

Notice of Meeting

Southern Area Planning Committee

Date: Tuesday 7 November 2023

Time: 5.30 pm

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

For further information or enquiries please contact:

Caroline Lovelock - 01264 368000
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Legal and Democratic Service

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

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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 7 November 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 previous meeting held on 17 October 2023 4 - 13**

To approve as a correct record the minutes of the meeting held on 17 October 2023
- 6 Information Notes 14 - 19**
- 7 23/00609/FULLS - 21.03.2023 20 - 49**

(OFFICER RECOMMENDATION: PERMISSION)

SITE: Land lying to the north east of Manor Farm,
Chilworth Old Village, **CHILWORTH**

CASE OFFICER: Kate Levey

ITEM 5 Minutes of the **Southern Area Planning Committee**
of the **Test Valley Borough Council**
held in Main Hall, Crosfield Hall, Broadwater Road, Romsey, Hampshire, SO51 8GL
on Tuesday 17 October 2023 at 5.30 pm

Attendance:

Councillor M Cooper (Chairman)

Councillor J Burnage

Councillor C Dowden

Councillor K Dunleavy

Councillor S Gidley

Councillor A Dowden (Vice-Chairman)

Councillor I Jeffrey

Councillor A Johnston

Councillor J Parker

Councillor A Warnes

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Apologies

Apologies were received from Councillors Bailey, Bundy and Ford.

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Public Participation

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

<u>Agenda Item No.</u>	<u>Page No.</u>	<u>Application</u>	<u>Speaker</u>
7	18-63	23/00847/FULLS	Ms Cook (Sherfield Parish Council) Ms Gooding (Objector) Mr Arnison Newgass (Objector) Ms Trillo (Supporter) Mr Barry (Applicant's Agent)

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Declarations of Interest

There were no declarations of interest.

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Urgent Items

There were no urgent items to consider.

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Minutes of previous meeting

Councillor Cooper reported that there were some inaccuracies in the minutes of the 26 September. He proposed that the minutes be accepted as a correct record subject to the following amendment under application 23/01560/FULLS

13. Requirement for a Construction and Environmental Management plan (CEMP);

14. Ensure the Package treatment plant is installed in accordance with the manufacturer's instructions and maintained in perpetuity in accordance with the methodology approved as part of the Habitats Regulation Assessment; then PERMISSION subject to those conditions.

Councillor A Dowden seconded the motion.

Resolved:

That the minutes of the meeting held on 26 September be confirmed and signed as a correct record subject to the amendment set out above.

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Schedule of Development Applications

Resolved:

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

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23/00847/FULLS - 11.04.2023

APPLICATION NO.	23/00847/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	11.04.2023
APPLICANT	Mr G Billett
SITE	Hill Farm Park, Branches Lane, Sherfield English, SO51 6FH, SHERFIELD ENGLISH
PROPOSAL	Use land for the siting of holiday lodges (static caravans), access and parking, landscape planting and associated infrastructure; to replace existing touring caravan, camping pitches and caravan storage areas
AMENDMENTS	Received on 14.07.2023: <ul style="list-style-type: none">• Applicant's nutrient budget assessment. Received on 25.05.2023: <ul style="list-style-type: none">• Preliminary Ecological Appraisal and Preliminary Roost Assessment.
CASE OFFICER	Mr Graham Melton

Delegate to the Head of Planning and Building for the following:

- **Receipt of a satisfactory consultation response from Natural England**
- **Completion of a legal agreement to secure the following restrictions:**
 - **Replicate the restrictions relating to The Holiday Park, as defined by the previous legal agreement completed under 11/00308/OBLS.**
 - **Secure the phasing of the development in accordance with the submitted phasing plan.**
 - **Secure an obligation preventing occupation of the holiday lodges the subject of this application during the calendar month of January.**
 - **Secure an obligation to ensure that the holiday lodges occupying the pitches are not occupied as a persons' sole or main place of residence.**

Then PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.**
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: Site Location Plan (102 D)
Landscape Masterplan (Figure 9 P8)
Soft Landscape Details Sheet 1 of 2 (501 D)
Soft Landscape Details Sheet 2 of 2 (502 D)**
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **The development hereby permitted shall only be occupied by units qualifying as caravans, as defined by the Caravan Sites and Control of Development Act (1960) and the Caravan Site Act (1968) as amended.**
Reason: To accord with the terms of the application and to ensure satisfactory planning of the area.
4. **The pitches hereby permitted shall only be occupied by a maximum of 68 units at any one time.**
Reason: To accord with the terms of the application and to ensure satisfactory planning of the area.
5. **The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their main home addresses, and shall make such information available at all reasonable times to the Local Planning Authority.**
Reason: The application site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation having regard to Policies COM2 and LE18 of the Test Valley Borough Revised Local Plan (2016).
6. **The development hereby permitted shall be undertaken in full accordance with the provisions set out within the RPS Tree Survey and Arboricultural Impact Appraisal (containing tree protection measures) reference JSL3693_780 dated February 2023.**

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

- 7. Tree protective measures installed (in accordance with the tree protection condition listed as no. 6) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.**

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).

- 8. Prior to the commencement of development, a method statement, detailing the no dig surfacing construction method for areas within the root protection zones of the retained trees, shall be submitted to and approved in writing by the Local Planning Authority. All work shall be undertaken in accordance with the requirements, specifications and timing detailed within the approved method statement.**

Reason: To prevent the loss during development of important local landscape features and to ensure, so far as is practical, that development progresses in accordance with current Arboriculture best practice, in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).

- 9. No development shall commence on site (including any works of demolition), until a Construction and Demolition Environmental Management Plan and Ecological Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include the following:**

- i) the parking of vehicles of site operatives and visitors;**
- ii) the phasing of delivery vehicles bringing the lodges onto site**
- iii) loading and unloading of plant and materials;**
- iv) storage of plant and materials used in constructing the development;**
- iv) hours of construction, including deliveries;**
- v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- vi) wheel washing facilities;**
- vii) measures to control the emission of dust and dirt during demolition and construction;**
- viii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and**
- ix) measures for the protection of the natural environment and the ongoing management of Doctors Copse SINC**

The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

- Reason: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase having regard to Policy E8 of the Test Valley Borough Revised Local Plan (2016).**
10. **The development hereby permitted shall proceed in accordance with the measures set out in Section 4.0 ‘Conclusions, Impacts and Recommendations’ of the Hill Farm Caravan Park, Branches Lane, Romsey, SO51 6FH Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech April 2023), unless varied by a European Protected Species (EPS) licence issued by Natural England.**
Reason: To ensure the favourable conservation status of bats and other protected species in accordance with Policy E5 of the Test Valley Revised Local Plan (2016).
11. **No works to enable the formation of the tracks and pitches hereby permitted shall take place, until details of a scheme of ecological enhancement measures to be incorporated within the development is submitted and approved by the Local Planning Authority. All enhancement measures should be permanently maintained and retained in accordance with the approved details.**
Reason: To enhance the biodiversity of the site in accordance with requirements under the National Planning Policy Framework and Policy E5 of the Test Valley Borough Revised Local Plan (2016).
12. **Notwithstanding the information provided for the western boundary, no works to enable the formation of the tracks hereby permitted shall take place, until full details of the hard and soft landscape works have been submitted and approved. Details shall include:**
- (i) planting plans;**
 - (ii) written specifications (including cultivation and other operations associated with plant and grass establishment);**
 - (iii) schedules of plants, noting species, plant sizes and proposed numbers/densities;**
 - (iv) hard surfacing materials.**
- The landscape works shall be carried out in accordance with the approved details.**
- Reason: To enable the development to respect, complement and positively integrate into the character of the area in accordance with Policies E1 and E2 of the Test Valley Borough Revised Local Plan (2016).**
13. **Prior to the pitches hereby approved being brought into use, a schedule of landscape implementation and maintenance for a minimum period of 10 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. Any trees or**

planting that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced before the end of the current or first available planting season following the failure, removal or damage of the planting.

Reason: To enable the development to respect, complement and positively integrate into the character of the area in accordance with Policies E1 and E2 of the Test Valley Borough Revised Local Plan (2016).

14. Prior to the stationing of any static caravans on the pitches hereby approved, details of exterior materials and colours of the static caravans shall be submitted to and approved in writing by the Local Planning Authority. Only caravans constructed in accordance with the approved details shall be positioned on the pitches hereby approved.

Reason: To ensure that the development protects, conserves and enhances the landscape character of the area, in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).

15. The drainage system hereby permitted shall be constructed in accordance with the approved documents:

- Site Investigation Percolation Testing (reference: PT-2020-00002 1.1, dated: 12/01/2020).
- Surface Water Drainage Technical Summary (reference: AAC5728; dated: 16th December 2020).
- Flood Risk Assessment and Conceptual Foul and Surface Water Drainage Strategy (reference: RCEF77450 002, dated 28th September 2020).

Any changes to the approved drainage strategy and associated documentation must be submitted to and approved in writing by the Local Planning Authority and the Lead Local Flood Authority in consultation with the Environment Agency where necessary. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations. Implementation of the surface water drainage system shall be in accordance with the approved details and retained thereafter.

Reason: To ensure that the development does not result in the deterioration of water quality and unacceptable level of surface water flooding or an unacceptable polluting impact on controlled waters in accordance with Policies E7 and E8 of the Test Valley Borough Revised Local Plan (2016).

16. Prior to the completion of the drainage strategy hereby approved, details for the long-term maintenance arrangements of the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

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

Management of the surface water drainage system shall be in accordance with the approved details and retained thereafter.

Reason: To ensure that the development does not result in the deterioration of water quality and unacceptable level of surface water flooding in accordance with Policy E7 of the Test Valley Borough Revised Local Plan (2016).

17. **The development hereby approved shall not be brought into use until the car parking spaces shown on the approved masterplan have been provided. The areas of land so provided shall be retained at all times for this purpose.**

Reason: To ensure sufficient off-street parking has been provided in accordance with Policy T2 of the Test Valley Borough Revised Local Plan (2016) and in the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).

18. **No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The details shall include plans and details sufficient to show the location, type, specification, luminance and angle of illumination of all lights/luminaires. The external lighting shall be installed in accordance with the approved details.**

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

Note to applicant:

1. **In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**

The Officer's recommendation as per the agenda and update paper was proposed by Councillor Cooper and seconded by Councillor A Dowden. An amendment . An amendment (comprising the replacement of recommended Condition 5 with an Obligation in the legal agreement that restricted occupancy of the units to prevent them from being occupied as a person's main residence) was proposed by Councillor Parker and seconded by Councillor A Dowden. Upon being put to the vote the amendment was carried. Upon being put to the vote the motion together with the amendment was carried.

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23/00266/OUTS - 01.02.2023

APPLICATION NO.	23/00266/OUTS
APPLICATION TYPE	OUTLINE APPLICATION - SOUTH
REGISTERED	01.02.2023
APPLICANT	Mr L Singh
SITE	Agricultural Barn at Bunny Lane, Bunny Lane, Sheffield English, SHERFIELD ENGLISH

PROPOSAL	Outline application for demolition of barn and construction of dwelling, residential caravan and structures (outline application - all matters reserved)
AMENDMENTS	Amended / reduced location plan – 30.08.2023
CASE OFFICER	Mr Nathan Glasgow

Delegate to Head of Planning and Building for:

- **Completion of satisfactory consultation with Natural England with respect to the impact of the development on European sites (together with any appropriate conditions/and or Obligations as required), and**
- **The completion of a legal agreement to secure:**
 - **New Forest SPA contribution; and**
 - **Extinguish the rights established by application 21/02220/CLES – Certificate of lawful existing use for the use of the land for the stationing of 1 caravan for residential purposes.**

then PERMISSION subject to:

- 1. Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than whichever is the later of the following dates:**
 - i) five years from the date of this permission: or**
 - ii) two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.**

Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.
- 2. Approval of the details of the layout, scale and appearance of the building, the means of access thereto and the landscaping of the site (herein after called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the development is commenced.**

Reason: To comply with the Town and Country Planning (General Management Procedure) (England) Order 2015 (or any order revoking and re-enacting that Order).
- 3. Development shall proceed in accordance with the measures set out in Section 4 of the Land at Bunny Lane, Sherfield English, Romsey SO51 6FQ Preliminary Roost Assessment (Arbtech). Thereafter, mitigation and enhancement features shall be permanently maintained and retained in accordance with the approved details.**

Reason: To ensure the favourable conservation status of bats in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).
- 4. 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.

- 5. 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 COM2.

- 6. Prior to the first occupation of the dwelling hereby permitted, the existing buildings / structures within the applicants ownership, as shown within the application site (red edge) and the adjacent land (blue edge), shall cease to be used for any purpose and removed, with the resultant materials cleared from the site in accordance with details to be submitted and approved in writing with the Local Planning Authority.**

Reason: The site lies in an area where new dwelling units are not normally permitted in accordance with Test Valley Borough Revised Local Plan (2016) Policy COM2.

- 7. No dwelling that is subject to a Reserved Matters approval, shall exceed 4.5m in height (measured from existing ground level) or have a footprint larger than 100sqm measured externally.**

Reason: In the interests of proper planning when considering the principle of development relates to a Class Q conversion, and in the interest of the amenities of the countryside setting in accordance with Test Valley Borough Revised Local Plan (2016) Policies COM2, E1 and E2.

- 8. Any reserved Matters application shall be accompanied by a scheme for the protection of trees, particularly in relation to those within the eastern boundary of the application site fronting Bunny Lane. Such a scheme shall include a plan showing the location and specification of tree protective barriers in relation to existing trees and the proposed dwelling.**

Note: The protective barriers shall be as specified at Chapter 6.2 and detailed in figure 2 of B.S.5837:2012.

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

- 9. Any reserved Matters application shall be accompanied by a plan showing existing and proposed ground levels as well as plans clearly identifying both finished floor levels of the proposed dwelling.**

Reason: In the interests of proper planning when considering the principle of development relates to a Class Q conversion, and in the interest of the amenities of the countryside setting in accordance with Test Valley Borough Revised Local Plan (2016) Policies COM2, E1 and E2.

Note to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**

The Officer's recommendation as per the agenda was proposed by Councillor Cooper and seconded by Councillor A Dowden. Upon being put to the vote the motion was carried.

(The meeting terminated at 6.47 pm)

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.	23/00609/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	21.03.2023
APPLICANT	Mrs and Mr Sam and Terry Davis
SITE	Land lying to The north east of Manor Farm, Chilworth Old Village, CHILWORTH
PROPOSAL	Change of use from arable to equestrian use, erection of stables, hay barn, jump shed, construction of manege and parking, installation of septic tank, erection of fencing
AMENDMENTS	19 th September 2023 – description of development altered to remove reference to floodlighting 31 st August 2023 – further information on essential need for the proposals received 24 th August 2023 – samples and details of materials and muck heap details received. 14 th July 2023 – amended landscape management plan received. 15 th May 2023 – surface water drainage information received. 12 th April 2023 – ecological impact assessment received.
CASE OFFICER	Kate Levey

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

- 1.1 The application has been called to Southern Area Planning Committee at the request of a member.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is located to the south of the A27. The land is designated as countryside and is within the local gap. The size of the land under the applicant's control totals approximately 5.6 hectares. Site observations and aerial photography indicate that the land has most recently been used for grazing and hay making.
- 2.2 There are numerous trees along the site boundaries, however, none of these are protected by TPO. The land is served by an existing gated access leading from Old Chilworth Lane. The site currently has a large timber outbuilding with pitched roof in the northern corner, this is proposed to be re-located to form part of the smaller stable block building.

3.0 **PROPOSAL**

3.1 This proposal is for change of use from arable to equestrian use, erection of stables, hay barn, jump shed, construction of manege and parking, installation of septic tank and erection of fencing.

3.2 The submitted planning statement explains that the site will be used privately, for the applicant's family and for some of their close friends. The statement further explains that the site will not be used commercially. The proposal includes the provision of a septic tank for a toilet which would be located in one of the rooms at the end of the larger stable building. No overnight accommodation is to be provided on site.

4.0 **HISTORY**

4.1 22/01760/FULLS Change of use of land from agricultural to equestrian, erection of stables, barns, manege, tack office, store and associated car parking. Withdrawn 14.09.2022

4.2 22/02636/FULLS Change of use from arable to equestrian use, including barns, stables and ancillary accommodation. Withdrawn 06.12.2022

5.0 **CONSULTATIONS**

5.1 Landscape: no objection

5.2 Ecology: no objection subject to condition.

5.3 Trees: no objection subject to condition.

5.4 HCC Lead Flood Authority: no objection

5.5 Environment Agency: at the time of writing this report, no comments have been received.

5.6 HCC Highways: no objection.

6.0 **REPRESENTATIONS** Expired 28.07.2023

6.1 Chilworth Parish Council: 2 letters of objection (summarised):

- The application is in breach of policies E2 and E3
- The Parish Council attempt to preserve the sanctity of the Local Gap
- The application will disturb the current peace and quiet area and have adverse effects on the natural habitat
- There seems to be surplus of stables and buildings
- The traffic report submitted assumes that the readings are taken from the land running to and from the Old Village and not the main A27
- Leylandii and maple are not natural species to the area and should be taken down

6.2 Chilworth Riding Club – support (summarised)

- It is great that horse owners want to take good care of their animals and in doing so will also take care of their riders
- Advised to ensure that school is big enough to enable a safe place for children and adults to jump safely
- It is brilliant that (the applicant) is hoping to make use of the land by erecting jumps, allowing young riders to learn in a safe environment
- This will also allow riders to safely hack around the land and not have to rely on road hacking which can be hazardous

6.3 Five letters of objection, summarised below:

- The continued arable designation of this land is crucial as in a key position as the Local Gap and Strategic Gap
- This land used to produce cereal crops and the UK needs far greater crop production
- The applicant has a lack of awareness of the heritage of this area
- The proposed structures could be converted into housing in the future
- The approval would set a precedent for more extensive house building
- The installation of utilities and septic tank already indicates provision of facilities that could be used for business and accommodation purposes.
- Why is there a need for another equestrian centre in this area and is this a stepping stone for housing
- The owners have constructed a stable block, solid metal gated entrance and wooden fencing and damaged an oak tree next to the lane and in the process of installing piped water.
- The Conservation Area of Chilworth Old Village is designated
- The former and widely respected Borough Councillor for Chilworth stressed the importance of maintaining this local gap and strategic gap
- Lighting would impact bird life and natural environment of the area and would be dangerous for passing traffic
- The area is renowned for its wide-open landscape with far-reaching views
- Strict controls should be employed
- The site can clearly be seen from the main road and beyond
- Overdevelopment
- Traffic congestion and there are no turning points on the road

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: Settlement hierarchy

E1: High quality development in the Borough

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

E3: Local Gap

E5: Biodiversity

E7: Water management

E9: Heritage
LHW4: Amenity
T1: Managing movement
T2: Parking provision

7.3 Local Gap Topic Paper

This document was produced to inform the wording of the current Local Plan and to provide justification to the examining Inspector. The document accompanied the Local Plan when it was at examination.

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Character and appearance of the area
- Effect on the local gap
- Arboriculture
- Biodiversity
- Neighbouring amenity
- Water management and flooding
- Highways
- Parking provision
- Heritage

8.2 **Principle of development**

The site is situated outside of any defined settlement boundary and is therefore within the countryside. Policy COM2 of the Local Plan states that development outside of the boundaries of settlements will only be permitted if:

- 'a) it is appropriate in the countryside as set out in 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 proposal is not of a type that falls under any of the policy exceptions listed in criterion (a) of Policy COM2 and therefore, the application falls to be considered against criterion (b).

8.4 The proposal includes change of use of the land to equestrian use. The use of land for the keeping of horses and construction of equestrian buildings is not considered an unusual prospect in the countryside and provides a more appropriate setting than a site available within the designated settlement boundaries. The proposed equestrian use of the land will be for private, personal use and not for commercial purposes. The application has been submitted on the basis that the site will be used by the applicant's family and for some of their close friends, for private equestrian use as a recreational hobby. Between these families there are 9 horses which are proposed to be stabled at the site.

- 8.5 The large stable building proposed under this application measures 3.5 metres maximum ridge height and 29 metres in length. The other, smaller, stable block measures 3.1 metres maximum ridge height and 14.5 metres length. Each loose box in the stable buildings measure 3.6 metres by 3.6 metres. The British Horse Society (BHS) recommend a stable size of 3.65m x 3.65m for average size horses. Additionally, the BHS recommendations are that the roof height should allow a minimum clear space to the eaves of 60 – 90cm above the ears of the horses as they stand, to allow adequate ventilation and air circulation. Based on an average horse height of 1.6 metres, the eaves height of the proposed building should be 2.5 metres. The proposed eaves height is 2.5 metres for the larger stable block and 2.9 metres for the smaller stable block. In view of the BHS stable size recommendations, the sizes of the stables proposed under this application are considered reasonable. Furthermore, the Animal Welfare Act 2006 requires that care is given to all animals, including horses, and that The Code of Practice for the Welfare of Horses, Ponies, Donkeys and Their Hybrids (last updated in 2018) details guidance in relation to providing a suitable environment for horses, and amongst other things, identifying that it is important to provide appropriate shelter for horses, particularly for older horses and less hardy breeds, it is necessary to provide stabling/shelter. The proposals for the stables within the barn will support the health and welfare of the horses kept on site.
- 8.6 On the submitted floor plans, there are two unlabelled rooms at either end of the larger stable block. The agent has clarified that one of these rooms would be used for a toilet associated with the proposed septic tank in the car park area. The other unlabelled space in this stable block would be used for tack storage and tea making facilities. The provision of a tack storage area is considered to be reasonable given the number of horses on the site. The provision of a toilet and associated septic tank, and space within a storage room for tea making facilities is also considered reasonable.
- 8.7 The proposed hay barn would measure 3 metres to the ridge (not including the overhang) and 22 metres in length. At the time of the case Officers site visit the grass was noted to be cut short, indicating that hay is harvested here, and this is something which is also noted in the submitted planning statement. It is understood from the Horse and Hound website that the average horse eats 15 – 30 bales of hay a month, so on average of 63 – 126 bales of hay each month would be required to be stored in the barn. The proposed building is open plan and open sided, which would allow for a tractor to load the hay into the barn. The hay barn has an overhang which would help protect the hay from bad weather. Overall, it is considered that the size and design of the hay barn is acceptable to support the health and welfare of the horses kept on site.

- 8.8 The proposal includes provision of a jump shed, measuring 3.8 metres by 3.8 metres, not including the overhang. The maximum ridge would be 3.1 metres. This is proposed to be used for secure storage of equestrian paraphernalia including jumps and poles for use in the manege. The proposal also includes provision of a manege which would measure 60 metres x 30 metres. The provision of the jump shed indicates that the manege would be used for jumping and it is understood from the Horse and Hound website that extra width is recommended for manege proposed to be used for jumping or dressage. This is corroborated by the letter of support from the Chair of Chilworth riding club which states that 'jumping arenas would normally be 60ft x 30ft or 60ft x 40ft.' Therefore, in this instance it is considered that the size of the manege is acceptable for its intended use.
- 8.9 Parking is proposed at the northern side of the manege, which would accommodate cars belonging to horse owners connected with the facility. There are no specific car parking standards in Annex G of the RLP for private equestrian facilities. However, given the private use of the site, it is considered that the car park is of a sufficient size for on site parking of vehicles which belong to the horse owners. A muck heap is to be provided, and the agent has explained that the muck would be collected every two months as a minimum, by a tractor with a trailer attached. It is considered that the size of the car park area is sufficient to allow a tractor and trailer to manoeuvre within the car park area to collect the muck and remove it from the site.
- 8.10 A septic tank is proposed to be sited in the car park area, immediately adjacent to the muck heap. This septic tank is proposed to facilitate a toilet which would be located in one of the unmarked rooms at either end of the larger stable block. This toilet and associated septic tank are proposed as welfare facilities for users of the equestrian facilities.
- 8.11 Fencing is proposed to demarcate the paddock boundaries. The fencing would be of post and rail type. The British Horse Society recommend that the minimum land requirements for the grazing of horses is one horse per 0.4 – 0.6 hectares on permanent grazing. The size of the land under the applicant's control totals approximately 5.6 hectares, and of this land, approximately 5.4 hectares will be set aside for grazing. Given that 9 horses will be kept on the site, that allows for 0.6 hectares per horse. This accords with the space requirements recommended by the BHS and is therefore considered a reasonable amount of land to be used for grazing.
- 8.12 In view of the preceding discussion it is considered that the development would only serve a private equestrian function, it is considered that there is an essential need for a countryside location as an appropriate setting for the stated use. Therefore, the application is in accordance with criteria (b) of Policy COM2 of the TVBRLP and the principle of development is acceptable.

8.13 Impact to the character and appearance of the area

The site has an existing access from Old Chilworth Road. The site is visible from the A27 and Old Chilworth Road and there are a number of open views into the site from these public vantage points. There are no public rights of way in the vicinity.

8.14 The site currently contains a timber outbuilding which is proposed to be re-located to form part of the smaller stable block building. The site also contains a number electricity pylons which are highly visible and prominent when viewed from the public realm. The site has post and wire fencing to the boundaries, and there are some mature trees along the north boundary. While the site can be seen from a range of viewpoints, it is considered that the design of the proposals would not have a significant wider negative impact on views or the setting of the site. Equestrian use is not an unusual prospect in the countryside. The proposed buildings would be sited to the south of where the existing barn is located. All of the proposed buildings are single storey – for example the main stable block would have an eaves height of 2.5 metres and a ridge height of 3.5 metres. The buildings are of simple design and samples of construction materials have been submitted, these include timber cladding for the walls and merlin grey pre-finished steel for the roofs. The timber cladding would respect the rural character of the site. Due to the setback distance from the public highways and the single storey scale of the proposed buildings, it is considered that they will not appear unduly prominent within the wider landscape and viewed in context with the existing vegetation onsite.

8.15 At the time of the case Officer's most recent site visit, the west and east boundaries had been planted with conifer and laurel hedging, however, as these species are non-native the applicant has agreed to remove this planting from the site. This is reflected in the submitted landscaping plan. This landscaping plan also shows that additional native planting is proposed, as shown on the submitted landscaping plan. The application is also supported by a landscape management plan covering an initial period of five years and then up to 20 years. The landscape officer has reviewed the proposals and has raised no objection. A condition has been added to this recommendation to ensure that the landscape plan and management plan are adhered to.

8.16 It is considered that the visual aspects of the proposal respect and complement the character of the area and avoid any adverse impact on the wider landscape. Therefore, the application is in accordance with Policies E1 and E2 of the TVBRLP.

8.17 Local Gap and the impact on the surrounding area

The application site is located within the Local Gap. Policy E3 states that development within local gaps will be permitted providing that:

- a. It would not diminish the physical separation and/or visual separation; and
- b. It would not individually or cumulatively with other existing or proposed development compromise the integrity of the gap.

The proposal to use the land for equestrian purposes and the proposed addition of equestrian buildings would change the character of this part of the local gap. However, from site observations and a review of aerial photography, it would appear that the land has most recently been used for grazing and hay making. The proposed use is considered to be consistent with this. The proposal would increase the amount of built development on the site. However, the design of the buildings is simple and includes timber cladding, as such the buildings are considered to have the appearance of agricultural buildings. The manege proposed can be used all year round in all weathers, and would therefore prevent riders needing to use land within the wider holding for intensive riding during wet periods which would result in the land becoming poached and unsightly. The car park area proposed would be for the sole use of the owners of the horses at the site. Again, the laying out of hardstanding for parking would prevent poaching of the land.

- 8.18 There is a belt of fairly dense woodland to the east and south east of the site and this is mentioned in the local gap topic paper, which was used to inform the wording of the current Local Plan and to provide justification to the examining Inspector. The topic paper document explains the special character of each area and sets out that:

– ‘The belt of woodland along the northern edge of the gap adjacent to North Baddesley, contains the settlement, however, the rooflines of buildings are present in some views.’

The Topic paper goes on to state that ‘In view of the openness of the valley landscape and local topography, visual separation between settlements is dependent on the undeveloped character of the land between them. In addition, the belts of woodland contain the settlement edge and provide a wooded setting in each case. If development were to extend beyond the woodland in to the valley area it would lead to an erosion of the settlement settings, as well as increasing intervisibility and visible coalescence. The woodland edges provide robust boundaries....’

- 8.19 Third party comments about the continuation of arable designation of this land being crucial in a key position within the local and strategic gap are acknowledged. However, policy E3 does not seek to prevent all development within a local gap; development may be acceptable in some circumstances where the proposal is of a rural character and has minimal impact on the purpose of the gap. In this case, the land has most recently been used for grazing and hay making. The areas to the south and east of the proposed buildings would remain as grazing land for the horses proposed to be kept on site. The land would be divided up into 9 separate paddocks, and it is secured by condition that the fencing shall be of post and rail type. This type of fencing allows more open views across the land from public vantage points and would still be appreciated as such in views from the public realm. The proposals are considered to integrate, respect, and complement the surrounding area.

8.20 It is acknowledged that the extent of built development on the site is increasing and that the proposals would change the character of this part of the local gap. However, the proposed buildings are single storey and additional landscaping is to be provided. Given the presence of the existing building on the land and taking into account the retention of existing trees present to the north of the application site as noted within the local gap topic paper, and grazing land to the south and east, it is considered that development in this location can occur without physically or visually diminishing the separation the gap provides. Furthermore, it is considered that the presence of development here would not compromise the integrity of the gap.

8.21 For the reasons discussed above, the development is considered to be in accordance with relevant local plan policies E1, E2, and E3 of the Revised Borough Local Plan 2016.

8.22 **Arboriculture**

There are numerous large and mature trees on the site boundaries and adjacent to the site and these trees positively contribute to the character of the site within the local gap. The application is supported by an arboricultural impact appraisal, method statement and tree protection plan (Barrell Tree Consultancy, February 2023). No construction is proposed within the root protection areas or crown spreads of trees within or adjacent to the development area. Implementation of the submitted method statement and tree protection plan will ensure that trees are not inadvertently damaged as a result of construction activity. A third party representation has been received about a damaged oak tree next to the lane. The tree Officer consulted has carried out a site visit and no specific concerns have been raised about this. A condition is recommended such that the development shall be undertaken in accordance with provisions within the submitted tree report.

8.23 For the reasons discussed above and subject to conditions, it is considered that the proposal will not give rise to any visual detriment and as a result, the application is in accordance with Policies E1, E2 and E3 of the RLP.

8.24 The Tree Officer has commented that if the site access requires upgrading or the access to be widened then a revised arboricultural impact assessment and method statement should be submitted and approved in writing by the LPA. This requirement has been included within an informative note attached to this recommendation.

8.25 **Biodiversity**

The application is supported by an ecological impact assessment (ECOSA, April 2023) which the Council's ecologist is satisfied represents current conditions at the application site. The site comprises a paddock used for grazing and a timber building which is proposed to be re-located to form part of the smaller stable block building. In moving this structure it is anticipated that the timber panels will need to be taken down and the building demolished. This building has been specifically surveyed within the submitted ecological report, and no gaps between the walls and roof or under the fascias were noted. The existing timber

building with onduline roof would provide poor thermal conditions for roosting bats. As such, the building has been assessed as having negligible suitability for roosting bats. The trees and hedging along the boundaries will not be affected by the proposed development. The report identifies that the site supports opportunities for protected and priority species including breeding birds, foraging and commuting bats, reptiles and hedgehogs. Sensible measures are proposed to ensure that impacts to these species are avoided, including the retention of the boundary features.

- 8.26 A third party representation states that lighting would impact bird life and the natural environment of the area. However, since the scheme was submitted, the external lighting has been removed from the scheme. Providing that the avoidance measures outlined within the submitted report are secured, the Ecologist has no concerns that this development would adversely affect any legally protected or notable habitats or species. It is secured by condition that the development shall proceed in accordance with the measures set out within the submitted report. Subject to this condition, the proposal accords with policy E5 of the RLP.
- 8.27 The submitted ecological assessment includes a range of recommendations regarding ecological enhancements. The Council's Ecologist has recommended that an Ecological Management Plan with enhancements is submitted for approval by the LPA prior to commencement of development. This is acknowledged, however, the scheme is for minor development of equestrian facilities and not currently subject to biodiversity net gain and so imposing such a condition is considered unreasonable in this instance.
- 8.28 **Amenity**
The proposed buildings and riding arena are to be located to the west side of the field adjacent to Old Chilworth village road. The nearest neighbouring property, Manor Farm, is located in excess of 300 metres to the south east, measured from the southern boundary of the application site. The proposed buildings are single storey. Due to the separation distance between the proposal and neighbouring properties in conjunction with its single storey scale, the proposal will materially impact neighbouring amenity with regard to daylight or sunlight provision or privacy.
- 8.29 A muck heap is proposed within the south east corner of the proposed car park. To prevent pollution impacts due to smells and flies, a condition is recommended which seeks to manage the storage and disposal of the manure and soiled bedding. Subject to this condition the proposal is in accordance with policy E8 of the RLP.
- 8.30 As a result of the above, and subject to conditions, the proposed scheme sufficiently provides for the amenity of neighbouring properties in accordance with Policies E8 and LHW4 of the RLP.

8.31 Highways and parking provision

The proposed equestrian facilities would be accessed via an existing access onto Old Chilworth Road, which is subject of national speed limit. The application is supported by a transport statement (Nick Culhane Highway consultant) and in order to inform the assessment a 7-day speed and volumetric survey has been undertaken near to the access point of the site on Chilworth Road. This survey has confirmed 85th percentile speeds of circa 18-19mph and extremely low traffic volumes. The Highways Officer has commented that the visibility splays at the site access of 2m x 22m and 23m are considered acceptable and that the submitted vehicle tracking diagram for a large rigid horsebox is also acceptable. A third party representation has been received about lighting and the impact this could have on passing traffic. However, since the scheme was submitted the external lighting has been removed from the scheme. No objection is raised from the HCC Highways Officer regarding this proposal.

8.32 Annex G of the RLP has no specific parking standards for private equestrian facilities. However, it is considered that the hardstanding space provided to the north of the site is of a sufficient size for parking and manoeuvring of vehicles, given that the site is to be used on a private basis only.

8.33 Given the considerations discussed above, it is not considered that the proposals would have an adverse impact on highway safety and sufficient parking is available on site, in compliance with policies T1 and T2 of the Test Valley Borough Revised Local Plan 2016.

8.34 Flooding risk and water management

The application is supported by a flood risk assessment and surface water drainage information. The application site is not located in an area of high flood risk. The buildings proposed are of modest scale and open grass areas are to be retained which consist of open paddocks. As such, it is not considered that there will be any materially significant increase in flood risk or surface water flooding. HCC Lead Flood Authority have raised no objection to the proposal. The application accords with policy E7.

8.35 Heritage

The Chilworth Old Village Conservation Area is located approximately 0.3km away, measured from the south boundary of the application site. There are a number of listed buildings in the conservation area. However, given the separation distance, the proposal is not considered to harm the appearance or significance of any heritage assets and in this respect the effect on those interests is considered neutral, or preserved, in accordance with policy E9.

8.36 Other matters – third party comments

Third party comments about possible future housing on this land are acknowledged. However, this application is for equestrian facilities only and is assessed on its own merits. Any possible future planning application would also be assessed individually on its own merits and can not be afforded any weight in this decision.

8.37 Third party comments about the land being used to produce cereal crops in the past and that the UK needs greater crop production are acknowledged. However, this application has been assessed against all relevant material considerations and there are no specific policies within the RLP which seek the retention of land capable of producing cereal crops.

8.38 Third party concern about the installation of utilities and the septic tank leading to business and accommodation purposes are acknowledged. However, the application has been submitted on the basis that the facilities are for private purposes only and a condition is recommended which ensures that the development shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.

9.0 **CONCLUSION**

9.1 The site is situated outside of any defined settlement boundary and is therefore considered to be within the countryside. Given that the development would only serve a private equestrian function, it is considered that there is an essential need for a countryside location as an appropriate setting for the stated use. Therefore, the application is in accordance with criteria (b) of Policy COM2 of the TVBRLP and the principle of development is acceptable.

9.2 It is considered that the proposed equestrian buildings would not appear unduly prominent within the wider landscape and viewed in context with the existing vegetation onsite. It is considered that development in this location can occur without physically or visually diminishing the separation the gap provides. Furthermore, it is considered that the presence of development here would not compromise the integrity of the gap.

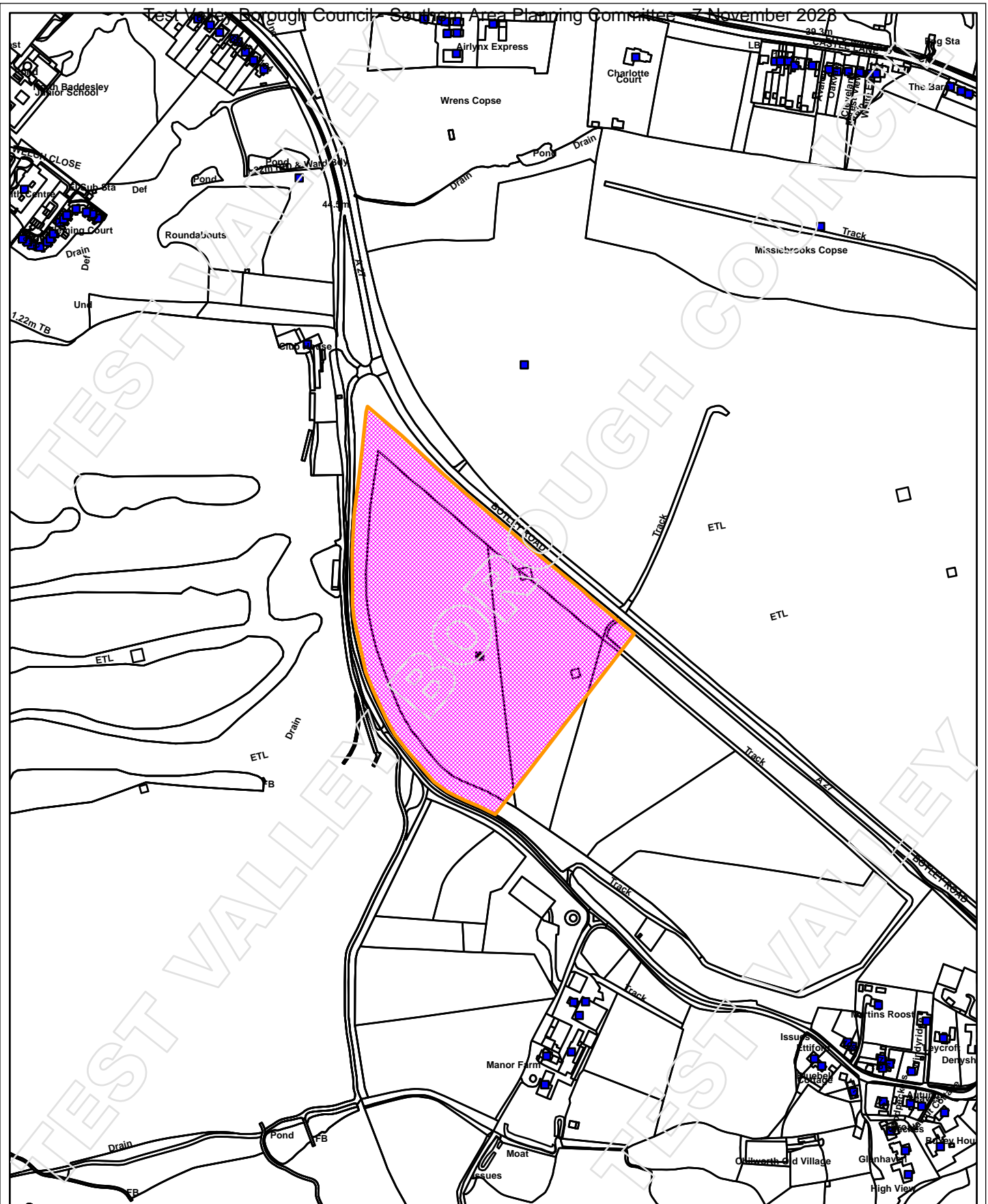
9.3 The proposals are considered acceptable in principle and would not have any adverse impacts on the character and appearance of the surrounding area or the local gap, trees, biodiversity, neighbour amenities, highways, heritage or flooding. The proposals are therefore considered to comply with the relevant policies of the Test Valley Borough Revised Local Plan 2016. Permission is therefore recommended.

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.	<p>Notwithstanding the floodlight details shown on the submitted plans, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers DRE Rev D 2, site location plan, 10296/01, DRE-C, DRE-B, DRE-G, DRE- Rev C 2, DRE-D 1, tree protection plan, DRE-D 3, DRE-D 4, DRE-D 7, DRE-D 8, DRE-D 2, DRE-D 5, DRE-D 6.</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3.	<p>The external materials to be used in the construction of external surfaces of the development hereby permitted shall be in complete accordance with samples submitted on 23rd August 2023 – namely timber cladding and merlin grey pre-finished steel.</p> <p>Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.</p>
4.	<p>Development hereby permitted shall proceed in accordance with the measures set out in Section 5 of the Ecological Impact Assessment (ECOSA, April 2023). Thereafter, the enhancements shall be permanently maintained and retained in accordance with the approved details.</p> <p>Reason: to conserve biodiversity in accordance with policy E5 of the Test Valley Revised Local Plan DPD.</p>
5.	<p>The development hereby approved shall be undertaken in full accordance with the provisions set out within the Barrell Arboricultural Impact Appraisal and Method Statement reference 23016-AIA-PB dated 27th February 2023.</p> <p>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.</p>
6.	<p>The development hereby approved shall be undertaken in full accordance with the provisions set out within the landscape management plan (Helen Brown Treescapes, 13th July 2023) and accompanying landscape plan. All planting shall be completed before the end of the current or first available planting season following the grant of planning permission. Any trees or planting that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced before the end of the current or first available planting season following the failure, removal or damage of the planting. Furthermore, all conifers, laurel and other non-native evergreen trees and hedging as planted on the site and along the boundaries shall be removed from the site prior to first use of the facilities hereby permitted.</p> <p>Reason: To ensure the development would integrate and complement the character of the area and to respect the visual appearance of the local gap, in accordance with policies E1, E2 and E3.</p>

7.	<p>The development hereby permitted shall include provision of storage of horse manure and soiled bedding in the location shown on the submitted proposed site plan, reference DRE Rev D 2. No storage of manure and soiled bedding shall take place outside of this storage area hereby approved. Any muck and soiled bedding shall be disposed of from the site every two months as a minimum. The development hereby permitted shall not be brought into use until the works for such storage have been completed in accordance with these approved details. The approved storage area shall subsequently be maintained in accordance with these approved details.</p> <p>Reason: In the interests of public health and safety, in order to protect the natural environment and prevent pollution in accordance with Test Valley Borough Revised Local Plan (2016) Policy E7 and E8.</p>
8.	<p>The paddocks forming part of the development hereby approved shall be demarcated with post and rail fencing only.</p> <p>Reason: To ensure the development would integrate and complement the character of the area and to respect the visual appearance of the local gap, in accordance with policies E1, E2 and E3.</p>
9.	<p>No external storage, parking of vehicles, trailers, mowers, or other paraphernalia shall be stacked or deposited in the open outside of the buildings or car park area hereby permitted.</p> <p>Reason: To enable the Local Planning Authority to regulate and control the development of land and to preserve the visual amenity of the area in accordance with policies E1, E2 and E3 of the Test Valley Borough Revised Local Plan (2016).</p>
10.	<p>The development hereby permitted shall not be occupied or brought into use until the car parking spaces have been provided in accordance with the approved plans. The areas of land so provided shall be retained at all times for this purpose.</p> <p>Reason: To ensure sufficient off-street parking has been provided in accordance with the Test Valley Borough Revised Local Plan (2016) Policy T2 and in the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.</p>
11.	<p>The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.</p> <p>Reason: In the interests of highway safety and/or to protect the living conditions of nearby residents in accordance with Test Valley Borough Revised Local Plan (2016) Policies T1 and E8.</p>
12.	<p>No overnight parking of any vehicles shall take place on the site.</p> <p>Reason: To enable the Local Planning Authority to regulate and control the development of land and to preserve the visual amenity of the area in accordance with policies E1, E2 and E3 of the Test Valley Borough Revised Local Plan (2016).</p>

	13.	<p>No external lighting shall be installed at the site. Reason: To enable the Local Planning Authority to regulate and control external lighting at the site and to preserve the visual amenity of the area in accordance with polices E1, E2 and E3 of the Test Valley Borough Revised Local Plan (2016).</p>
Notes to applicant:		
	1.	<p>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.</p>
	2.	<p>If the site access requires upgrading or the access to be widened then a revised arboricultural impact assessment and method statement should be submitted and approved in writing by the LPA.</p>



Siteplan

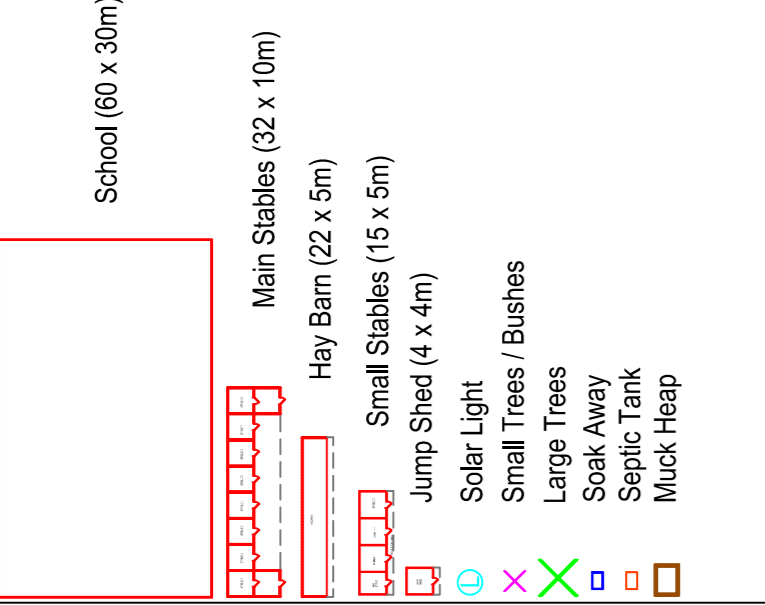


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NOTES

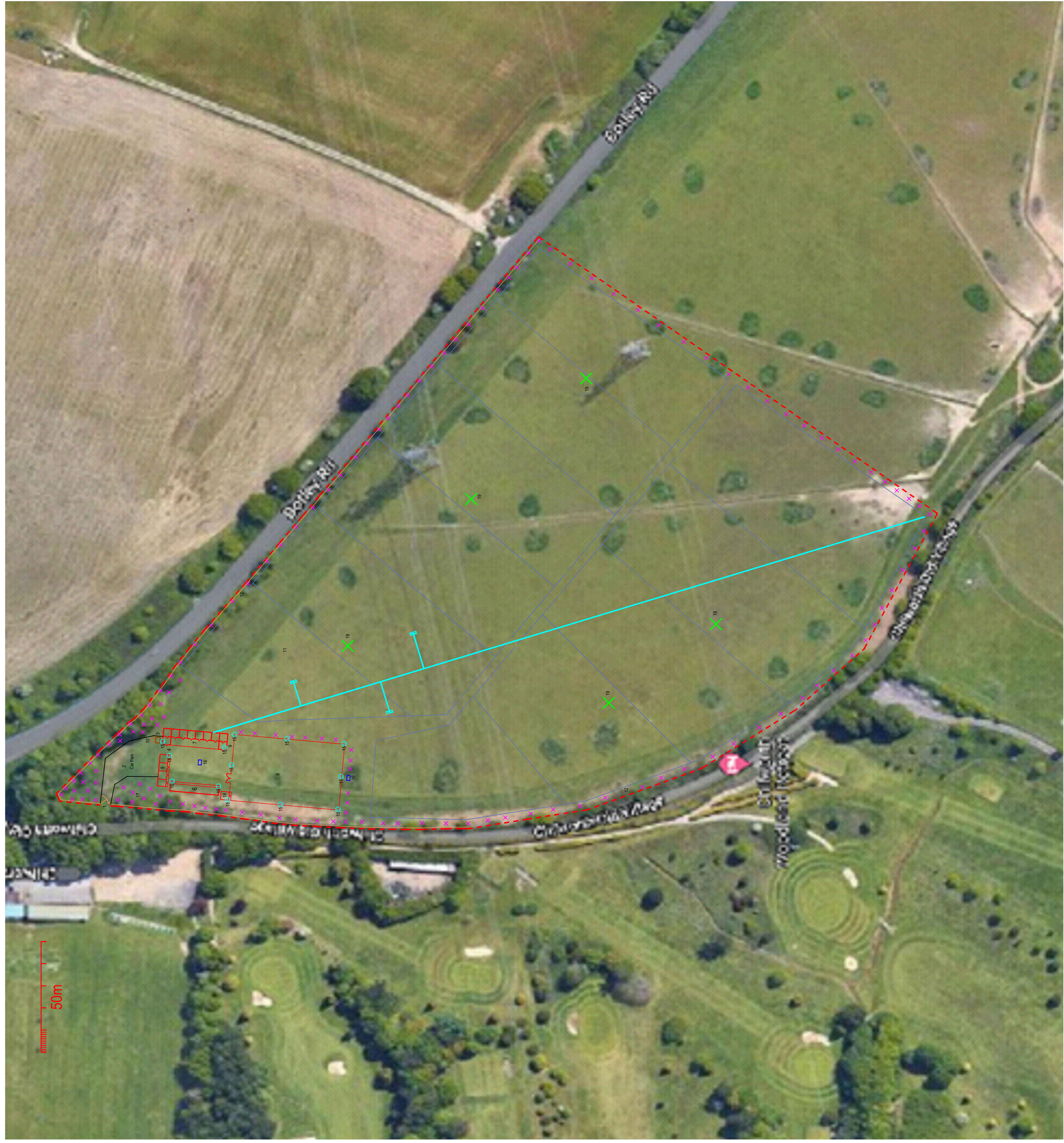
All Dimensions in mm.
All Dimensions to be checked on site



REVISIONS

Rev#	Description	Date	By	Checked
A	Stables buildings & gate added to layout.	01/06/22	D.J.S.	T.D.
B	Buildings moved 4m.	10/06/22	D.J.S.	T.D.
C	Additional notes added.	16/06/22	D.J.S.	S.D.
D	Paddock & muck heap added. Vegetation & car park amended.	07/07/22	D.J.S.	S.D.
E	Client amended.	20/07/22	D.J.S.	S.D.
F	Car Park reduced. Extra paddock added.	14/09/22	D.J.S.	S.D.
G	Amended to suit land & tree surveys.	28/02/23	D.J.S.	-

- 1) Entrance (5 bar gate set back from road - 4.5m wide x 11.5m long).
- 2) Car park (recycled type 1 hardcore).
- 3) Muck heap (4ft deep with recycled railway sleepers & evergreen laurels).
- 4) Entrance to yard area (fenced off with 5 bar gate).
- 5) Wooden stable block (guttering into water butt, metal roof & concrete base).
- 6) Hay barn (guttering into water butt, metal cladding to 3 sides & roof).
- 7) Barn store stables (metal cladding & roof, internal walls to be wood).
- 8) Menage riding school (surrounded by evergreen bushes, surface to be sand & recycled rubber).
- 9) Gateway to paddocks (5 bar gate).
- 10) Cess pit.
- 11) Paddocks (sectioned out with post & rail fencing).
- 12) Ride around (safe place to ride on grass).
- 13) Hedge row (evergreen & hawthorn bushes along boundary).
- 14) Car park boundary (hedge row to be enhanced).
- 15) Solar lights (buildings & school to have lighting in winter before 6.30 pm).
- 16) Soak away.
- 17) Additional bushes.
- 18) Jump shed.
- 19) Trees planted in paddocks (5 No.)



LOCATION DRAWING

Client: MR & MRS DAVIS
Site: BOTLEY ROAD
CHILWORTH

Scale:	Draw No:	Sheet
1:1000 @ A1	DRE - G	1
Drawn by:	Date:	Checked by:
D. SIMCOCK	30/05/2022	T.D.
Date:	30/05/2022	T.D.

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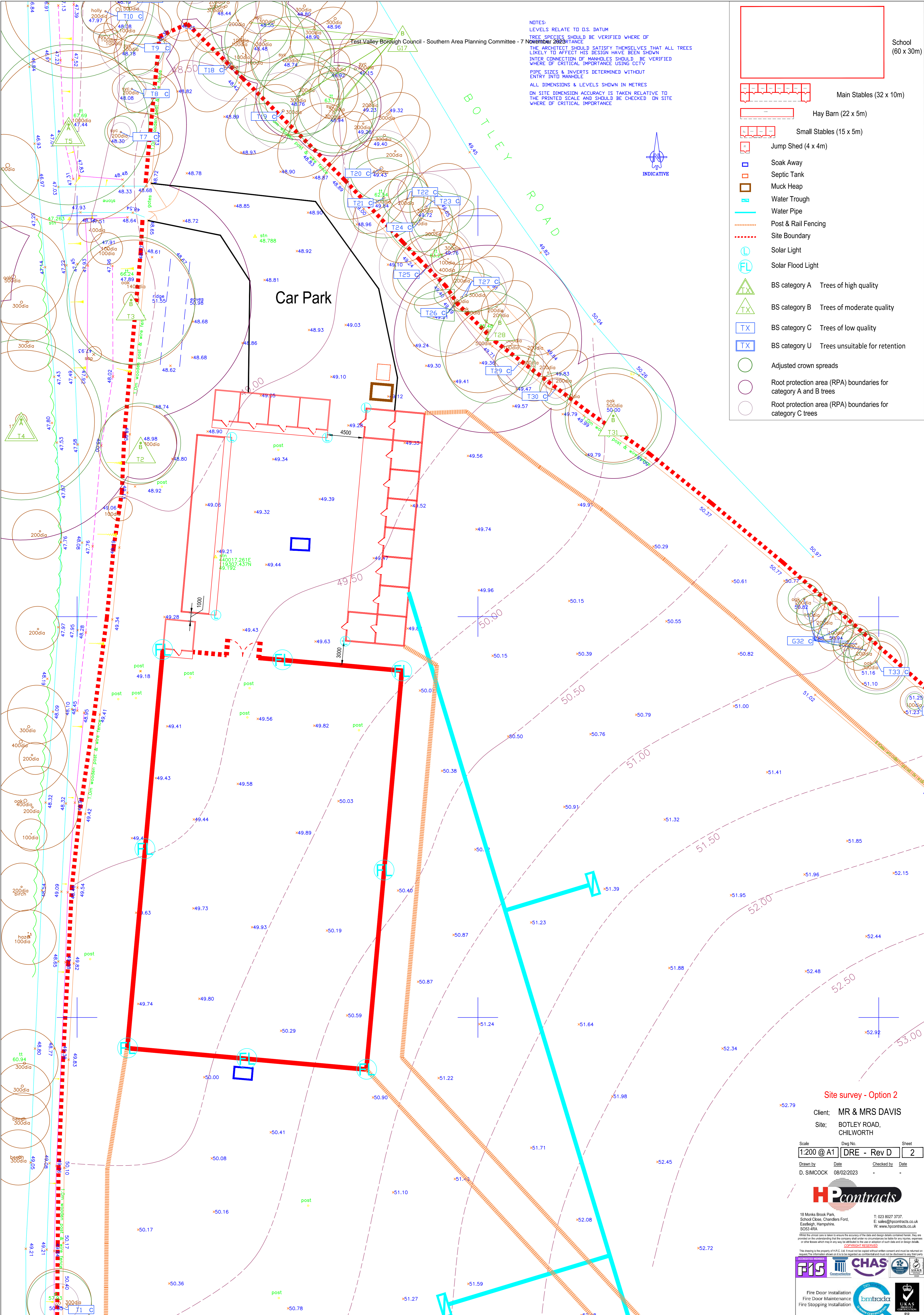
bmtracka
U.K.A.S. 1822

Fire Door Installation
Fire Door Maintenance
Fire Stopping Installation

NOTES:
 LEVELS RELATE TO O.S. DATUM
 TREE SPECIES SHOULD BE VERIFIED WHERE OF
 LIKELY TO AFFECT HIS DESIGN HAVE BEEN SHOWN
 INTER CONNECTION OF MANHOLES SHOULD BE VERIFIED
 WHERE OF CRITICAL IMPORTANCE USING CCTV
 PIPE SIZES & INVERTS DETERMINED WITHOUT
 ENTRY INTO MANHOLE
 ALL DIMENSIONS & LEVELS SHOWN IN METRES
 ON SITE DIMENSION ACCURACY IS TAKEN RELATIVE TO
 THE PRINTED SCALE AND SHOULD BE CHECKED ON SITE
 WHERE OF CRITICAL IMPORTANCE

School
 (60 x 30m)

Main Stables (32 x 10m)
 Hay Barn (22 x 5m)
 Small Stables (15 x 5m)
 Jump Shed (4 x 4m)
 Soak Away
 Septic Tank
 Muck Heap
 Water Trough
 Water Pipe
 Post & Rail Fencing
 Site Boundary
 Solar Light
 Solar Flood Light
 BS category A Trees of high quality
 BS category B Trees of moderate quality
 BS category C Trees of low quality
 BS category U Trees unsuitable for retention
 Adjusted crown spreads
 Root protection area (RPA) boundaries for category A and B trees
 Root protection area (RPA) boundaries for category C trees



Site survey - Option 2

Client: MR & MRS DAVIS
 Site: BOTLEY ROAD, CHILWORTH

Scale	Dwg No.	Sheet
1:200 @ A1	DRE - Rev D	2
Drawn by	Date	Checked by
D. SIMCOCK	08/02/2023	

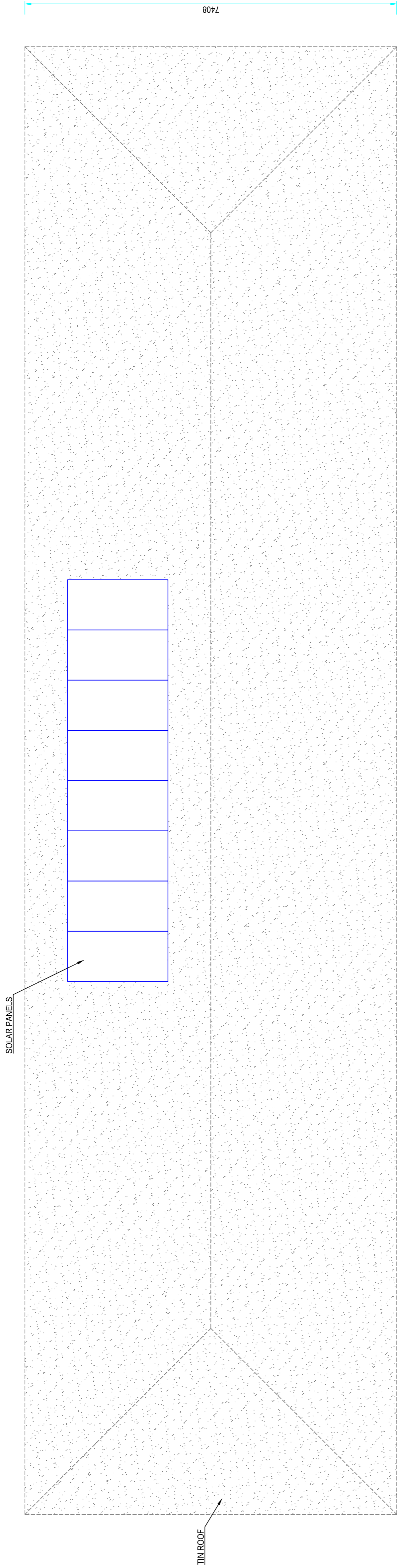


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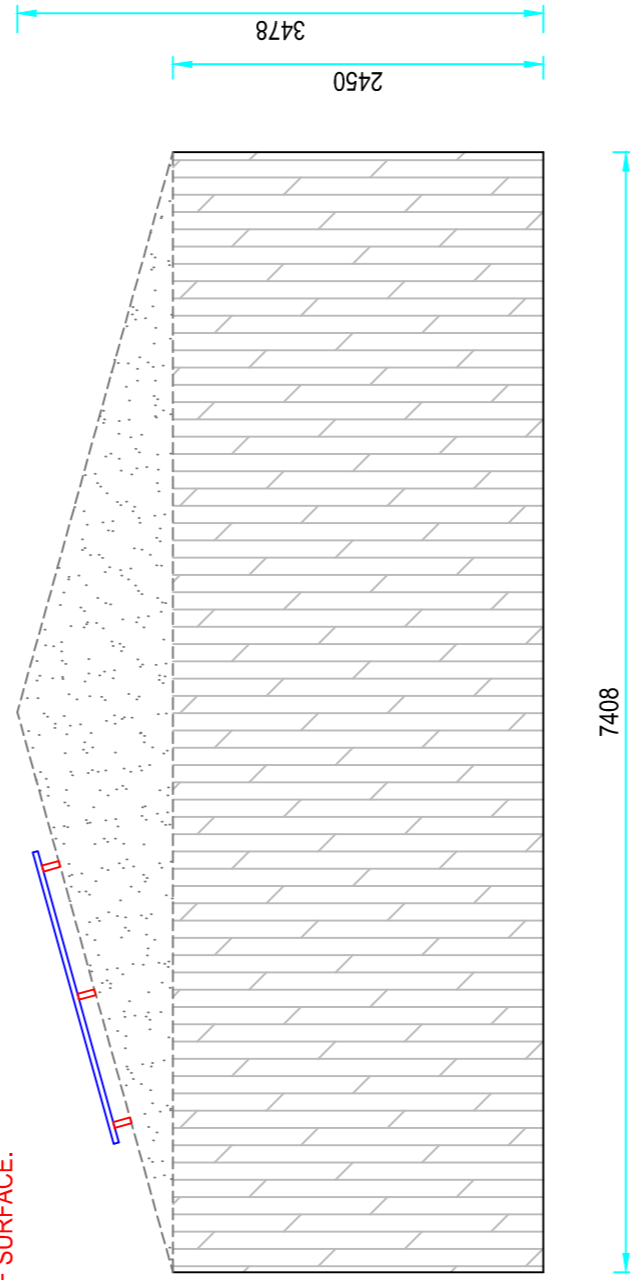
Fire Door Installation
 Fire Door Maintenance
 Fire Stopping Installation

NOTES	
All Dimensions in mm.	
All Dimensions to be checked on site	
REVISIONS	
Rev	Description
Date	By
Checked	

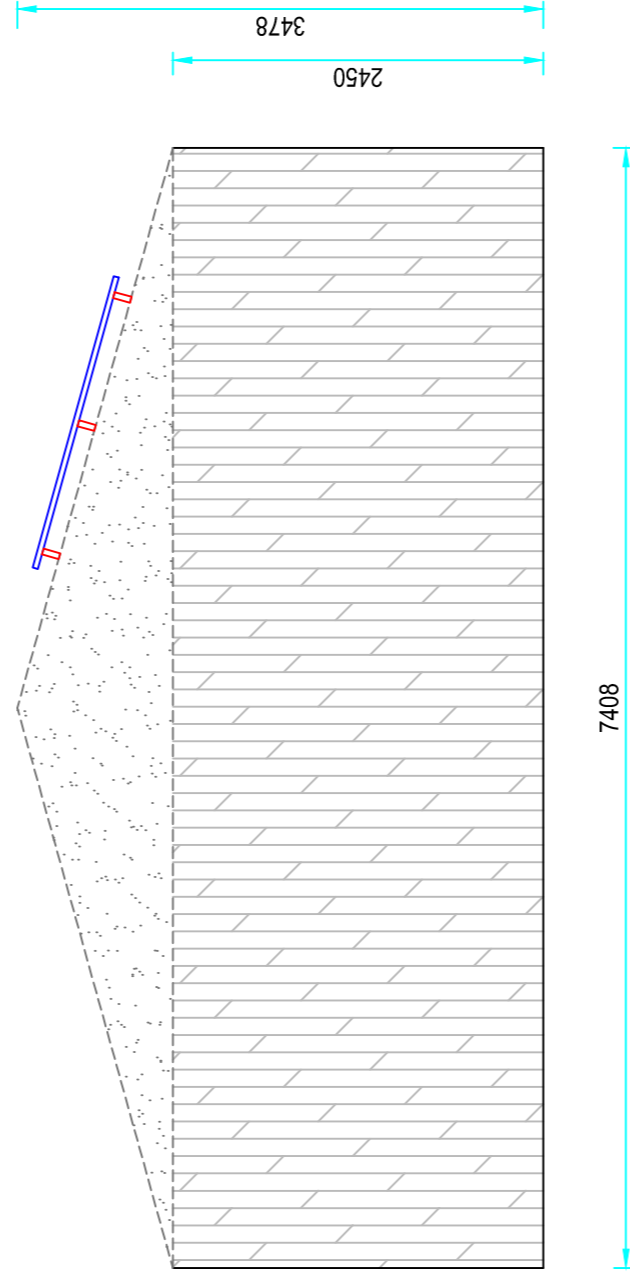


Roof plan

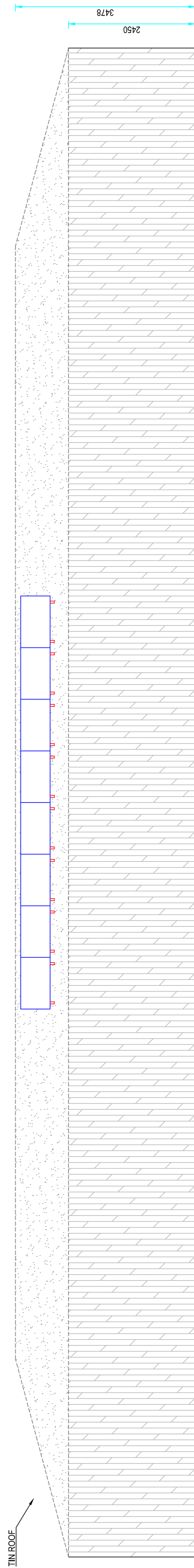
SOLAR PANELS TO PROTRUDE APPROXIMATELY 150mm FROM ROOF SURFACE.



North elevation



South elevation



East elevation



West elevation

Main stable block elevations

Client: MR & MRS DAVIS
Site: BOTLEY ROAD
CHILWORTH

Scale	1:50 @ A1	Drawn by	DRE - D	Sheet	2
Date	08/06/2022	Checked by		Date	08/06/2022
D. SIMCOCK		T.D.			

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F15
Construction

CHAS
Construction Health and Safety

UKAS
Quality Management

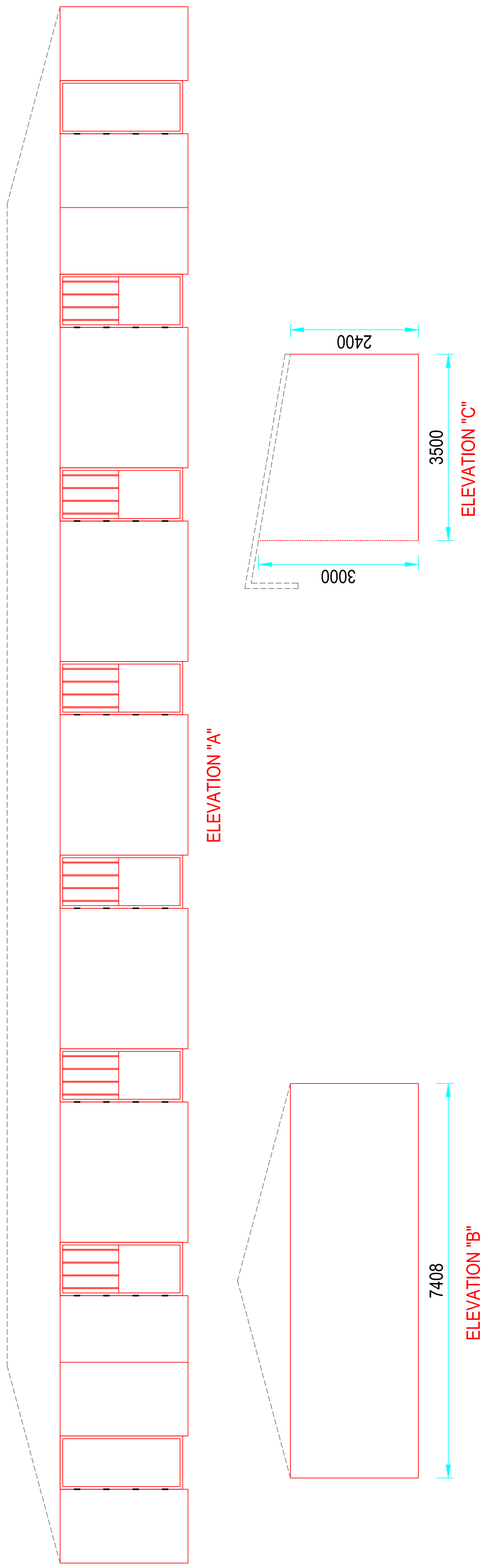
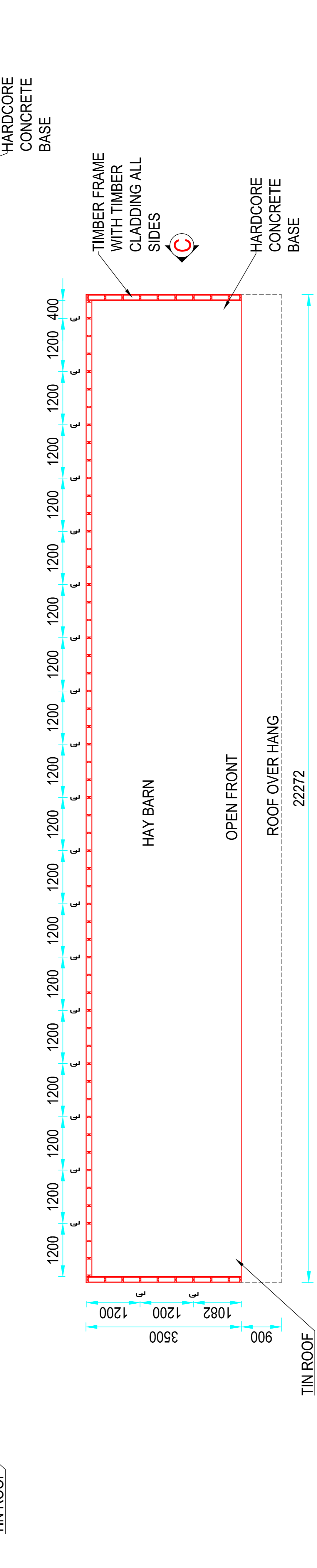
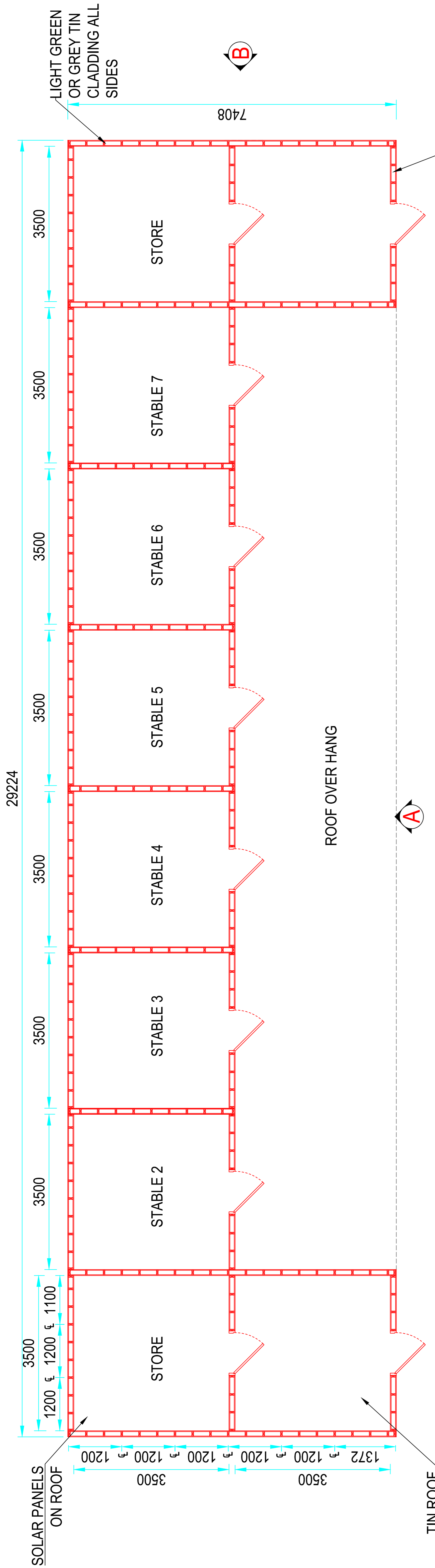
UKAS
Fire Door Installation

UKAS
Fire Door Maintenance

UKAS
Fire Stopping Installation

NOTES
All Dimensions in mm.
All Dimensions to be checked on site

Rev	Description	Date	By	Checked
A	Extra notes added.	18/06/22	D.J.S.	S.D.
B	Client amended.	19/07/22	D.J.S.	S.D.
C	Hay barn changed to timber frame & cladding.	22/09/22	D.J.S.	S.D.



Client: MR & MRS DAVIS
Site: BOTLEY ROAD
CHILWORTH

Scale: 1:50 @ A1
Drawn by: DRE - C
Date: 08/06/2022
Checked by: T.D.
Date: 08/06/2022
Sheet: 1

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safe **CHAS** **U.K.A.S.**

Fire Door Installation
Fire Door Maintenance
Fire Stopping Installation

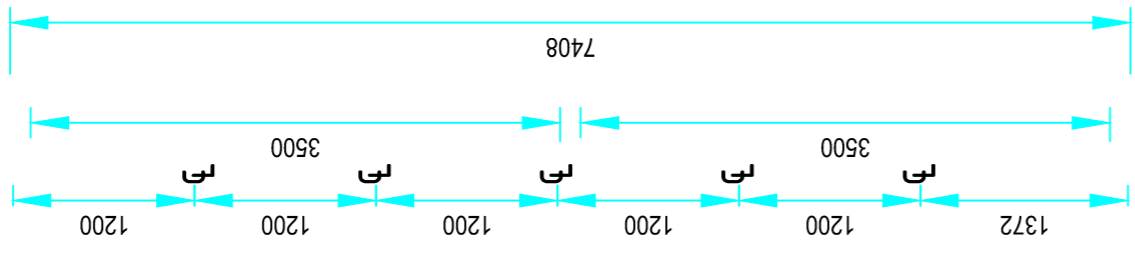
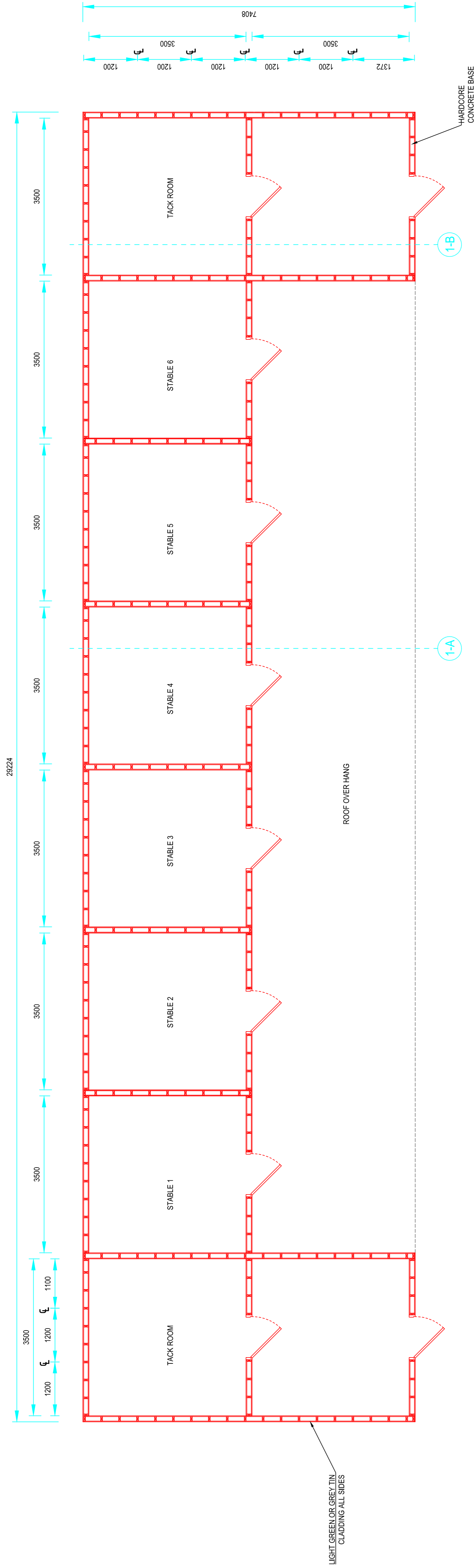
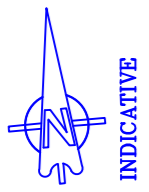
NOTES

All Dimensions in mm.
All Dimensions to be checked on site

REVISIONS

Rev	Description	Date	By	Checked

Test Valley Borough Council - Southern Area Planning Committee - 7 November 2023



HARDCORE CONCRETE BASE

LIGHT GREEN OR GREY TIN CLADDING ALL SIDES

Main stable block details

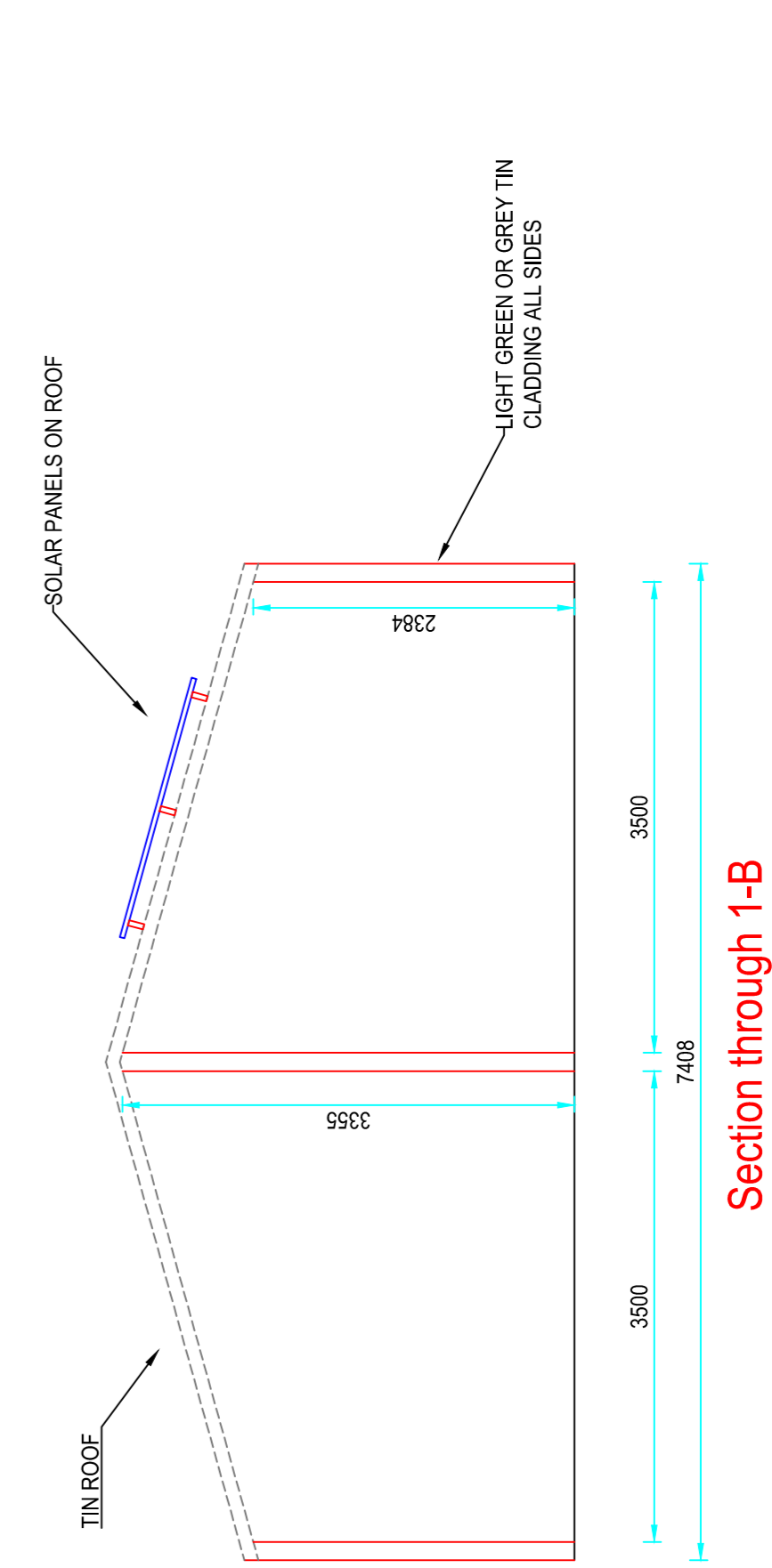
Client: MR & MRS DAVIS
Site: BOTLEY ROAD
CHILWORTH

Scale	Draw No	Sheet
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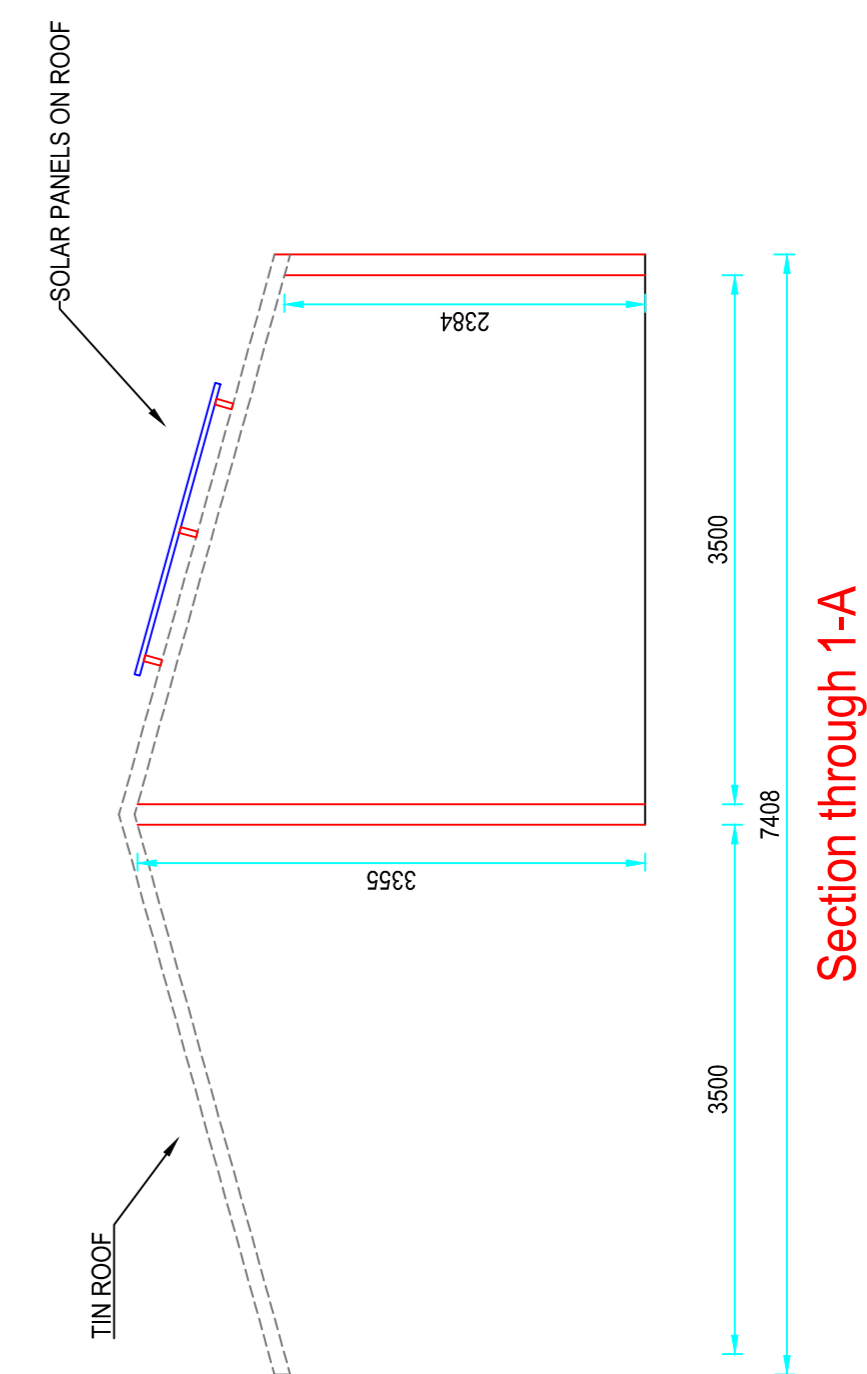
Drawn by: D. SIMCOCK
Date: 08/06/2022
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Section through 1-B



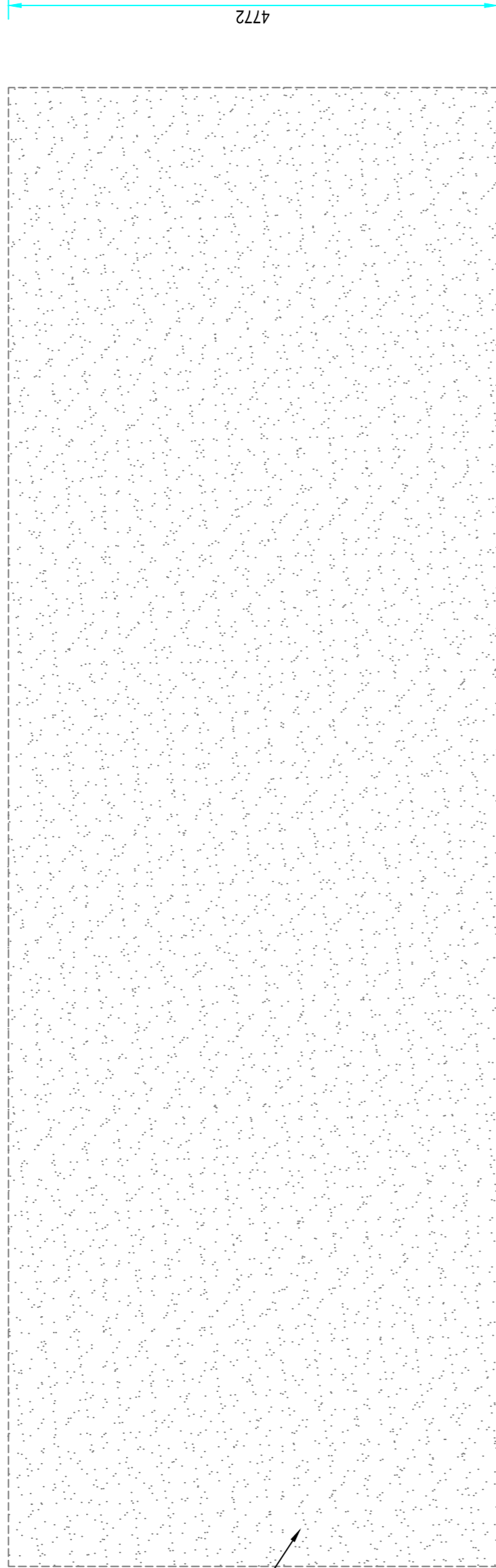
Section through 1-A

NOTES

All Dimensions in mm.
All Dimensions to be checked on site

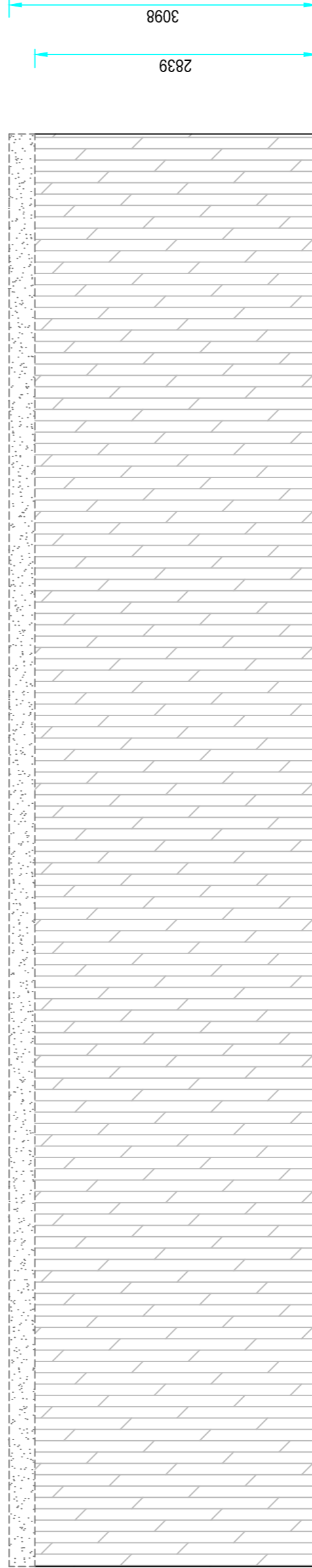
REVISIONS

Rev	Description	Date	By	Checked
1				

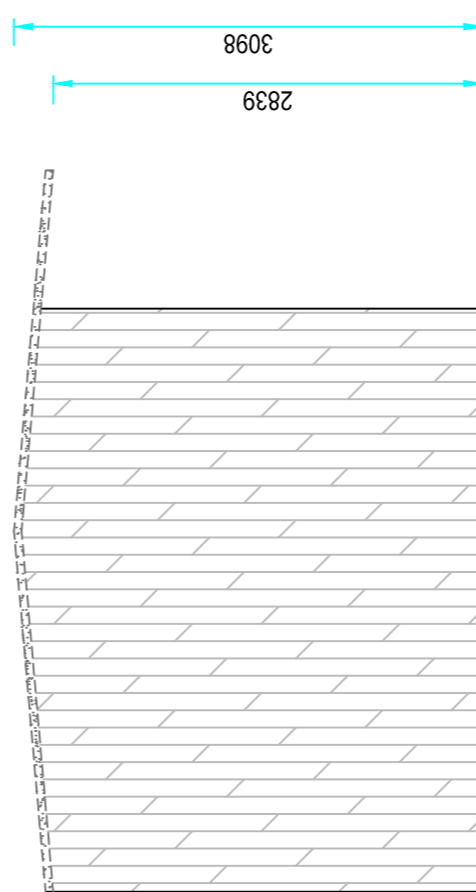


Roof plan

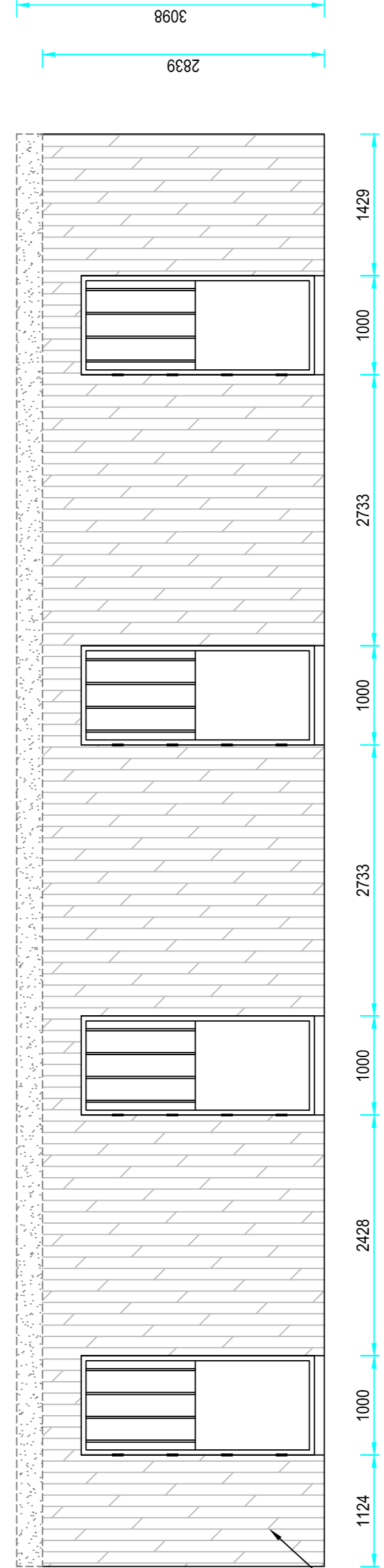
TIN ROOF



North elevation

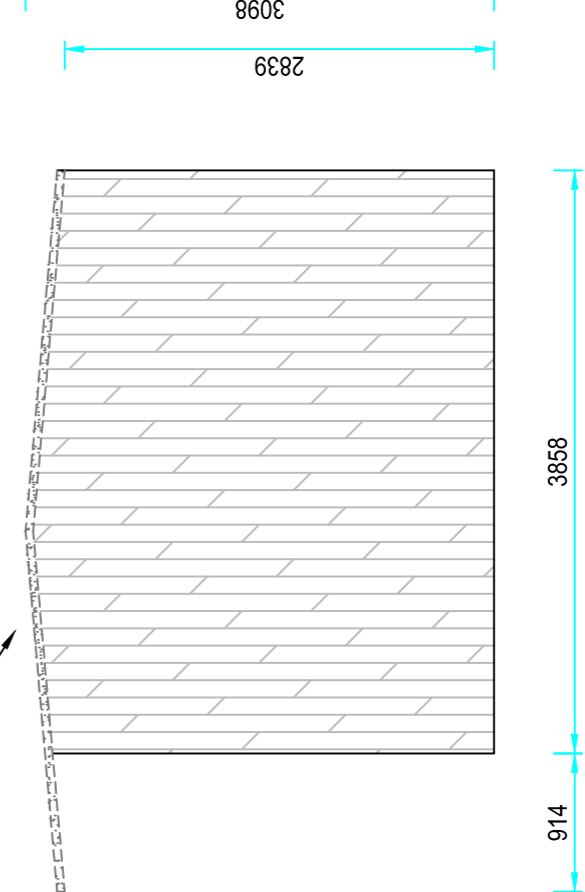


West elevation



South elevation

TIMBER FRAME WITH TIMBER CLADDING ALL SIDES



East elevation

TIN ROOF

Small stable block elevations

Client: MR & MRS DAVIS
Site: BOTLEY ROAD
CHILWORTH

Scale	Draw No	Sheet
1:50 @ A1	DRE - D	6
Drawn by	Date	Checked by
D. SIMCOCK	08/06/2022	T.D.
		Date
		08/06/2022



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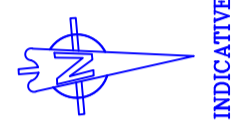
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NOTES

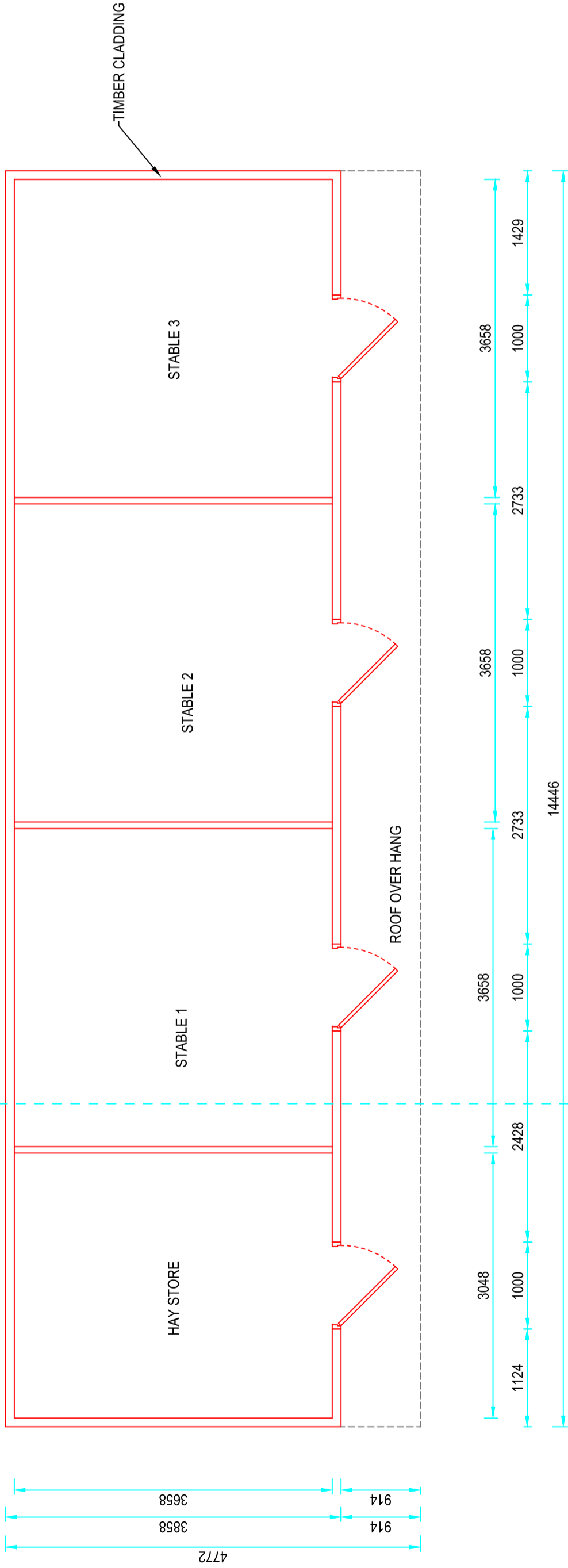
All Dimensions in mm.
All Dimensions to be checked on site

REVISIONS

Rev	Description	Date	By	Checked
-	-	-	-	-



INDICATIVE



Plan layout

Small stable block details

Client: MR & MRS DAVIS
Site: BOTLEY ROAD
CHILWORTH

Scale 1:50 @ A2
Dwg No. DRE - D
Sheet 5
Drawn by D. SIMCOCK
Date 08/06/2022
Checked by T.D.
Date 09/06/2022

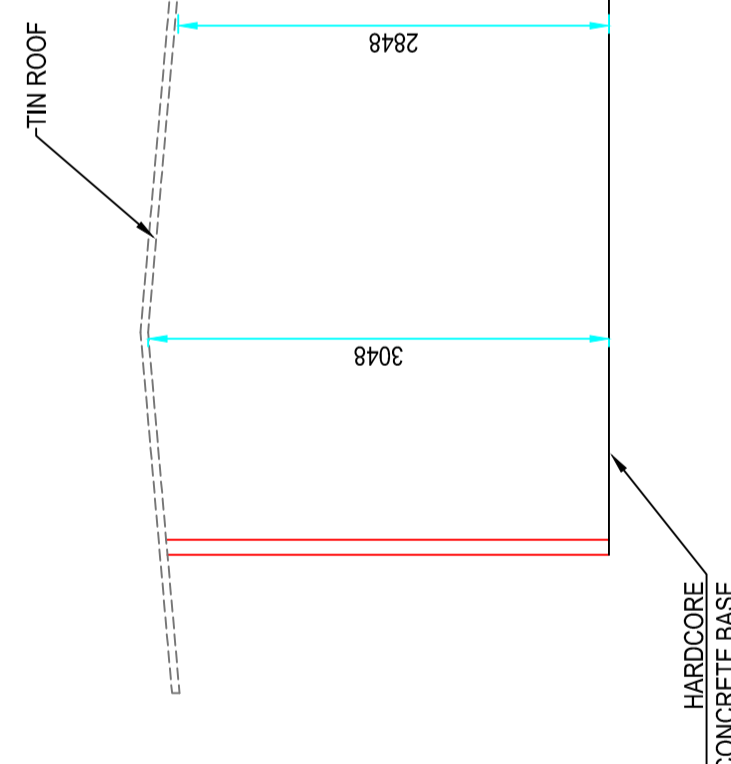


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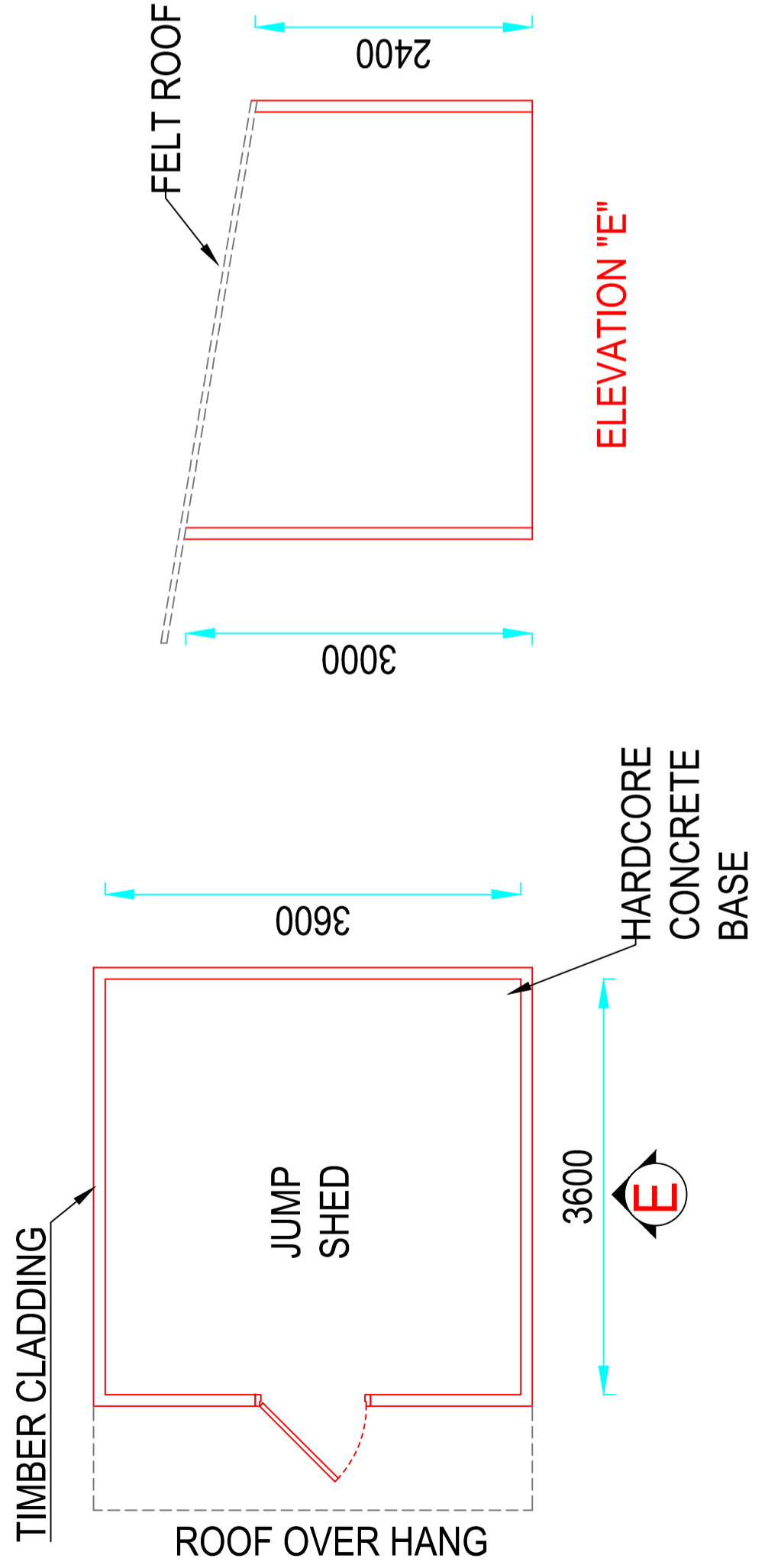
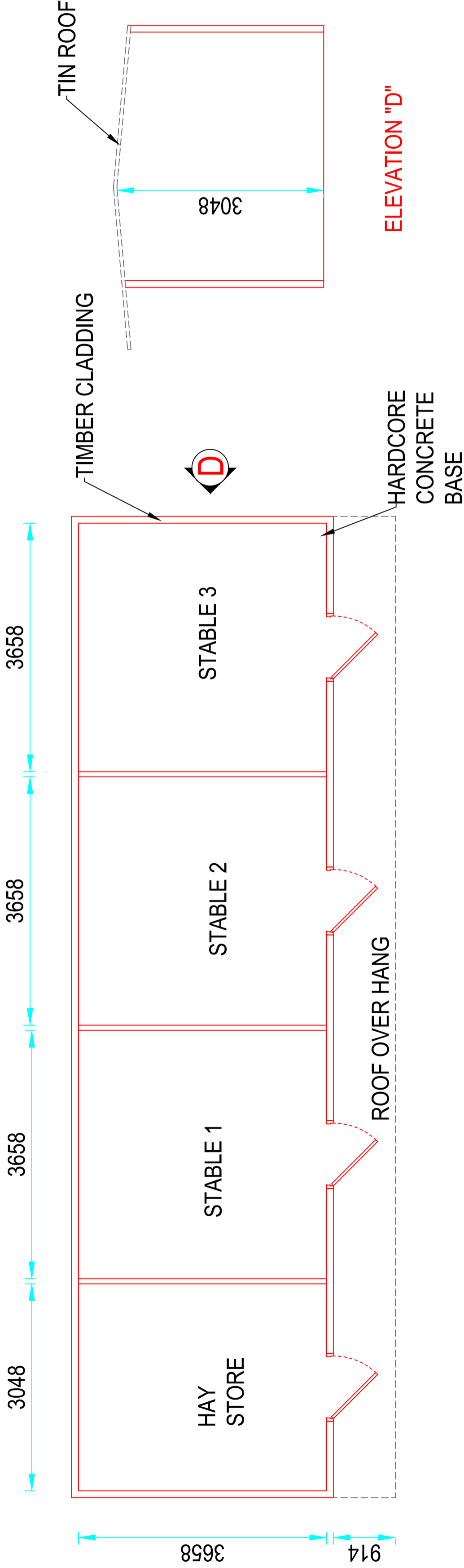
Section through 3-A

NOTES

All Dimensions in mm.
All Dimensions to be checked on site

REVISIONS

Rev	Description	Date	By	Checked
A	Extra notes added.	16/06/22	D.J.S.	S.D.
B	Client amended.	18/07/22	D.J.S.	S.D.



Client: MR & MRS DAVIS
Site: BOTLEY ROAD
CHILWORTH

Scale	1:50 @ A2	Dwg No.	DRE - B	Sheet	2
Drawn by	D. SIMCOCK	Date	08/06/2022	Checked by	T.D.
				Date	09/06/2022



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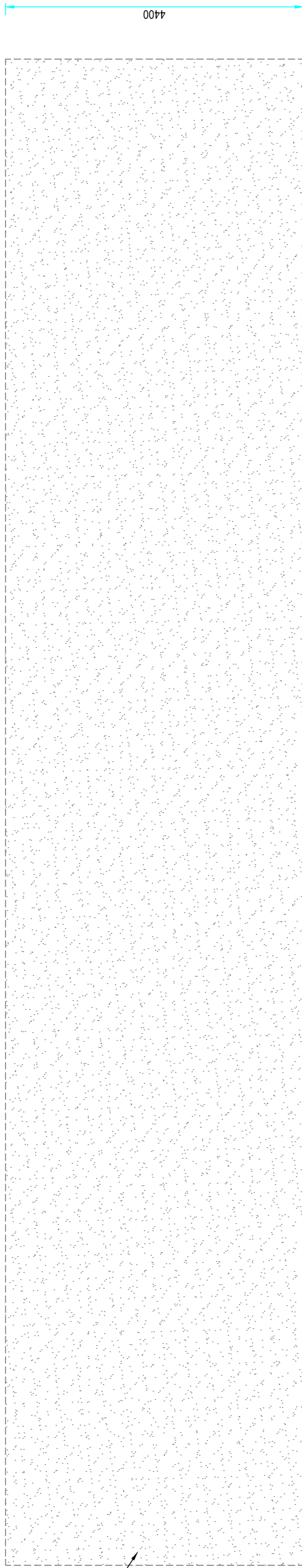
Fire Door Installation
Fire Door Maintenance
Fire Stopping Installation

NOTES

All Dimensions in mm.
All Dimensions to be checked on site

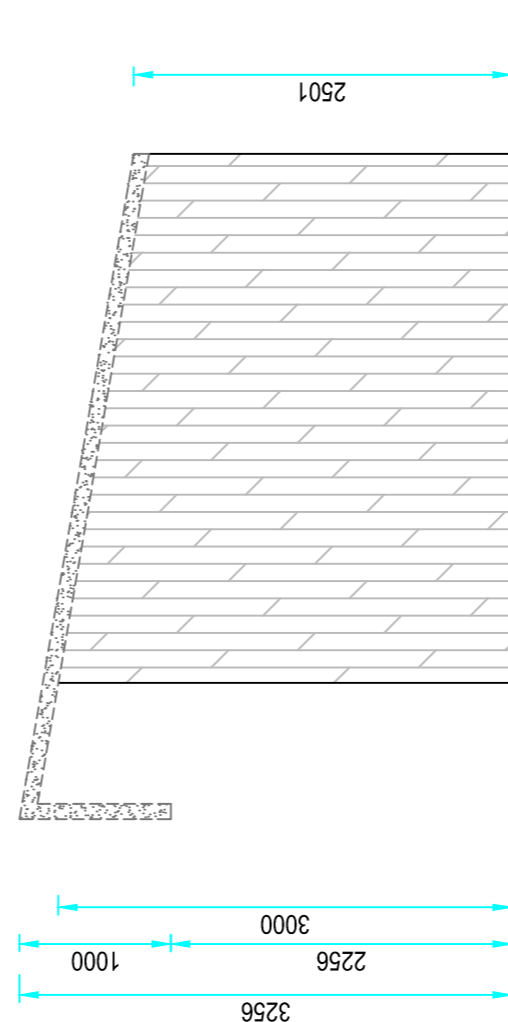
REVISIONS

Rev	Description	Date	By	Checked

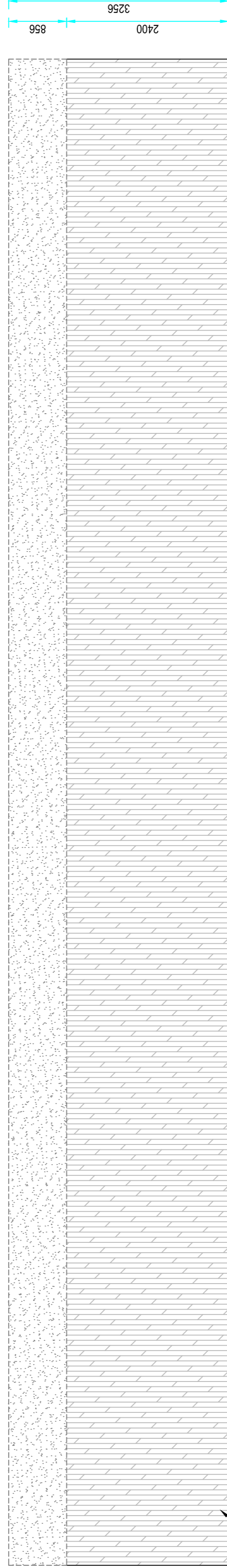


2272

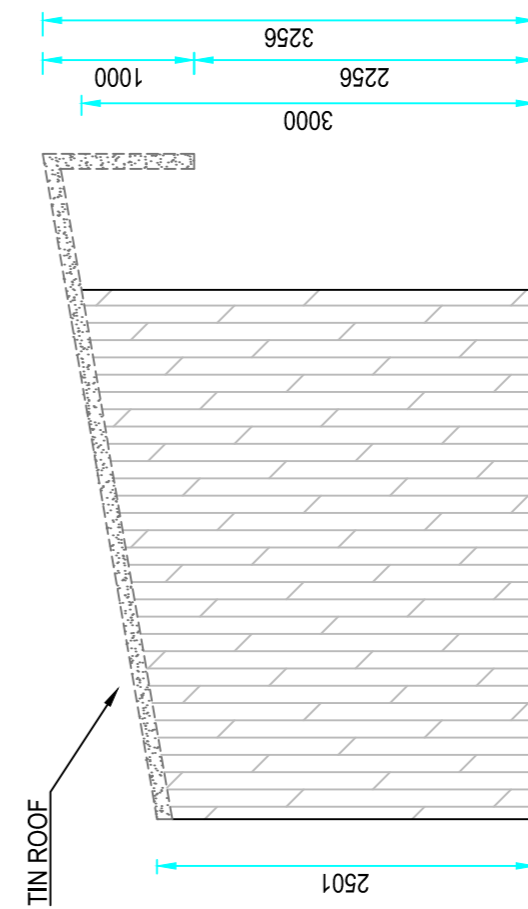
Roof plan



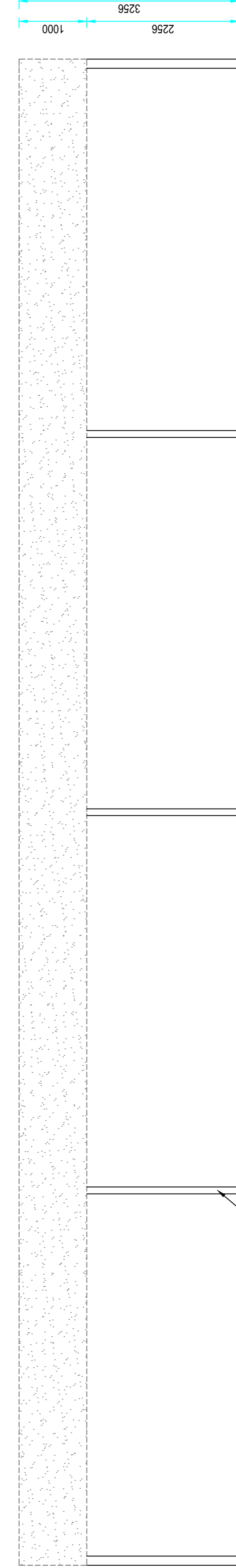
North elevation



West elevation



South elevation



East elevation

TIMBER FRAME WITH TIMBER CLADDING ALL SIDES

Hay barn elevations

Client: MR & MRS DAVIS
Site: BOTLEY ROAD
CHILWORTH

Scale	Draw No	Sheet
1:50 @ A1	DRE - D	4
Drawn by	Date	Checked by
D. SIMCOCK	08/06/2022	T.D.
Date	08/06/2022	

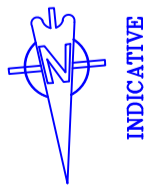


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Fire Door Installation
Fire Door Maintenance
Fire Stopping Installation

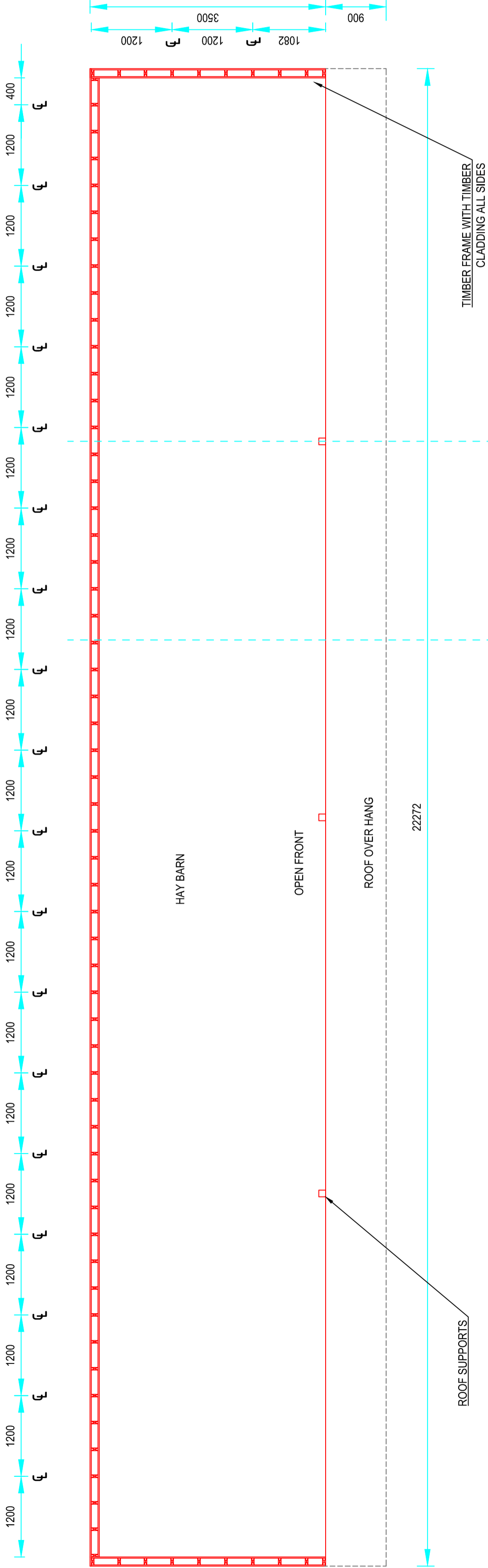


NOTES

All Dimensions in mm.
All Dimensions to be checked on site

REVISIONS

Rev	Description	Date	By	Checked
-	-	-	-	-



Hay barn details

Client: MR & MRS DAVIS
Site: BOTLEY ROAD
CHILWORTH

Scale: 1:50 @ A2
Dwg No.: DRE - D
Sheet: 3
Drawn by: D. SIMCOCK
Date: 08/06/2022
Checked by: T.D.
Date: 09/06/2022

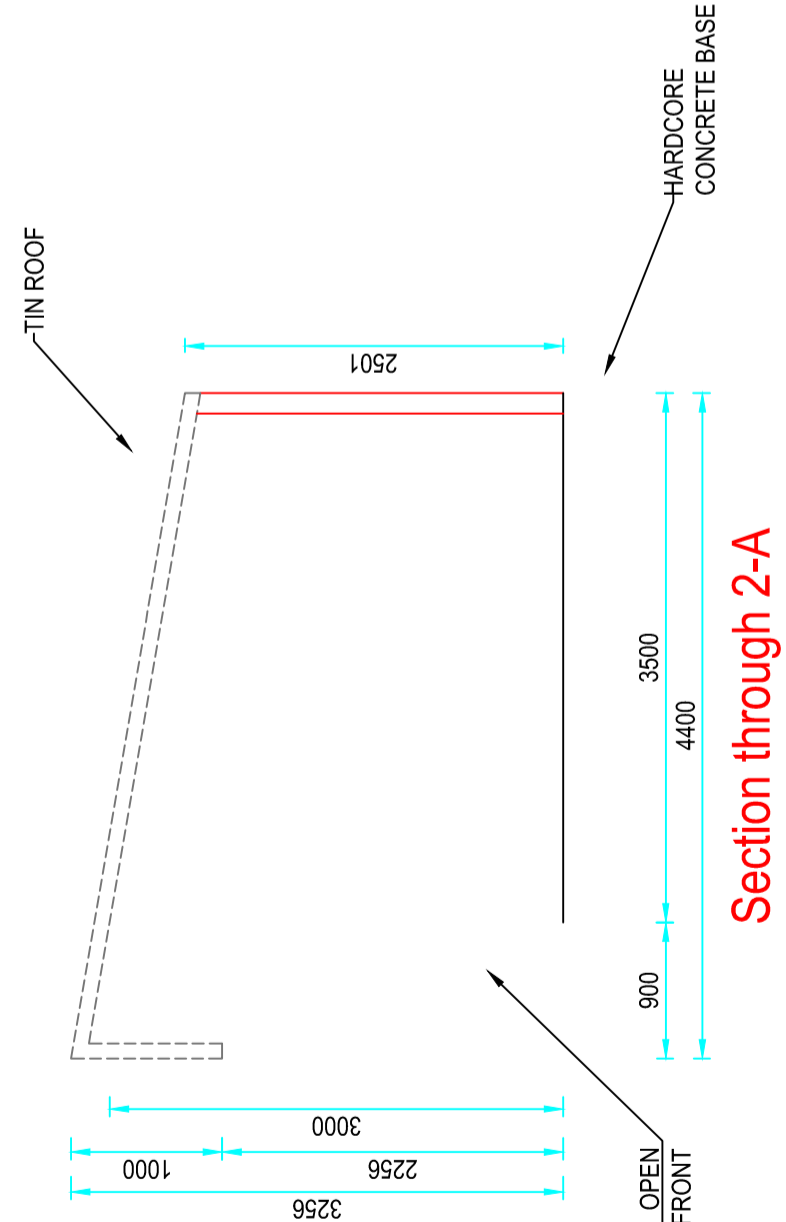
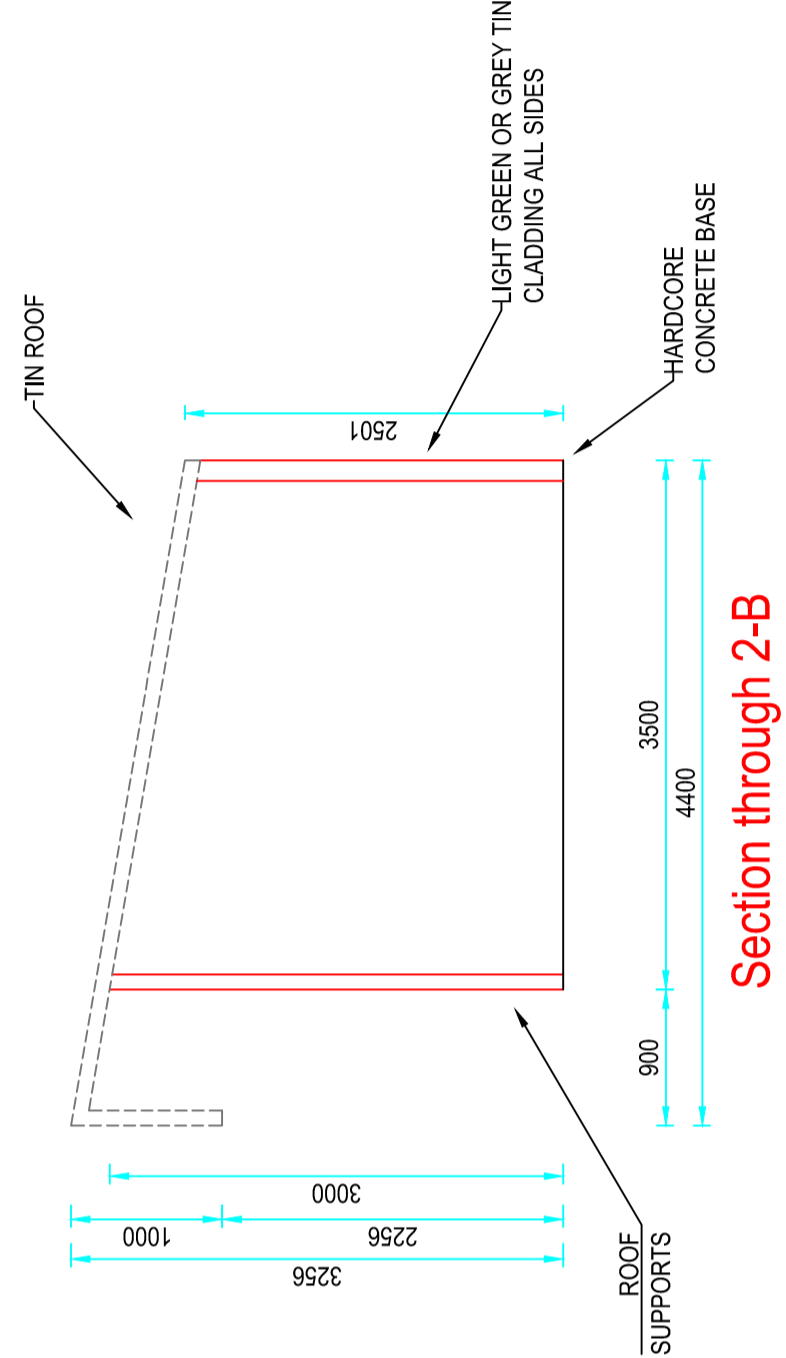


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Jump shed elevations

Client: MR & MRS DAVIS
 Site: BOTLEY ROAD
 CHILWORTH

Scale 1:50 @ A2 Dwg No. DRE - D Sheet 8
 Drawn by D. SIMCOCK Date 08/06/2022 Checked by T.D. Date 09/06/2022



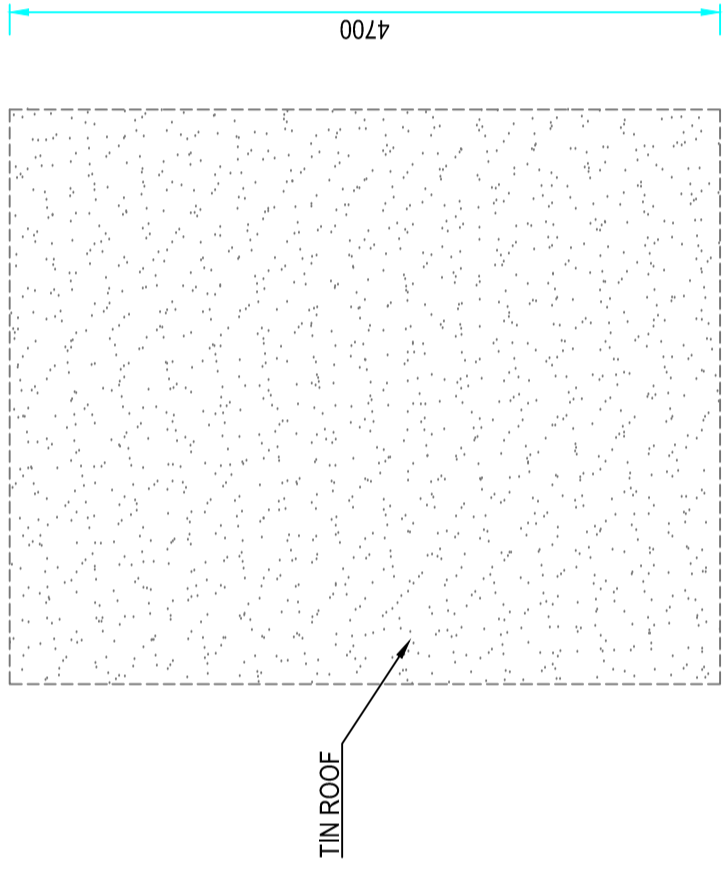
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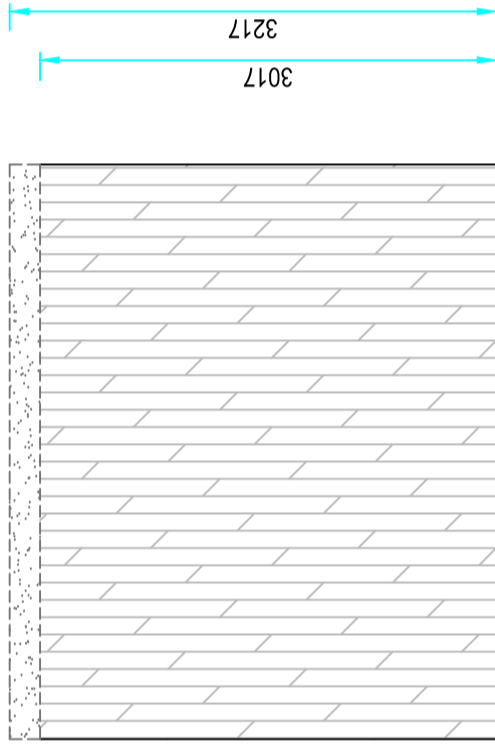


NOTES
 All Dimensions in mm.
 All Dimensions to be checked on site

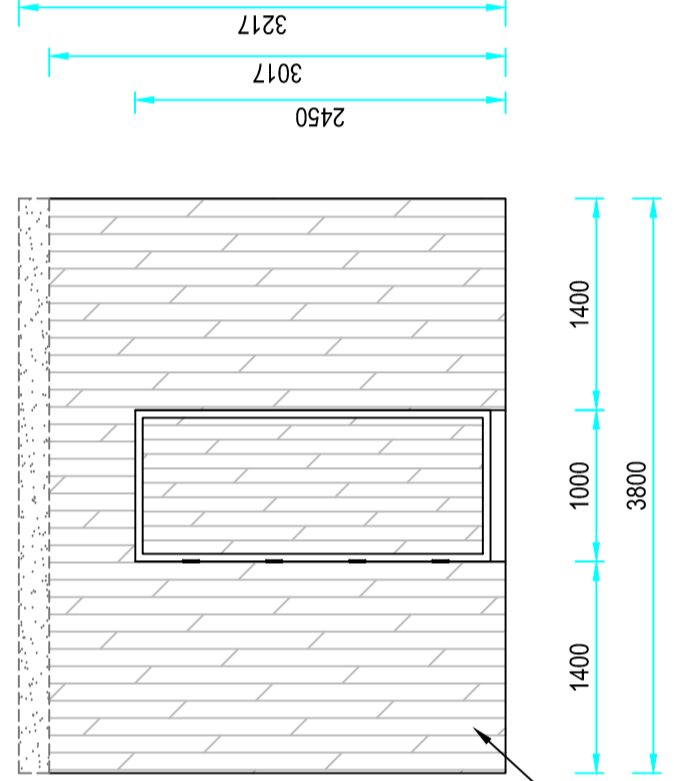
REVISIONS			
Rev	Description	Date	By
-	-	-	-
-	-	-	-



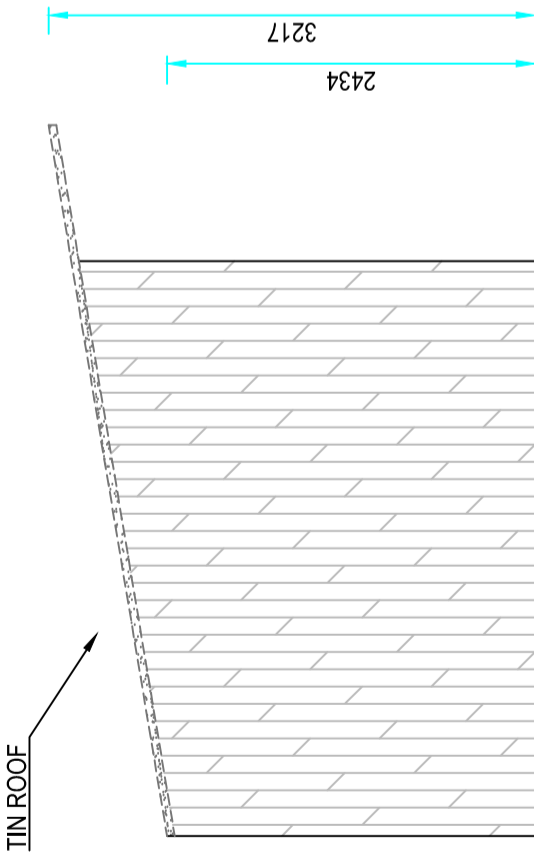
Roof plan



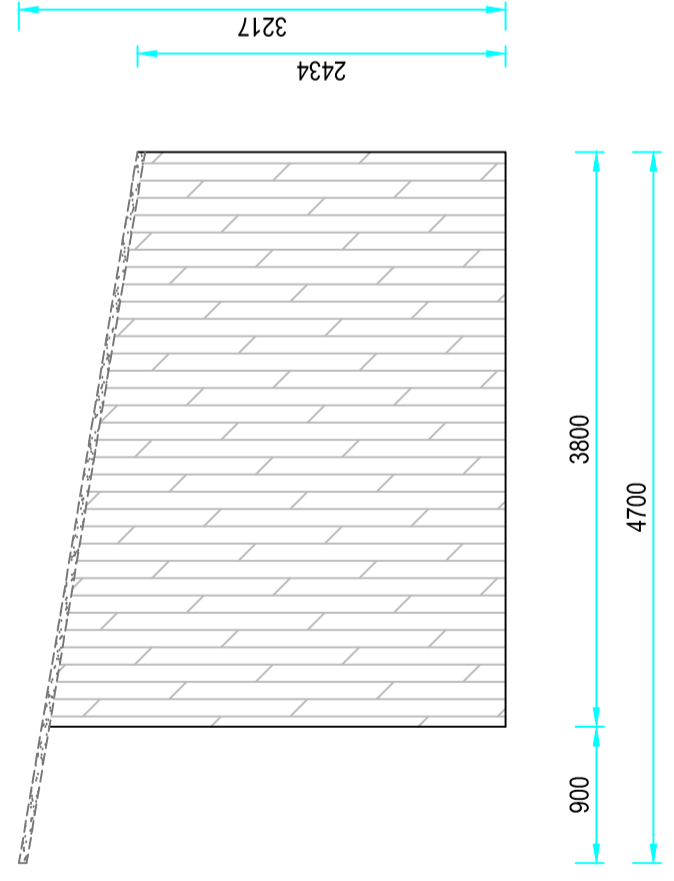
North elevation



South elevation



West elevation



East elevation

TIMBER FRAME WITH TIMBER
 CLADDING - ALL SIDES

NOTES

All Dimensions in mm..
All Dimensions to be checked on site

REVISIONS

Rev	Description	Date	By	Checked
-	-	-	-	-

Plot Valley Borough Council - Southern Area Planning Committee - 17 November 2023

Jump shed details

Client: MR & MRS DAVIS
Site: BOTLEY ROAD
CHILWORTH

Scale 1:50 @ A3
Dwg No. DRE - D
Drawn by D. SIMCOCK
Date 08/06/2022
Checked by T.D.
Date 09/06/2022



18 Monks Brook Park,
School Close, Chandlers Ford,
Eastleigh, Hampshire.
SO53 4RA

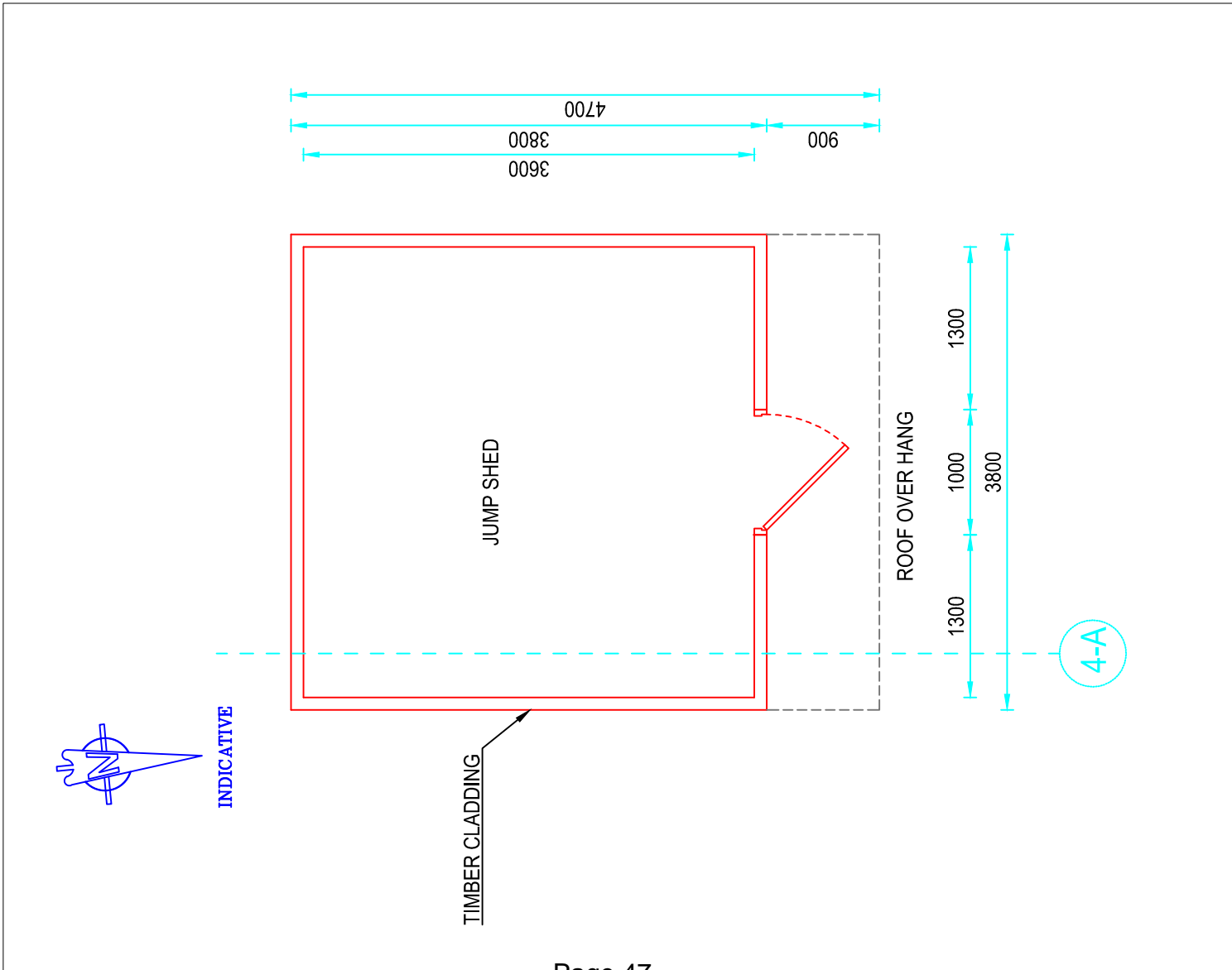
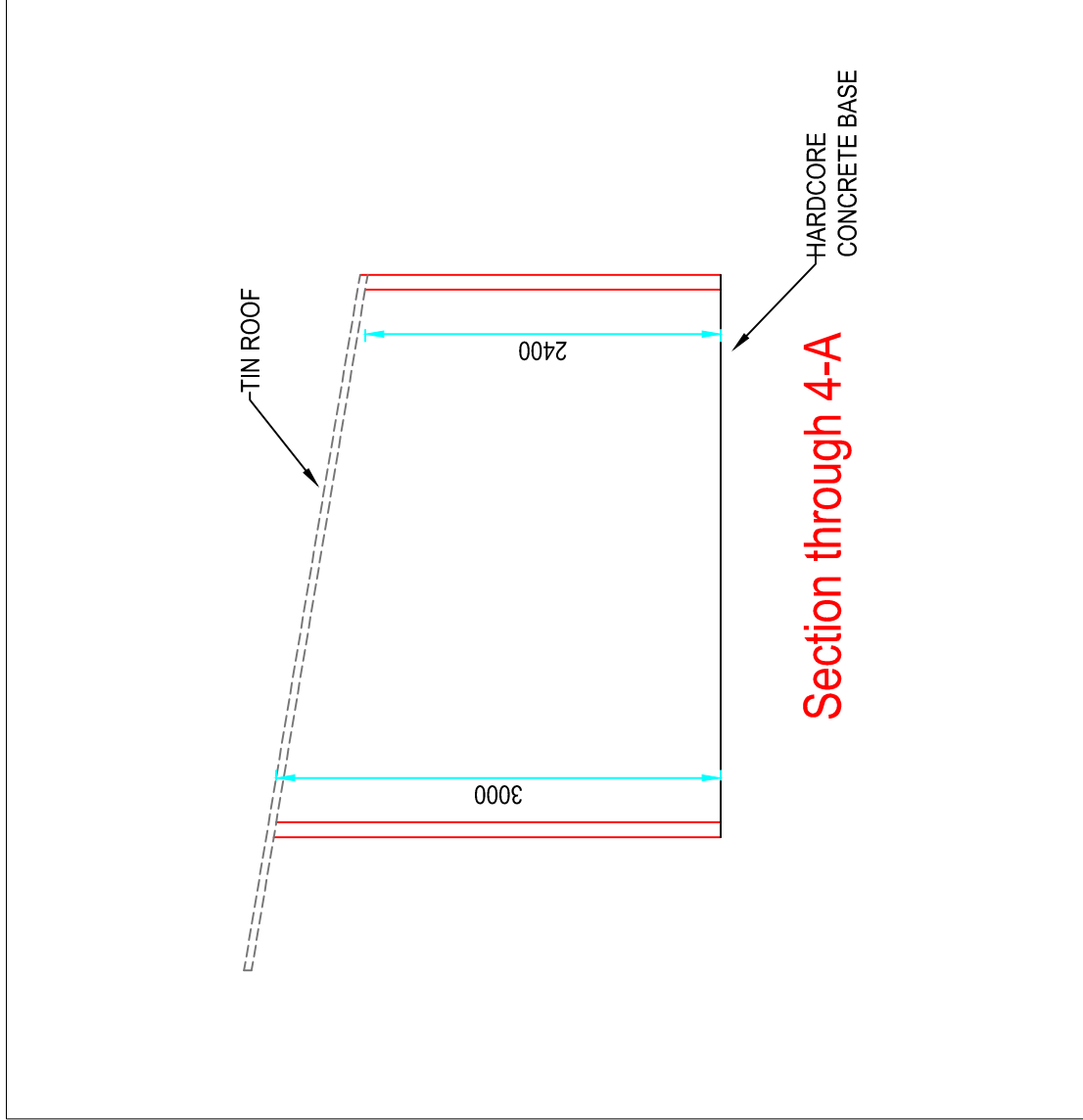
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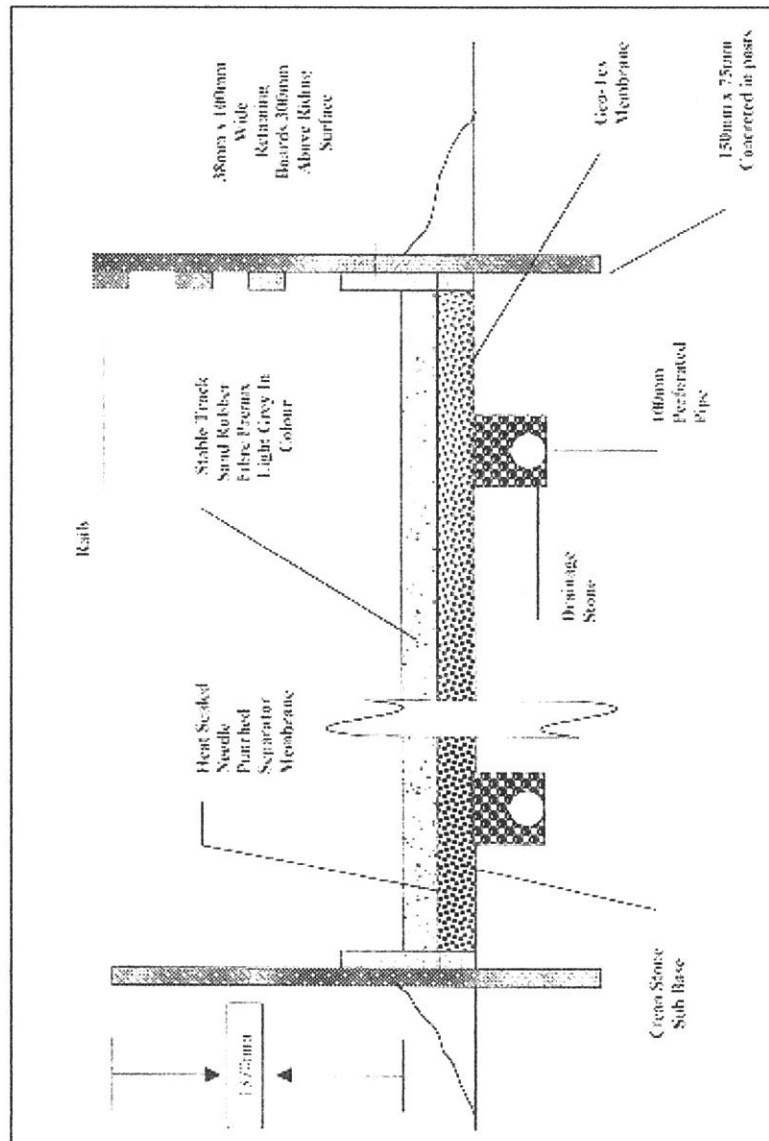
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ACCREDITED MEMBER

Fire Door Installation
Fire Door Maintenance
Fire Stopping Installation





Landscaping plan for proposed development at:

Land off Botley Road, Old Chilworth, Southampton SO16 7JP

