

Notice of Meeting

Southern Area Planning Committee

Date: Tuesday 4 July 2023

Time: 5.30 pm

Venue: Main Hall, Crosfield Hall, Broadwater Road, Romsey, Hampshire,
SO51 8GL

For further information or enquiries please contact:

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Legal and Democratic Service

Test Valley Borough Council,
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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 Southern Area Planning Committee

MEMBER

WARD

Councillor M Cooper (Chairman)	Romsey Tadburn
Councillor A Dowden (Vice-Chairman)	Valley Park
Councillor G Bailey	Blackwater
Councillor P Bundy	Chilworth, Nursling & Rownhams
Councillor J Burnage	Romsey Cupernham
Councillor C Dowden	Valley Park
Councillor K Dunleavey	Chilworth, Nursling & Rownhams
Councillor A Ford	North Baddesley
Councillor S Gidley	Romsey Abbey
Councillor I Jeffrey	Mid Test
Councillor A Johnston	Mid Test
Councillor J Parker	Romsey Tadburn
Councillor A Warnes	North Baddesley

Southern Area Planning Committee

Tuesday 4 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 13 June 2023**
- 6 Information Notes 4 - 9**
- 7 22/03317/FULLS - 03.01.2023 10 - 41**

(OFFICER RECOMMENDATION: PERMISSION)

SITE: Barns at Glebe Farm, Salisbury Road, Sherfield
English, SO51 6FL

SHERFIELD ENGLISH

CASE OFFICER: Sarah Barter

- 8 23/00867/FULLS - 29.03.2023 42 - 62**

(OFFICER RECOMMENDATION: REFUSE)

SITE: Pinns Farm, Foxes Lane, West Wellow, SO51 6DS

WELLOW

CASE OFFICER: Katie Savage

ITEM 6

TEST VALLEY BOROUGH COUNCIL SOUTHERN 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 1st 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

APPLICATION NO.	22/03317/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	03.01.2023
APPLICANT	Osman Homes
SITE	Barns at Glebe Farm , Salisbury Road, Sherfield English, SO51 6FL, SHERFIELD ENGLISH
PROPOSAL	Demolish agricultural buildings and associated structures, erect 3 dwellings with associated garages, parking, hard and soft landscaping and associated works
AMENDMENTS	Nitrate information Ecology impact assessment Ecology report Site layout Roof material alteration on plot 3
CASE OFFICER	Sarah Barter

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee as it represents a departure from the Local Plan and Objections have been received within the specified time.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site forms part of a vacant farm yard with barns and hard standing which is accessed from an existing access point on the A27, Salisbury Road. The farm yard is located next to a grade 2 listed farm house and wider agricultural fields.

3.0 PROPOSAL

3.1 Demolish agricultural buildings and associated structures, erect 3 dwellings with associated garages, parking, hard and soft landscaping and associated works

4.0 HISTORY

4.1 21/00526/PDQS - Application to determine if prior approval is required for proposed change of use of agricultural buildings to 5 dwellinghouses (Class C3), and for building operations reasonably necessary for the conversion reasonably necessary for the conversion – Prior approval required and granted – 16.04.2021

4.2 TVS.AG.00014/1 - Steel framed hay/straw store – No Objection 23.03.94

- 4.3 TVS.AG.00014 - One metal bulk feed bin for animal feed and continuation of hard core road – Prior approval not required - 02.11.93
- 4.4 TVS.3465/1 Erection of agricultural dwelling - Approved subject to conditions - 16/08/84.
- 4.5 TVS.3465 Erection of agricultural dwelling Outline Permission subject to conditions - 23/04/82.

5.0 **CONSULTATIONS**

- 5.1 **Landscape** – No Objection subject to conditions
- 5.2 **Environment Protection** – No Objection subject to conditions
- 5.3 **Trees** – No objection subject to condition
- 5.4 **Conservation** – No Objection subject to conditions
- 5.5 **Ecology** – No Objection subject to conditions
- 5.6 **Natural England** – No Objection
- 5.7 **Highways** – No Objection subject to conditions

6.0 **REPRESENTATIONS** Expired 31.03.2023

- 6.1 **Sherfield English Parish Council** – Objection
1. The Parish Council feel the proposed dwellings are too large for the location.
 2. The height of the proposed dwellings are such that windows will overlook the existing properties.
 3. The Parish Council have highway concerns, due to single traffic in and out of the location.
 4. Further highway concerns due to the sight line onto the busy A27.

6.2 **Springfields Glebe Farm, The Old Rectory Salisbury Road, Hillside Doctors Hill** – Objection (summarised)

Design

- The smaller units are more in keeping with the wishes of the village.
- Larger dwellings now proposed will impact on the landscape.
- Ridge heights

Affordable Housing

- No provision for smaller affordable dwellings as identified in housing need.

Traffic, parking provision, highway safety

- Problems exiting from my parking area

Landscape

- Rural style native hedgerow / tree screening needed
- Urbanisation of the landscape should be avoided

Principle

- This site wouldn't have qualified if it wasn't for the class Q

Ecology

- Active bat community light spill must be considered

Noise

- Extra traffic

Dust

- From driving over the access track

Overlooking

- Loss of privacy
- Clarification on windows on the North West elevation of Plot 1 are dormers or rooflights (in the line of the roof). Rooflight windows are less controversial than dormers.

7.0 **POLICY**

7.1 Government Guidance

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

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

COM2, E1, E2, E5, E8, E9, LHW4, T1, T2

7.3 Neighbourhood Plan

Sherfield Neighbourhood Plan – Not Made

Sherfield English Parish Council submitted an application for the designation of a Neighbourhood Area covering the parish of Sherfield English. This was subject to public consultation running from 2nd June to 14th July 2017. The Council has considered the application and the responses received during the consultation and has approved the designation.

The designation of a Neighbourhood Area would enable a Neighbourhood Plan to be prepared for the designated area. Please note that this consultation only considered whether a Neighbourhood Area should be designated and upon its proposed boundary.

The plan is at such an early stage that no weight is attributed to it.

7.4 Supplementary Planning Documents (SPD)

Sherfield Village Design Statement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the surrounding area
- Trees
- Impact on adjacent Listed Buildings
- Design
- Impact on neighbouring properties
- Highway safety and parking provision
- Ecology
- Impact on European designated sites e.g. Special Protection Areas
- Water management
- Planning balance

8.2 **Principle of development**

The application site is located in the countryside outside the boundary of any settlement. Policy COM2 sets out that development outside the boundaries of settlements will only be permitted if:

- a) It is appropriate in the countryside as set out in the Revised Local Plan policy COM8-COM14, LE10, LE16-LE18; or
- b) It is essential for the proposal to be located in the countryside.

8.3 The permission granted by Class Q of the GPDO has not been implemented and therefore the buildings cannot be considered as dwellings under policy COM12 (replacement dwellings in the countryside) of the TVBRLP. There are no other policies within the development plan that would support development such as this.

8.4 It is acknowledged that the proposed dwellings are within the existing farmyard area and extend further into the countryside than the existing agricultural buildings. It is considered that the dwellings and large residential curtilages do not meet any of the exception policies within COM2 a) to be located in the countryside. The proposal would conflict with policy COM2(a) of the TVBRLP.

8.5 The Test Valley Revised Local Plan DPD is up to date. As a result, the presumption in favour of sustainable development paragraph 14 of the NPPF does not apply. Nevertheless, due regard must be had to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 11 of the NPPF. These set out that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

8.6 The planning history of the site is a material consideration, and in particular the permission granted by Class Q of the GPDO (ref. 21/00526/PDQS) remains extant, although it is yet to be implemented.

8.7 It is considered that there is a reasonable likelihood that the five buildings which were permitted under class Q to be used as dwellings would be converted and occupied. The relevant case law that establishes the principle of understanding what could reasonably be described as a fall-back position, are set out in *Samuel Smith Old Brewery (Tadcaster) v SSCLG* [2009] J.P.L. 1326. In this context in order for the prospect of a fall-back to be real, it does not have to be probable or likely: a possibility will suffice. Given the planning history of the site it is considered that there is a real prospect that the Class Q scheme would be implemented and the applicant has confirmed this possibility. In other words, regardless of the outcome of this application, there is a possibility that approved scheme would be progressed. As a result, and in this case, the fall back position of implementing the Class Q scheme can be given significant weight in favour of the grant of planning permission, in determining the acceptability of the current proposal.

8.8 The principle of the 'fallback position' was also considered in a Test Valley appeal decision at Barrow Hill Barns (APP/C1760/W/16/3154235) the Inspector considered it necessary to assess the impact of the proposed scheme against the permitted scheme, to determine whether or not there would be any significant impacts over and above the permitted scheme. It is considered that, for consistency, this approach can be taken with this application.

8.9 **Landscape and the character of the area**

Policy E1 sets out that development will be permitted if it is of a high quality design and local distinctiveness. To achieve this development:

- a) Should integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles;
- b) Should not detract from the dominance of, or interrupt important views of, key landmark buildings or features
- c) Should be laid out to provide connectivity between spaces and a positive relationship between public and private spaces; and
- d) Makes efficient use of land whilst respecting the character of the surrounding area and neighbouring uses.

Development will not be permitted if it is of poor design and fails to improve the character, function and quality of the area.

8.10 Policy E2 sets out that development will be permitted provided that:

- a) It does not have a detrimental impact on the appearance of the immediate area and the landscape character of the area within which it is located;
- b) It is designed and located to ensure that the health and future retention of important landscape features is not likely to be prejudiced;
- c) The existing and proposed landscaping and landscape features enable it to positively integrate into the landscape character of the area;
- d) Arrangements for the long term management and maintenance of any existing and proposed landscaping have been made; and

- e) It conserves the landscape and scenic beauty of the New Forest National park or the North Wessex Downs Area of Outstanding Natural Beauty where applicable; and
- f) Does not result in the loss of important local features such as trees, walls, hedges or water courses.

- 8.11 The site itself has no local or statutory landscape designations. It is noted that there are a number of rights of way in close proximity to the site, these include: Sherfield:41 which runs 105m to the west of the site, Sherfield:36 which runs 100m to the south of the site and Sherfield:37 which runs 275m to the east of the site. Due to the mature vegetation, landform and neighbouring properties the views of the site (and vica-versa) from these public rights of way are well screened.
- 8.12 The existing buildings, which benefit from class Q conversions, are located on the northern boundary and towards the eastern side of the application site. Other agricultural paraphernalia exists in the vicinity of the site and these elements would be removed. It is considered that the existing buildings have a form, scale and appearance (e.g. materials) that mean that they appear as a functional agricultural complex wholly appropriate to it's rural character and setting at Glebe Farm.
- 8.13 The Class Q scheme would retain the buildings with the existing boundaries of the farm yard and the site would be seen as one parcel of land albeit with five dwellings within the converted barns. The conversions under the Class Q scheme would see the insertion of domestic features such as windows, and front and back doors within the existing shapes of the barns.
- 8.14 Any views from the public realm of the proposed development would be seen in context with the neighbouring properties which are set back from the road. When travelling along the A27 (Salisbury Road) the majority of residential properties in close proximity to the site are set back from or screened from the road by soft landscaping; the application site is set back from the road by approx. 75m with the existing agricultural structures visible -albeit at a distance. As agricultural barns these do not look out of context, it is considered that the proposed dwellings would provide a different view with windows, lighting and the associated residential paraphernalia in the gardens. An indicative landscape strategy has been submitted within the application which gives a good indication of how the dwellings would integrate within the immediate and wider landscape. Whilst trees have been dotted around the southern perimeter, further mitigation is required by the form of a native hedgerow around the southern perimeter of all properties and additional tree planting. The recommendation includes scope to secure that additional landscaping through condition. Conditions also suggested by the Landscape Officer include a detailed landscape plan for hard and soft landscaping and a detailed landscape management plan to ensure the successful establishment of all new planting. Any external lighting proposed should be incorporated within the hard landscape plan.

8.15 The existing barns sizes and heights vary as follows: (All measurements are approximate)

EXISTING	Height	Floor space	PROPOSED	Height	Floor space
Barn A on the eastern side of the site	6.2m	165m ²	Plot 1	5.6m / 6.7m (highest point at ridge)	252m ²
Barn B on the north eastern corner of the site	5.7m	180 m ²	Plot 2	6m / 7.7m (highest point at ridge)	270m ² (50m ² for the garage and 220m ² for the dwelling)
Barn D on the northern boundary (PD Class Q 2 dwellings)	5.4m	207m ² (each dwelling 103.5 m ²)	Plot 3	5.4m / 7.7m (highest point at ridge)	318m ² (52m ² for the garage and 266m ² for the dwelling)
Barn G on the western boundary	3.8m	100m ²			

Whilst at points the proposed dwellings are higher than the existing barns the proposed design offers a variation of building heights through the elevations with gable features introduced to ensure the massing of the dwellings are not significant. The increased height is considered appropriate as it provides a design solution – across two stories which are considered to be more in keeping with the existing Listed Building and other surrounding properties, that that of the original barn buildings. It is acknowledged that there are material differences between the proposed dwellings and those approved under the Class Q scheme however, it is considered that the proposed scheme would not change the overall perception of the landscape in which it sits and that the proposed development by virtue of it's siting and design are more representative of the character of the area. The amount of dwellings on site is also reduced. It is considered that the proposed scheme is of a higher standard of design than the Class Q scheme and that the proposed landscaping would enable the proposed scheme to positively integrate into the landscape character of the area. This can be given significant weight in the planning balance.

8.16 Conditions can secure samples and details of materials, and the implementation and management of landscaping to ensure that the proposed scheme respects and complements the character of the area and positively integrates into the landscape character of the area. The submission also ensures that the settlement pattern is maintained through reducing the overall number of dwellings being provided on the site and not significantly degrading the spacing between hamlets in accordance with the Village Design Statement. Subject to conditions, the proposed scheme would be in accordance with policies E1 and E2 of the TVBRLP.

8.17 **Trees**

The Tree Officer advises that there are no trees of high public amenity on the site. The submitted arboricultural information sets out impact, tree loss, tree protection during development and new tree planting. It is noted that no information has been submitted regarding services and service routes. Subject to securing that detail via a condition it is considered that the development can be provided in accordance with policy E2 of the TVBRLP.

8.18 **Impact on adjacent Listed Building**

Glebe Farmhouse is a Grade II listed building. Under Class Q (21/00526/PDQS) there is a fallback position to convert the existing barns into dwellings. Due to the constraints placed on the design by Class Q i.e. the need to retain the existing barns, which are of no architectural value and not especially attractive, the resultant dwellings would give rise to a utilitarian appearance. It is not considered they would have made a positive contribution to the setting of Glebe Farmhouse.

8.19 The existing farmyard seems to have no historic relationship with the farmhouse (i.e. it does not appear to have been the location of the historic farmyard range). The land appears to have been an open field until the current buildings were added in the mid 20thC. Therefore the present complex makes little contribution to understanding the historic context and setting of Glebe Farmhouse. The proposed scheme reduces the number of dwellings on the site from the permitted five to three. The new buildings would be built on the footprints of existing barns, but the overall cumulative footprint would be reduced from 1,362m² to 840m². There are some sections of the proposed buildings which would be taller than the existing barns, but there are also single-storey ranges. Reduction in the height of the building on plot 3 (especially when viewing the south west and north east elevations) would be welcomed, though this is the plot furthest from Glebe Farmhouse and these elevations are angled away from views from the access to the Old Rectory (see below). The general design of the proposed buildings and the use of materials means they would be more attractive than the designs submitted for 21/00526/PDQS.

8.20 The heritage statement concludes that the site does not form part of the setting of The Old Rectory (Summerhill) (Grade 2 listed). Whilst there is limited direct intervisibility between the existing barns and the buildings at the Old Rectory, they are set parallel to one of the main historic approaches to that property and may be seen across the field, particularly in winter time. Given that the proposed replacement buildings would be on the same farmyard and similar in size, it is reasonable to suppose they would also be visible. However, as above, it is considered the proposed design of the new dwellings is more attractive than the dilapidated modern barns and the buildings which Class Q would have permitted, and therefore they would have a lesser impact on the significance of the Old Rectory (through its setting). The Conservation Officer considers that the proposed scheme would be preferable in terms of the settings of the listed buildings than the scheme which Class Q has permitted.

8.21 It is considered the development would make a positive contribution to sustaining and enhancing the significance of the heritage asset and would offer significant improvement upon the current Class Q permitted scheme. It is considered that this development does create less than substantial harm but that the public benefit would be significant creating a far more appropriate development at this site where heritage asset is present than the Class Q extant permission. It is considered that the development can be provided in accordance with policy E9 of the TVBRLP.

8.22 **Design**

The units will be constructed in timber cladding, brickwork and clay tile roofing which are sympathetic to the site's rural setting. The proposal has been designed to reflect a farmyard, with units clustered together to appear as a 'farmhouse', stable conversion, and a threshing barn. As existing agricultural buildings on site have a cumulative built footprint of 1,362sq.m. By contrast, the proposed cumulative footprint of the units and their associated garaging equates to 840 sq.m, resulting in a 38% decrease in the overall built footprint on site. The proposal has also ensured that the height of the proposed dwellings are not significantly higher than the existing buildings. Whilst parts of the dwellings are taller than the height of the existing built form, all three units have been designed to encompass extensive single-storey elements, reducing the height and mass of the built form. The Village Design Statement states that new dwellings should be consistent with both apparent bulk, and external materials of adjacent neighbours but not necessarily any specific details of form. It is considered that the development can be provided in accordance with policy E1 of the Revised Local Plan which concerns high quality development and the requirements of the Village Design Statement.

8.23 **Impact on neighbouring properties**

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.

8.24 Glebe Farmhouse

Glebe Farmhouse is located to the north west of the application site approx. 30m from the closest plot 1 dwelling. This dwelling is a 'T' shape design with the projection closest this neighbour single storey in design with two windows facing towards the access into Glebe Farmhouse. The two storey element which includes a room over the car port / garage is set further back from this neighbour by an additional 13m. An elevated window would also offer views across the access but given the distances involved and the type of views given towards the access and driveway only it is not considered that there would be any significant impacts created on this neighbouring property.

8.25 Springfields

This neighbour is located to the south west of the application site adjacent the access track. This dwelling is a bungalow with mature hedgerow and tree cover across the eastern boundary. On the northern boundary is a detached garage. The closest proposed dwelling is also plot 1. At nearest point the dwelling would be approximately 11m from the detached garage at Springfield and 21m from the dwelling house. Whilst some oblique views would be given from windows which face a southerly direction towards this neighbour given these distances it is not considered that any overlooking would be significant enough to result in a reason for refusal.

- 8.26 This neighbour has also raised objections in relation to noise and dust from the additional traffic, building and demolition noise. A condition can be added to the recommendation ensuring that a construction management plan is submitted with details of proposed hours of working and construction routes. Once new residents are at the dwellings it isn't considered that 3 new dwellings would create an unreasonable amount of noise associated with domestic use which isn't already heard in the surroundings at other residential properties.

8.27 The Old Rectory (Summerhill)

This neighbour is located to the north of the application site over approx. 100m from the boundary with the application site. This boundary is a mixture of trees and hedgerow which provide sporadic screening across its length. At the closest points plot 1 is approx. 7.5m from this boundary, plot 2 approx. 12m and plot 3 approx. 8m. Any views of the dwellings would be at a greater distance than the existing farm buildings some of which are located directly on this boundary.

- 8.28 This neighbour has raised concern in respect of overlooking from proposed windows. The two storey element of plot 1 does not have any windows facing towards this neighbour. The roof lights proposed on the single storey projection are in the roof slope and would not offer any opportunity for views given they are approx. 3.5m above the floor level of the room they serve. Plot 2 again has no windows in the 2 storey element facing this neighbour which provides a car port and living space over at the front of the plot. There are 4 windows proposed at ground floor, glazing over the front door and a larger window at first floor in the two storey element. This first floor window would serve a bedroom. This window would be located approx. 20m from the application site boundary. When considering the distance The Old Rectory building is from the boundary with the site (in excess of approx. 100m) in addition to the 20m already stated it is not considered that any significant overlooking would arise from the presence of this first floor window.
- 8.29 Plot 3 has first floor windows on the closest elevation to this neighbour at approx. 6.8m from the boundary. The north eastern elevation, due to its orientation, then widens the separation distance to approx. 18m, as the dwelling is on an angle. There are 3 small dormer windows and 3 roof lights on this elevation. There are also first floor windows on the southern two storey element of this plot at approx. 20m from the boundary together with an inverted balcony. When considering the intervening boundary treatment and the distances involved between this plot and the neighbour to the north it is not considered that there would be any significant impacts in terms of significant overlooking.
- 8.30 Farmside
This neighbour is located to the west of the application site by approx. 168m. Plot 3 would be located closest to this neighbour with the north eastern elevation facing towards this neighbour. There are 3 small dormer windows and 3 roof lights on this elevation but given the separation distance involved it is not considered that there would be any significant impacts in terms of overlooking.
- 8.31 It is considered that the development can be provided in accordance with policy LHW4 which concerns amenity.
- 8.32 **Highway Safety and Parking provision**
There is sufficient space on site for parking and turning which would enable vehicular traffic to access the A27 in a forward gear. The Highway Authority is satisfied that the proposal would not lead to any material detrimental impact upon the safety and efficiency of the public highway network. As such, it is considered that the development would not have an adverse impact on the function, safety and character of the Right of Way or the local highway network. It is considered that the proposal would be in accordance with policy T1 of the TVBRLP.

- 8.33 The proposed scheme provides 3no. three and five bedroom properties requiring 3 on site car parking spaces for each dwelling under the standards of Annex G. The garages provide 2 spaces per garage and together with an ample driveway space the required spaces are provided on each plot. Subject to a condition to secure parking before the dwellings are occupied, the proposal would be in accordance with policy T2 of the TVBRLP.
- 8.34 In respect of refuse the applicant has advised that a private management company will collect refuse. As existing the Council workers come up the drive to collect the refuse and it is anticipated a similar operation will be provided with the private operation.
- 8.35 **Ecology**
Policy E5 sets out that development in the Borough that will conserve, and where possible restore and/or enhance biodiversity will be permitted.
- 8.36 This application is supported by an Ecological Impact Assessment (Eclipse Ecology, November 2022), which the Council Ecologist is satisfied represents the current nature of the site.
- 8.37 Bats
Buildings on site have all been assessed as having negligible potential for roosting bats, and no further surveys or mitigation has been recommended. In view of the survey findings the Council Ecologist would advise that the development is unlikely to result in a breach of the law protecting bats and would raise no concerns. An advisory note is suggested.
- 8.38 Lighting
The extent of proposed lighting and likely impacts on suitable foraging and commuting habitats for bats are required to ensure that significant adverse impacts are unlikely to occur. It is understood that lighting may be restricted to security lighting on the dwellings, with no lighting proposed for the access. A condition is recommended for details of external lighting.
- 8.39 Dormice
Dormice have been recorded within 1km of the site boundary, and the ecologist asked for further information in this respect. I would therefore advise the assessment in relation to dormice is revised to reflect this. The applicant has confirmed - We provided a dormouse nest check of all the relevant habitat on-site (hedge – which is outside the red-line boundary and isolated areas of scrub on-site). No evidence of dormice was found during this nest check. The survey method is appropriate for the vegetation clearance proposed and is in accordance with Natural England's standing advice. The scrub is isolated and not suitable for dormice and only a small number of young/sapling trees are proposed for removal. Despite this, all hedge and scrub habitat was checked – this was detailed in the report.
- 8.40 The Council Ecologist has reviewed the above and accepts the applicant's justification subject to ensuring a species rich native hedgerow is provided on the northern boundary.

8.41 Amphibians

Section 4.3.3 of the report has indicated that there are “no water bodies within 250m” of the site. Having reviewed local maps, a number of water bodies have been identified within 250m to the north and west of the site, with more located within 500m of the proposed development site. The Council Ecologist would have therefore advised that further assessment and surveys are required regarding amphibian species (i.e. GCN). The applicant has responded advising - The waterbodies to the west are 272m away from the application site boundary and are not within 250m (A map was provided). We measure the two ponds to the north of the site are 251m away from the site. Even if these two ponds are included within the 250m zone there is still no requirement for surveys according to Natural England’s GCN rapid risk assessment calculation. Ponds between 250m and 500m of the site were scoped out of the assessment for reasons/criteria given in Section 3.4.3 of the EcIA – which is taken from Natural England’s mitigation licensing form. There is no reason to assess ponds between 250-500m. There is also no reason to assess/survey the above ponds any further for reasons given above. The Councils Ecologist is content to accept this justification.

8.42 Reptiles

A habitat manipulation strategy during the construction phase has been proposed to reduce the risk of harm to reptiles, with replacement suitable habitat provided within the ecology mitigation planting. The Council Ecologist asked for further details regarding the location of replacement reptile habitat during the construction and operational phase. It is understood that two hibernacula will be situated on site following the works, however the location does not appear to have been included on the ecology mitigation plan. I would ask that this is rectified. The applicant has updated the Ecology Mitigation & Enhancement Plan to show an area of long grassland and two hibernacula suitable for reptiles to be maintained throughout construction and operation of the development.

8.43 It is considered that the development can be provided in accordance with policy E5 of the TVBRLP subject to appropriate conditions.

8.44 **Special Protection Areas**

New Forest SPA

In line with Policy E5 and Section 11 of the NPPF, consideration should be given to potential implications on international designations. The development would result in a net increase in residential dwellings within 13.6km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit the New Forest. The New Forest SPA supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the Forest that result from new housing development. While clearly one new house on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England (the governments statutory nature conservation advisors, who have provided comments on this proposal) that any net increase (even single dwellings) would have a likely significant effect on the SPA when considered in combination with other plans and projects.

8.45 To address this issue, Test Valley Borough Council has adopted an interim mitigation strategy whereby a scale of developer contributions of £1300 per new dwelling has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. The applicant paid this direct to the Council on the 7th June 2023.

8.46 Nitrate Neutrality

The River Test and its major tributaries flow into the Solent. The Solent region is one of the most important for wildlife in the United Kingdom. There are currently high levels of nitrogen and phosphorus input into this water environment and there is evidence to suggest that this is having a detrimental impact on the biodiversity of this area. Housing and other certain types of development are currently contributing negatively towards this issue and there is evidence that further development, without mitigation, would exacerbate this impact.

The Solent region consists of the following Special Areas of Conservation (SAC) and Special Protection Areas (SPA):

- Chichester and Langstone Harbours SPA
- Portsmouth Harbour SPA
- Solent and Southampton Water SPA
- Isle of Wight Lagoons SPA
- Solent Maritime SAC
- Solent and Dorset Coast SPA (Proposed)

8.47 These sites are protected by National and European Law which requires the Council to undertake a formal assessment of the implications of any new plans or projects that may be capable of affecting the designated interest features of European Sites before deciding whether to grant planning permission for new residential development. This formal assessment is known as an Appropriate Assessment and considers the potential adverse effects of a plan or project (in combination with other plans or projects) on Special Areas of Conservation and Special Protection Areas. The European Court of Justice recently determined a case related to considering water quality in Appropriate Assessments. The impact of the case law is that any development which could result in a decrease in water quality would cause a likely significant effect on the Solent's European sites.

8.48 In the context of planning, the impact comes from population increase and the resultant increase in effluent. Proposed developments for new housing, hotels and care homes (as well as other forms of overnight accommodation) are being affected by the issue as a result. A nitrate budget calculation has been submitted and an Appropriate Assessment submitted to Natural England. Natural England raise no objection to the proposal. To offset the output, the applicant proposes to use the budget provided by the previous use of the site as a dairy farm together with the use of a PTP. Attached to the planning file is

a declaration from the previous farmer confirming the farms use. The proposed development does not conflict with the Habitats Regulations and accords with Policy E5 of the TVBRLP.

8.49 Water Management

Water consumption

The Revised Local Plan includes a requirement under policy E7 for all new residential dwellings to achieve a water consumption standard of no more than 110 litres per person per day. This reflects the requirements of part G2 of the 2015 Building Regulations. It is recommended that a condition be added in order to address this. Subject to such a condition the proposal would comply with policy E7 of the TVBRLP.

8.50 Drainage – Foul

It is proposed to connect to Package Treatment Plants at each plot.

8.51 Drainage – surface water

Surface water drainage is proposed to be controlled through soakaways.

8.52 Planning balance

The proposed scheme would represent a departure from the Development plan with respect to development in the countryside. It is however considered that the fallback position to implement the Class Q scheme is a real prospect that carries significant weight in favour of the current proposal. Additionally, the proposed scheme would not have any significant or detrimental impacts over and above the effect of complying with the extant Class Q scheme. Additionally, the proposal is considered to represent an improvement to the setting of the Listed Building, improvements in design and the landscape improvements to be secured via condition, and would assist in delivering against the Council's housing requirement. It is considered that the proposal justifies the departure from the Development Plan in this instance.

9.0 CONCLUSION

9.1 It is considered that the material considerations of the proposed scheme outweigh the conflict with the Development Plan.

10.0 RECOMMENDATION

PERMISSION subject to:

- 1. The development hereby permitted shall be begun within three years from the date of this permission.**

Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

20220-01 P1 - Location plan

20220-03 P1 - Existing site plan

20220-04 P1 - Existing site layout

20220-05 P1 - Proposed site plan

20220-06 P1 - Proposed site layout
20220-20 P1 - Proposed elevations plot 1
20220-21 P1 - Proposed elevations plot 2
20220-30 P1 - Proposed elevations plot 3
20220-10 P1 - Proposed ground floor - Plot 1 and 2
20220-11 P1 - Proposed first Floor - Plot 1 and 2
20220-25 P1 - Proposed floor - Plot 3
20220-35 P1 - Proposed garage plot 2
20220-31 P1 - Proposed section - Plot 3
TPP-KC/GLEBEFARM/001 - Tree Protection
045-MP-01 - Landscape details
20220-07 P1 - Ecology mitigation and enhancement

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

- 3. No development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 4. The development shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.**

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

- 5. No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include-where appropriate: proposed finished levels or contours, means of enclosure and car parking layouts where relevant. Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities.**

The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan.

Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.

- 6. No development shall take place above DPC level of the development hereby permitted until a schedule of landscape implementation and maintenance for a minimum period of years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for the phasing of the implementation and ongoing maintenance during that period in accordance with appropriate British Standards or other recognised codes of practise. Development shall be carried out in accordance with the approved schedule.**

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.
- 7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no building, structure, walls or fences of any kind shall be erected without the prior written consent of the Local Planning Authority.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.
- 8. Details of the siting and design of any proposed external meter boxes/metal ducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The installation of the meter boxes/metal ducting/flues shall be in accordance with the approved details.**

Reason: To protect the setting of the listed building and the wider landscape in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E2 and E9
- 9. Prior to the commencement of demolition and construction activity including site clearance or ground-works, 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, dust and light and set out the mitigation measures to be employed to control such emissions and mitigate the effects of such emissions on sensitive land uses. Unless otherwise agreed by the Local Planning Authority, construction activity shall only take place in accordance with the approved CEMP.**

Reason: To minimise the risks of pollution and to ensure the site is satisfactorily developed in accordance with policy E8 of the Revised Borough Local Plan

- 10. No work relating to the construction of the development hereby approved, including site clearance, deliveries, collections or works of demolition or preparation prior to operations, shall take place before the hours of 07.30 nor after 18.00 on Mondays to Fridays; before the hours of 08.00 nor after 13.00 on Saturdays; and at all on Sundays and Bank/Public Holidays, unless otherwise agreed with the Local Planning Authority.**
Reason: To protect the amenities of nearby dwellings in accordance with policy LHW4 of the Revised Borough Local Plan 2016.
- 11. In the event that contamination is found at any time during demolition and/or construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being brought in to use.**
Reason: To minimise the risks of pollution and to ensure the site is satisfactorily de-contaminated in accordance with policy E8 of the Revised Borough Local Plan
- 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows [other than those expressly authorised by this permission] shall be constructed.**
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E2, LHW4
- 13. Development shall be provided in accordance with Section 7 'Precautionary Measures, Avoidance & Mitigation' of the Ecological Impact Assessment by Eclipse Ecology Ltd (February 2023) and the 'Proposed Ecology Mitigation and Enhancement Plan' drawing no. 20220-07 by LDArchitecture Ltd dated 10.02.23.**
Reason: To ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Revised Local Plan
- 14. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Technical Arboriculture Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/GLEBEFARM/001 dated November 2022.**
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.

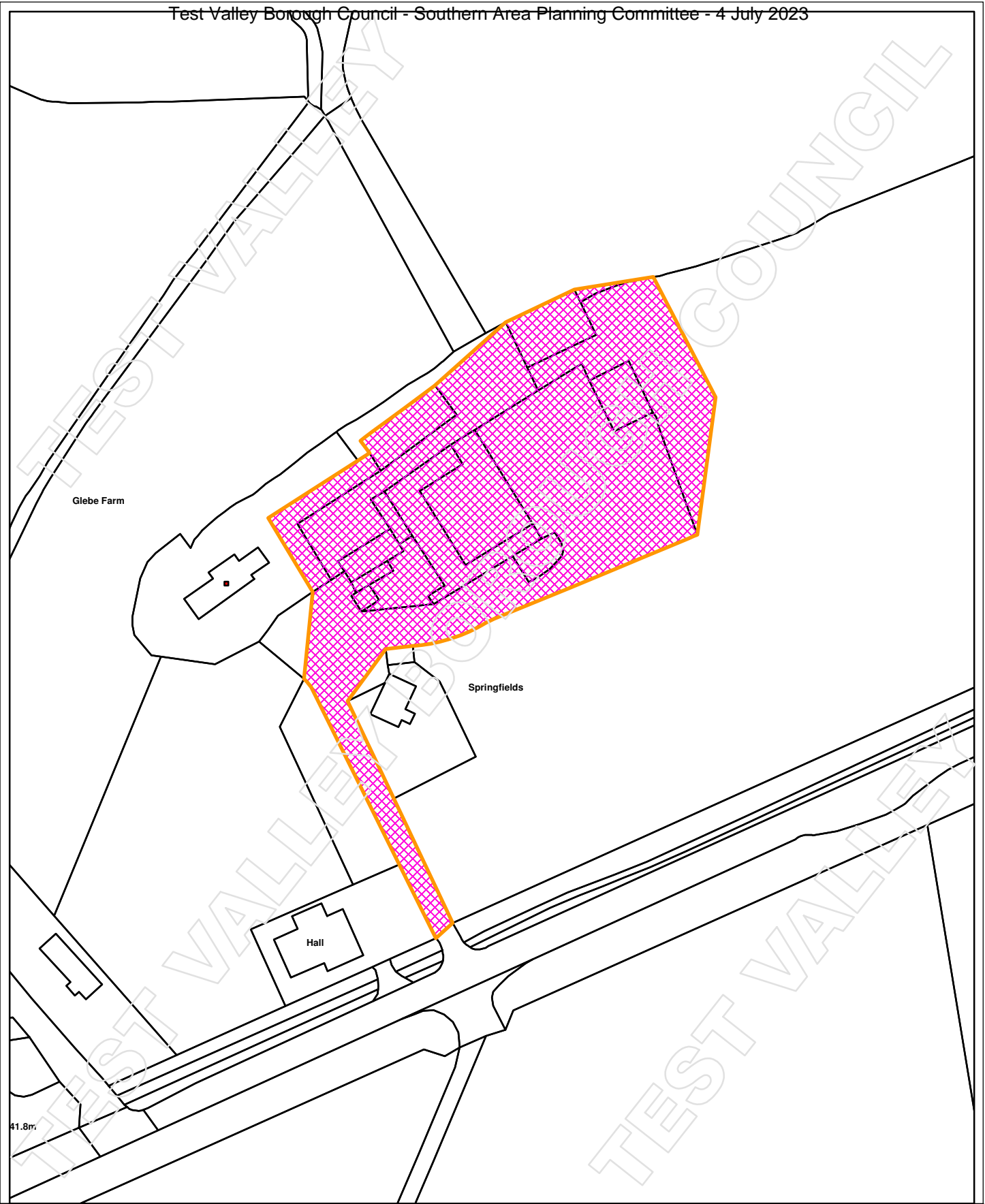
- 15. All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.**
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
- 16. 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.
- 17. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.**
Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1
- 18. No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include plans and details sufficient to demonstrate the location, type, specification and luminance level. External lighting shall be undertaken in accordance with the approved details and retained thereafter.**
Reason: To ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).
- 19. At least the first 4.5 metres of both access tracks measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.**
Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1
- 20. The proposed Rewatec Solido Smart package treatment plants shall be installed to serve the dwellings hereby permitted prior to occupation. The treatment plants shall be retained and maintained in accordance with the foul drainage management plan (Rewatec Solido Smart package treatment plant user guide), unless otherwise agreed in writing by the Local Planning Authority.**
Reason: In order to avoid adverse impact on the Solent and Southampton Water SPA by way of additional nitrates emanating from the development in accordance with the Conservation of Habitats and Species Regulations 2017 and Policy E5 of the Test Valley Borough Revised Local Plan (2016).

21. **In the event that any of the approved Rewatec Solido Smart package treatment plants are replaced, the replacement package treatment plant/s shall achieve a performance output of 10mg/l nitrogen or less, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to avoid adverse impact on the Solent and Southampton Water SPA by way of additional nitrates emanating from the development in accordance with the Conservation of Habitats and Species Regulations 2017 and Policy E5 of the Test Valley Borough Revised Local Plan (2016).

Notes to applicant:

1. **The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
2. **There is potential at this location for asbestos containing material. If this is found at any time during implementation of the development please be aware that removal and disposal must be undertaken in accordance with all legal requirements, whether they be enforced by the Local Authority or other government agencies. Any such removal and disposal must be completed prior to the site being brought in to use.**
3. **Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**



Siteplan



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22/03317/FULLS



Proposed Site Layout Plan
1:500

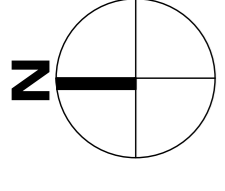
NOTE:
All grass, trees, and planting shown is indicative of the proposal.
See Landscape Architect's drawings for details and species information.

NOTE:
All drawings based on as existing
Topographical Survey provided by
ADS Surveys Ltd on 24/06/2021

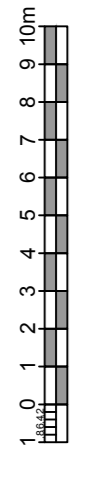
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10 0 10 20m



P2 24.05.2023 Plot 3 roof materials revised. Issued for Planning	by MB checked
P1 16.12.2022 Issued for Planning	by MB checked
PLANNING	
LDArchitecture Ltd	
client name: Mr & Mrs. Whitfield	
project: Glebe Farm, Sherfield English	
drawing: Proposed Site Layout Plan	
drawing number: 20220 - 06	scale: 1:500 @ A1
	rev: P2



Scale 1:200



NOTE

All drawings based on as existing topographical survey provided by ADS Surveys Ltd on 24/06/2021.
The drawings to be read in conjunction with drawings and reports from:
Indigo Landscape Architects, 1045-5-2022-12-12
Ecology Ecology, Ecological Impact Assessment P266.1.1
All work on site to be carried out in accordance with the approved and enhancements outlined in Section 7 and Section 8 of the Ecology Impact Assessment P266.1.1

P2	24.05.2023	Final 3 roof materials reviewed, issued for Planning	by MB	checked
P1	16.12.2022	Issued for Planning	by MB	checked
PLANNING				
LDArchitecture Ltd				
client name: Mr & Mrs Whitefield				
type: Cleeve Farm, Sherfield English				
drawing: Proposed Site Plan				
drawing number: 20220 - 05				
scale: 1:200 @ A1				
rev: P2				



NOTE:
All grass, trees, and planting shown is indicative of the proposal. See Landscape Architects' design information for details and species information.

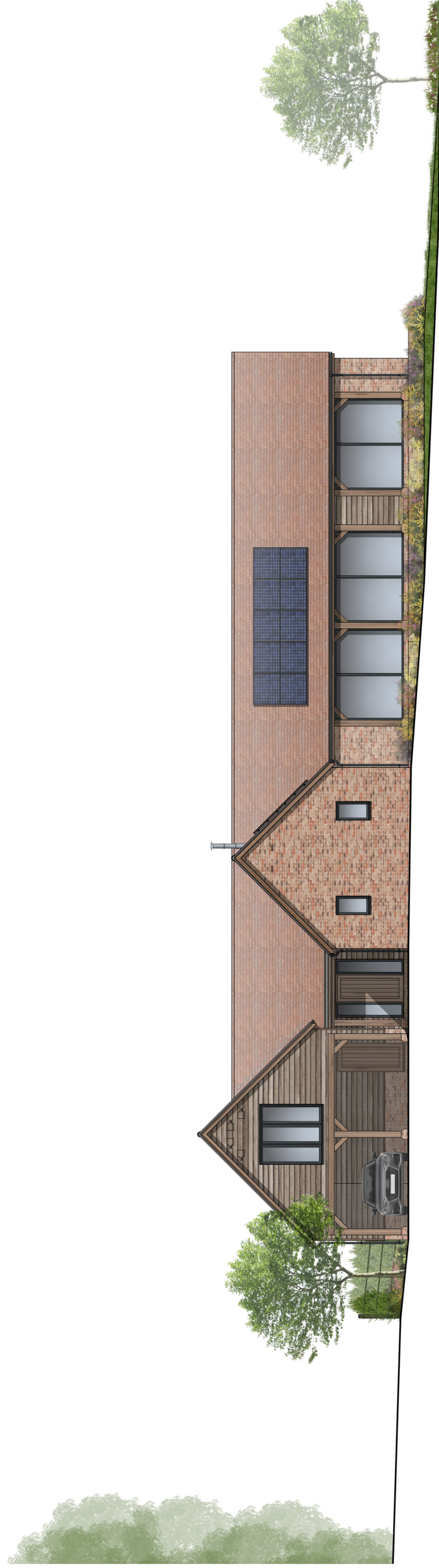
Scale 1:100

Ecology Legend
 Biodiversity enhancements as indicated in Section 8 of the
 Planning Conditions for 2021/22, 11,
 provided by Landscape Ecology

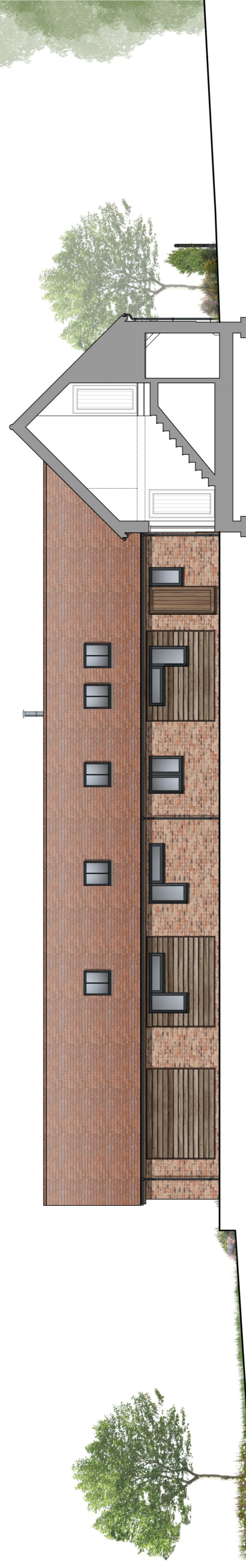
- Ball Tree
- Small Brack
- Small Box - Hidden Timber
- Beech Block



Plot 1 - North West Elevation (front)
1:100



Plot 1 - South West Elevation (side)
1:100



Plot 1 - North East Sectional Elevation (side)
1:100



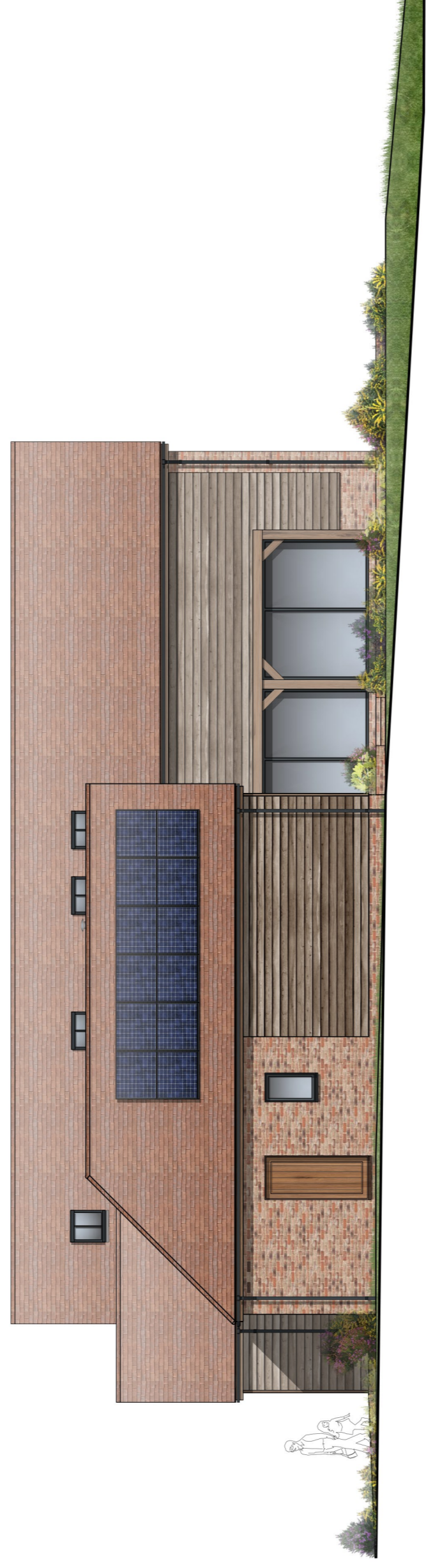
Plot 1 - South East Elevation (rear)
1:100

NOTE: All grass, trees, and planting shown is indicative of the proposed scheme. See Landscape Architect's design information for details and species information.

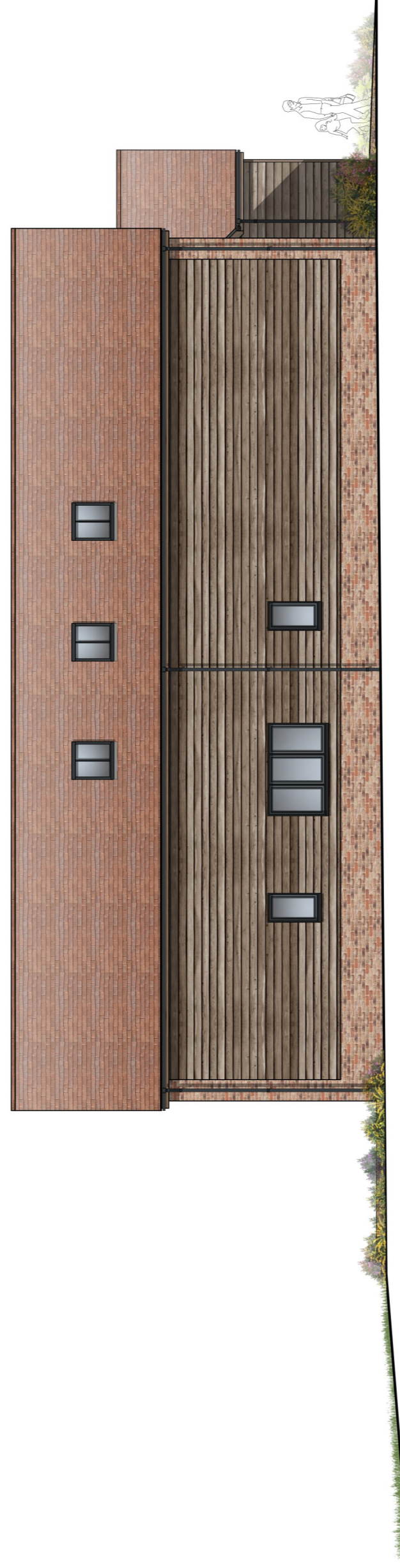
P1	16.12.2022	Issued for Planning	by MB	checked
PLANNING				
LDArchitecture Ltd				
client name: Mr & Mrs Whitfield				
type: Cottage Farm, Sherfield English				
drawing: Proposed Elevations - Plot 1				
drawing number: 20220 - 20				
scale: 1:100 @ A1			rev: P1	



Plot 2 - North West Elevation (front)
1:100



Plot 2 - South West Sectional Elevation (side)
1:100

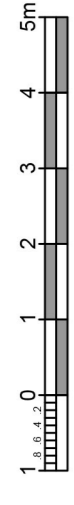


Plot 2 - North East Elevation (side)
1:100



Plot 2 - South East Elevation (rear)
1:100

Scale 1:100



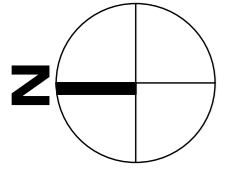
Ecology Legend

Biodiversity enhancements as indicated in Section 8 of the Planning Statement (P1) are provided by Landscape Ecology.

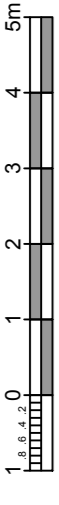
- Bird Hide
- Small Bocks
- Small Box - Hidden Timber
- Bee Box

P1	16.12.2022	Issued for Planning	by MB	checked
PLANNING				
LDArchitecture Ltd				
client name: Mr & Mrs Whitfield				
type: Cottage Farm, Sherfield English				
drawing: Proposed Elevations - Plot 2				
drawing number: 1:100 @ A1				
20220 - 21				

NOTE: Trees and planting shown is indicative of the proposed scheme. See Landscape Architect's design information for details and species information.



Scale 1:100



NOTE:
All drawings based on an existing topographical survey provided by AJS Surveys Ltd on 24/09/2021.

The drawings to be used in conjunction with drawings and reports from:

Inigo Landscape Architects:
10465 S.2022-12-12
Supplementary Landscape Information

P1 16.12.2022
Issued for Planning

by MB checked

PLANNING

LDArchitecture Ltd

client name:
Mr & Mrs Whitfield

project:
Cobbe Farm, Sherfield English

drawing:
Proposed Ground Floor Plans (Plot 1 and 2)

drawing number:

scale:
1:100 @ A1

rev:
P1

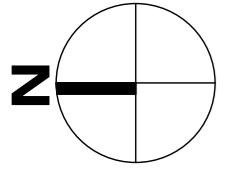
20220 - 10

NOTE:
All grass, trees and planting shown is indicative of the proposal.
See Landscape Architect's design information for details and species information.

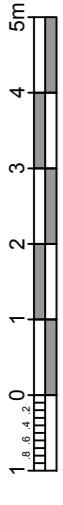


Plot 1 Ground Floor Plan
1:100

Plot 2 Ground Floor Plan
1:100



Scale 1:100



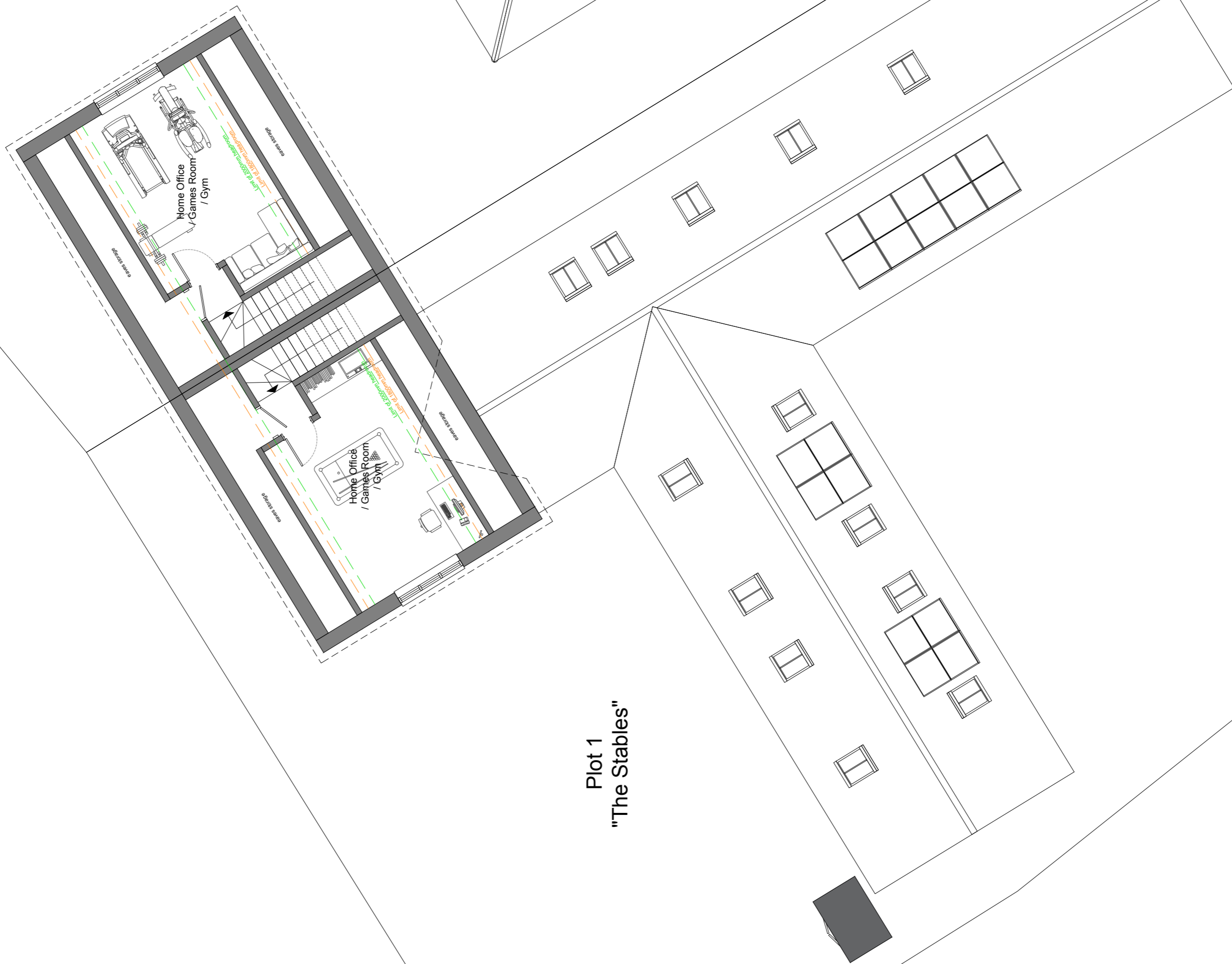
NOTE:
All drawings based on an existing Topographical Survey provided by ACS Surveys Ltd on 24/06/2021

P1	16.12.2022	Issued for Planning	by MB	checked
PLANNING				
LDArchitecture Ltd				
client name: Mr & Mrs Whitfield				
address: Cobbe Farm, Sherfield English				
drawing: Proposed First Floor Plans (Plot 1 and 2)				
drawing number: 20220 - 15				
scale: 1:100 @ A1				
rev: P1				

Plot 2
"The Barn"



Plot 1
"The Stables"



Plot 2 First Floor Plan
1:100

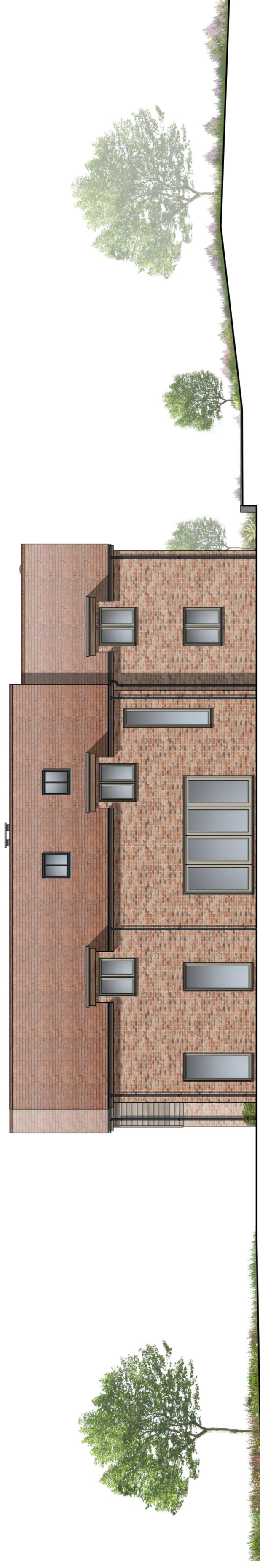
Plot 1 First Floor Plan
1:100



Plot 3 - North West Elevation (front)
1:100



Plot 3 - South West Elevation (side)
1:100

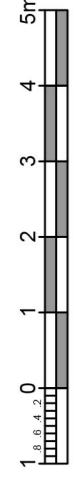


Plot 3 - North East Elevation (side)
1:100



Plot 3 - South East Elevation (rear)
1:100

Scale 1:100



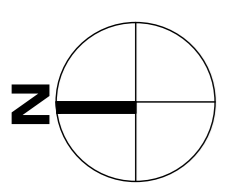
Ecology Legend

Biodiversity enhancements as indicated in Sections 8 of the Planning Report 2020-11, provided by Landscape Ecology.

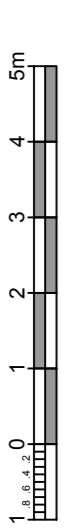
- Ball Tree
- Small Brack
- Small Box - Hidden Timber
- Beech Block

P2	01.06.2023	Root matters revised, issued for Planning	by MB	checked
P1	16.12.2022	issued for Planning	by MB	checked
PLANNING				
LDArchitecture Ltd				
client name: Mr & Mrs Whitfield				
type: Cottage Farm, Sherfield English				
drawing: Proposed Elevations Plot 3				
drawing number: 20220 - 30				
scale: 1:100 @ A1				
rev: P2				

NOTE: All grass, trees, and planting shown is indicative of the proposed scheme. See Landscape Architect's design information for details and species information.



Scale 1:100



NOTE:
All drawings based on an existing topographical survey provided by AJS Surveys Ltd on 24/09/2021.

This drawing is to be used in conjunction with drawings and reports from:
Indigo Landscape Architects: 10465-S-2022-12-01
Supplementary Landscape Information: 10465-S-2022-12-12

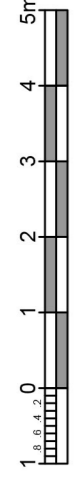
P1	16.12.2022	Issued for Planning	by MB	checked
PLANNING				
LDArchitecture Ltd				
client name: Mr & Mrs Whitfield				
type: Cleeve Farm, Sherfield English				
drawing: Proposed Floor Plans (Plot 3)				
drawing number: 20220 - 25				
scale: 1:100 @ A1				
rev: P1				



Plot 3 Ground Floor Plan
1:100

Plot 3 First Floor Plan
1:100

Scale 1:100



Plot 3 - Section A-A (side)
1:100



Plot 3 - Section B-B (side)
1:100

NOTE: All grass, trees, and planting shown is indicative of the proposed scheme. See Landscape Architect's design information for details and species information.

P2	01.06.2023	Roof materials revised. Issued for Planning	by MB	checked
P1	16.12.2022	Issued for Planning	by MB	checked

PLANNING

LDArchitecture Ltd

client name:
Mr & Mrs Whitfield

type:
Cottage Farm, Sherfield English

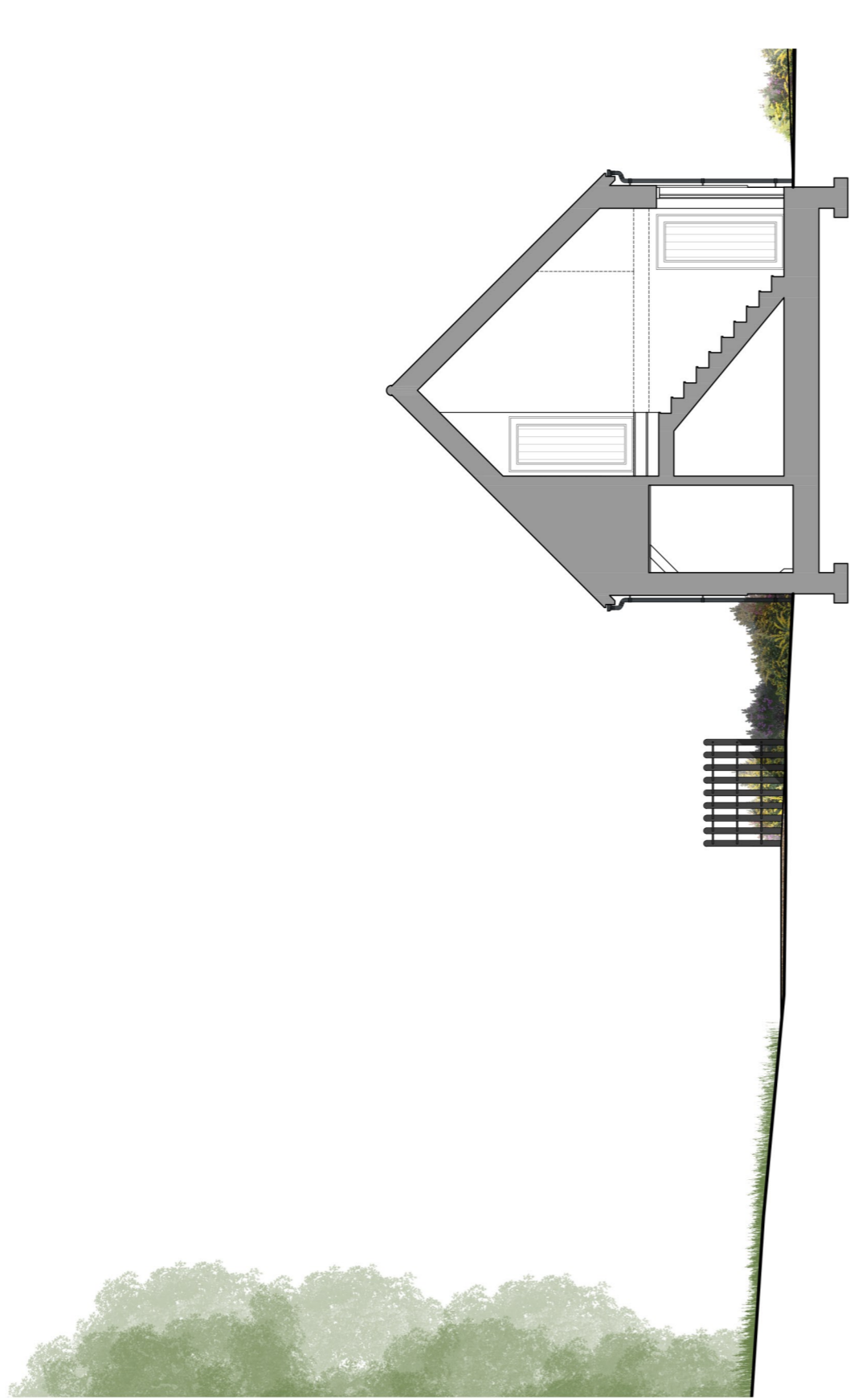
drawing:
Proposed Sections Plot 3

drawing number:
scale:
1:100 @ A1
rev:
P2

20220 - 31



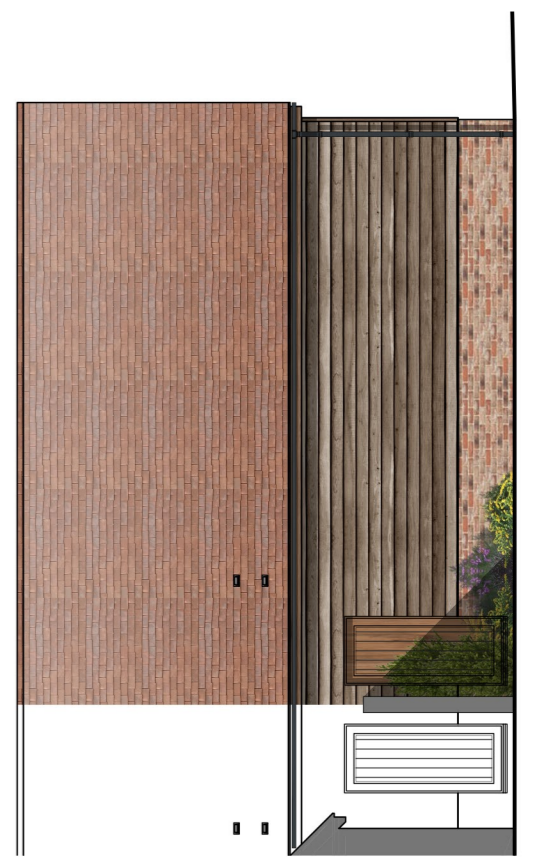
Plot 2 - North West Garage Elevation (front)
1:100



Plot 2 - South West Garage Sectional Elevation (side)
1:100



Plot 2 - North East Garage Elevation (side)
1:100

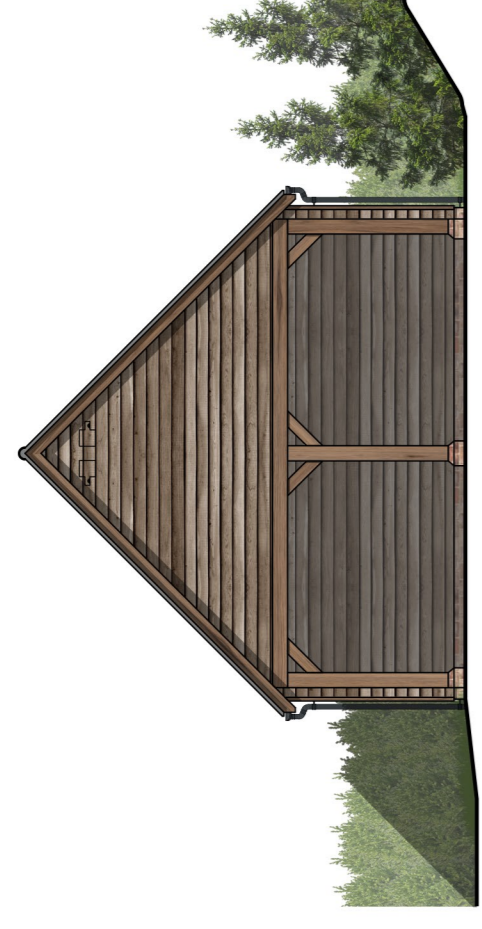


Plot 2 - South East Garage Elevation (rear)
1:100

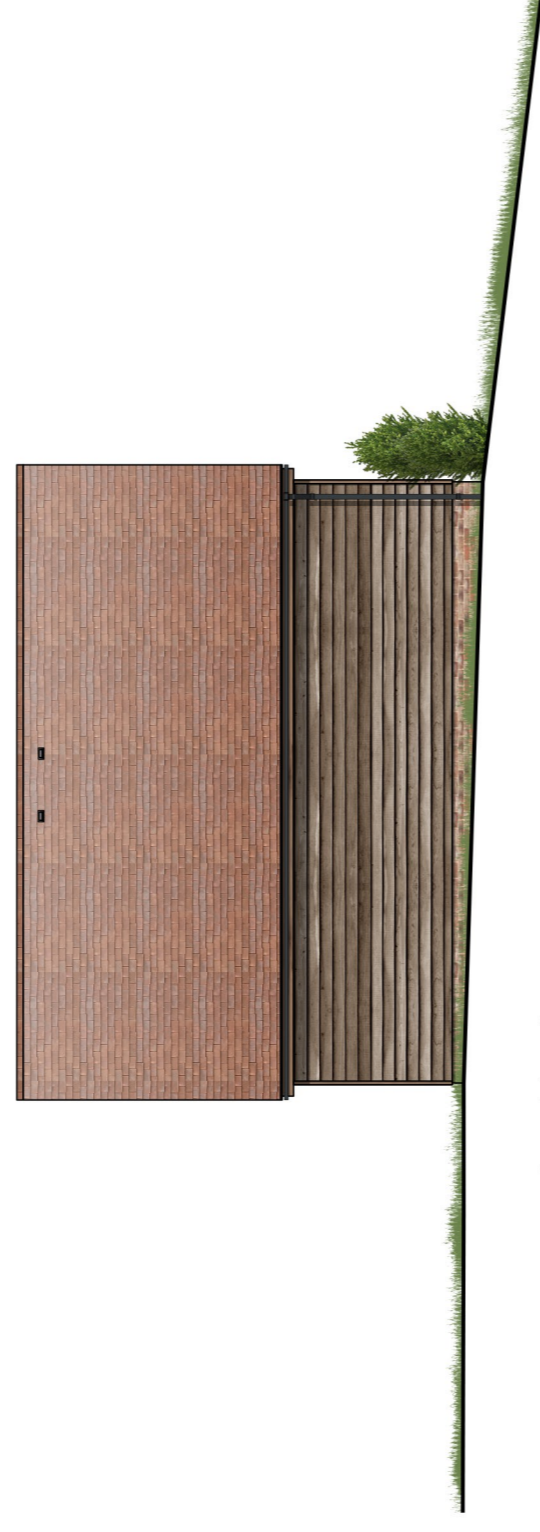
Scale 1:100

Ecology Legend
Biodiversity enhancements as indicated in Sections 8 and 9 of the Planning Statement (2020-11) provided by Landscape Ecology

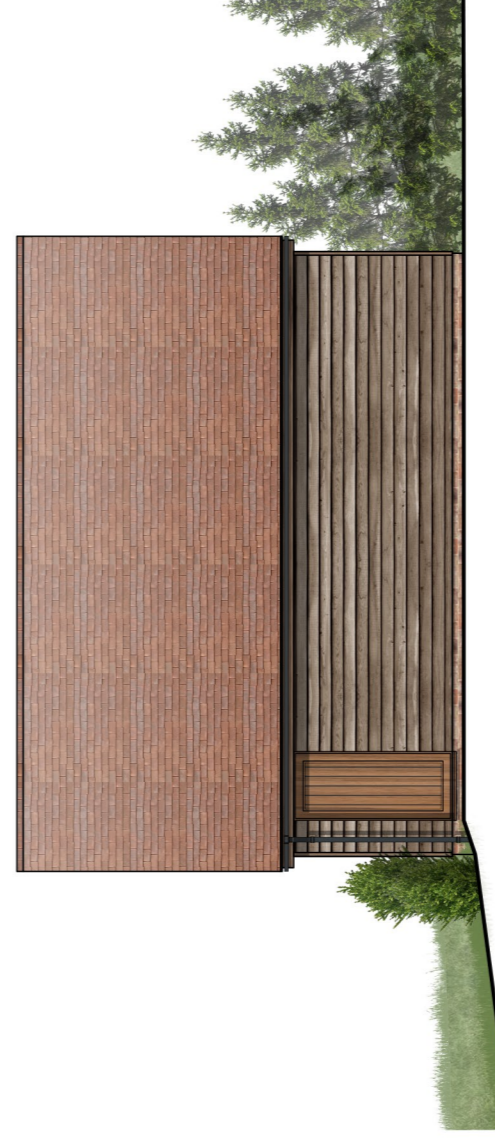
- Bat Flies
- Small Birds
- Small Box - Hidden Timber



Plot 3 - North West Garage Elevation (front)
1:100



Plot 3 - South West Garage Elevation (side)
1:100



Plot 3 - North East Garage Elevation (side)
1:100



Plot 3 - South East Garage Elevation (rear)
1:100

NOTE:
All grass, trees, and planting shown is indicative of the proposal.
See Landscape Architect's design information for details and species information.

P1	16.12.2022	Issued for Planning	by MB	checked
PLANNING				
LDArchitecture Ltd				
client name: Mr & Mrs Whitfield				
address: Cibbe Farm, Sheffield English				
drawing: Proposed Garage Elevations - Plot 2 and Plot 3				
drawing number: 1:100 @ A1				
20220 - 35				

DATE	REVISIONS	DRAWING TITLE	PROPOSED SITE PLAN
		CLIENT	Osman Homes
		JOB TITLE	PROPOSED CONVERSIONS
		CLIENT	GLEBE FARM 110 WILTON ROAD SOUTHAMPTON SO9 1JL
		DRAWING No	1271/02
		REV	D
		1:200 @ A1	
		DEC 2020	R.J.L.

-  MAGENTA DASHED LINES INDICATING EXISTING BUILDINGS TO BE DEMOLISHED.
-  MIRAMARE WOODSTONE BAT BOX
-  WOODSTONE SEVILLE NEST BOXES



ITEM 8

APPLICATION NO.	23/00867/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	29.03.2023
APPLICANT	Mr and Mrs A Kay
SITE	Pinns Farm , Foxes Lane, West Wellow, SO51 6DS, WELLOW
PROPOSAL	Change of use of land from agricultural to residential and construction of swimming pool and plant room
AMENDMENTS	<ul style="list-style-type: none">• Additional Ecology Survey Submitted 23rd May 2023
CASE OFFICER	Katie Savage

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

- 1.1 The application is presented to Southern Area Planning Committee at the request of a Member.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 Pinns Farm is a Grade II listed dwelling set back from Foxes Lane within the countryside. The site is host to a number of outbuildings which contribute to the farm's setting. The proposed site is to the north of the main dwelling sited in an area which is currently consists of vegetation and large trees.

3.0 PROPOSAL

- 3.1 Change of use of land from agricultural to residential and construction of swimming pool and plant room

4.0 HISTORY

- 4.1 13/02465/LBWS - Enlarge existing opening in Kitchen – Refuse 9.12.2013
- 4.2 15/00316/PDMBS - Notification for Prior Approval under Class MB - Change of use of former barn, stable and piggery to two dwellings – Prior Approval Not Required - 07.04.2015
- 4.3 18/02079/FULLS - Replacement of single metal field gate with double metal field gates and post and rail fencing; enlargement of area of hardstanding (Retrospective) – Permission subject to conditions and notes 19.10.2018
- 4.4 18/02990/FULLS - Retention of a field shelter, erection of two field shelters and associated hard standing – Permission subject to conditions and notes 22.01.2019

- 4.5 21/03719/FULLS - Extensions and alterations to rear wing of dwelling; removal of glazing from orangery to create external covered loggia; internal alterations – Permission subject to conditions and notes 30.06.2022
- 4.6 21/03720/LBWS - Extensions and alterations to rear wing of dwelling; removal of glazing from orangery to create external covered loggia; internal alterations – Consent subject to conditions and notes 30.06.2022
- 4.7 22/00770/FULLS - Convert agricultural barns and granary into ancillary accommodation, garage, study, workshop, pool house and install outdoor swimming pool – Withdrawn 03.05.2022
- 4.8 22/00776/LBWS - Convert agricultural barns and granary into ancillary accommodation, garage, study, workshop, pool house and install outdoor swimming pool – Withdrawn 03.05.2022
- 4.9 22/02131/LBWS - Re-roofing of existing dwelling and replacement of rainwater goods – Consent subject to conditions and notes 25.10.2022
- 4.10 22/02453/LBWS - Regularisation application - Reinstatement of grain-bin dividers to granary – Consent subject to conditions and notes 09.11.2022
- 4.11 23/00342/FULLS - Change of use of land from agricultural to residential and construction of swimming pool and plant room – Withdrawn 24.03.2023
- 4.12 23/00366/FULLS - Installation of ground source heat pump, PV array and required borehole array to serve Pinns Farm – Permitted subject to conditions and notes 05.05.2023
- 4.13 23/01076/FULLS - Conversion and change of use of redundant agricultural barns into ancillary accommodation to serve Pinns Farmhouse – Pending Consideration
- 5.0 **CONSULTATIONS**
- 5.1 Ecology – No objection subject to condition
- 5.2 Trees – No objection subject to condition
- 5.3 Conservation – Objection (summarised)
- The proposed location to be unacceptable and inappropriate
 - The pool would introduce a domestic, modern intrusive feature on the site which is not agricultural in appearance or function
 - The high level of hard landscaping, including retaining walls, associated with the pool means this part of the site will fundamentally be altered
 - Lack of public benefit

6.0 **REPRESENTATIONS** Expired 07.06.2023

6.1 Wellow Parish Council – No objection

Case officer note: The Parish Council have suggested an ecology survey be submitted. Following the initial consultation with the Councils ecologist an ecology survey now supports the application.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

The Planning (Listed Buildings and Conservation Areas) Act 1990

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

COM2 – Settlement Hierarchy

COM11 - Existing Dwellings and Ancillary Domestic Buildings in the Countryside

E1 – High Quality Development in the Borough

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

E5 – Biodiversity

E9 – Heritage

LHW4 – Amenity

7.3 Supplementary Planning Documents

Wellow Village Design Statement (VDS)

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the setting of the listed building
- Impact on the character and appearance of the area
- Impact on neighbouring amenity
- Impact on trees
- Impact on ecology

8.2 **Principle of development**

The sites lies within the Countryside in the area of Wellow which does not have a defined settlement boundary and is as such classified as Countryside as defined on the Inset Maps of the TVBRLP. Development outside the boundaries of settlements will only be permitted provided it is appropriate to other policies of the TVRLP or it is essential to be located in the Countryside.

8.3 Policy COM2 of the TVBRLP states that development outside the boundaries of settlements will only be permitted if:

- a) It is appropriate in the countryside as set out in the Revised Local Plan Policy COM8 – COM14, LE10, LE16 – LE18; or
- b) It is essential for the proposal to be located in the countryside

- 8.4 With regards to the change of use of land and construction of a swimming pool and plant room, in this instance it is considered that no policies listed in COM2 (a) are relevant to the consideration of the application. It is thus necessary for the development to be considered as essential to be located in the countryside to comply with the development plan.
- 8.5 The existing property currently benefits from a large residential curtilage. The application as submitted does not provide any evidence that an extension to an already large residential garden, was appropriate in policy terms or indeed essential. The meaning of 'essential' is not defined within Policy COM2. Therefore, it is necessary to consider it within its usual meaning. Taking into consideration the size of the existing residential garden and curtilage serving this property it is hard to envisage circumstances where the provision of such an area of private amenity space, incidental to the enjoyment of a dwelling, can be considered absolutely necessary, particularly in circumstances where the dwelling benefits from a generous garden and policy compliant parking provision, storage and living space. Uses in a location which is in direct conflict with the Council's spatial aspirations for the area is a matter which can be given significant weight, given that paragraph 15 of the National Planning Policy Framework (the Framework) emphasises that the planning system should be genuinely plan-led. The essential need has not been demonstrated in this instance and the development does not comply with criterion b) of COM2 and as such the principle of development is not supported.
- 8.6 **Impact on the Grade II Listed Building**
Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon decision makers to have special regard to the desirability of preserving the setting of listed buildings.
- 8.7 The NPPF advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed by development within its setting.
- 8.8 As stated within the Wellow Village Design Statement, Wellow possesses many Grade II listed cottages and farmhouses from the 16th and 17th centuries, principally in the older parts of the centre of West Wellow. Pinns Farmhouse is a Grade II listed building set back from Foxes Lane within a rural area. The listing description states that the house dates from the 17th century, early 19th century and the late 20th century. To the northwest of the farmhouse and separated by a driveway is a rough u-shaped historic farmyard. The farmyard contains a saddle stone, timber clad, granary, which fronts onto Foxes Lane, and which is also a designated heritage asset, listed as Grade II, with its listing description describing the building as dating from the early 19th century. The other range of historic farm buildings, which range from 1-1.5 storeys in height, are not listed in their own right. However, given their date, which would appear to be pre-1948,

and that they were likely in the same ownership and association with Pinns Farmhouse at the time of listing in 1957, they would meet tests as being curtilage listed buildings. It is not clear what the use of these farm buildings would have been at the time of listing, but it is likely that they would have been agricultural.

- 8.9 The historic farmyard relates positively to Pinns Farmhouse being in close proximity, along with its historic use in association with the farmhouse and its appearance as a generally well preserved historic farmyard, constructed from characterful vernacular material.
- 8.10 The conservation officer has raised an objection and considers the proposed location to be unacceptable and inappropriate. It is acknowledged that the proposal is behind this historic group of buildings, but that does not mean it would not be in the immediate context of the historic farm, and incongruous in the setting of the farm buildings, including the buildings in the courtyard and the farmhouse.
- 8.11 Point 3 of the Building guidance in the Wellow VDS it suggests “all development should reflect the inherent character of the locality, established by the size, scale and design of the surrounding buildings and should utilize materials to reflect in colour and texture”. The farmyard has a rural setting, un-manicured copses and are all a part of this setting. There are other areas of trees and undergrowth in the vicinity, this forms part of the wider countryside landscape and the wider historical farm land that the property would have been associated with. The proposed landscaping would involve the introduction of hard materials which would conflict with the natural rural environment which are not considered to be sympathetic to this setting. Further to this, as part of the proposal there are mature trees to be removed and the vegetation cover which is currently in situ which would be lost in order to construct the pool and hut with the introduction of hard landscaping. As stated within point 9 of the environment guidance contained within the Wellow VDS, “wherever possible new development should retain existing trees and hedgerows where appropriate.” The pool would introduce a domestic, modern intrusive feature on the site which is not agricultural in appearance or function. The existing landscape contributes to the rural setting and farm like feel which would be lost as a result of the proposal.
- 8.12 The high level of hard landscaping, including retaining walls, associated with the pool means this part of the site will fundamentally be altered which would result in a degree of harm, less than substantial, at the low – mid end of the spectrum. And would therefore result in conflict with Policy E9, paragraphs 195 and 200 of the NPPF, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require that special regard shall be had to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess.
- 8.13 *Public benefit*
Paragraph 199 of the NPPF asserts that any harm to the significance of the heritage asset should be weighed against any public benefits:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

- 8.14 The supporting information contends the pool is necessary to deliver the heritage benefits of repairing the historic buildings on site. The Conservation Officer does not consider this to be the case. There is no clear link made, in the application, between the delivery of the swimming pool and the repair of any of the buildings. (e.g. the pool would not generate income which could be spent on repairs, nor would constructing the pool provide active viable reuse of any of the historic buildings). A swimming pool might make the site more attractive to the current owners, but there is no clear demonstration the site needs a pool in order to make it viable, or that another owner would require a pool. The benefit would be a private benefit to the current owner.
- 8.15 With regard to any potential public benefits to outweigh the harm identified, as directed by the NPPF and Local Plan, this has not been demonstrated. It is apparent that the works are for the personal benefit of the occupiers, in the swimming pool would be for private use. As such the scheme would not generate any public benefits. Therefore, there would be clear conflict with both the NPPF and Policy E9 of TVBRLP.
- 8.16 **Impact on the character and appearance of the area**
The proposed site for the change of use is set back from Foxes Lane and located at a lower level than the existing farmhouse. The land slopes downwards to the north of the site, away from the listed building. The proposed site is proposed to be adjacent to an existing outbuilding on the site which sits between the proposed site and main listed house. As the site currently stands, this area is bordered by estate fencing to the east and soft mature hedging to the west. The site is also host to a number of large mature trees which will be required to be removed as a result of the proposed development which would open up views between the privately owned fields. Due to the siting of the proposed swimming pool and associated landscaping, direct views into the site are unlikely due to the separation distance between the main road, Foxes Lane and Pinns Farm. However, views within the site would be altered due to the introduction of more modern materials. However, as full view of the proposed development would not be possible it is not considered the proposal would cause detrimental visual harm to the character and appearance of the area. Therefore, the proposed development would be in accordance with Policy E1 of TVBRLP.
- 8.17 **Impact on neighbouring amenity**
As stated above, the application site is set back from the main road, Foxes Lane. The site is a large plot which does not have any immediate neighbours which border the proposed site, there are large separation distances which would be maintained as a result of the proposed development. It is not considered the proposed development would offer any additional overlooking opportunities or contribute to an overbearing impact on neighbours. Furthermore, as the swimming pool will be dug into the ground, it is not considered that the proposal would contribute to any loss of light. As a result, the proposal is in accordance with Policy LHW4.

8.18 Impact on trees

The site is host to many large mature trees which are located within close proximity to the proposed site. As a result of the proposed development some of these trees will be required to be removed. An arboricultural impact assessment has been submitted to support the application showing tree removal and retention. The tree officer has been consulted on the application to which no objection was made in regards to the tree removal or retention. The tree officer has recommended, in the event that planning permission is granted, that a method statement and tree protection plan is necessary, but can be controlled by planning condition. Therefore, the proposal is in accordance with Policy E2.

8.19 Impact on ecology

The Council's ecologist was consulted on the application who raised an initial objection. Following the review of site photographs and the submitted application plans, it was advised that further ecological information is required to support this application. It is understood from the tree constraints plan that a number of mature trees will be removed as part of the proposed scheme. The location of the proposed swimming pool currently consists of woodland habitat, with mature trees, ground flora and scrub habitat, and is connected to further woodland habitat in the wider area. There are a number of protected species recorded within the vicinity of the proposed development which, if present on site, may be impacted by the proposed development. Due to the habitats present on site, potential presence of protected species and the habitat to be impacted by the proposed development, it was recommend that any application is supported by ecological information provided by a qualified ecologist.

8.20 Following the initial comments received, the applicant has employed a suitably qualified ecologist to undertake a preliminary ecology report which now supports the application. The report sets out the findings of the Phase 1 habitat survey and protected species assessment, and makes suitable recommendations to ensure the site's ecological receptors are protected where possible, and losses mitigated where needed. The Council's ecologist has been consulted on this information and raised no objection to the scheme. In the event that planning permission were to be granted it is recommended that the permission is conditioned to ensure development proceeds in accordance with the submitted details.

8.21 Planning Balance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that "*determination must be made in accordance with the plan unless material considerations indicate otherwise*".

8.22 The plan is not absent or silent in respect of policies that affect the development and against which it can adequately be considered. As relevant policies in the plan are not absent, silent or out of date paragraph 11 of the Framework is not engaged. The Council is therefore in the position of carrying out a straight balance, in decision making this means determining the application in accordance with the development plan unless material considerations indicate otherwise and as advised at paragraph 12 of the Framework development that

accords with the development plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

- 8.23 It is acknowledged that, subject to conditions, the proposal would not have any harm upon on-site protected species, to the mature trees or any harm to residential amenities.
- 8.24 As set out above, the application does conflict with two of the policies set out within the local plan. There has been no evidence submitted to justify the need for the development and it is clear the application site has sufficient space within its residential curtilage for a swimming pool, therefore the proposed site would represent inappropriate development within the countryside location. As a result, the proposal is not considered to be essential in the countryside location. The harm to the setting of the listed building is also afforded considerable weight. The development is considered to cause less than substantial harm to the setting of the listed building and there is an absence of any public benefits. The benefits of the proposed development would be to the property owner. Taking into consideration the above there are no benefits of the scheme that would clearly outweigh the identified harm and conflict with local and national planning policies.

9.0 **CONCLUSION**

- 9.1 The proposed change of use with swimming pool is not considered to be in accordance with Policy COM2 or Policy E9 of the Test Valley Borough Revised Local Plan. Harm to the setting of the listed building has been identified and there are no public benefits that would overcome this harm. The proposal is therefore in conflict with Policy COM2, Policy E9, the NPPF & Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require that special regard shall be had to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess.

10.0 **RECOMMENDATION**

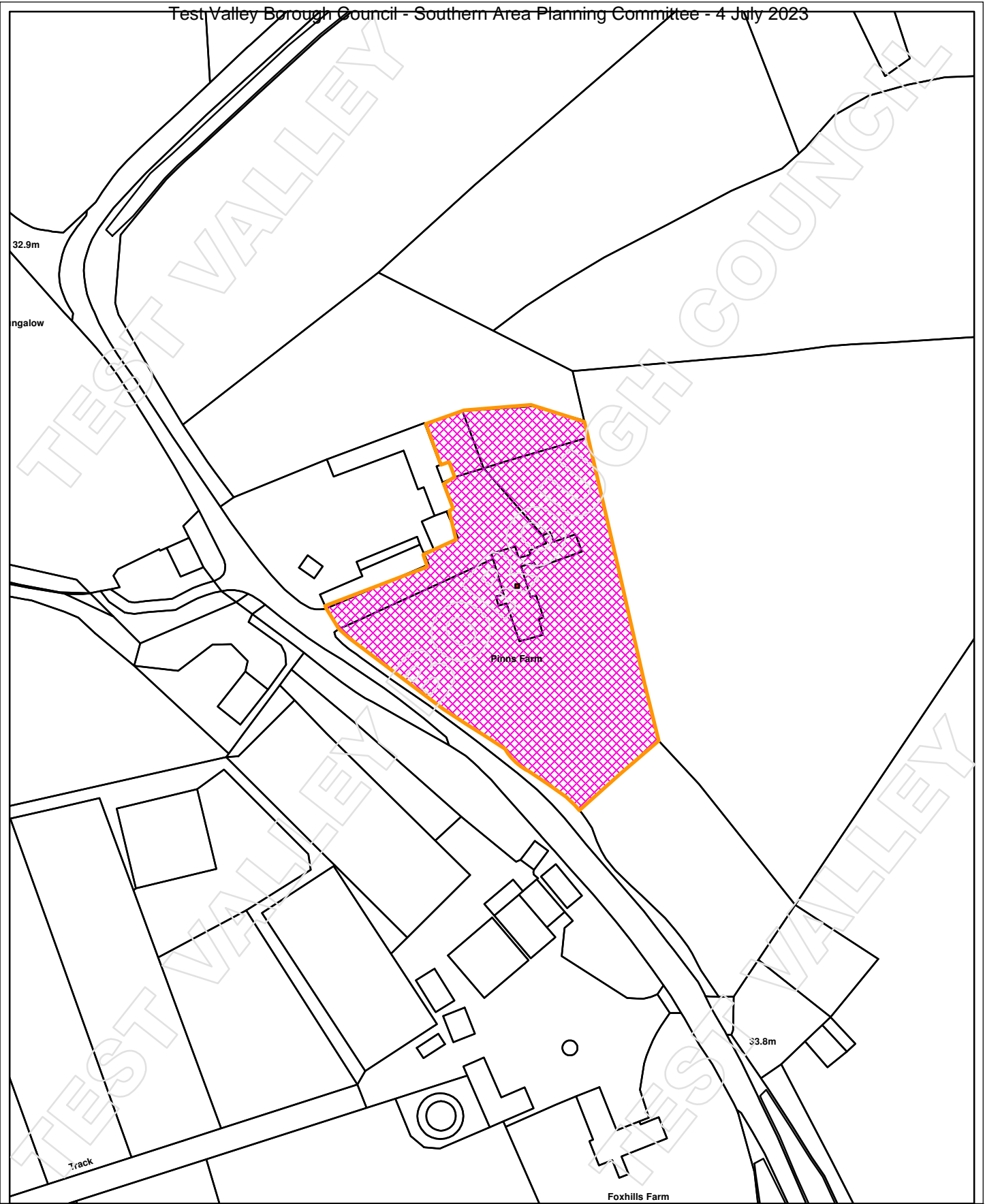
REFUSE for the reasons:

- 1. The proposed development would result in development and uses that are not considered to be essential within the countryside. The proposal therefore represents unjustified development in the countryside for which there is no overriding need and would therefore be contrary to the provisions of Policy COM2 of the Test Valley Borough Revised Local Plan (2016).**
- 2. The proposed change of use and construction of swimming pool, plant room and associated landscaping by virtue of its size, design and location, is considered to introduce a domestic modern and intrusive feature on the site which is not agricultural in appearance or function. As a result of the proposed development this part of the site will be fundamentally altered and is considered to cause less than substantial harm to the setting of the listed building. In accordance with Policy E9 of the Test Valley Borough Council Revised Local Plan, all works must sustain or enhance the significance of the heritage asset taking account of**

its character, appearance and setting. The development is detrimental to the special architectural and historic importance of the heritage asset and therefore would result in unacceptable harm to the character and appearance of the designated heritage asset. No public benefits have been identified or justified to outweigh the harm to the Listed Building and the proposal is thus contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraph 199 of the NPPF and Policy E9 of the Test Valley Borough Council Revised Local Plan.

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



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revisions	initial	date
C		29.03.23
B		15.03.23
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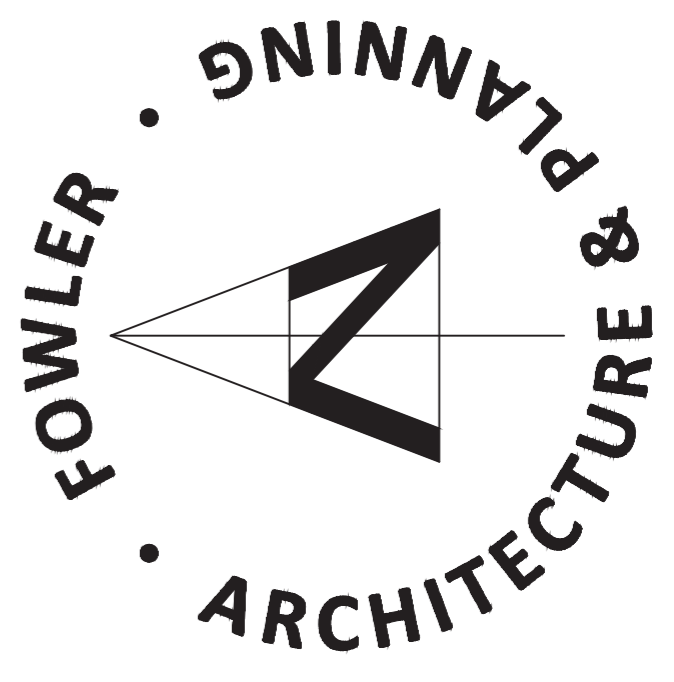
project
**PINNS FARM
WEST WELLOW**

drawing
**Location & Site
plan - Pool**

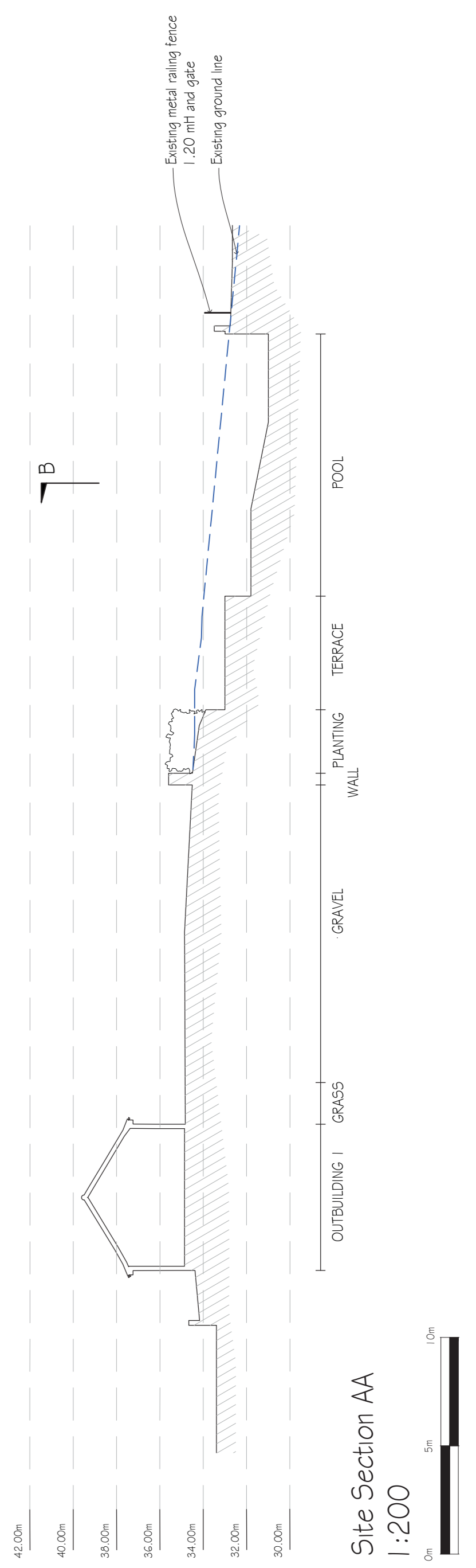
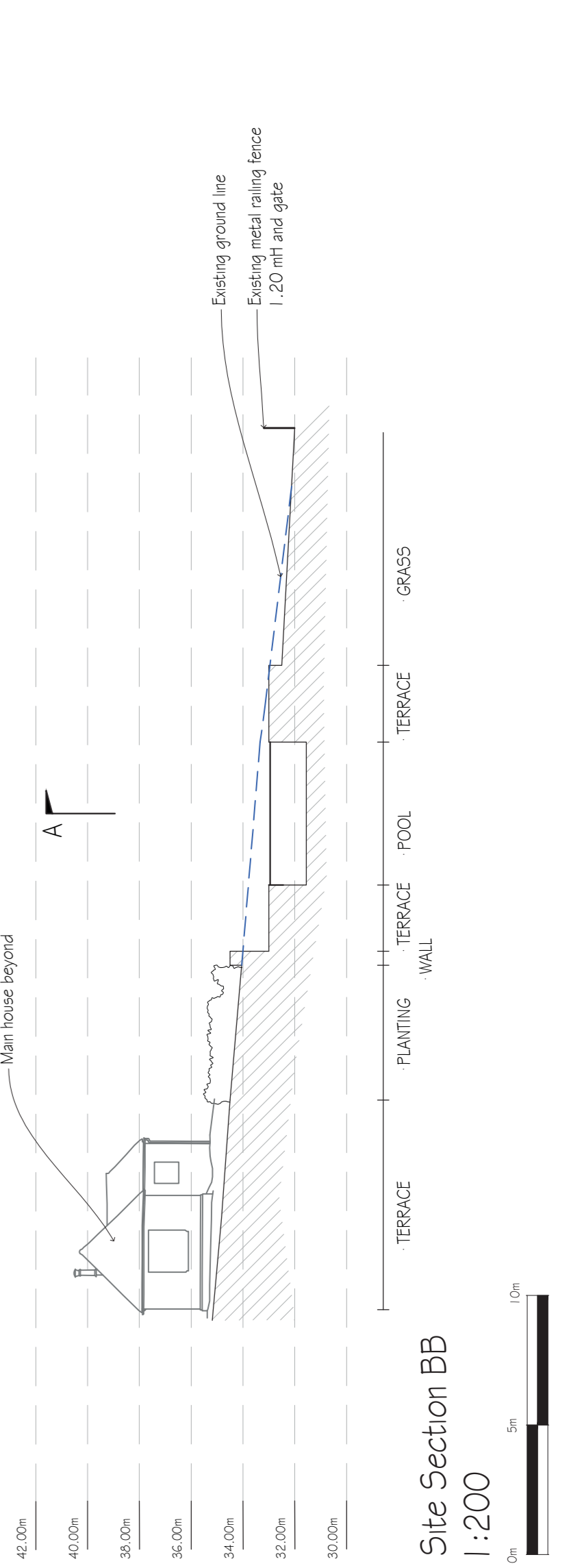
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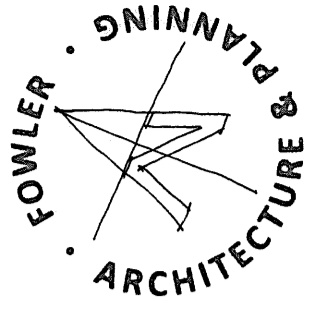


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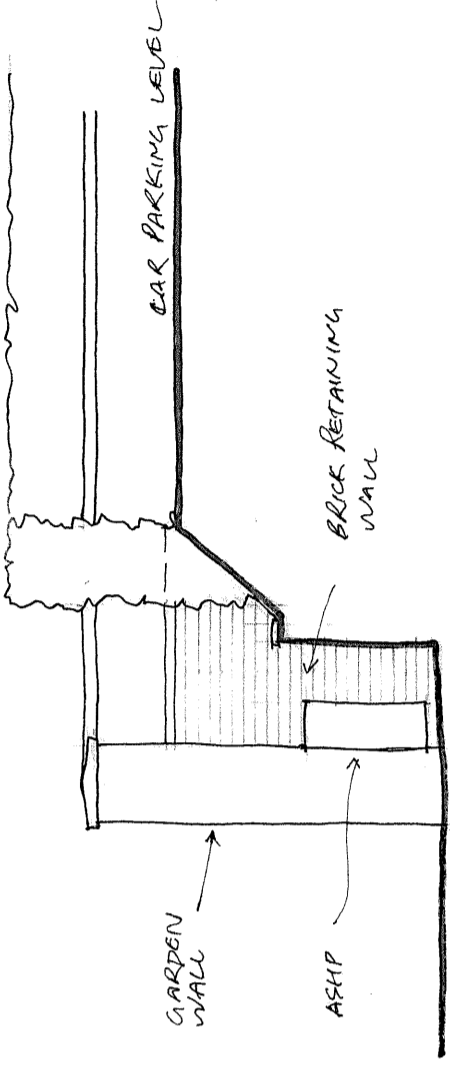


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 WEST WELLOW

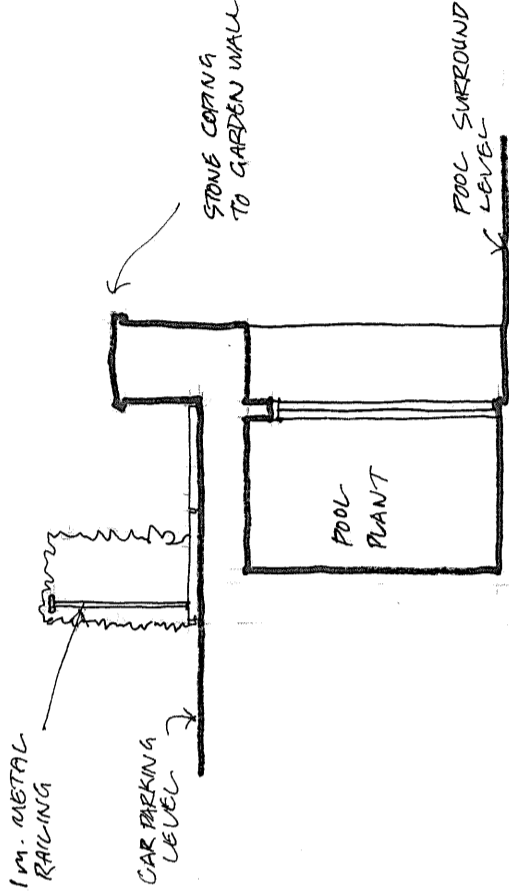
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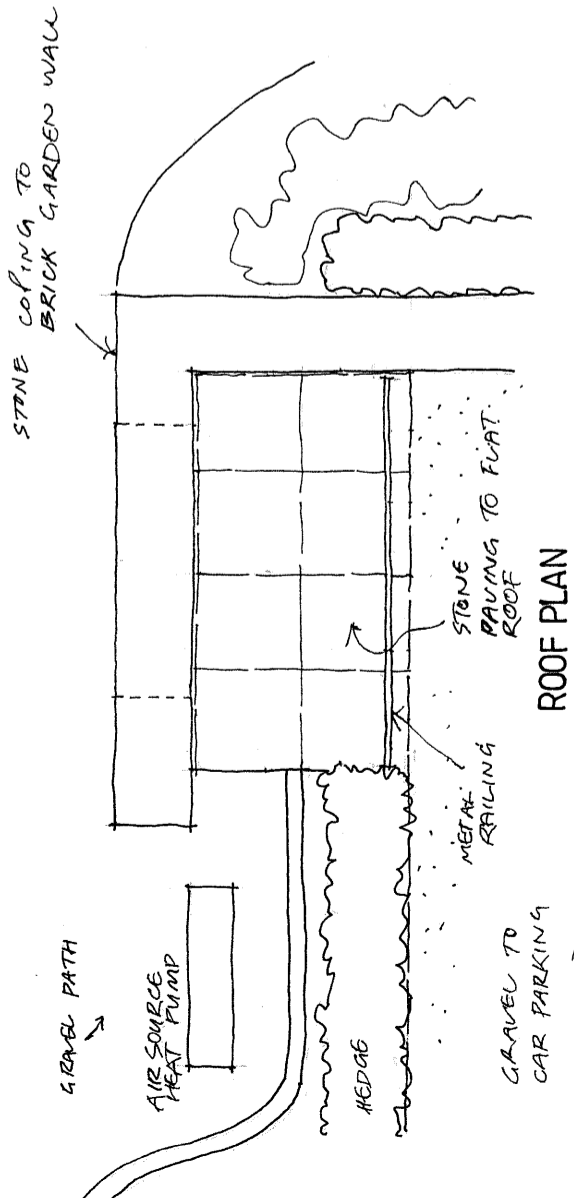
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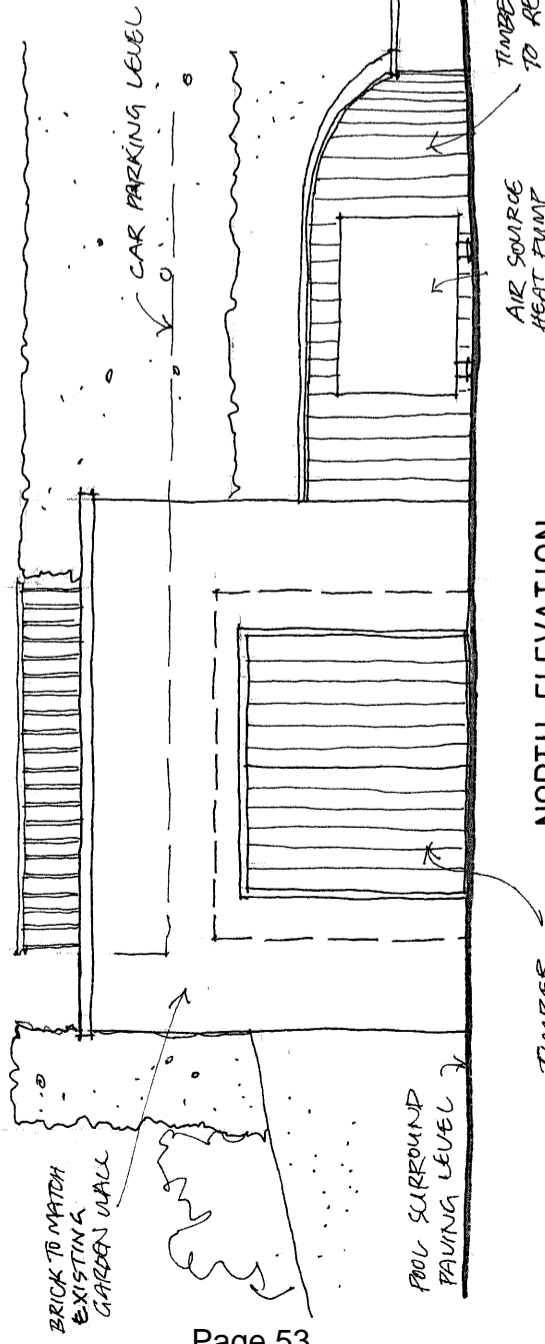
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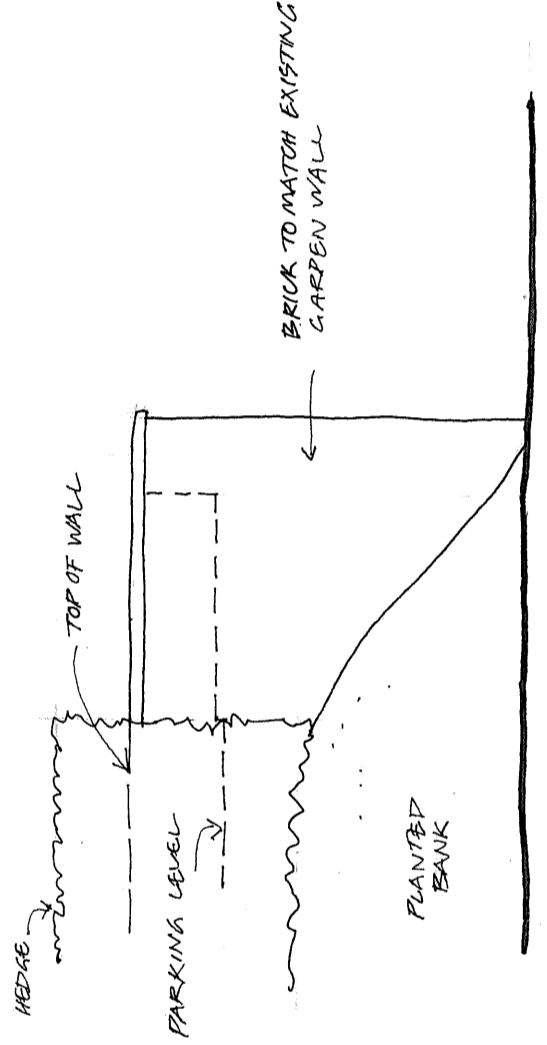
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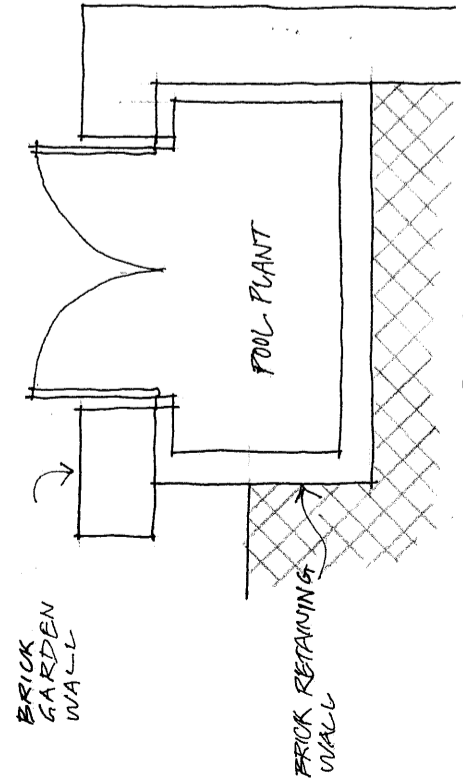
ROOF PLAN



NORTH ELEVATION



EAST ELEVATION



PLAN





Proposed Planting Strategy

Land to rear of Pinns Farm, Foxes Lane, Hampshire, SO51 6DS.

Prepared by BRAWN Landscapes | November 2022

Issued: 29.11.22

Proposed planting strategy for pool area and surrounding woodland

This strategy has been prepared to illustrate the soft landscape treatment for the development of the land to rear of Pinns Farm house, Foxes Lane, Hampshire. It seeks to mitigate for the loss of habitat from the removal of trees to allow for the construction of a pool, the paved terrace and gravel access steps. By proposing a mix of native species and a range of planting types to enhance the natural habitat the new pool will integrate into the natural slope of the site.

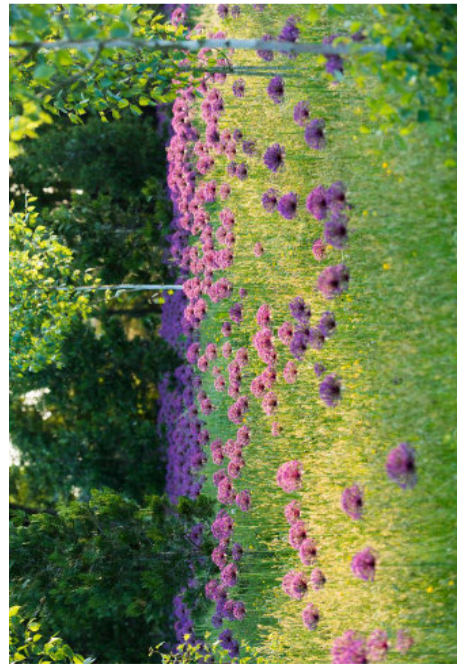
The Landscape Masterplan illustrates the intended layout of the proposed planting areas that include; wildflower seeding and plug planting, native broadleaf tree planting, the retention, enhancement and protection (BS 5837 compliance) of the existing boundary hedgerows and mature trees and extensive specimen shrub and tree planting.

The proposed native tree plantation to the north will replace the necessary removal of the 6 x no. existing trees with over a dozen semi-mature and mature trees selected for their ability to enhance the biodiversity of the mostly pine existing woodland which exists to the east. The large trees protected by a new native hedgerow and fence line along the northern and eastern boundaries will provide nesting opportunities and improved flight lines for bats.

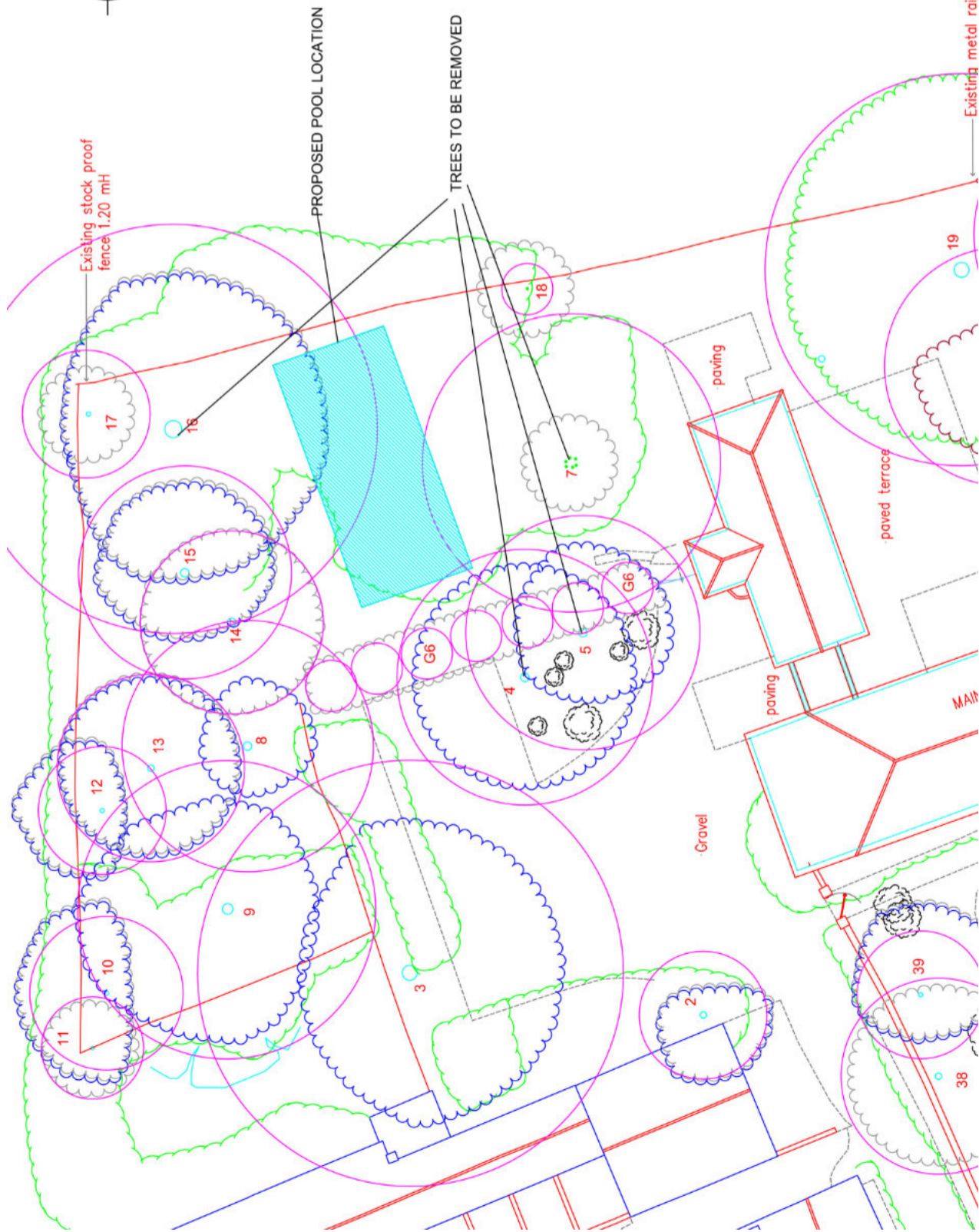
Reacting to the topography of the site swathes of grasses interspersed with shrub areas will help soften and integrate the pool into a naturalised setting.

The overall ecology of the site will benefit from:

- The enhancement of the amenity grassland areas with meadow and modified seed mixes
- New wildflower areas: EM5 Meadow Mix and EL1 Modified Grass Seed Mix @ 4grams /m2
- An area of woodland scrub (under the exiting tree canopy) to be retained and enhanced with plug species: Hay Meadow Area 40 Plug Plant Mix
- The proposed hedgerow species will be enhanced with 'structural planting' that will include beech, hornbeam and rowan species
- All large trees and hedging plants will be replaced with similar sizes and species if they fail within 5 years of planting.
- Wood from the felled trees will be stacked to form bug hotels.



Pre-development Tree Survey



Tree Schedule

ID	Species	Height (m)	Dia @ 1.5m	Crown Spread				Height of Crown Clearance	Maturity	Structural Condition	Estimated Remaining Contribution	BS 5837 Category Grading	RPA Radius
				N	E	S	W						
1	Copper Beech <i>Fagus sylvatica 'Purpurea'</i>	9	450	5	6	4	6	2 N	Early Mature	Will need crown raising over entrance drive	20-40	B1	5.4
2	Magnolia sp	7	ms	2	1	3	3	2 S	Medium Mature	Divides at 1m into 6 x 100. Limb to east removed. Residing on garage - causing damage.	10-20	B/C1	3.0
3	Ash <i>Fraxinus excelsior</i>	18	830	5	7	7	7	3 S	Medium Mature	Deadwood through canopy. Average vitality - possible Ash dieback.	20-40	B1	10.0
4	Variegated Sycamore <i>Acer pseudoplatanus 'Simon Louis Freres'</i>	17	500	5	5	5	5	2 N	Medium Mature		20-40	B1	6.0
5	Silver Birch <i>Betula pendula</i>	18	480	3	4	4	3	4	Medium Mature		20-40	B1	5.5
G6	Yew Hedge <i>Taxus baccata</i>	2	100	1	1	1	1	0	Medium Mature	Regularly trimmed	20-40	C2	1.2
7	Holly <i>Ilex aquifolium</i>	3	ms	2	2	2	2	0	Medium Mature	Multi stemmed from base - 15 x 150. Regularly trimmed. Layered/coppice form.	10-20	C2	7.0
8	Scots Pine <i>Pinus sylvestris</i>	16	480	2	3	3	2	8	Medium Mature		20-40	B1	5.9
9	English Oak <i>Quercus robur</i>	16	580	7	5	4	6	6 E	Early Mature	Divides at 1.5m, measured below. Large low scaffold limb to north. Ivy. Deadwood. Suppressed by Tree 3.	20-40	B1	7.0
10	Sweet Chestnut <i>Castanea sativa</i>	9	300	4	4	1	4	2 S	Early Mature	Suppressed by Tree 9	10-20	B/C2	3.6
11	Ash <i>Fraxinus excelsior</i>	10	200	2	2	2	2	4	Early Mature		10-20	C2	2.4
12	Wild Cherry <i>Prunus avium</i>	14	250	4	3	1	3	2	Early Mature	Suppressed by Tree 13	10-20	B/C1	3.0

Tree Schedule

ID	Species	Height (m)	Dia @ 1.5m	Crown Spread				Height of Crown Clearance	Maturity	Structural Condition	Estimated Remaining Contribution	BS 5837 Category Grading	RPA Radius
				N	E	S	W						
13	Sycamore <i>Acer pseudoplatanus</i>	15	370	4	4	4	4	1	Early Mature	Patches of bark damage	10-20	B/C2	4.4
14	Wild Cherry <i>Prunus avium</i>	13	360	3	3	3	3	3	Medium Mature	Patch of bark damage and decay 0.5m-2m west side	10-20	C1	4.3
15	Deodar Cedar <i>Cedrus deodara</i>	13	420	3	3	3	2	0	Early Mature	Ivy. Average vitality. Suppressed by surrounding trees.	10-20	B/C1	5.0
16	Monterey Pine <i>Pinus radiata</i>	18	800	5	7	7	7	4 s	Medium Mature	Dense scrub at base unable to access - measurements are estimates. Densely. Lower vigour than neighbouring Pines.	10-20	B/C1	9.6
17	Hawthorn <i>Crataegus monogyna</i>	8	ms	2	2	2	2	0	Early Mature	Divides at 1m into 6 x 100	10-20	C2	3.0
18	Loquat <i>Eriobotrya japonica</i>	2.5	ms	2	2	2	2	1	Early Mature	Divides at 0.52m into 2, 90 & 40. Bark damaged at base. Learning on railings.	10-20	C1	1.2
19	London Plane <i>Platanus x hispanica</i>	19	770	8	9	6	8	1	Medium Mature		40+	A1	9.2
20	Purple Plum <i>Prunus cerasifera 'Pissardi'</i>	10	470	4	2	4	4	2 N	Medium Mature	Fungal brackets. Decay in central union. East stem constricted by metal cable.	<10	U	5.6
21	Plumleaf Crab Apple <i>Malus prunifolia</i>	5	150	2	1	2	3	1 E	Early Mature	Climbing rose through canopy	10-20	C1	1.8
22	Silver Birch <i>Betula pendula</i>	17	530	3	5	5	4	2	Medium Mature		20-40	B1	6.4
23	Robinia <i>Robinia pseudoacacia</i>	11	230	3	3	3	3	2	Early Mature		20-40	B1	2.8
24	Crab Apple <i>Malus sylvestris</i>	7	250	2	2	2	2	1	Medium Mature		20-40	B/C1	3.0

A pre-development Tree Survey & Arboricultural Report was carried out by Sharples Tree Services in October 2022. Please refer to this document for information related to the methodology carried out in accordance with BS 5837 Trees in relation to design, demolition and construction.

Extracts of the Sharples report covering the pool proposed area is shown above.

Based on the intended pool location it is proposed to remove Trees 4 (sycamore) 5 (Silver Birch) 7 (Holly) 16 (Monterey Pine) to enable construction.

Tree 2 (Magnolia) and Tree 3 (Ash) are identified for removal to make way for the construction and due to the threat of Ash die back. All removed trees will be replaced with suitable species and sizes.

LEGEND

- 1 Gravel arrival and parking area
- 2 Proposed pool
- 3 Trees to be removed (dashed line)
- 4 Trees to be retained (solid green)
- 5 Proposed canopy tree
- 6 Proposed native tree plantation
- 7 Proposed native shrub understory planting
- 8 Proposed shrub planting
- 9 Proposed native hedgerow
- 10 Existing hedgerow
- 11 Proposed hedgerow
- 12 Proposed stone wall
- 13 Proposed ground covers, perennials and seeding
- 14 Proposed stone paving area
- 15 Proposed gravel pathways
- 16 Proposed area of woodland edge seed mix
- 17 Proposed area of woodland scrub enhancement including wildflower plug and bulb planting
- 18 Pool plant housing and pump unit



Landscape Masterplan

Native tree planting

Rootballed / Half standards / approx. 14-16cm girths

Quercus robur (as available)

Fagus sylvatica

Sorbus aria

Acer campestre

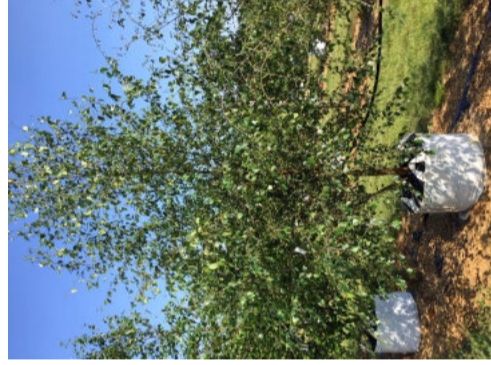


Understory tree

(planted in gaps in existing canopy)

Rootballed / Multi-stemmed / approx. 2-3m height

Betula pubescens



Canopy tree planting

Rootballed / Standards / approx. 18-20cm girths

Parrotia persica

Cornus Kousa

Prunus ceerasifera 'Hessei'



Indicative Tree Planting

Specimen shrub planting

Woodland shrubs

Taxus baccata

Cornus sanguinea

Corylus avellana

Carpinus betulus

Crataegus laevigata

Osmanthus x birkwoodii

Garden shrubs

Viburnum tinus

Rosa ballerina

Hydrangea mycrophylla

Hebe Midsummer Beauty

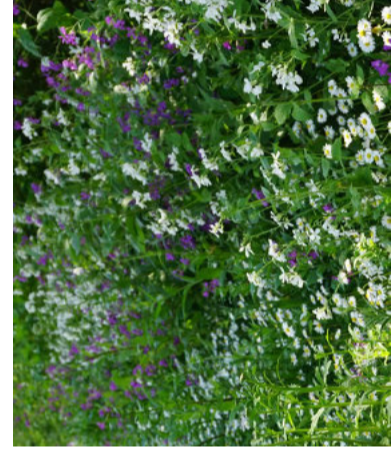
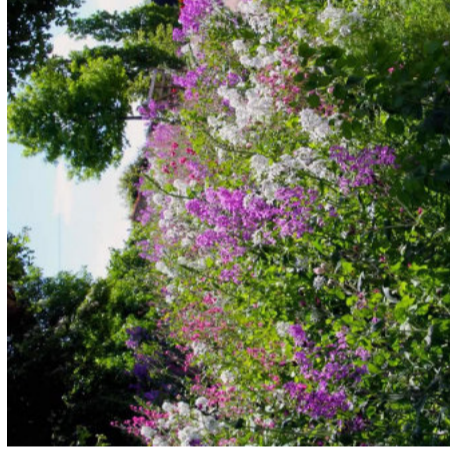
Euonymus japonicus 'Jean Hughes'

Wildflower and ecological seeding

Woodland scrub (under the existing tree canopy) to be enhanced with plug planting: Hay Meadow Area 40 Plug Plant Mix

New wildflower areas: EM5 Meadow Mix and EL1 Modified Grass Seed Mix @ 4grams /m2

Woodland edge meadow seed mix: 30% native wildflower seed / 70% certified grasses:



Indicative specimen shrub and seeding



Hedgerow planting

Native hedge

Bare root 120cm height

- 60% Crataegus laevigata
- 5% Acer campstre
- 5% Carpinus betulus
- 3% Sorbus aucuparia
- 2% Fagus sylvatica
- 10% Rosa canina
- 10% Corylus avellana



Garden hedge

Rootballed 90-120cm height

- Taxus baccata



Indicative hedge planting

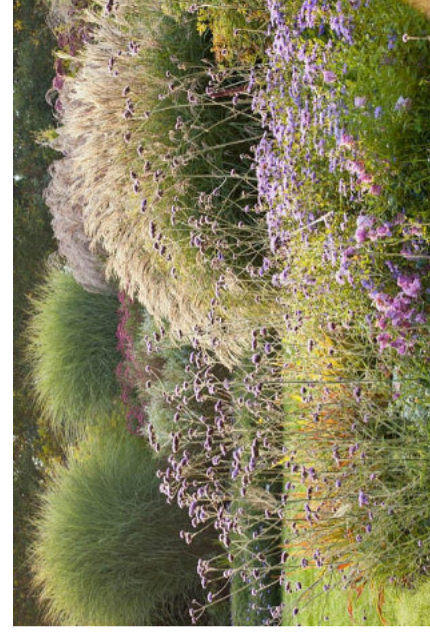


Grass species planting

The following grass species are suggested for both year round amenity value and for what they offer wildlife particularly providing food and shelter for garden wildlife. Providing habitat for insects, seeds and nesting material for birds and attracting butterflies and small mammals such as hedgehogs.

Grass species include:

- Carex oshimensis 'Evergold'
- Calamagrotis 'Karl Forester'
- Festuca glauca
- Hakonenchola macra
- Miscanthus sinensis
- Pennisetum alpeccuroides

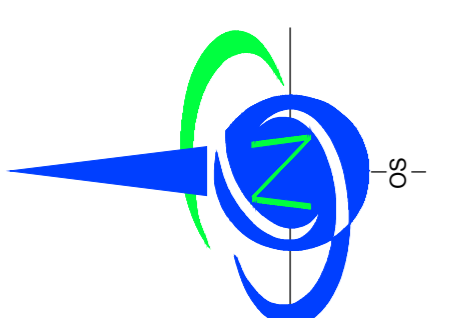


Indicative grass species



E429750
E429725
E429700
E429675
E429650
E429625
E429600

N120825
N120800
N120775
N120750



Tree Abbreviations ASH Ash BEE Beech CB Copper Beech CHP Hornbeam CHY Cherry CON Coniferous EUC European HAW Hawthorn HOL Holly LAB Laburnum LUM Lime LP London Plane MAY Maple OAK Oak POP Poplar RHS Red Horse Chestnut RW Rowan SB Silver Birch SPL Spruce SPY Spindle Tree SYC Sycamore WAL Walnut WIL Willow YEW Yew *NB Overall tree shape *NB Overall tree shape	Key AV All Valve BL Board BM Bench Mark BT Point CVC Cable Television Cover CVR Cover Valve EP Electric Power Pole FL Floor Level FH Fire Hydrant FWS Foul Water Sewer G Gully GV Gully Valve IC Inspection Chamber KOP Kerb Cop M Manhole MH Manhole MS Manhole RS Road Sign SC Storm Sewer SVC Storm Water Sewer SV Valve TLC Traffic Light TL Traffic Light UL Utility VP Valve WOP Water Out WO Water Out ZS Zebra Crossing	Linetypes Blank Building Channel Electric Foliage FMS (Fence) (Mast) Grid Cross Hedge Kerb Manhole Pipe Slope Slope (Hatched) Telephone Track/Path Tree Canopy Water Line Wall	Coordinate System This drawing has been created to the O.S. National Grid (OSGB36) datum and the O.S. Active Network (OS Net) OSGB36. True OSGB36 coordinates have been established at STN2 E429633.974 N120768.356 ELE:94.403 Grid coordinates are given in the format of a true O.S. bearing for orientation. All bearings are based on O.S. Datum. A scale factor of 1:1 has been applied to the survey and therefore the coordinate system must be considered arbitrary.	 DANDO surveying ltd Land & Measured Building Surveyors Tel: 01463 845017 Tel: 01463 845080 www.dandosurveying.co.uk enquiries@dandosurveying.co.uk	Project Name: Pinns Farm Foxes Lane, West Wellow, Romsey, SO51 6DS	Client: Fowler Architecture and Planning	Date: 28 November 2021 Scale: 1:200 @ A1	Grid Orientation: Mean GRS	Sheet ID: M/FoxesLane/090	Rev: None	Drawn By: DW	Checked By: DW
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Scale 1 : 200
0 5m 10m 20m