Reason: To ensure a safe living/working environment in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.**

- 6. Prior to the commencement of construction activity including site clearance or groundworks, a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The CEMP shall detail the significant risks posed to amenity from the emission of noise, vibration, light and dust and set out the mitigation measures to be employed to control such emissions and mitigate the effects of such emissions on sensitive land uses. The CEMP shall include details of the site compound location(s). The construction activity shall only take place in accordance with the approved CEMP.**

**Reason: In the interest of the amenities of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 7. No development shall commence until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment and Drainage Strategy, has been submitted and approved in writing by the Local Planning Authority. The submitted details shall be implemented as approved and must include:**

- a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment and Drainage Strategy.**
- b) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.**

**Reason: To ensure satisfactory surface water drainage on site in accordance with Policy E7 of the Test Valley Borough Revised Local Plan 2016.**

- 8. No development shall commence until the tree protection as shown on Drawing Number 1826-KC-XX-YTREE-TPP01REVA has been installed and at least 2 working days' notice of development commencing given to the local planning authority. The Tree Protection shall be retained and maintained for the full duration of the construction phases of the development. No activities shall take place within the protected areas.**

**Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy E2 of the Test Valley Borough Revised Local Plan 2016.**

- 9. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:**

- a) No dwelling shall be occupied until a connection between it and the adopted highway has been constructed to at least binder course level for use by pedestrians, cycles and vehicles.**

**The development shall be carried out in accordance with the approved details.**

**Reason: To ensure that the roads, footway, footpath and cycleways are constructed to an appropriate standard to serve the development in accordance with Policy T1 of the Test Valley Borough Revised Local Plan 2016.**

- 10. No construction activity shall be carried out and no deliveries taken at or despatched from the site except between the hours of 07:30 hours and 18:00 hours Monday to Friday and 08:00 hours and 13:00 hours on Saturday and not at any time on Sundays, Bank or Public Holidays.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 11 No percussive or vibratory piling work shall be conducted on site until a noise and vibration assessment has been conducted and a scheme of mitigation measures has been submitted to and agreed in writing by the local planning authority. The agreed mitigation measures shall be carried out in accordance with the approved details.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 12 Deliveries and collections to and from the commercial premises within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101 Rev A shall only be undertaken between the hours of 07:30 and 18:00 Monday to Saturday and at no other time.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 13 The commercial premises within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101 Rev A shall only be open between the hours of 0700 and 2300 hours on any day.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 14 Prior to the installation of any fixed external plant, or externally venting plant in connection with the commercial use hereby permitted within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101 Rev A, a specification of the proposed plant to be installed, including details of noise emissions, shall be submitted to and approved in writing by the local planning authority. The specification and accompanying details shall be implemented as approved.**

**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

- 15 No artificial lighting shall be brought into use or illuminated unless back plates or other mitigation measures have first been installed where necessary to ensure that light at any residential property does not exceed 2 lux after 2300 hours when the light is illuminated. All such mitigation measures shall thereafter be permanently retained.**

**Reason: To safeguard existing and future residents from artificial light pollution having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.**

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

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

**Reason: To ensure satisfactory surface water drainage on site in accordance with Policy E7 of the Test Valley Borough Revised local Plan 2016.**

- 17 No development shall take place above DPC level of the development hereby permitted until a scheme showing EV Charging Points and Solar PV Panels has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

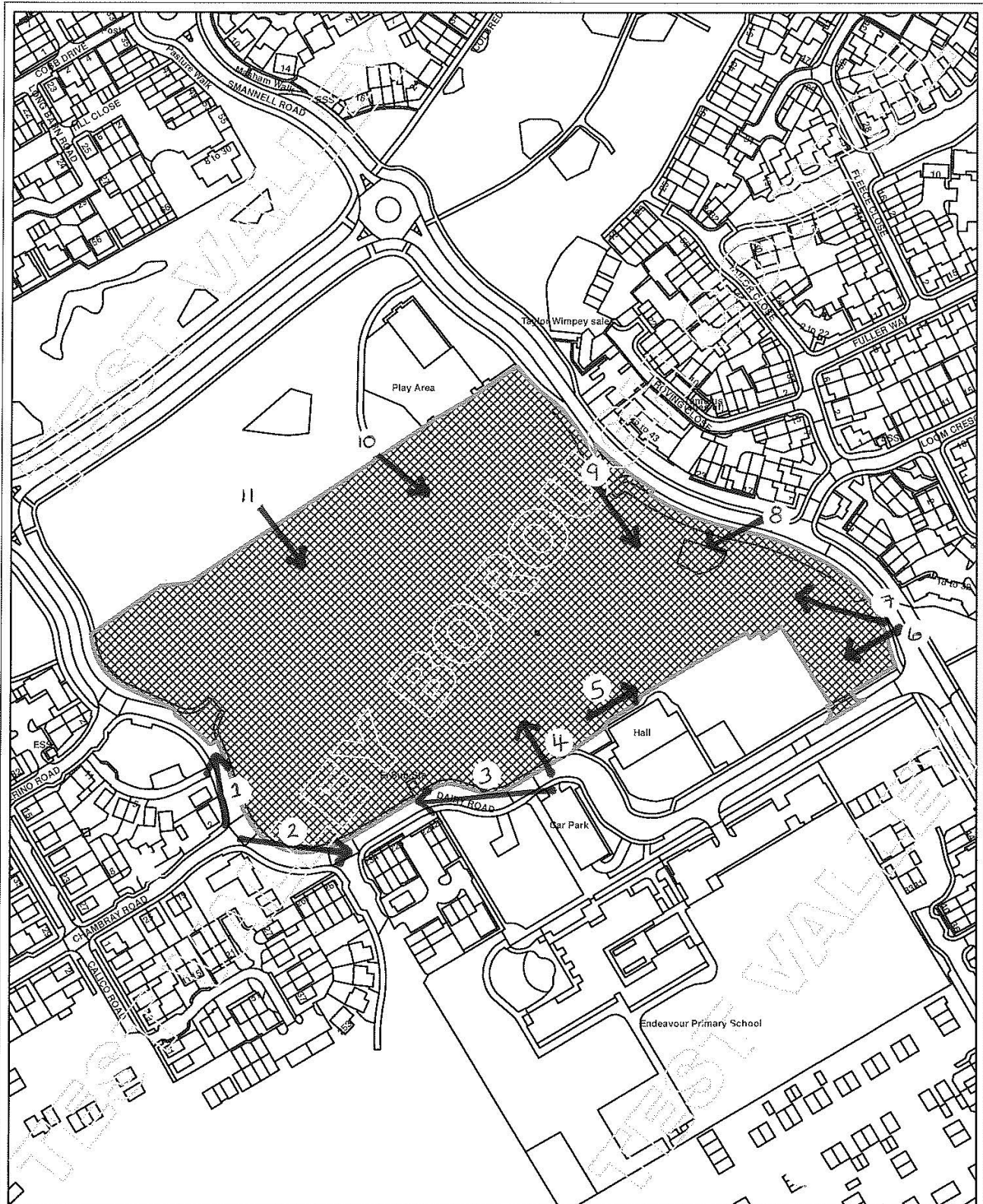
**Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**

- 18** Prior to the occupation of the first dwelling an implementation plan for the delivery of the landscaping as shown on the submitted plan, Drawing Numbers,  
TWWL 23988 11 DR-SHEET 1  
TWWL 23988 11 DR-SHEET 2  
TWWL 23988 11 DR-SHEET 3  
TWWL 23988 11 DR-SHEET 4  
TWWL 23988 11 DR-SHEET 5  
TWWL 23988 11 DR-SHEET 6  
shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: To ensure the provision, establishment and maintenance to a suitable standard of the approved landscape designs to create and maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and to contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.
- 19** The apartment blocks hereby permitted, referred to as Blocks A, B, C and D on Drawing No. 22016/C101A shall not be occupied until the residential bin store associated with that apartment block has been fitted with internal lighting to allow for the safe use of the residential bin stores by future occupiers. The bin stores hereby permitted will be secured by a digi lock which shall be retained and maintained in good working condition thereafter.  
Reason: To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.
- 20** No development shall take place above DPC level of the development hereby permitted until an Employment and Skills Plan to encourage and promote skills and training in the construction industry in accordance with the Construction Industry Training Board (CITB) Client Based Approach to developing and implementing an Employment Skills Strategy on Construction projects, Local Client Guidance – England, v2, CITB and the National Skills Academy 2016 has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: Details are required prior to commencement in order to identify and provide skills needs and training delivery in accordance with Test Valley Borough Revised Local Plan 2016 policy ST1.
- 21** Prior to the occupation of the dwellings hereby permitted a lighting strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Strategy shall comply with BS 5489-1:2020. The development shall be carried out in accordance with the approved details.  
Reason: To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.

- 22** No dwelling hereby permitted shall be occupied until the parking and manoeuvring space associated with that dwelling has been provided in accordance with Drawing Number 22016/C101A 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.
- 23** The commercial premises hereby permitted shall not be brought into use until the bin store associated with that commercial use has been fitted with internal lighting to allow for the safe use of the commercial bin stores. The bin store will be secured by a digi lock that has a different code to the adjacent residential bin store and the digi lock shall be retained and maintained in good working condition thereafter.  
Reason: To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.
- 24** Development shall proceed in accordance with the measures set out in Section 5 'Mitigation' and Section 6 'Enhancement Opportunities' of the Land West of Finkley Farm Road, East Anton, Andover, Preliminary Ecological Appraisal (RPS, July 2022). Thereafter, the mitigation and enhancement measures shall be permanently maintained and retained in accordance with the approved details, with a report from a qualified Ecologist providing confirmation and evidence to the Local Planning Authority within 6 months of final occupation.  
Reason: To ensure the favourable conservation status of protected species and enhance biodiversity in accordance with the Natural Environment and Rural Communities Act 2006, the NPPF and Policy E5 of the Test Valley Revised Local Plan DPD.
- 25** The communal parking areas as shown on Drawing No. 22016/C101A will be marked by the painting of numbers on the ground to each residential unit to which they are allocated. The car parking spaces shall be marked prior to the occupation of the dwelling they are allocated to.  
Reason: To ensure satisfactory parking levels are retained on site in accordance with Policy T2 of the Test Valley Borough Revised Local Plan 2016.
- 26** Rear access gates to all residential properties shall be fitted with a key operated lock that operates from both sides and shall be suitable for exterior use.  
Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with the adopted Local Plan, Policy CS1.

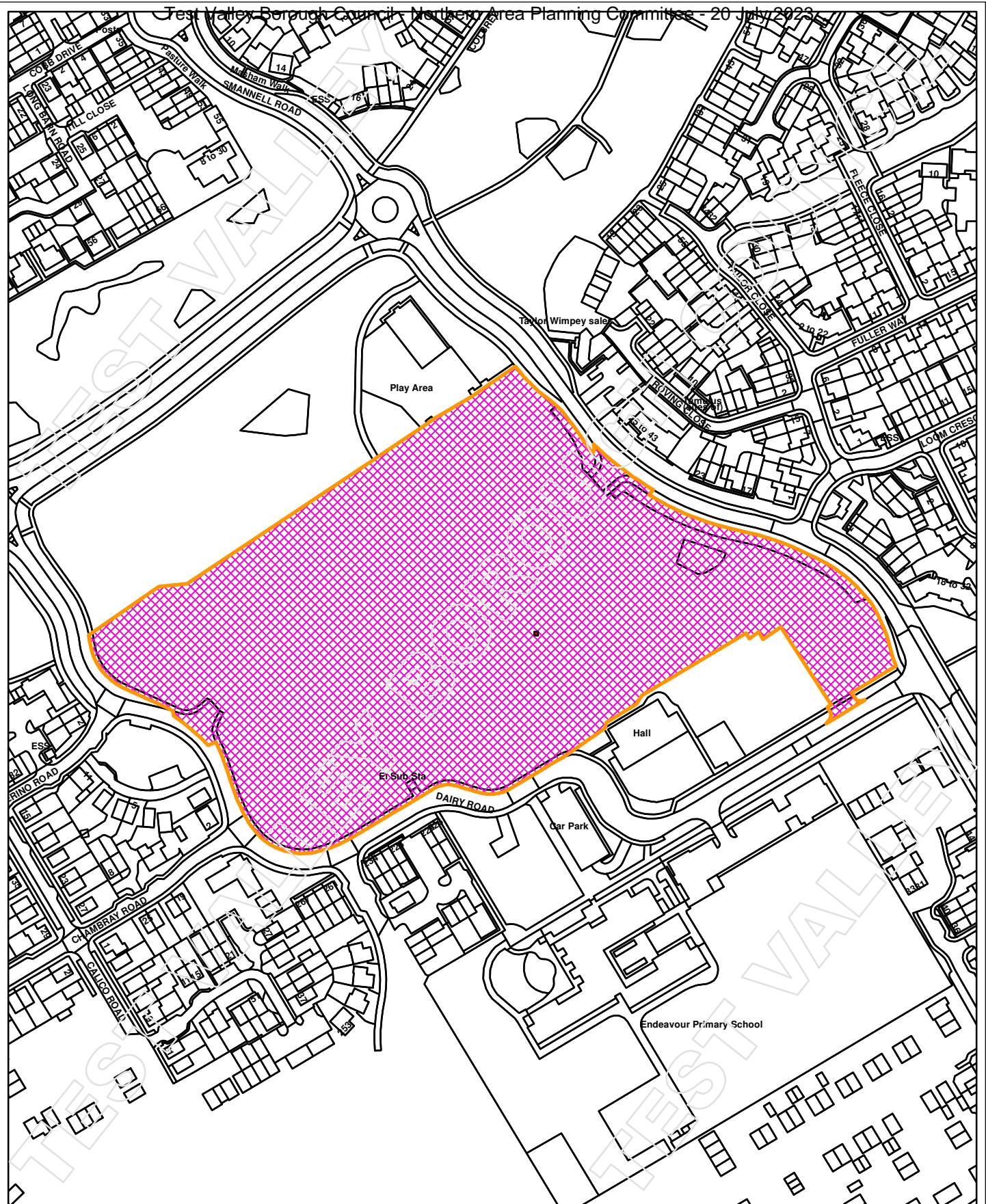
- 27 The retail convenience store hereby permitted shall be restricted to Use Class E (a) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 and for no other purposes within Class E of that Order.  
Reason: To protect amenities of neighbouring uses and ensure adequate parking in accordance with policies T2 and E8 of the Test Valley Borough Revised Local Plan 2016.**
- 28 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.**
- 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. There is a requirement to extinguish the highway rights across the existing access spur that is shown as surplus to requirement.**





**Siteplan**

**Test Valley**  
Borough Council



## Siteplan

**Test Valley**  
Borough Council

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**22/01992/FULLN**





Test Valley Borough Council - Northern Area Planning Committee - 20 July 2023

Site Plan Legend	
Site Area 4.266Ha	
	Application Site Boundary Line
	Proposed Trees
	Dwelling Reference
	Plot Number
	Allocated Parking
	Visitor Parking
	1.8m Brick Wall
	1.8m Timber Fence
	Black Metal Railings
	Shed/Cycle Store
	Refuse Collection Point
	Bin Store
	Carport
	Rented
	Shared Ownership
	First Homes



Coloured Site Layout  
Land off Dairy Road, East Anton, Andover, Hampshire

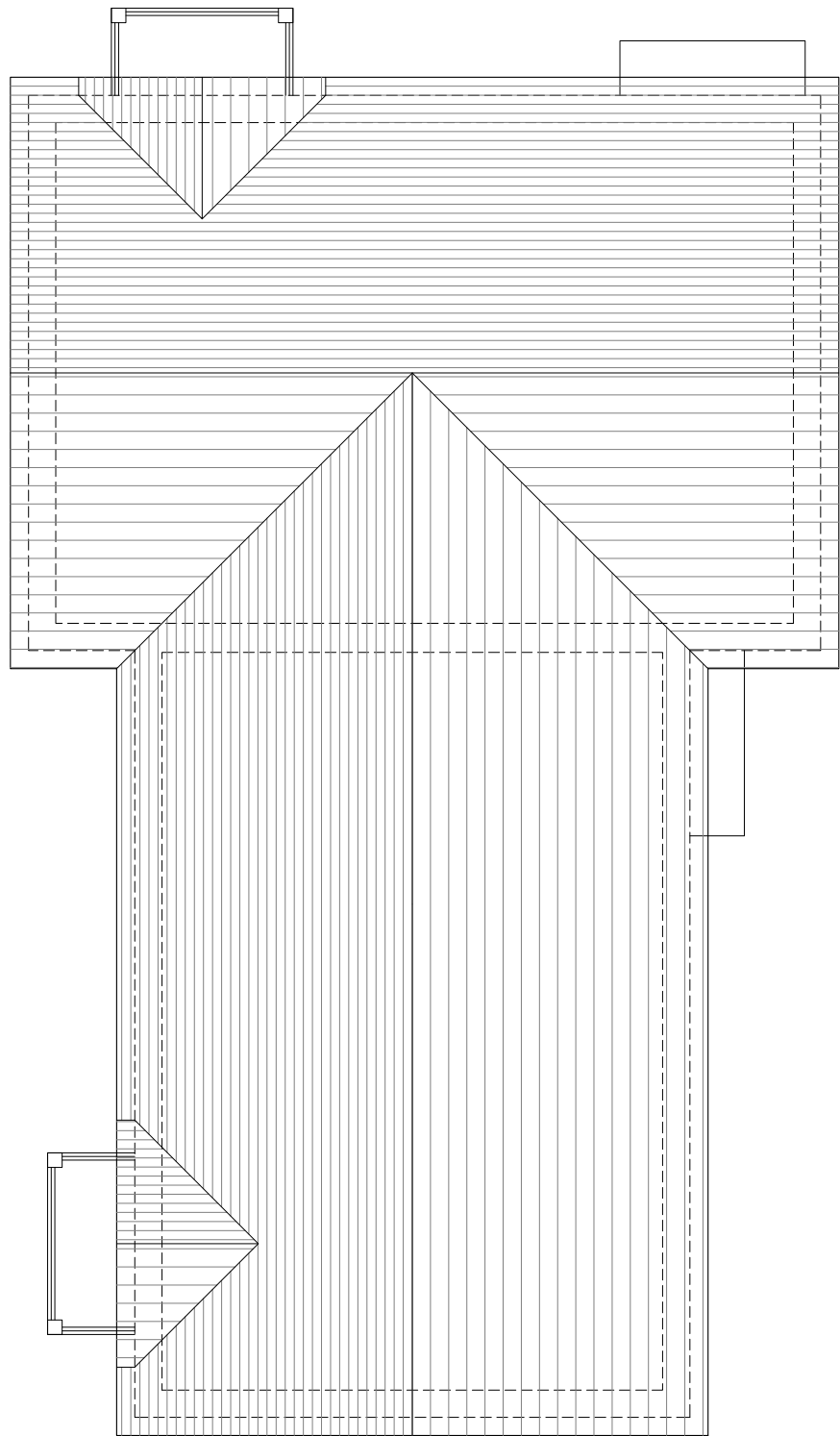
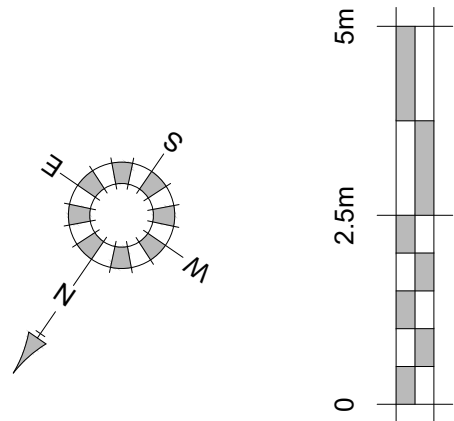
22016 / C101B

Scale 1:500 @ A1 May 2023

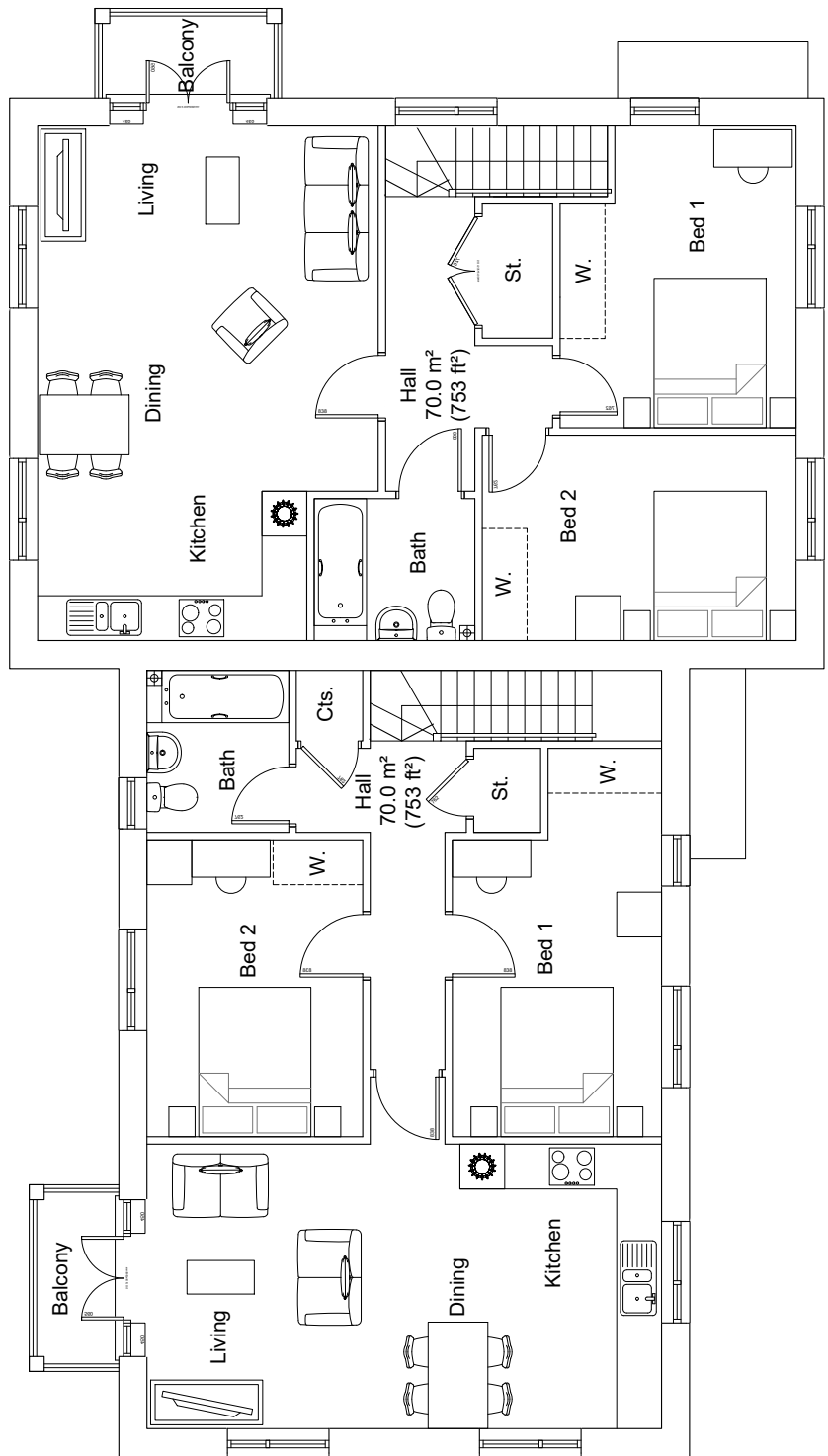
OSP Architecture, Broadmead House, Farnham Business Park, Farnham, Surrey, GU14 7BT Tel: 01252 267678  
www.osparchitecture.com

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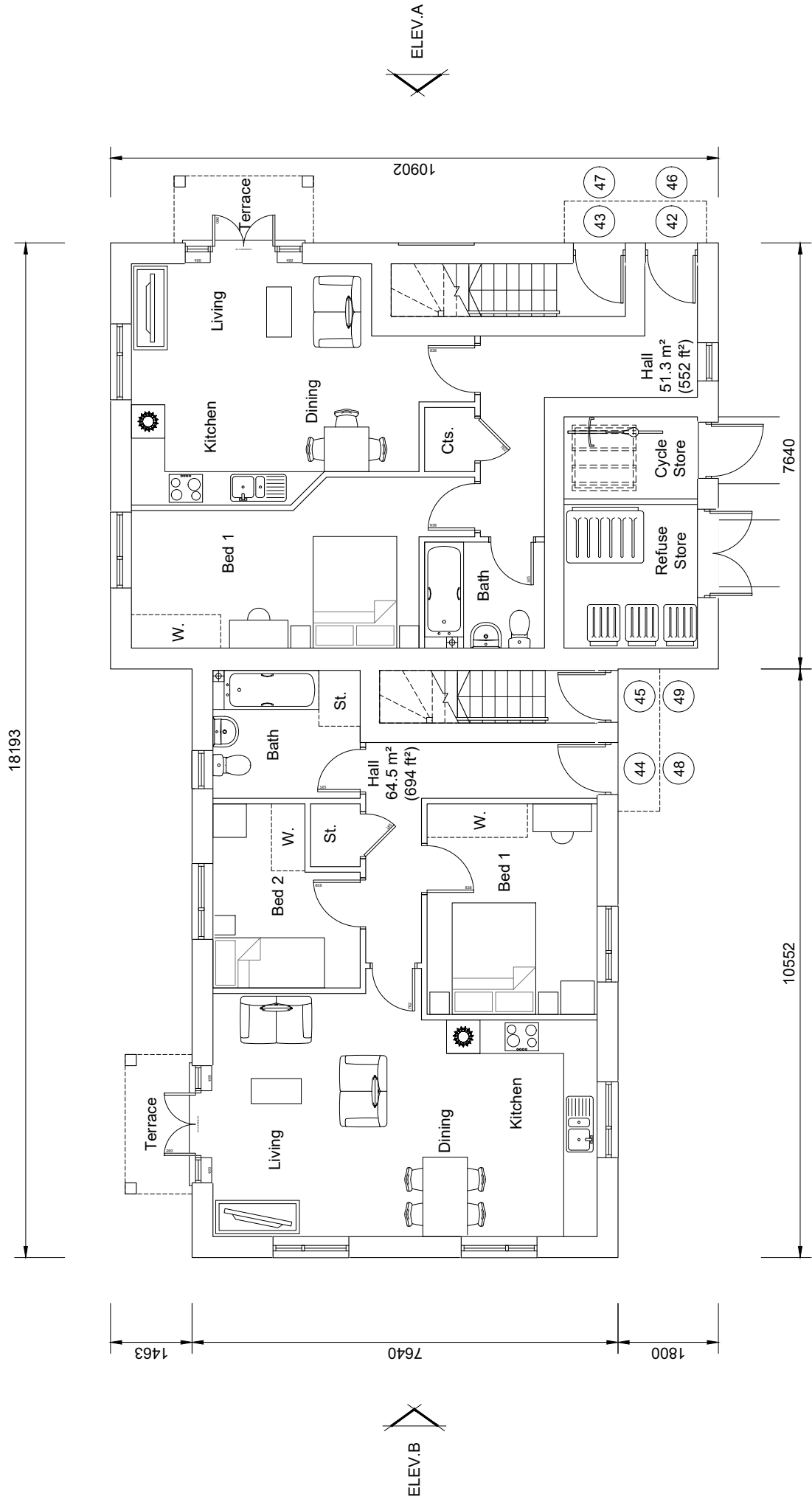




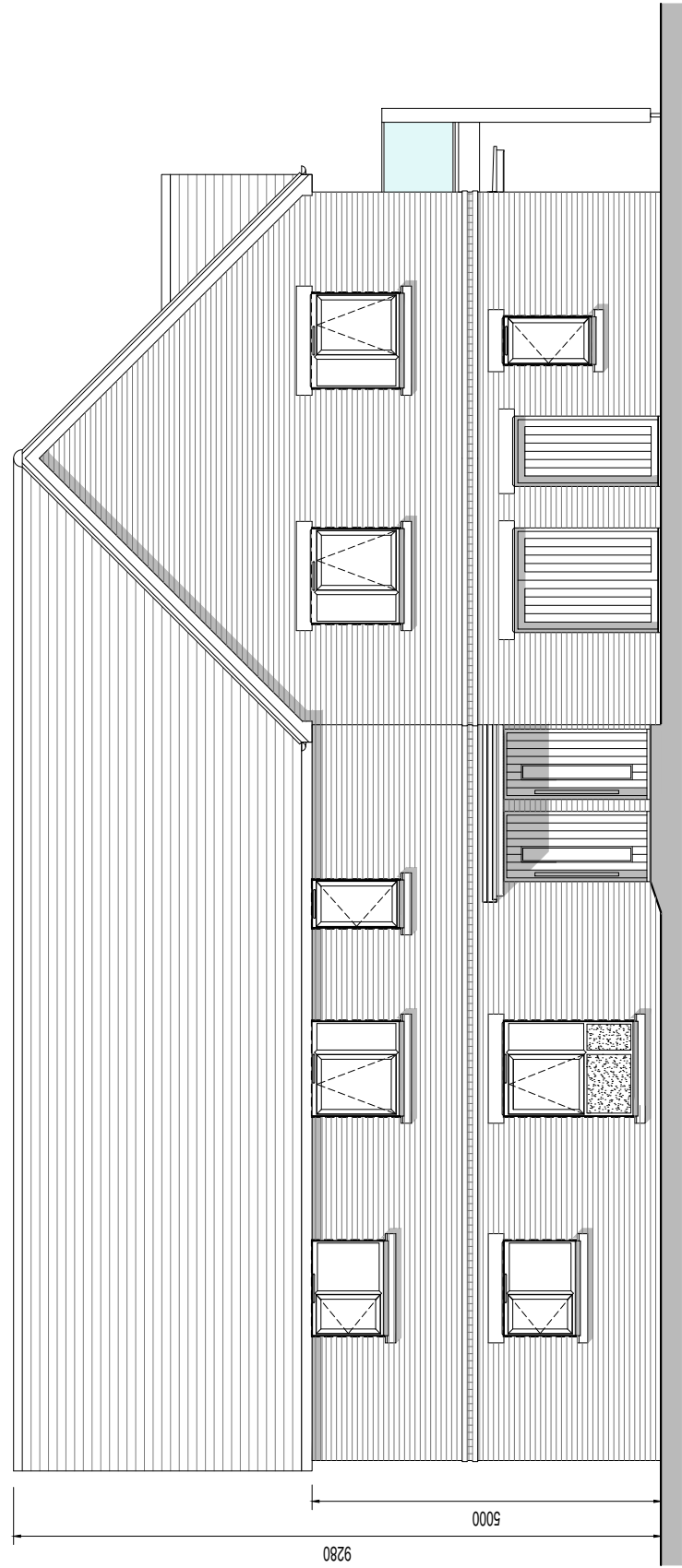
Roof Plan



First Floor Plan



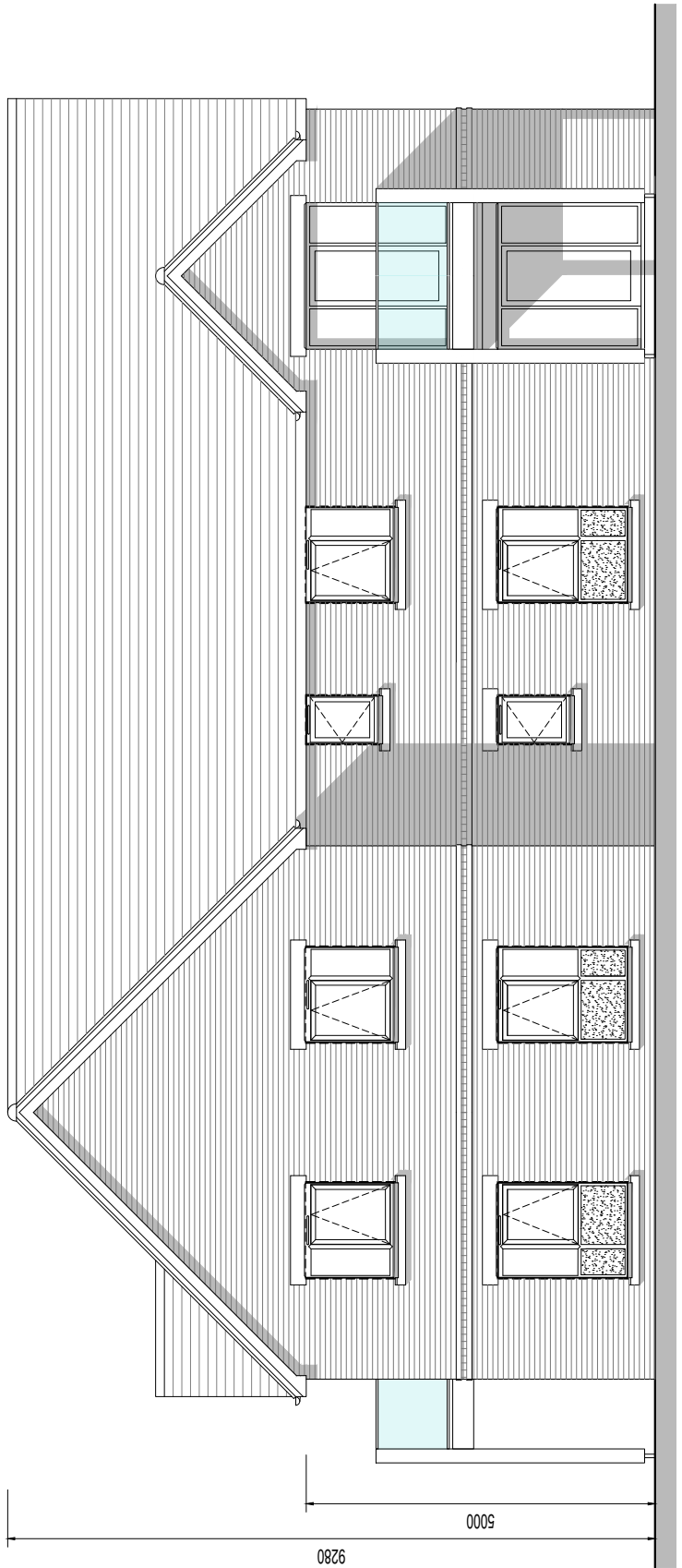
Ground Floor Plan  
Plots 42-45, 46-49



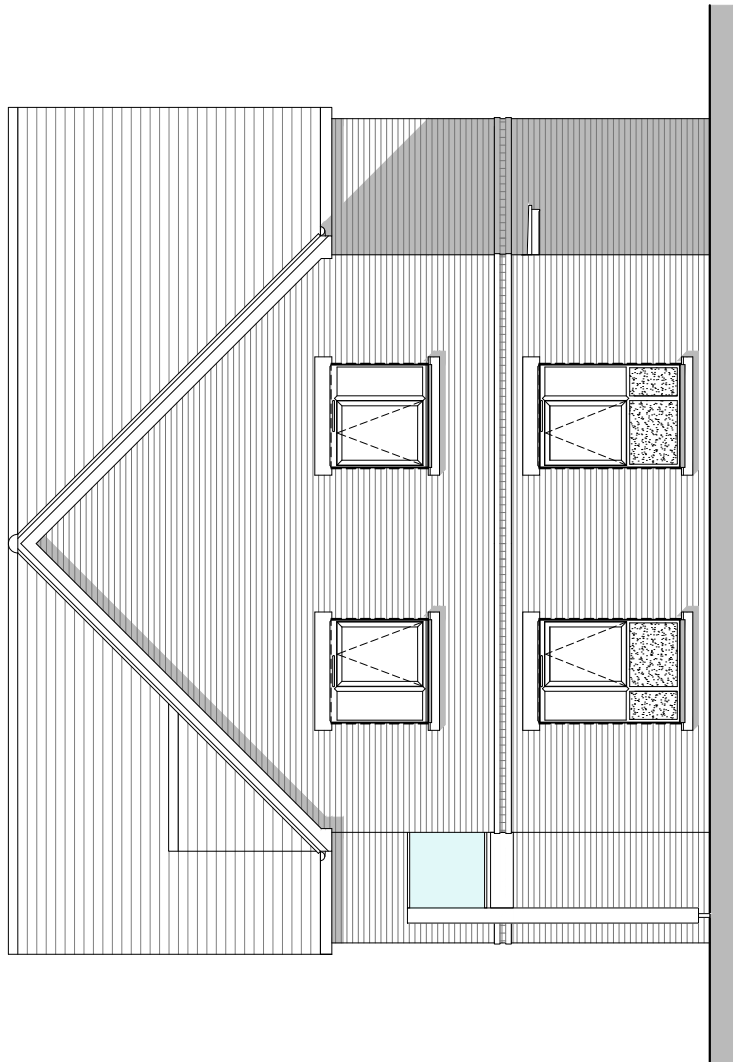
Front Elevation



Side Elevation A



Rear Elevation



Side Elevation B

REV	DATE	REVISIONS:	BY	REV	DATE	REVISIONS:	BY	REV	DATE	REVISIONS:	BY	STATUS:
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# Planning

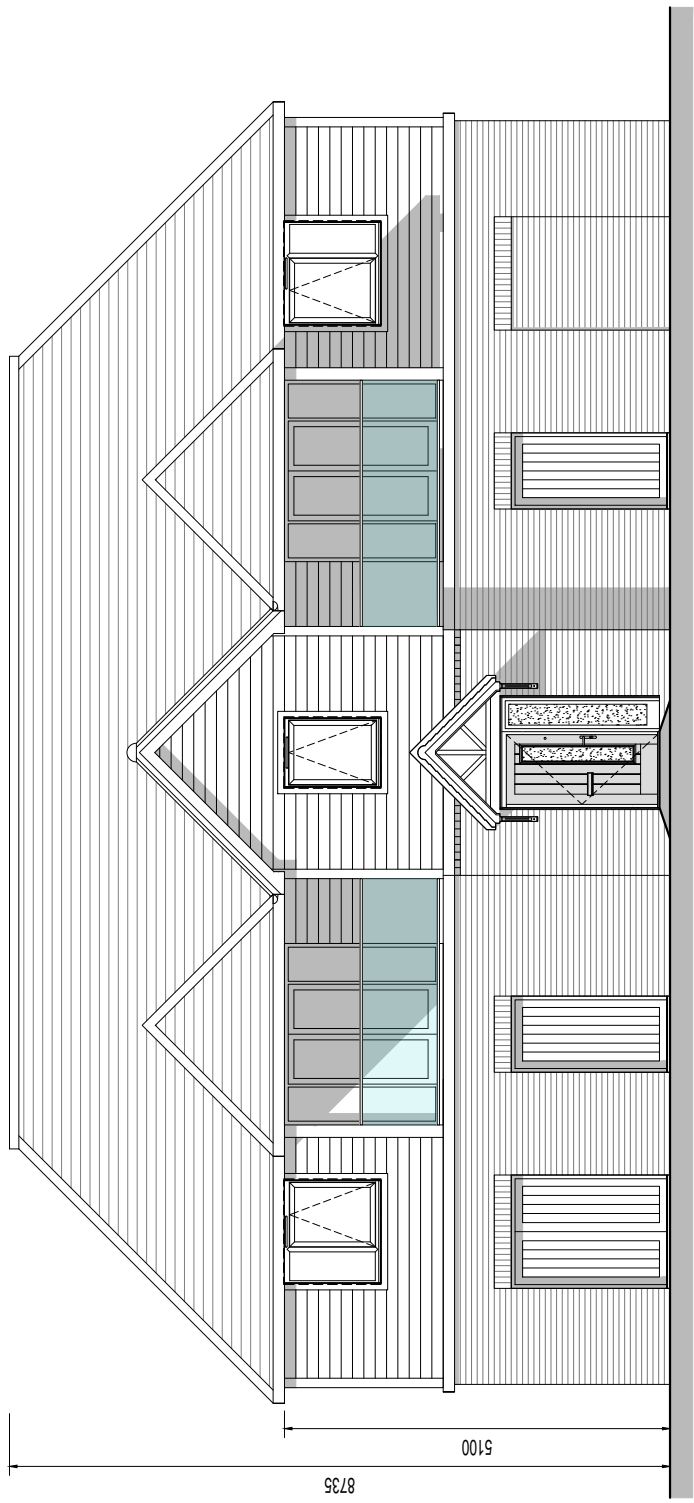
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SCALE:	1:100	DRAWING:	Blocks B & C - Plots 42-45, 46-49 Proposed Floor Plans
DRAWN:	A.Gh.	P151	—
DATE:	03/05/22	22016	—

architecture planning masterplanning

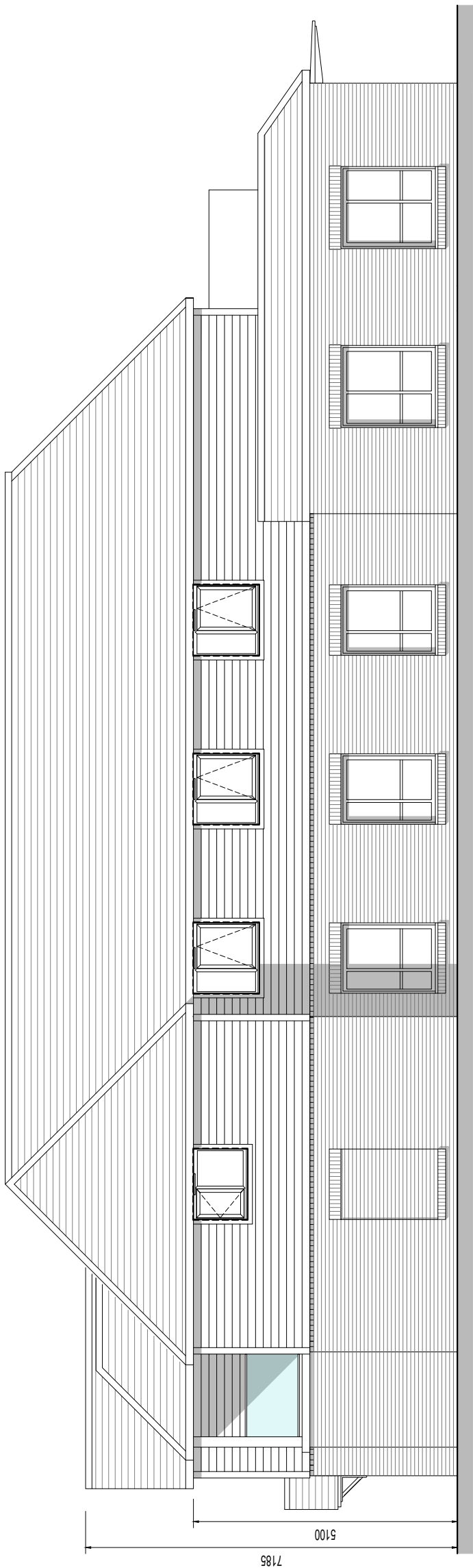
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Farnham, Surrey GU14 7AB  
info@saparchitecture.com www.saparchitecture.com  
Tel: 01252 297878



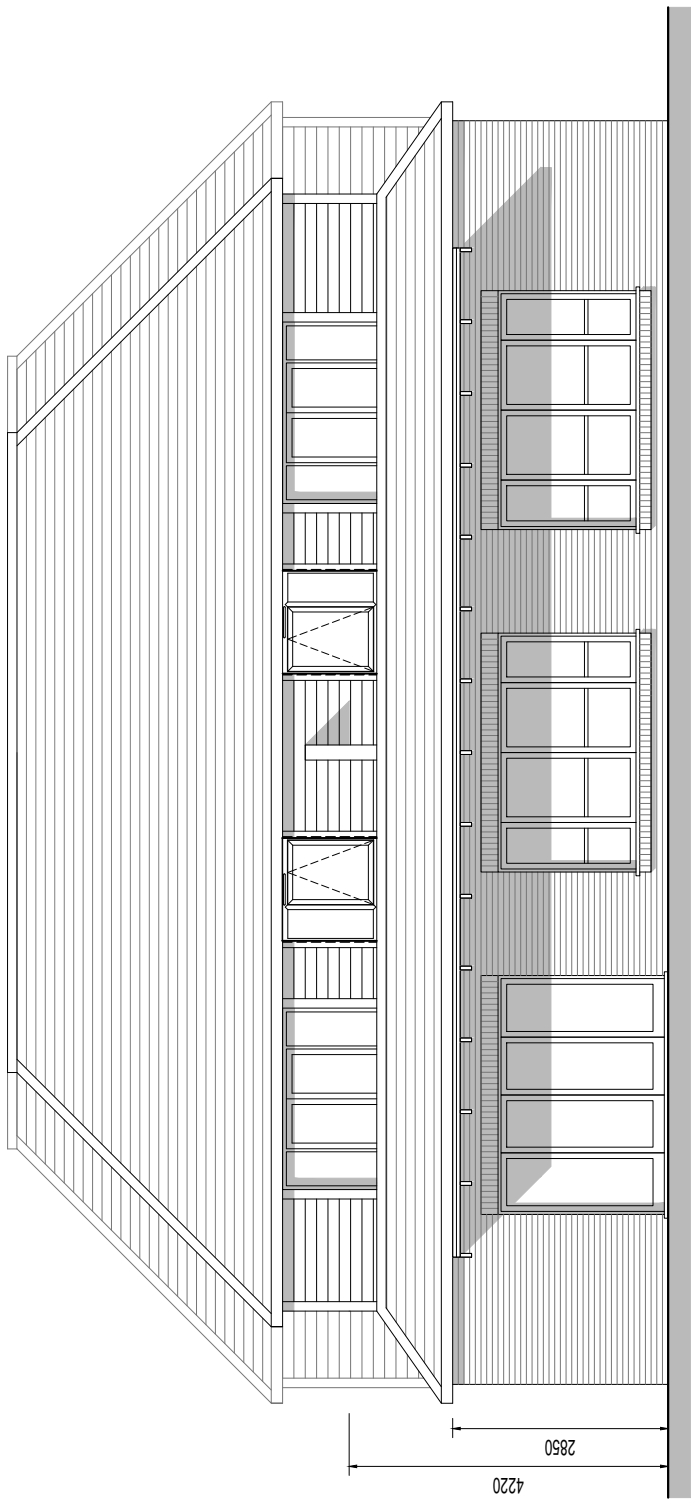
### Side Elevation A



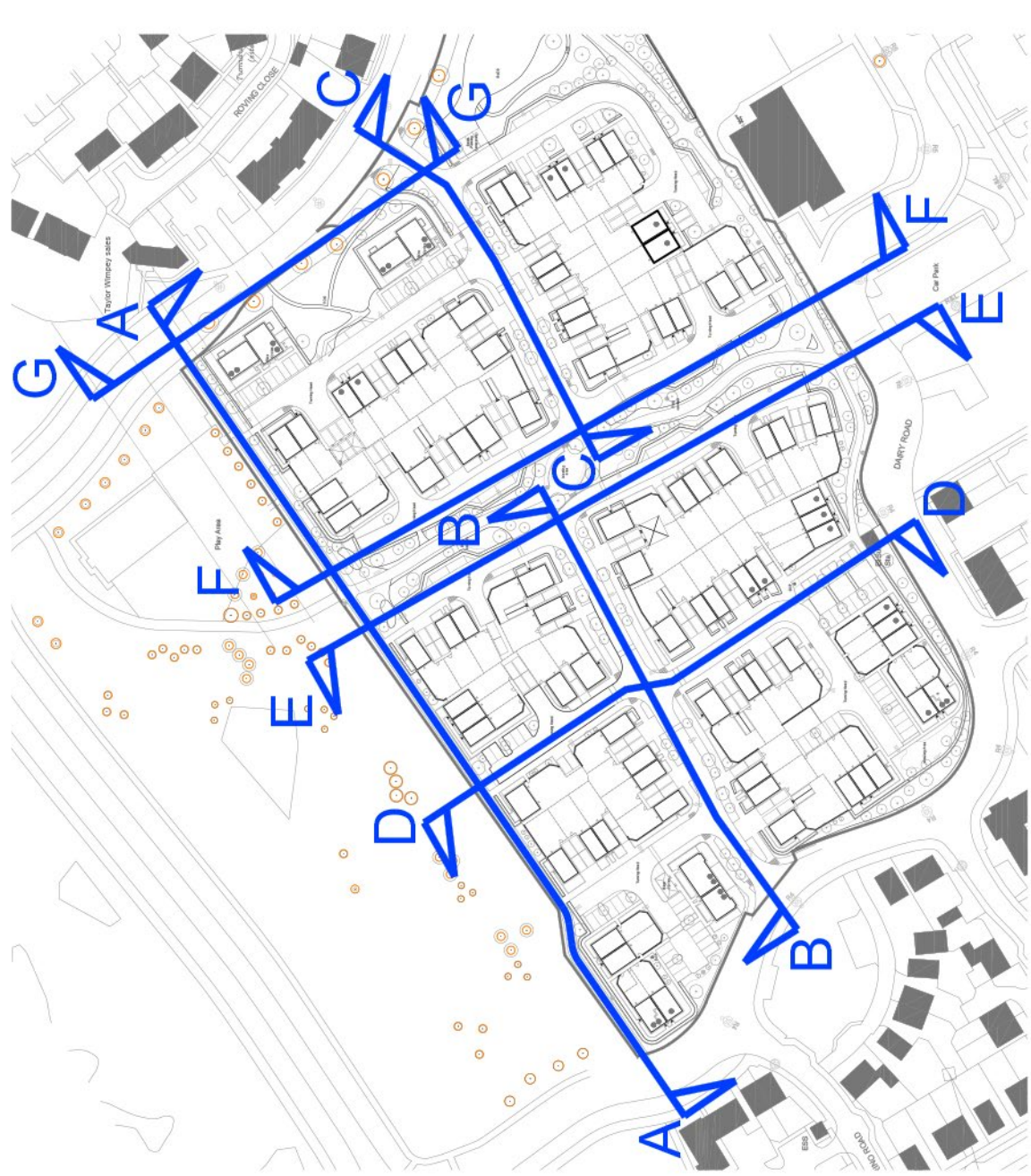
## Rear Elevation



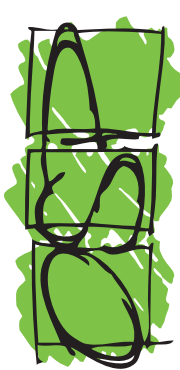
### Side Elevation B



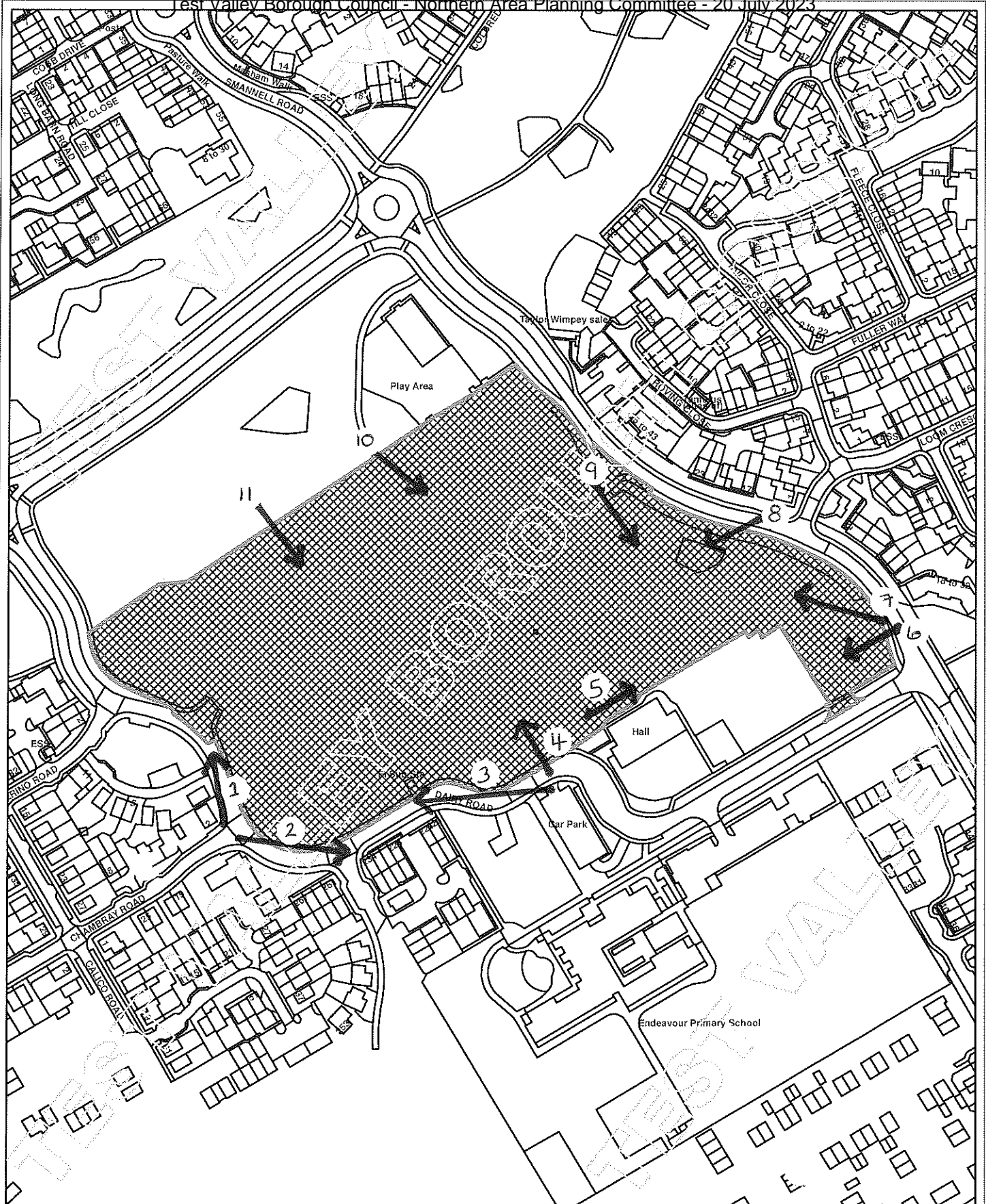




Key Plan  
Scale 1:2000







## Siteplan

**Test Valley**  
Borough Council

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WITH THE PERMISSION OF THE CONTROLLER OF  
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TEST VALLEY BOROUGH COUNCIL LICENCE No. 100024295 2013

**22/01992/FULLN**

## ITEM 8

---

<b>APPLICATION NO.</b>	TPO.TVBC.1256
<b>SUBJECT TYPE</b>	TREE PRESERVATION ORDER
<b>SITE</b>	Trees along south side of Micheldever Road behind 21b Wolversdene Road, Andover, SP10 2AY <b>ANDOVER TOWN (WINTON)</b>
<b>ORDER MADE</b>	1 February 2023
<b>CASE OFFICER</b>	Rory Gogan

Background paper (Local Government Act 1972 Section 100D)

---

### 1.0 INTRODUCTION

- 1.1 This matter is reported to the Northern Area Planning Committee to consider an objection received in respect to the making of a new Tree Preservation Order (TPO) and decide whether the TPO should be confirmed.
- 1.2 TPO.TVBC.1256, was made on the 1<sup>st</sup> February 2023, in response to a perceived threat to trees from information provided by application reference, 22/03215/FULLN - Demolition of outbuilding, and erection of two dwellings with associated parking and access from Micheldever Road.
- 1.3 A provisional Tree Preservation Order (TPO.TVBC.1256) was made in response to concerns about the impact on adjacent trees due to the proposed creation of a driveway though the roadside bank and the juxtaposition of the proposed dwellings with the neighbouring trees. The Order has effect provisionally unless and until it is confirmed. Confirmation must take place no later than six months after the TPO was made, that date being 1<sup>st</sup> August 2023.
- 1.4 An objection to this provisional TPO has been received.
- 1.5 The Council cannot confirm a TPO unless it first considers objections and representations duly made and not withdrawn. If a TPO is confirmed, it may be confirmed with or without modifications.

### 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The trees are part of a linear tree group which extends either side of Micheldever Road. The trees are growing on banks which incline steeply on both sides of the road and are adjacent to the northern boundary of 21b Wolversdene Road. The tree group provides high amenity and character to the area. The TPO is proposed due to a threat to the trees (ten Sycamore and two Yew) through a planning application which proposes to fell a number of them and will impact on adjacent trees with the proposed creation of a driveway though the bank and the location of two houses within the site. The loss of the TPO trees and the cumulative effect of the loss of other trees along Micheldever Road, through Ash dieback, would have a detrimental impact on the visual amenity of the linear tree group by destroying its continuity, which would have a detrimental effect on the character of Micheldever Road and the area in general. The TPO has not been



proposed to prevent appropriate development, but to ensure the trees are fully considered during the planning process.

2.2 The trees subject to the TPO are:

- Ten mature Sycamores and two early mature Yew, shown as group G1 on the attached TPO reference appendix 1.

The trees stand on land owned by Hampshire Highways and are adjacent to the northern boundary of 21b Wolverdene Road.

The trees subject to the TPO positively contribute to the areas character and provide a good level of public amenity and are seen from a number of public locations including :

- Micheldever Road
- Wolverdene Road
- Cummins Close
- High Beech Gardens

3.0 **BACKGROUND**

3.1 The local planning authority has refused to grant planning permission for the demolition of outbuilding, and erection of two dwellings with associated parking and access from Micheldever Road. With regard to trees the application was refused due to “the proposed development and new access, by virtue of their location and alignment, would result in the loss of trees and threaten the retention of offsite neighbouring trees all of which are protected by a TPO; both directly as a result of damage and disturbance to the trees' root system as well as a result of the juxtaposition of the proposed dwellings with the offsite neighbouring trees. The loss of any of the TPO trees would have a detrimental impact on the wider landscape character of the area which is typified by the naturalistic planting along the northern boundary of the site which has been created by the self-seeding of existing trees to create a verdant backdrop to the residential properties to the south of Micheldever Road”. An appeal to this decision has been made to the Planning Inspectorate, reference APP/C1760/W/23/3322542.

For this reason, a TPO was considered expedient as there is now a known threat that trees of significant landscape importance that could be felled without the appropriate protection being in place.

4.0 **REPRESENTATIONS**

4.1 An objection has been received Mr A Emery of 21b Wolverdene Road, Andover, DP10 2AY. The objections are bullet pointed below:

- The TPO appears to be based on AIA (Arboricultural Impact Assessment) which is alleged not to comply with the relevant British Standard, according to feedback received during a current planning application, reference 22/03215/FULLN. If this is indeed the case, then a further survey would need to be undertaken by the LPA to ratify assumptions made on that basis. If this is not the case, then the AIA provided should be taken as – is.

- Using the same section of the AIA which the Tree Officer infers that she accepts as valid, at least 3 of the Sycamores are shown on the AIA to be in poor Physical and structural condition with an expected life of <10years. None of the trees surveyed show good condition, the best shown being fair.
- The AIA clearly states that the trees have not been subject to close survey due to being covered in Ivy.
- Closer inspection may reveal that the trees are in poor condition than is evident before Ivy removal, such as splitting trunks and Sooty Bark disease.
- Sooty Bark disease is often signified by the composition of the leaves however the trees were surveyed when not in leaf.
- Most diseased trees cannot be saved and would need to be removed.
- Property (usually my greenhouse, but not limited to that) has been damaged many times in the past by falling branches which show signs of disease at their base. Liability for this has never been admitted by either TVBC or Hampshire Highways, I would be most interested if this position has changed.
- Failure to manage these trees properly or to retain diseased trees could result in further damage to property and create a risk of injuries to persons, both of which should of course be strenuously avoided if at all possible.
- Please note that as per the planning application mentioned, should any of these trees be removed for whatever reason during the course of the proposed development, the removal would be mitigated with replacement mature professionally cultivated trees of a much higher standard than the existing low quality, fair/poor standard self-seeded trees. Species and positioning would be agreed with the LPA and any replacements would be guaranteed for at least 5 years.

**5.0 POLICY AND NATIONAL GUIDANCE**  
**TOWN AND COUNTRY PLANNING ACT 1990**

- 5.1 The Local Planning Authority may make a TPO if it appears to them to be: 'expedient in the interests of amenity to make provision for the preservation of trees and woodlands in their area'. TPOs should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public.

**6.0 TPO CONSIDERATIONS**

- 6.1 In assessing trees for possible inclusion in a new TPO, the Council therefore assesses whether the trees in question have public amenity value. Before doing so, however, it first determines, by reference to a list of detractors, whether the making of a new order would be defensible.
- 6.2 Further to the points raised by the objector, the following response is provided for the Committee's consideration:

**Objection** - Trees appear to be based on the AIA (Arboricultural Impact Assessment).

**Response** - The TPO assessment is based on a standard amenity assessment form used by TVBC that takes into account trees location, prominence, other trees in the locality, tree form, tree size, audience frequency and known or perceived threat to the trees, refer appendix 2.

**Objection** - Using the same section of the AIA which the Tree Officer infers that she accepts as valid, at least 3 of the Sycamores are shown on the AIA to be in poor Physical and structural condition with an expected life of <10years. None of the trees surveyed show good condition, the best shown being fair.

**Response** – As above the AIA provided with the planning application does not form part of the TVBC amenity assessment. The tree officer in this case was satisfied that all of the tree covered by the TPO had a useful life expectancy of at least 10 years, as is required by TPO legislation.

**Objection** - The AIA clearly states that the trees have not been subject to close survey due to being covered in Ivy.

**Response** – The AIA has no relevance to the making of a TPO. The trees subject to the TPO were assessed to have at least 10 years useful life expectancy.

**Objection** - Closer inspection may reveal that the trees are in poor condition than is evident before Ivy removal, such as splitting trunks and Sooty Bark disease.

**Response** – Closer inspection of the trees may reveal structural defects and/ or disease present. If this is the case, a TPO tree works application can be made to undertake remedial pruning works or tree removal with sufficient information being provided to the LPA in the form of an arboricultural health and safety report. Currently the trees are showing a good vigor, leaf colour and branch extension with no dieback of the crowns evident.

**Objection** - Sooty Bark disease is often signified by the composition of the leaves however the trees were surveyed when not in leaf.

**Response** - Sooty bark disease is a known pathogen of Sycamore trees that is caused by the fungus *Cryptostroma corticale*. Once under attack, the crown of the Sycamore either partially or fully wilts. A recent visual inspection (30<sup>th</sup> June 2023) of the trees did not reveal any wilting of the foliage. The subject trees all had full and healthy crowns.

**Objection** - Most diseased trees cannot be saved and would need to be removed.

**Response** – There is no evidence that has been provided to the Council that any of the subject trees have been infected by any pathogen.

**Objection** - Property (usually my greenhouse, but not limited to that) has been damaged many times in the past by falling branches which show signs of disease at their base. Liability for this has never been admitted by either TVBC or Hampshire Highways, I would be most interested if this position has changed.

**Response** – These trees are highway trees owned by Hampshire Highways. They have a web site based procedure for home owners and the general public to make complaints or representation about tree health. I would respectfully sign post the objector to the HH web site.

**Objection** - Failure to manage these trees properly or to retain diseased trees could result in further damage to property and create a risk of injuries to persons, both of which should of course be strenuously avoided if at all possible.

**Response** – As above response.

**Objection** - Please note that as per the planning application mentioned, should any of these trees be removed for whatever reason during the course of the proposed development, the removal would be mitigated with replacement mature professionally cultivated trees of a much higher standard than the existing low quality, fair/poor standard self-seeded trees. Species and positioning would be agreed with the LPA and any replacements would be guaranteed for at least 5 years.

**Response** – The planting of replacement trees is commonly covered by a condition of the planning consent. The condition would include a specification for tree size and species in addition the positioning of the trees within the site would have been informed by the planning application. Any replacement tree would take many decades to mature and provide the same level of visual impact and ecological significance that the existing trees offer.

## 7.0 **CONCLUSION**

7.1 There has been a recent planning application 22/03215/FULLN for the demolition of outbuilding, and erection of two dwellings with associated parking and access from Micheldever Road. This demonstrates that there is threat to the trees from possible future development. The TPO is proposed not to prevent development but to ensure that the trees adjacent to Micheldever Road are full considered and protected during the planning process. The trees are important features of the Micheldever Road and within the wider rural landscape and add to the sylvan character of the area, it is entirely reasonable that the Order is confirmed without modification

## 8.0 **RECOMMENDATION**

That TPO.TVBC.1255 is confirmed without modification.

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TPO TPO.TVBC.1256



Dated 01 February 2023

|

TEST VALLEY BOROUGH COUNCIL

Town and Country Planning Act 1990

TREE PRESERVATION ORDER  
TPO.TVBC.1256

Land along the south side of Micheldever Road, behind 21b Wolversdene Road, Andover, SP10 2AY

Head of Legal & Democratic Services  
Test Valley Borough Council  
Beech Hurst  
Weyhill Road  
Andover  
Hampshire  
SP10 3AJ

TOWN AND COUNTRY PLANNING (TREE PRESERVATION)(ENGLAND)

REGULATIONS 2012

TREE PRESERVATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990

THE BOROUGH COUNCIL OF TEST VALLEY TREE PRESERVATION ORDER  
TPO.TVBC.1256

LAND ALONG THE SOUTH SIDE OF MICHELDEVER ROAD, BEHIND 21B  
WOLVERSDENE ROAD, ANDOVER, SP10 2AY

The Borough Council of Test Valley, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 hereby make the following Order-

**Citation**

1. This Order may be cited as the Borough of Test Valley Tree Preservation Order TPO.TVBC.1256

**Interpretation**

2. (1) In this Order "the authority" means the Borough Council of Test Valley
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

**Effect**

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners), and subject to the exceptions in regulation 14, no person shall-
  - (a) cut down, top, lop, uproot, ~~wilfully~~ damage or ~~wilfully~~ destroy; or
  - (b) cause or permit the cutting down, topping, lopping, uprooting, ~~wilful~~ damage or ~~wilful~~ destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

## SCHEDULE 1

## SPECIFICATION OF TREES

Trees specified individually  
(encircled in black on the map)

Reference on map	Description	Situation
None		

Trees specified by reference to an area  
(within a dotted black line on the map)

Reference on map	Description	Situation
None		

Groups of trees  
(within a broken black line on the map)

Reference on map	Description	Situation
G1	10x Sycamore 2xYew	On the bank on the south of Micheldever Road, behind 21B Wolversdene Road, as shown on the plan

Woodlands  
(within a continuous black line on the map)

Reference on map	Description	Situation
None		

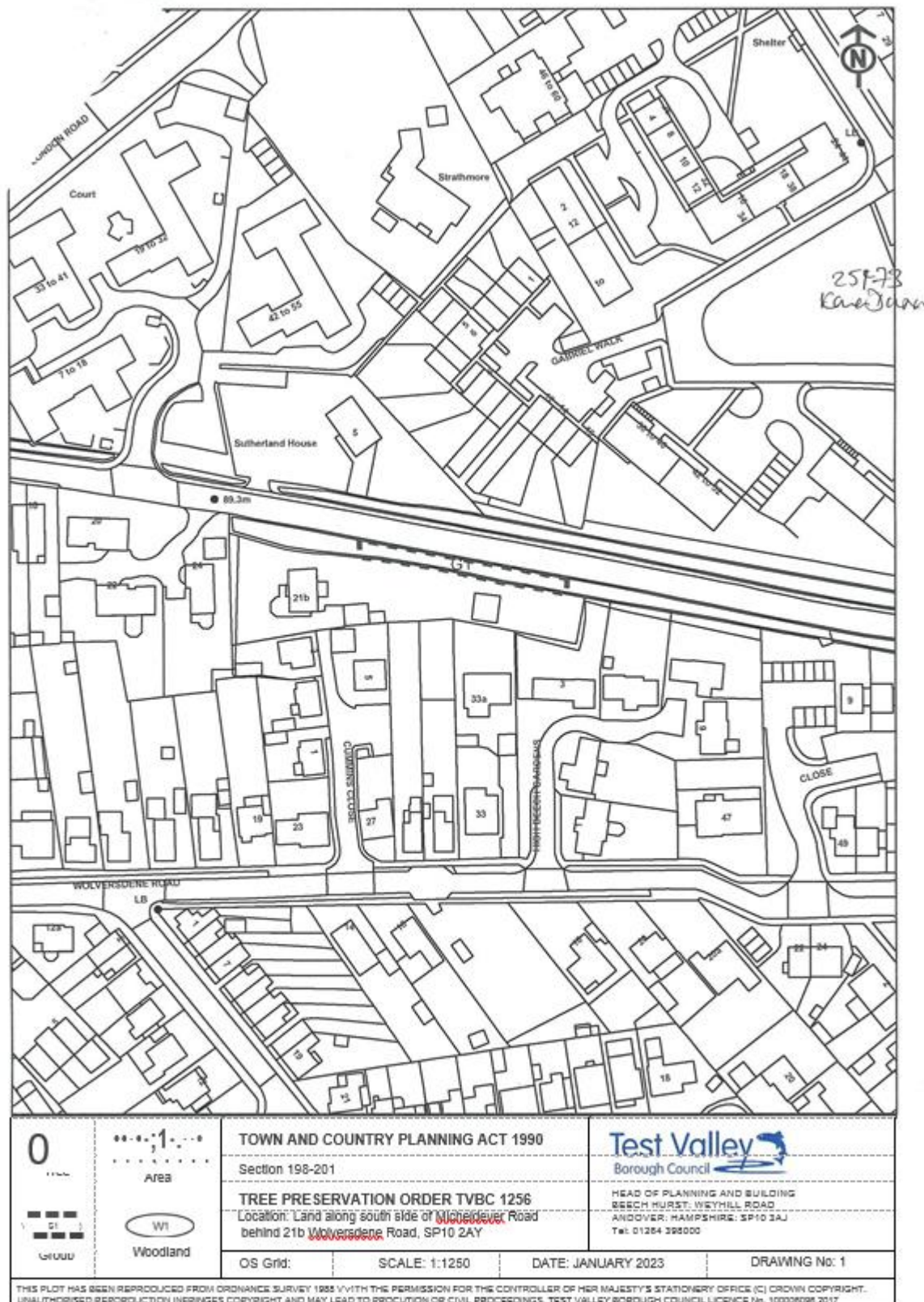
The Common Seal of Test Valley Borough Council )  
was hereto affixed this 1<sup>st</sup> day of February 2023 )

*Karen Durr.*

Authorised by the Council to sign in that behalf



Q5473





TPO Amenity Assessment Form - Trees along south side of Micheldever Road behind 21b Wolversdene Road, Andover, SP10 2AY

TPO Assessment Sheet									
Detractions						<b>TPO indefensible</b> <b>Take no further action</b> <div style="border: 1px solid black; width: 80px; height: 30px; margin: 10px auto;"></div>			
Dead, Dying or Dangerous									
Short life expectancy									
Damage, causing or inevitable									
Unreasonable interference									
No space for reasonable growth									
Replaceable, tree young / small									
Silvicultural reasons									
Responsible land owner									
Already under sound management									
Isolated / remote / hidden					<b>TPO classification being considered</b>				
					W	A	G	T	
							X		

Amenity													
Always complete 1 <sup>st</sup> six categories													
Location		Prominence		Other trees		Tree form		Tree size		Audience frequency		Additional considerations	
woodland	1	hidden	1	within wood	1	poor	1	new plant	1	remote	1	within CA	2
rural	2	glimpsed	2	many	2	moderate	2	small	2	occasional	2	veteran	2
rear garden	3	restricted	3	some	3	fair	3	medium	3	infrequent	3	historic	2
front garden	4	unrestricted	4	few	4	good	4	large	4	frequent	4	rarity	2
open space	5	"out front"	5	alone	5	outstanding	5	very large	5	continuous	5	ecological	2

Refer to notes to score woodlands, areas and groups	<b>Amenity score</b> Add individual scores	20	Refer to notes
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<b>Expediency</b>			<b>Priority</b>			Do not proceed at this time <div style="border: 1px solid black; width: 60px; height: 30px; margin: 10px auto;"></div>	
No known threat			Low			<b>Make TPO</b> <div style="border: 1px solid black; width: 60px; height: 30px; margin: 10px auto; text-align: center;">X</div>	
Perceived threat			Medium				
Known threat		X	High Urgent		X		
Immediate threat							



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## ITEM 9

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<b>APPLICATION NO.</b>	23/01373/ADVN
<b>APPLICATION TYPE</b>	ADVERTISEMENT - NORTH
<b>REGISTERED</b>	26.05.2023
<b>APPLICANT</b>	Howden Group Holdings Limited
<b>SITE</b>	A Plan Insurance, 7 Bridge Street, Andover, SP10 1BE, <b>ANDOVER TOWN (WINTON)</b>
<b>PROPOSAL</b>	Display of 1 non-illuminated fascia sign
<b>AMENDMENTS</b>	
<b>CASE OFFICER</b>	Ash James

Background paper (Local Government Act 1972 Section 100D)

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### 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 consists of a two storey terraced building located within Andover Town Centre. It lies within the Andover Conservation Area and also within the Andover primary shopping frontage.
- 2.2 The existing signage consists of black lettering above the ground floor of the building. The building is used by an insurance sales company at both ground and first floor.

### 3.0 RELEVANT HISTORY

- 3.1 None.

### 4.0 CONSULTATIONS

#### 4.1 Conservation: No Objection

It is proposed to replace existing signage to Number 7 Bridge Street. No 7 is within the Andover Conservation Area and is located in proximity to several listed buildings, including the grade II\* Star and Garter. The proposed works would closely follow the existing signage in terms of its muted colour palette, lettering and no illumination. As such, the proposal would not overly alter the appearance of the shopfront and it is considered that the proposal would have a neutral impact upon the significance of the heritage assets, with the character and appearance of the conservation area and the setting of the listed buildings preserved. The proposal is in accordance with the Act, policies within the NPPF and Policy E9: Heritage of the Revised Local Plan DPD (Adopted 2016). Conservation has no objection.

### 5.0 REPRESENTATIONS Expired 16.05.2017

#### 5.1 Andover Town Council – No Objection

## 6.0 **POLICY AND LEGISLATION**

### 6.1 Legislation

Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 sets out that an LPA shall exercise its powers under those Regulations in the interest of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other factors.

It goes on to say that:

“2(a): factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;

2(b): factors relevant to public safety include –

- (i) The safety of persons using any highway, railway, waterway, dock, harbour or aerodrome;
- (ii) Whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
- (iii) Whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.”

6.2 *Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when the LPA exercises its planning functions with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.*

### 6.3 National Planning Policy Framework (NPPF)

Paragraph 132 of the NPPF states that “the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

### 6.4 Test Valley Borough Revised Local Plan 2016

The Test Valley Borough Revised Local Plan 2016 does not contain any policies specifically relating to advertisements and is therefore not material to this application.

### 6.5 Supplementary Planning Documents (SPD)

Shopfront Design Guide 2010

## 7.0 **PLANNING CONSIDERATIONS**

### **Public amenity**

#### 7.1 *Impact on Residential Amenity*

The nearest neighbouring property would be the upper floors of 4 Bridge Street, which is located in excess of 20m away. No illumination is proposed, the proposal is of a modest size which is proportionate to the building and consists of

simple black lettering on a stone coloured fascia board, similar to the existing signage, as such it is considered that the proposed advertisement would not adversely affect the amenity of nearby residents or other land users.

**7.2 *Impact on the Character and Appearance of the Area (Visual Amenity)***

The property is located in Andover's Conservation Area and therefore it is important to consider the impact that the signage would have on the overall character and appearance of the building and the wider area. The proposed advertisement is appropriate in scale, and siting to the building on which they are to be sited. The proposed colour palette is muted, consisting of black lettering on a stone coloured fascia board and there is no illumination proposed. Therefore it is considered that the proposed development would not have a negative impact on the appearance of the built or natural environment. The proposal would be in accordance with the requirements of the Shopfront Design Guide, and more broadly, would have an acceptable impact on public amenity .

**Public safety**

- 7.3 Although the proposed advertisement is adjacent to the highway, the signage would not face traffic directly, would be non-illuminated, and comprises of muted colours. The proposed advertisements would not result in any adverse impacts on users of the highway or obscure or hinder any sign or device and as such would be acceptable in this regard.

**8.0 CONCLUSION AND CONDITIONS**

- 8.1 The proposed advertisements would not adversely affect public safety or public amenity and comply with paragraph 132 of the NPPF.
- 8.2 Advertisements must comply with five standard conditions, these will be detailed on the decision notice and include the requirements to keep the signs clean and tidy, in a safe condition, have permission from the landowner to be displayed, not obscure or hinder the interpretation of official road signs, or otherwise make a hazardous the road and to be removed carefully when required.

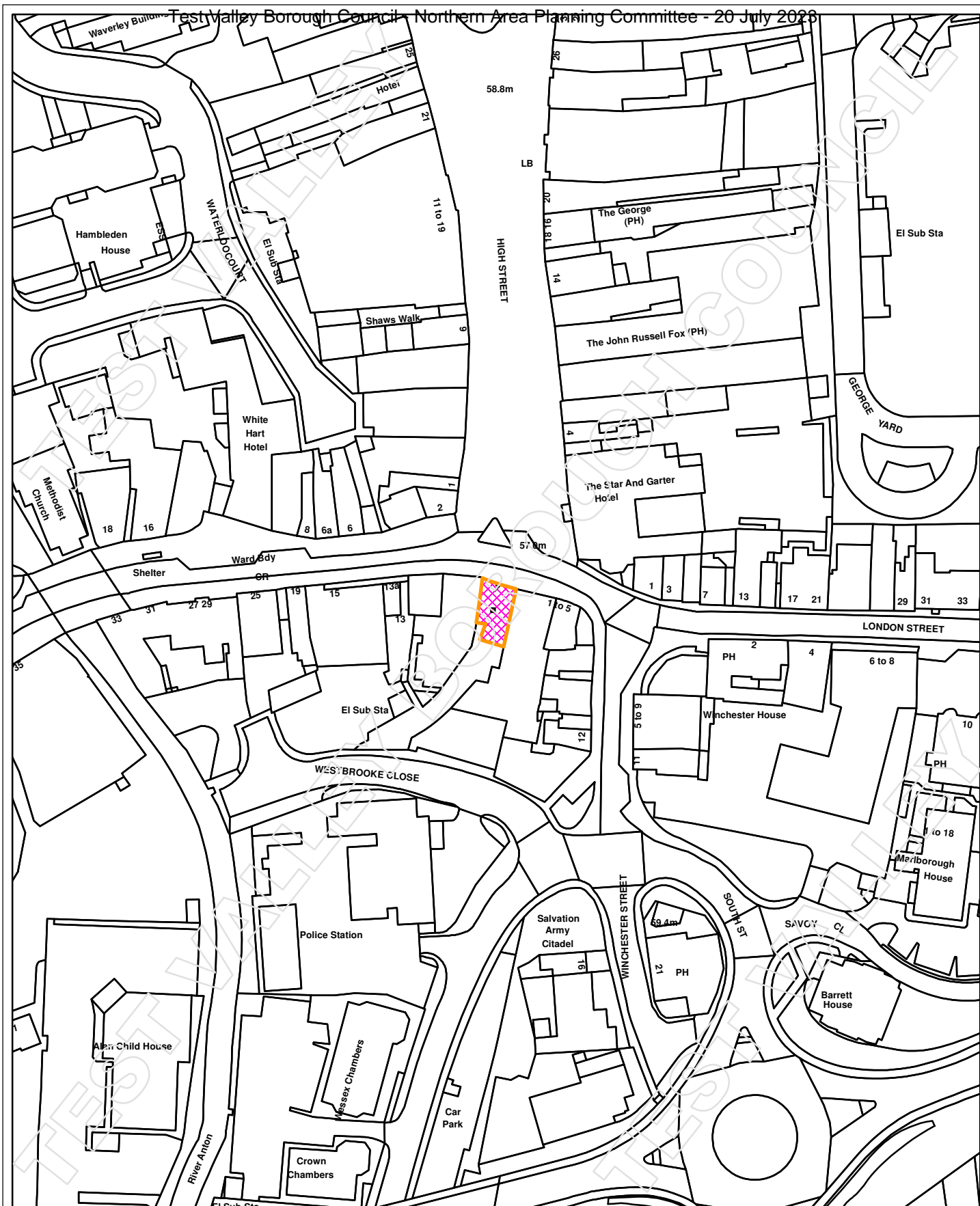
**9.0 RECOMMENDATION  
CONSENT subject to:**

1. **No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.**
2. **No advertisement shall be sited or displayed so as to :**
  - (a) **endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);**
  - (b) **obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or**
  - (c) **hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.**

- 3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.**
- 4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.**
- 5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.**

**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

**Test Valley**  
Borough Council

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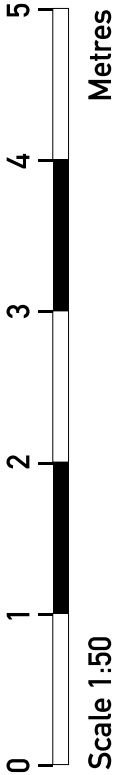
TEST VALLEY BOROUGH COUNCIL LICENCE No. 100024295 2013

**23/01373/ADVN**





Visual interpretation approximate scale

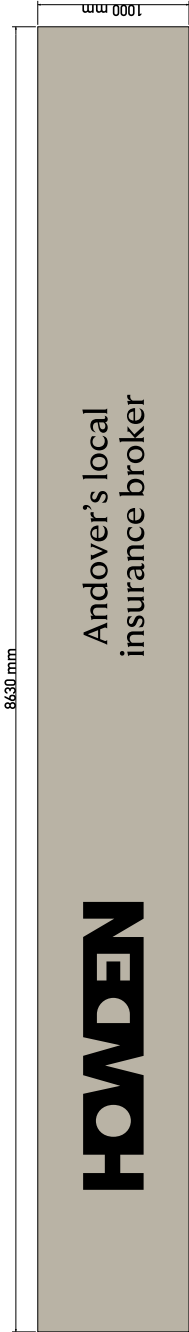




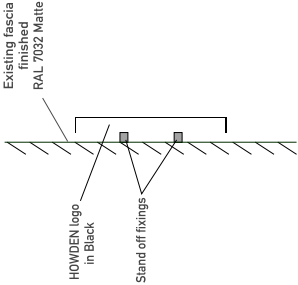


Client:	HOWDEN
Project:	7 Bridg Street
	Andover
	SP10 1BE
Drg No.	HOW/ANDOV/PL1
Scale:	1:50/1:20 @A4
Drawn by:	TAH
Date:	17/05/23

**DB SIGN ASSOCIATES LIMITED**  
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Workshop, Notts.  
S81 7BQ  
Tel: 01909 472922  
[www.dbsigns.com](http://www.dbsigns.com)



1 no 1900mm x 400mm x 40mm non-illuminated 'HOWDEN' logo in black on stand-off fixings and  
1 no set 168mm high 5mm black acrylic subsidiary lettering on stand-off fixings to existing fascia finished RAL 7032.  
Max cap height 400mm. Ground clearance 3.4mtr.



Section scale 1:20

