

7. **18/00877/FULLS (PERMISSION) 25.04.2018** 11 – 46  
SITE: Hyde Farm, Horsebridge Road, **BROUGHTON**  
  
**CASE OFFICER:** Sarah Appleton
8. **18/01719/FULLS (PERMISSION) 10.07.2018** 47 – 66  
SITE: Grain Buildings, Forest of Bere Estate,  
Moor Court Lane, **KING'S SOMBORNE**  
  
**CASE OFFICER:** Astrid Lynn
9. **18/01486/FULLS (PERMISSION) 03.08.2018** 67 – 79  
SITE: Winter Cottage, The Green, Pugs Hole,  
**WEST TYTHERLEY AND FRENCHMOOR**  
  
**CASE OFFICER:** Graham Melton
10. **18/02131/FULLS (PERMISSION) 09.08.2018** 80 – 90  
SITE: 6 Redlands Drive, Upper Timsbury,  
**MICHELMERSH AND TIMSBURY**  
  
**CASE OFFICER:** Graham Melton

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| <b>APPLICATION NO.</b> | 18/00877/FULLS   |
| <b>SITE</b>            | Hyde Farm , Horsebridge Road, Broughton, SO20<br>8BD, <b>BROUGHTON</b> |
| <b>COMMITTEE DATE</b>  | 30 <sup>th</sup> October 2018  |
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1.0 **CLARIFICATION OF AGENDA REPORT**

1.1 The agenda report includes some incomplete paragraph references.  
Clarification on these references is as follows.

1.2 Paragraph 8.18 of agenda report (page 25).

The first sentence of this paragraph should read:

*“In response to the guidance set out in the VDS, paragraphs 8.5 to 8.10 explain that the proposed development would be of a layout and the dwellings would be of a design/scale that reflects the existing character of this part of the village using vernacular materials.”*

1.3 Paragraph 8.21 of agenda report (page 25)

The second sentence should read:

*“Whilst, as discussed in paragraphs 8.5 to 8.15 above the proposals are not considered to have an impact on the character and appearance of the surrounding area as a whole, the conservation officer has concerns that the proposals would result in harm to the character of this part of the conservation area.”*

1.4 Paragraph 8.23 of agenda report (page 26)

The second sentence should read:

*“In this instance it is considered that the provision of housing, the requirement for the payment of the Community Infrastructure Levy and landscape improvements (see paragraphs 8.11 to 8.15 above) would amount to economic, social and environmental benefits that would weigh significantly in favour of the scheme when set against the level of harm identified in the above paragraphs.”*

1.5 Paragraph 8.28 of agenda report (page 27)

The first sentence should read:

*“As discussed at paragraph 8.24 the proposed dwellings would be set at a lower level than the existing dwellings along South Road.”*

2.0 **AMENDMENDED/ADDITIONAL PLANS**

2.1 Amended and additional plans were received on 26/10/2018. The amended plan shows the changes to some of the proposed tree species as requested by the Council's tree officer (see paragraph 8.14-8.15 of the agenda report). The additional plan shows the proposed locations of bird boxes within the site.

### 3.0 **ADDITIONAL REPRESENTATIONS**

3.1 **4 x Additional letters** objecting to the upgrading of the Public Right of Way (PROW) as detailed at paragraphs 8.37-8.39 of the agenda report. The issues raised are summarised as follows:

- Freehold owners of land where the footpath runs have not been notified/consulted on the proposed suggestion of upgrading the footpath and dedicating bridleway rights. Owners do not give their permission for their land to be used as such.
- Object to the upgrading of the footpath.
- Concerns that the footpath will be widened and would impact on adjacent trees and surrounding grazing livestock. Concerns about the proposed urbanisation of the footpath if the upgrade were to include the removal of existing gates/stiles and overhanging branches.
- Don't think that the upgrading of the footpath is a necessary condition to the planning approval.

### 4.0 **ADDITIONAL CONSULTATIONS**

4.1 **Highways** – No objection.

### 5.0 **PLANNING CONSIDERATIONS**

#### 5.1 Landscaping

Further to paragraph 2.1 above, an amended plan showing changes to some of the proposed species of trees as requested by the Council's tree officer has been submitted. The amended officer recommendation below reflects this.

5.2 As a result of further discussions with the Council's landscape officer, condition 3 (soft landscaping) on page 33 of the agenda report has been amended to ensure that an implementation scheme, which requires the applicant to replace any dead, diseased or defected trees/plants within 5 years is submitted to and approved by the Council. This will ensure that the proposed soft landscaping proposals are satisfactorily implemented.

5.3 In addition to the above, the amended condition will require the developer to undertake the soft landscaping proposals along the north west boundary adjacent to South Road before the development commences on the site. This will ensure that this important landscape feature has time to establish before the development is commenced. The applicant has agreed to such a condition being imposed on any permission.

#### 5.4 Ecology

Paragraph 8.47 of the agenda report relates to the impact the proposals would have on Swallows which are nesting in the existing buildings on the site. Subsequent to this, the applicant provided a plan which showed potential locations for replacement Swallow nests. However, the Council's ecologist did not consider that these locations would be suitable for this species which makes nest that are essentially open cups made out of mud stuck to the wall. The nests need to be under cover. Swallows typically nest in barns, stables,

open car ports and sheds etc.

5.5 As there are no suitable sites for Swallow nests within the site, the Council's ecologist requested the provision of more generalised bird boxes within the site. The applicant submitted a plan on the 26/10/2018 providing 4 nesting boxes, 2 within the site and 2 along the south west boundary (the plan is attached to this update paper). This plan is considered acceptable by the Council's ecologist who has advised that the provision of the bird boxes shown on the plan should be secured by a condition. This is reflected in the amended recommendation below.

5.6 Highways

In relation to the highways considerations at paragraphs 8.31-8.39 of the agenda report, further comments have been received from the highways officer at Hampshire County Council in relation to the impact the proposals would have on the local public highway network.

5.7 In relation to the utilisation of the TRICS data within the transport statement submitted by the applicant, the highways officer has commented that the TRICS data utilised only contains one site, which is not considered to be good practice and could be un-representative. However, in relation to this the highway officer confirms the following:

*"...the results of the interrogation results in the AM and PM trip rates of 0.611 and 0.544 per dwelling respectively. This level of trip rate is fully in line with widely regarded trip rates that would be experienced with new developments in such a location. In line with this, the assessment is considered sufficiently robust.*

*Based upon the above trip rates, a resultant traffic generation profile of circa 5-6 vehicle movements (two-way) would be expected. This level of traffic generation is considered immaterial when assessed in its own right or against existing back ground traffic levels in the vicinity.*

*In line with the above, the submitted assessment is considered fully representative and Highways Development Planning raises no objections to this development in that regard."*

5.8 Footpath

The Rights of Way officer at Hampshire County Council (HCC) was asked to comment on the additional concerns raised in relation to the update of the footpath detailed at paragraphs 8.37-8.38 of the agenda report. The Rights of Way Officer has confirmed that the paths in question are maintainable at public expense, meaning that the surface of the highway is vested with the County Council as Highway Authority. The highway authority is therefore able to change the surface of the path to accommodate use by the public and, whilst not obliged to, would normally contact the adjacent land owner to let them know.

5.9 With regards to the request for bridleway rights over the path, the highway authority would undertake a public consultation exercise where adjacent landowners would be able to provide comments to a necessary legal order.

## 5.10 Additional conditions

### *Levels*

Due to the differing ground levels within the site, it is considered appropriate to add a condition requiring the developer to submit details showing proposed ground levels of the development to ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees. Such details will be required prior to the commencement of development on the site. The applicant has agreed to the imposition of such a condition.

## 5.11 *Flood Risk Assessment*

A condition has been added to the officer recommendation requiring the proposed development to be undertaken in accordance with the submitted Flood Risk Assessment.

## 5.12 Legal agreement

A legal agreement securing financial contributions towards affordable housing and the upgrade of the adjacent footpath has not been completed. This is reflected in the amended officer recommendation below.

## 6.0 **AMENDED RECOMMENDATION**

**Delegate to the Head of Planning and Building subject to:**

- **Completion of a legal agreement to secure financial contributions towards:**
  - **Affordable Housing provision**
  - **Improvement of the adjacent Public Right of Way**

**then PERMISSION subject to the following amended conditions and notes:**

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. **Notwithstanding the submitted details no development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority.**  
**Development shall be carried out in accordance with the approved details.**  
**Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**
3. **Soft landscaping works shall be undertaken in full accordance with the 'Hyde Farm Broughton. Hants. Landscape Masterplan', Issue 9, August 2018/Oct 18.**  
**Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.**

- 4. No development shall take place until a schedule of landscape management and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The details shall include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme. The implementation programme shall confirm that the landscaping proposed on the north west boundary of the site, adjacent to South Road shall be implemented in the first planting season after the grant of this permission. The approved management plan shall be carried out in accordance with the implementation programme.**

**Reason: To ensure the provision of amenity afforded by proper maintenance of existing and new landscape features as an improvement of the appearance of the site and to enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.**
- 5. No development shall take place above DPC level of the development hereby permitted until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. Details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports). Implementation and maintenance details shall also be included. The landscape works shall be carried out in accordance with the approved details.**

**Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.**
- 6. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Arboricultural Impact Assessment (SJ Stephens Associates, Project number 805, report date 16 August 2018).**

**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.**
- 7. No development shall take place above DPC level of the development hereby permitted until a detailed biodiversity mitigation and enhancement strategy that includes (but is not limited to) specifications, locations of and management of features for nesting birds, roosting and foraging bats, and botanical/habitat interests has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details prior to the occupation of the new dwellings.**

**Reason: To enhance biodiversity in accordance with the Natural**

**Environment and Rural Communities Act 2006 and Policy E5 of the Test Valley Borough Revised Local Plan 2016.**

- 8. Details of any external lighting proposed shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of such lighting. The lighting scheme should demonstrate that existing boundary vegetation will remain unilluminated by new lighting. The lighting shall be installed in accordance with the approved details.**

**Reason: To avoid impacts to bat commuting and foraging activity and to improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E2 and E5.**

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

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

- 10. 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.**

- 11. No development shall take place above DPC level of the development hereby permitted until full details of all new windows and doors have been submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details.**

**Reason: To protect the character and appearance of the building and setting of adjacent conservation area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.**

- 12. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Flood Risk Assessment (Cole Easdon Consultants Limited, September 2018, Issue 7).**

**Reason: In the interest of water management in accordance with Test Valley Borough Revised Local Plan policy E7.**

- 13. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.**

**Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.**

14. Prior to the occupation of the dwellings hereby permitted bird boxes shall be installed within the site in accordance with the bird box plan submitted on 26 October 2018. The bird boxes shall be retained in perpetuity.

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

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

150504-02 Rev A – Site Location Plan

150504-100 Rev D – Site Plan

150504-109 Rev A – Block Plan

150504-101 Rev A – Plot 1 Design Scheme

150504-102 Rev A – Plot 2 Design Scheme

150504-103 Rev A – Plot 3 Design Scheme

150504-104 Rev A – Plot 4 Design Scheme

150504-105 Rev A – Plot 5 Design Scheme

150504-106 Rev A – Plot 6 Design Scheme

150504-107 Rev A – Plot 7 Design Scheme

150504-108 Rev A – Plots 8 & 9 Design Scheme

150504-110 – Cartsheds

Hyde Farm Broughton. Hants. Landscape Masterplan Issue 9  
August 2018/Oct 18

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

**Notes to applicant:**

1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
2. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.





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| <b>APPLICATION NO.</b> | 18/01719/FULLS   |
| <b>SITE</b>            | Grain Buildings, Forest Of Bere Estate, Moor Court Lane, SO20 6RA, <b>KINGS SOMBORNE</b> |
| <b>COMMITTEE DATE</b>  | 30 <sup>th</sup> October 2018  |
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**1.0 VIEWING PANEL**

- 1.1 A viewing Panel was held on 26<sup>th</sup> October 2018 at 3pm.  
Attendees: Cllr Anderdon; Cllr Bailey; Cllr Bundy; Cllr Finlay; Cllr Jeffrey; Cllr Richards, Cllr Ward.
- 1.2 Apologies: Cllr: Adams-King; Cllr Baverstock; Cllr Collier; Cllr A. Dowden; Cllr C. Dowden; Cllr Hibberd; Cllr Johnston, Cllr Tupper.

**2.0 RECOMMENDATION**

**Delegate to the Head of Planning and Building to secure a legal agreement to:**

- (i) control HGV routing arrangements; and**
- (ii) notify operators/drivers of such restrictions. Then:**

**PERMISSION subject to conditions 1 - 3, 5, and 10 - 11 and Notes 1 – 2 of the agenda report recommendation and updated conditions 4, 6 – 9 and note 3 as follows:**

4. **The development hereby permitted shall not be occupied unless or until the committed highways improvement works associated with Appeal Decision APP/C1760/C/14/2217061 comprising the provision of passing places on Chalk Vale, have been completed by Hampshire County Council.**  
**Reason: To ensure the impact of the development is mitigated in accordance with the Test Valley Borough Revised Local Plan (2016) Policy T1.**
6. **Prior to the commencement of the development full details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. The landscape works shall be carried out in accordance with the approved details.**  
**Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.**
7. **Prior to the commencement of the development a schedule of landscape management and maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority.**  
**The landscape management and maintenance shall be carried out in accordance with these details.**

**Reason: In the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.**

- 8. Prior to the first occupation of any building, a schedule of implementation for the landscape works approved under condition 6, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be undertaken in accordance with the approved details.**

**Reason: In the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.**

- 9. No machinery shall be operated on the land, no process shall be carried on and no deliveries taken at or dispatched from the land except between 0730 hours and 1800 hours Mondays to Fridays, and 0830 to 1300 hours on Saturdays. None of these activities shall take place on any Sunday nor on any day that is a Bank or Public Holiday.**

**Reason: In the interest of local amenity and in compliance with Test Valley Borough Revised Local Plan policies COM2 and LHW4.**

**Notes to applicant:**

- 3. Attention is drawn to the requirements of the Agreement (date of Legal Agreement to be inserted) under Section 106 of the Town and Country Planning Act 1990 which affects this development.**

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| <b>APPLICATION NO.</b> | 18/01486/FULLS   |
| <b>SITE</b>            | Winter Cottage, The Green, Pugs Hole, SP5 1LA,<br><b>WEST TYTHERLEY AND FRENCHMOOR</b> |
| <b>COMMITTEE DATE</b>  | 30 <sup>th</sup> October 2018  |
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## 1.0 REPRESENTATIONS

1.1 Following the publication of the Agenda, the following additional representations were received:

### **2 letters of objection: 61 The Green and 65 Red Lane (summarised):**

#### Principle of Development

- The NPPF does not give landowners a free reign to place solar panels on undeveloped fields without any consideration to whether the impacts of the proposal are acceptable.
- The impact of this proposal is unacceptable given that it will entail such a significant change to the local landscape, whilst delivering limited public benefit and only a small contribution to a low carbon economy.
- Paragraph 149 of the NPPF sets out that the long terms impacts on biodiversity and landscape should be taken into account and paragraph 170 requires that decisions should protect and enhance valued landscapes as well as recognising the intrinsic character and beauty of the landscape.
- When read in conjunction with LCA3C, it is clear that the proposal is not supported by the NPPF because it is not sympathetic to the intrinsic character of LCA3C.

#### Impact on the character and appearance of the area

- The amended positioning is more visible than the original.
- Amendments will result in four small, but highly significant, changes in relation to LCA3C Landscape Character area.
- Amended proposal will result in greater encroachment on the unbuilt landscape area; introduce a non-native species of planting; create a boundary within an existing open area to diminish the contrast between woodland and open field as well as placing an unspecified hedgerow that cannot be properly assessed.
- Therefore amendments do not overcome previous concerns.
- The proposed development is in close proximity to the public footpaths and will permanently reduce the opportunities to enjoy the secluded open vistas across open fields bordered by native woodland which characterise this part of Test Valley.
- Due to the existing outbuildings on their property, the applicants will only get glimpse views of the proposal.
- The glimpse views that the surrounding countryside will get of the application site, these will become panoramic views in the winter.
- By the end of November the hedges are cut and lowered, from Lye Farm up to nearly Winter Cottage this will provide front of house seats.

- Confused and concerned about the planting of Leylandii.
- The applicants have previously requested chopping down existing off-site trees, subject to TPOs and now they seem to be growing us in with the things.
- At the moment, we have a glimpse of an open field with light, in a minute our glimpse will be taken away by solar panels and unwelcome trees.
- If these pretty paddocks are to be marred by these rather ugly things, what a precedent to set for our poor village, by all means have them on the roof like everyone else in the village.
- Solar panels on roofs of existing buildings represent the best way to integrate into our beautiful historic, natural and built environments.

#### Other Matters

- It is noted that no elevation drawing for the northern elevation has been provided, which is important due to its proximity to public footpaths.
- No details on any ancillary electrical equipment, infrastructure and cable runs have been supplied, the scheme cannot be properly assessed without this information.

## 2.0 **CONSIDERATIONS**

### 2.1 Principle of development

Paragraphs 8.2 through to 8.7 of the Agenda report set out that the proposal qualifies as renewable energy development and consequently, there is no requirement to demonstrate a need for the proposal for it to be considered acceptable in principle, in accordance with the guidance in the NPPF and Local Plan. The requirements of paragraphs 149 and 170 of the NPPF, to assess the impact of the proposal on the landscape and biodiversity, is undertaken in paragraphs 8.8 through to 8.14 of the Agenda report in conjunction with paragraph 2.2 below.

### 2.2 Impact on the character and appearance of the area

The impact of the amended proposed scheme on the character of the wider landscape is assessed in paragraphs 8.8 through to 8.12 of the Agenda report. The details of the implementation and maintenance of the proposed landscaping is secured by condition 4 of the Officer recommendation and the landscape officer has confirmed that the proposed species is acceptable.

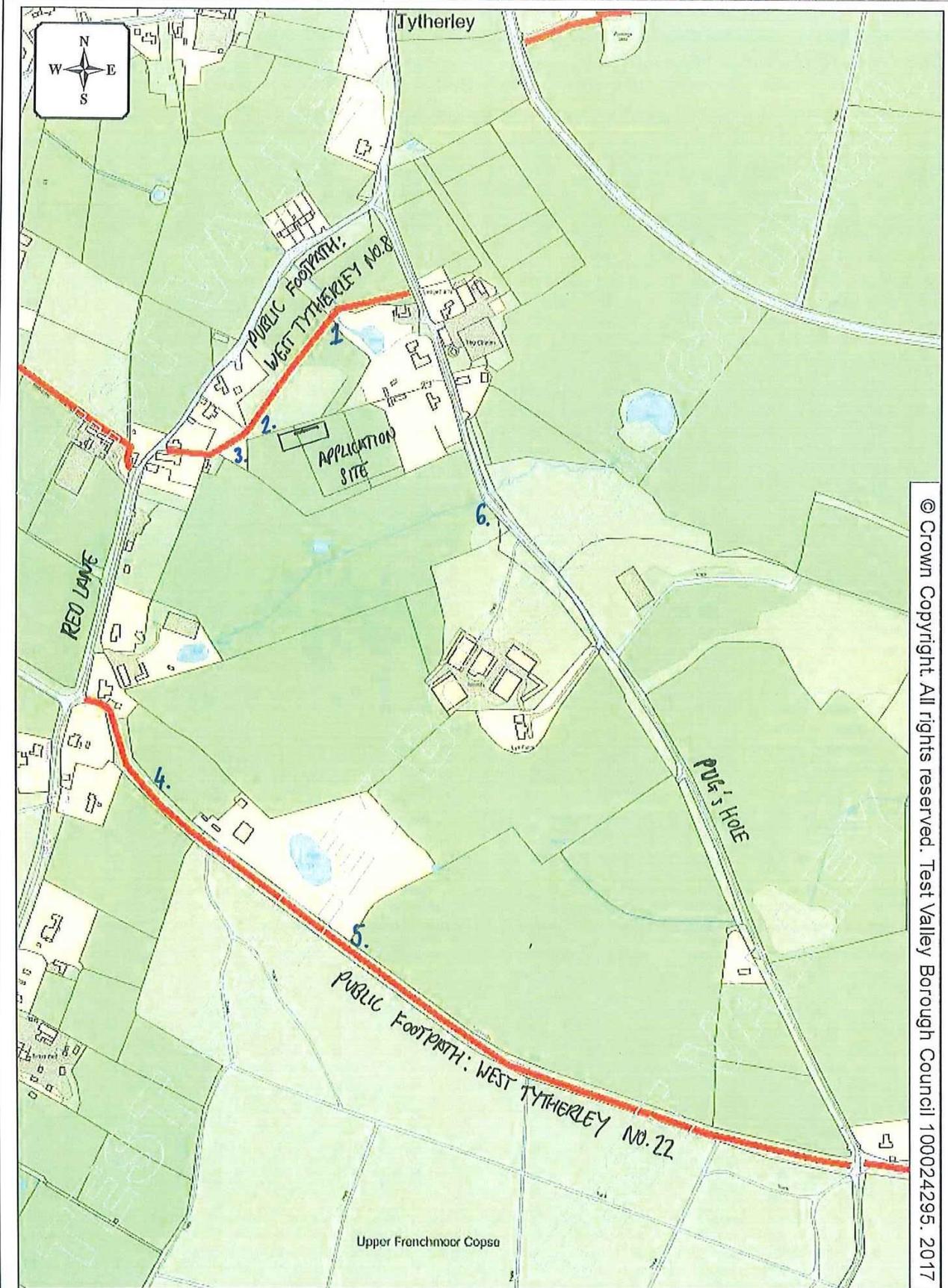
2.3 To aid the understanding and orientation of the Officer's photograph presentation, an indicative map has been provided as **Appendix A** to this update paper.

### 2.4 Other Matters

The applicant has confirmed that any ancillary electric equipment will be contained within the existing outbuildings within the property of Winter Cottage, with the exception of an underground cable. It is considered that sufficient information regarding the specification and siting of the proposal has been provided to determine the application.

## 3.0 **RECOMMENDATION**

3.1 No change.



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Scale: 5,000  
Date: 29/10/2018  
Drawn: GM  
Dept:  
Doc:

**Test Valley Borough  
Council Mapping**



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| <b>APPLICATION NO.</b> | 18/02131/FULLS   |
| <b>SITE</b>            | 6 Redlands Drive, Upper Timsbury, SO51 0AG,<br><b>MICHELMERSH AND TIMSBURY</b> |
| <b>COMMITTEE DATE</b>  | 30 <sup>th</sup> October 2018  |
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1.0 **VIEWING PANEL**

1.1 A viewing panel was held on Friday 26<sup>th</sup> October at 14:00 with Councillors Anderdon, Bailey, Bundy, Finlay, Jeffrey, Johnston, Richards and Ward. Apologies were received from Councillors Adams-King, Baverstock, Collier, A. Dowden, C. Dowden, Hibberd and Tupper.

2.0 **RECOMMENDATION**

2.1 No change.