
APPLICATION NO.	19/00428/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	21.02.2019
APPLICANT	Mr Derek Douch
SITE	4 Fairways, Weyhill, Andover, SP11 8DW AMPORT
PROPOSAL	Erection of attached dwelling and construction of vehicular access
AMENDMENTS	Received on 26.04.2019: <ul style="list-style-type: none">• Details – Amended proposed visibility splays Received on 01.04.2019: <ul style="list-style-type: none">• Amended Proposed Composite Plan (reflecting additional window detailing)• Details – Proposed visibility splays
CASE OFFICER	Mr Graham Melton

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee at the request of a Local Ward member.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is a two storey, end of terrace property located on the east side of Fairways in the close proximity to the junction with Fyfield Road to the north.

2.2 The property is in the settlement area of Weyhill.

3.0 PROPOSAL

3.1 The proposal is for an additional 3-bedroom dwelling on site, facilitated by the erection of a two storey extension measuring approximately 6.6m (length) by 6.2m (width) by 6.6m (height), to adjoin the side (west) elevation of the existing dwelling.

3.2 In addition, the proposed dwelling also includes a single storey front (north) porch, measuring approximately 2.7m by 1.6m by 3.2m.

3.3 The proposed dwelling would be served by a new vehicular access onto Fairways and driveway area providing 2 car parking spaces, located on the side (western) boundary of the plot. The existing vehicular access and parking area located at the rear (south) of the plot will be retained for the existing dwelling.

3.4 The application has amended to include the submission of visibility splay drawings and the addition of ground floor windows on the side (west) elevation.

4.0 **RECENT HISTORY**

4.1 **18/03333/FULLN** - Front porch, new first floor front elevation. *Permission subject to conditions and notes, decision issued on 14.02.2019.*

5.0 **CONSULTATIONS**

5.1 **Ecology** – No objection subject to conditions.

5.2 **Highways** – No objection subject to conditions.

5.3 **Natural England** – No objection subject to securing mitigation.

6.0 **REPRESENTATIONS** Expired 17.04.2019

6.1 **Amport Parish Council** – Objection.

- Overbearing development, with highway concerns close to the road junction
- The PC also has concerns over the parking in this busy close

6.2 **2 letters from 45 Fairways 2 letters with addresses unattached** – Objection (summarised).

Impact on the character and appearance of the area

- Feel that a house on the end would not fit with the houses going the other way up fairways, it would stick out quite a lot

Highways

- There is already very limited parking in Fairways and two 3 bedroom houses could generate 6-8 more cars
- The applicant currently has 3 vehicles, one on the verge, one on the driveway and one on the road with 2 people living there
- Most modern households have more than 2 cars, concerned that proposal will end up with parking on the narrow road and pavement
- Children play out on the road in the summer and parked cars on the road are a hazard
- The proposed layout shows that the current driveway will be lengthened but human nature is to leave one car on the road rather than swapping them around, as it is easier

6.3 **1 letter in total from 37 Fairways** – Comment (summarised).

- The application references the existing perimeter hedge is to be retained but this was removed months ago, leaving residents exposed to the unsightly mess of building materials
- Concerned about the impression it leaves for those trying to sell or let their homes in the street
- Also concerned that it exposes local children to a number of hazards should they venture across the non-existent boundary into the garden

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

Policy SD1: Presumption in Favour of Sustainable Development

Policy COM2: Settlement Hierarchy

Policy E1: High Quality Development in the Borough

Policy E5: Biodiversity

Policy E7: Water Management

Policy LHW4: Amenity

Policy T1: Managing Movement

Policy T2: Parking Standards

7.3 Supplementary Planning Documents (SPD)

Amport Village Design Statement (2008)

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on the amenity of neighbouring property
- Ecology
- Water Management
- Highways

8.2 **Principle of development**

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

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

Policy E1 of the TVBRLP is pertinent to design and the impact on the character of the area, stating as follows:

Development will be permitted if it is of a high quality in terms of design and local distinctiveness. To achieve this development:

a) should integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles;

- 8.4 In this instance, the application site is a corner plot and therefore the proposed development would be seen in context with both the street scene of Fyfield Road to the north, as well as Fairways to the west. With regard to the existing characteristics of Fyfield Road, it is considered that there is a characteristic of spaciousness arising from the significant setback distance of properties and a substantial grass verge adjacent to the front (north) boundary of the application site. By comparison, the existing street scene of Fairways is comparatively more enclosed due to the presence of substantial hedgerows and low boundary walls adjacent to the public footpath.
- 8.5 With regard to the impact of the proposed development, it is noted that the proposal would adjoin the existing end property of the existing terraced dwellings and project towards the public highway of Fairways. Consequently, aside from the modest proposed porch addition, there would be no significant projection beyond the existing building line towards Fyfield Road, with a large section of undeveloped garden space also retained at the front (north) of the plot. As a result, it is considered that the proposed layout would avoid any visual detriment to the existing street scene of Fyfield Road.
- 8.6 In relation to the impact of the proposed scheme on the existing street scene of Fairways, the side (west) elevation of the proposed dwelling would be located approximately 4.8m from the public footpath that adjoins this boundary of the application site. In conjunction with the proposed hipped roof finish that serves to reduce the visual appearance of the additional massing, it is considered the retained intervening distance is sufficient to avoid an overly enclosing or unduly visually prominent impact when viewed from Fairways.
- 8.7 To avoid the presentation of a blank elevation towards Fairways, additional window detailing has been included and the proposal would utilise matching external materials throughout. With regard to boundary treatments, the submitted site plan shows the western boundary demarcated with hedgerows that would complement the existing hedgerows already present within the street scene.
- 8.8 On this matter, the removal of the previous hedgerows onsite, as raised by the third party representation, is noted. Given the visual prominence of this section of the application site and the requirement for the proposed scheme to subdivide the existing plot to provide an additional private garden space (as covered in the section below), it is considered necessary and appropriate to secure the submission of the specification, implementation programme and maintenance details of hedgerow planting to cover the entire length of the western boundary. The imposition of this condition as part of the recommendation would ensure the establishment of a mature hedgerow along the western boundary of the application site with the exception of a gap for the proposed vehicle access point. As a result, it is considered that the appearance of the proposed scheme would integrate and respect the settlement character of the area.

8.9 Following the assessment undertaken above, it is considered therefore that the proposed development would integrate with the existing character of the settlement area. Consequently, the application is in accordance with Policy E1 of the TVBRLP.

8.10 Impact on the amenity of neighbouring property

Privacy

The proposed development includes the provision of windows in the front (north), side (west) and rear (south) elevations. With regard to the windows in the front (north) elevation, it would only be possible to obtain oblique views of the front garden area for the existing dwelling and as such, it is not considered that this would result in an adverse overlooking impact. In relation to the ground floor, high-level windows in the side (west) elevation, these would face the public highway with the existing vegetation screening present at no. 47 Fairways screening any views of the property directly opposite.

8.11 The proposed rear (south) elevation includes both ground floor and first floor fenestration, with the proposed boundary fence enclosing the rear (south) garden area providing sufficient screening from the ground floor elements. With regard to the two first floor windows, it is acknowledged that oblique views of the residential garden of the existing property will be possible. However, due to the presence of first floor windows at the adjoining property on the other side, no. 3 Fairways, this amount of overlooking is not considered to be materially significant.

8.12 In relation to the potential impact on 5 Fairways, as the neighbouring property directly opposite the rear (south) elevation, given the presence of first floor windows already in the corresponding elevation of the existing dwelling, it is not considered that the proposal would materially alter the current level of privacy for this neighbouring property. Therefore, it is considered that the proposal adequately provides for the privacy of neighbouring properties, in accordance with criterion (a) of Policy LHW4.

8.13 Daylight/Sunlight Provision

Due to the orientation of the proposed development, any additional shadow would fall within the application site itself and adjoining public highway. As a result, it is not considered that the proposed scheme would materially impact the existing level of daylight or sunlight provision for any neighbouring property.

8.14 Private Open Space

The proposed site plan demonstrates the provision of private garden space measuring approximately 60m² for the existing dwelling and approximately 80m² for the proposed dwelling. Sufficient privacy from the public realm for the garden space serving the proposed dwelling will be provided by the establishment of a hedgerow along the western boundary of the application site. Consequently, it is considered that the proposal sufficiently provides for the amenity of the occupants for both the existing and proposed dwellings, complying with criterion (b) of Policy LHW4. As a result, the application is in accordance with Policy LHW4 of the TVBRLP as a whole.

8.15 **Ecology**

On-site biodiversity

The location of the proposed development currently comprises an area of maintained lawn and therefore it is not considered that the proposal would not result in any adverse impacts on existing habitat or on-site ecology.

8.16 Off-site biodiversity: Nutrient Neutrality (Solent and Southampton Water SPA)

Natural England advises that there are high levels of nitrogen and phosphorus input to the water environment of the Solent region caused by wastewater from existing housing and from agricultural sources and that these nutrients are causing eutrophication at the designated nature conservation sites which includes the Solent Water SPA. This results in dense mats of green algae that are impacting on the Solent's protected habitats and bird species.

8.17 Natural England advises that one way to address the uncertainty is to achieve nutrient neutrality whereby an individual scheme would not add to nutrient burdens. In this instance, a nutrient budget calculation was undertaken identifying that the proposed scheme, in the absence of any mitigation generated, will generate a total additional nitrate output of 2.9kg/N/yr.

8.18 To address this issue, Test Valley Borough Council has implemented a strategic nitrate offsetting mitigation scheme. This strategic scheme comprises the offsetting of agricultural land previously utilised for the purposes of pig farming, located at Roke Manor Farm, Awbridge.

8.19 Evidence of this historic land use at Roke has been provided to Natural England and no objection has been raised to this classification. Following the completion of a legal agreement with the landowner, this land is now being removed from agricultural use in accordance with a set timetable set out in the associated management plan. The management plan also includes a schedule of ongoing maintenance, preventing any future agricultural use onsite with Natural England raising no objection to the timetable and ongoing maintenance measures set out in the management plan.

8.20 Following the implementation of this strategic offsetting scheme at Roke, a substantial net reduction in nitrate loading within the Solent catchment area would be achieved. This overall net reduction is utilised as nitrate 'credits', whereby a tariff of financial contributions is calculated based on the cost of implementing and maintaining the strategic offsetting scheme per kg/TN/yr saved. Currently, the financial contribution is £3,000 per kilogram total nitrogen (and this comprises a "credit") to be offset, with the methodology of calculating the financial cost monitored and kept under review as well as subject to indexation. In addition, an administration fee of £100, which is also kept under review, is incurred from the monitoring of s106 agreements.

8.21 To monitor the purchasing of nitrate credits and to prevent any possibility of credits for the same land being bought twice, Test Valley Borough Council maintains a record of credits purchased such that credits are only made available to applicants where that credit exists. In this instance, sufficient capacity exists to offset the nitrate loading generated by the proposed development subject to the securing of the financial contribution calculated as follows:

2.9Kg/TN/yr x £3,000 per kg = £8,700

- 8.22 This financial contribution will be secured through the completion of a legal agreement prior to determination. In addition, a Grampian condition will also be necessary to ensure that the development is not occupied until the land at Roke ceases to be under agricultural use, in order to allow the management plan to be implemented. Given the previous completion of the legal agreement between the landowner at Roke and TVBC, it is considered that there is a reasonable prospect of the strategic nitrate offsetting scheme being implemented and therefore, the application of a Grampian condition is appropriate.
- 8.23 On this basis, an appropriate assessment has been completed concluding that the proposal would achieve nutrient neutrality, with no objection being raised by Natural England to the conclusions reached. As a result, the proposed development would not result in adverse effects on the Solent designated sites through water quality impacts arising from nitrate generation and the application is in accordance with Policy E5 of the TVBRLP.
- 8.24 **Water Management**
Policy E7 relates to water management and seeks to ensure that development will not adversely impact ground water resources and complies with national guidance on flood risk and water efficiency. In this instance, the proposed dwelling is not located in position that would result in the deterioration of water quality and the application site is not within a Groundwater Protection Zone. In addition, as the application site is positioned within Flood Zone 1 then it is considered that the proposal complies with the national and policy guidance on flood risk and subsequently, complies with criterion (b). With regard to criterion (d), a condition is attached to cover this requirement and therefore, the application is in accordance with Policy E7 of the TVBRLP.
- 8.25 **Highways**
Access
The existing dwelling would utilise the existing vehicular access onto 4 Fairways, with the proposed dwelling served by a new access located adjacent to the side (west) boundary of the application site. In response to initial concerns raised by the Highways Officer, details of the visibility splay from both existing and proposed accesses were submitted.
- 8.26 This additional drawing demonstrates that a visibility splay of at least 43m can be achieved from both accesses in both directions, in accordance with the standards set out in Hampshire County Council's Technical Guidance note (TG3). As a result, it is not considered that there will be any adverse harm to the highway safety of the local road network from the utilisation of either access, with the Highways Officer confirming no objection in response to the additional detail provided. Therefore, the application is in accordance with Policy T1 of the TVBRLP. Conditions have been added to ensure the retention of the proposed visibility splays in perpetuity and the use of a non-migratory material.

8.27 Parking

The proposed site plan demonstrates the provision of two on-site car parking spaces for both the existing and proposed dwelling, in accordance with the minimum car parking standards as set out in Annexe G and Policy T2 of the TVBRLP.

8.28 As such, whilst the concerns raised within the 3rd party representations are noted, due to compliance with the minimum parking standards set out in the TVBRLP it is considered that the proposed parking provision is acceptable. To ensure that the proposed parking is implemented prior to occupation of the proposed development, a condition has been added securing this detail.

8.29 Other Matters

A third party representation has been received raising concern about the unsightly appearance of the existing property and the potential hazards to residents accessing the property, following the removal of a previous hedgerow onsite. As identified above, the recommendation includes the submission of planting details to ensure the successful establishment of a replacement hedgerow onsite. With regard to the alleged unsightly appearance of the application site currently, there are other possible, available controls outside of the planning application process (such as section 215 Untidy land notices) that can be pursued if necessary.

9.0 **CONCLUSION**

9.1 The proposal is considered acceptable and in accordance with the policies of the TVBRLP.

9.2 This recommendation is subject to the completion of a legal agreement to secure the financial contribution of £8,700 (plus £100 administration fee) towards the strategic nitrate offsetting scheme at Roke Manor Farm.

10.0 **RECOMMENDATION**

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

- **The completion of a legal agreement to secure a financial contribution towards the strategic nitrate offsetting scheme at Roke Manor Farm, to ensure the development achieves nutrient neutrality**

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 (2919-02)**
- **Proposed Composite Plan (2919-01 Rev A)**
- **Details – Visibility Splays (2919-03 Rev A)**

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

- 3. The external materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.**
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Policy E1 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. Prior to the first occupation of development the access shall be constructed with the visibility splays of 43 metres by 2 metres and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1 metre above the level of the existing carriageway at any time.**
Reason: In the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).
- 6. At least the first 6 metres of the access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.**
Reason: In the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).
- 7. The development shall not be occupied until space has been laid out and provided for the parking of vehicles 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 Policy T1 of the Test Valley Borough Revised Local Plan (2016).
- 8. The development hereby permitted shall not be permitted to be occupied until agricultural activity on that part of the land at Roke Manor Farm to which the legal agreement that accompanies this planning permission, has ceased. This being no earlier than 31st October 2021, in accordance with the Holbury Consultancy Roke Manor Farm Nitrate Mitigation scheme report (dated May 2021).**
Reason: To ensure the mitigation required to prevent the adverse effect that arises from premature occupation (relative to when the mitigation will be in place) does not adversely affect the special interest of the Solent and Southampton Water Special Protection Area, in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016), and the Habitats Regulations.

9. **Notwithstanding the details on the submitted site plan, the development hereby permitted shall not be occupied until the specification, implementation and management schedule (covering a minimum period of 5 years) of hedgerow planting along the western boundary of the application site has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas. The landscaping shall be maintained in accordance with the approved schedule. Any planting that is 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 Policy E1 of the Test Valley Borough Revised Local Plan (2016).

Note to applicant:

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