
APPLICATION NO.	20/01369/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	17.07.2020
APPLICANT	Mr Scott Bundy
SITE	Sadlers Mill Farm, The Causeway, Romsey, SO51 8HF, ROMSEY EXTRA
PROPOSAL	Change of use of buildings to form 3 holiday lets (retrospective)
AMENDMENTS	Received on 18.02.2021: <ul style="list-style-type: none">• Flood Risk Assessment Received on 18.09.2020: <ul style="list-style-type: none">• Amended site plan (removing reference to additional buildings or parking areas beyond the existing hardstanding)
CASE OFFICER	Mr Graham Melton

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee because it is contrary to the provisions of the adopted Development Plan, adverse third party representations have been received and the officer recommendation is for permission.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is a parcel of land measuring approximately 0.6ha located on the west side of Romsey Extra Footpath no. 5, positioned outside but in close proximity to the western edge of Romsey settlement area.

2.2 The application site comprises two single storey buildings in an 'L' shape arrangement with the remaining area covered by hardstanding.

3.0 PROPOSAL

3.1 The proposal is for the change of use of the buildings to 3 holiday lets. It was apparent from the site visit that the development is substantially complete at the time of writing and therefore the proposal is retrospective in nature.

3.2 The proposed amount of tourist accommodation has been achieved by converting the northern barn to one 2 bedroom unit referred to as 'The Long Barn' and one 1 bedroom unit referred to as 'The Lodge'. The western barn has been converted to one 2 bedroom unit referred to as 'The Hay Loft'.

3.3 The application is submitted following the undertaking of operational development at a variance to the previously approved applications listed in section 4 below. These variations are summarised as follows:

The Long Barn

- Increase in roof ridge height by approximately 0.4m for the eastern end of to achieve a continuous ridge height throughout the whole building
- Omission of window on the side (east) elevation
- Installation of two additional windows on the rear (north) elevation
- Reduction in size of windows on the front (south) elevation
- Additional cladding in place of previously approved render for eastern end of the building

The Lodge

- Installation of additional window on the side (west) elevation
- Reduction in size of window on the front (south) elevation

The Hay Loft

- Repositioning of window on the side (north) elevation to a lower cill height
- Omission of window on the side (south) elevation
- Installation of additional obscure glazed window on the rear (west) elevation
- Alteration of fenestration previously approved as two doors to windows on the front (east) elevation

4.0 **RELEVANT HISTORY**

- 4.1 **12/02021/VARS** - Variation of condition 8 of planning permission 12/00009/FULLS to read 'The tourist accommodation units hereby approved shall not be used for such purpose until the proposed foul drainage system has been installed in accordance with the approved details'. *Permission subject to conditions and notes, decision issued on 9th November 2012.*
- 4.2 **12/00009/FULLS** - Change of use and conversion of existing agricultural buildings to form 3 x units of holiday accommodation and associated landscaping. *Permission subject to conditions and notes, decision issued on 4th January 2012.*

5.0 **CONSULTATIONS**

- 5.1 **Conservation** – No objection.
- 5.2 **Environment Agency** – Objection (summarised, following receipt of Flood Risk Assessment).
- Object in principle to the proposed development as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located
 - The application is therefore contrary to the National Planning Policy Framework and its associated planning practice guidance
 - Recommend that planning permission is refused on this basis
 - The development is classed as more vulnerable in accordance with table 2 of the Flood Zones and flood risk tables of the PPG
 - Tables 1 and 3 make it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted

- If you are minded to approve the application contrary to our objection, would be grateful if you could re-notify the Environment Agency to explain why material considerations outweigh our objection and to give us the opportunity to make further representations

5.3 **Local Lead Flood Authority** – Comment (summarised).

- Due to the size of the application site and modest scale of development, consider application is outside of LLFA remit
- However, please direct applicant to LLFA website for further guidance

5.4 **Rights of Way** – Comment (summarised).

- Remove our previous objection to the car parking
- Maintain our concerns about the lack of assessment and mitigation for the potential level of vehicular access on Footpath 5 and the Test Way and the lack of consideration given to vulnerable pedestrians
- The proposals therefore appear contrary to T1 policy in the Local Plan
- It also states that development should not have an adverse impact on the function, safety and character of and accessibility to the local or strategic highway network or rights of way network
- Recommend that the application supporting documents and site plan should be amended to show Footpath 5 on the definitive line
- Should it be shown that lawful authority to drive over the public right of way does exist, request that the removal of kissing gates is secured by condition

Other Matters

- Undertaken a site visit and understand key-locked field gates have been erected across the track obstructing the Right of Way
- The obstructions should be removed as soon as possible and we advise that the owner contact the Countryside Service at their earliest convenience to discuss this matter further

6.0 **REPRESENTATIONS** Expired 19.07.2021

6.1 **Romsey Extra Parish Council** – Objection.

Water Management

- Absence of Flood Risk Assessment (supporting Environment Agency comments who have objected strongly)

Impact on the character and appearance of the area

- Detrimental effect on the Test Way

Highways

- Legality of access over HCC's Right of Way
- Traffic generation parking and safety

6.2 **Romsey Ramblers Group** – Objection (summarised).

Highways

- Access to the holiday lets is along public rights of way reference 705/1, 706/1 and 5/2, all very well used paths
- The submitted information makes no reference to this and still refers to the temporary access provided during the flood prevention work
- Exiting from the Causeway onto the A27 is an uphill start with less than ideal visibility, especially when there are pedestrians on the footpath at the junction
- Proposal will increase the risk of road traffic accidents by introducing new users to the junction
- Proposal assumes one car per holiday let, leaving no space for additional cars which will lead to parking on the public right of way increasing risk to users
- Also wish to reiterate comments from the Rights of Way officer questioning the legal authority the applicant may have to drive or cycle over these rights of way

6.3 **3 letters in total from local residents** – Objection (summarised).

- Previous planning decisions – objections have been raised every there have been applications for holiday accommodation at the application site

Highways

- Proposal will likely result in at least 2 cars per holiday let, resulting in cars being driven along the public right of way and endangering walkers
- These cars will be parked on the public right of way, again dangerous to walkers
- Increased traffic generation will utilising the junction at Mainstone Bridge will increase possibility of a traffic accident, visitors will not be as familiar as local users to the danger

Scope of current proposal

- The site plan shows the construction of an extra building and several more car parking spaces which were put forward under application reference 19/02987/FULLS and was rejected
- Wish to object if this plan is being resurrected

Case Officer comment: since the receipt of the above representation, amended plans have been received omitting the additional building and car parking included in error.

6.4 **Romsey and District Society** – No objection (summarised).

- The amendments to the existing buildings in the current application appear to be fenestration 'variations' to the original approval and not a change of use

- These minor modifications to the elevations for which 'retrospective' permission is required seem to be inconsequential and we have no objection

Scope of current proposal

- The Society is confused by this application and the submitted drawings
- Apart from seeking the retrospective permission for regularising the elevational treatment of the barn conversions, are not sure what this application is for as it does not appear to involve "change of use"
- The Site Plan shows an additional building (referred to as a 'New Long Barn') for apparently two more holiday lets
- The Society objects to any further development beyond the present conversion of this cluster of old farm buildings which are located outside of the settlement boundary.
- There is no reference to car parking in the 'Planning Statement' or elsewhere in the documentation and yet the Site Plan shows 8 car parking spaces
- The Society objects to the visually intrusive nature of the car parking arrangement in this valley area and its adverse impact on the quiet enjoyment of the Test Way

Case Officer comment: since the receipt of the above representation, amended plans have been received omitting the additional building and car parking included in error.

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 COM1: Presumption in Favour of Sustainable Development

Policy COM2: Settlement Hierarchy

Policy LE16: Re-use of Buildings in the Countryside

Policy E1: High Quality Development in the Borough

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

Policy E5: Biodiversity

Policy E7: Water Management

Policy E9: Heritage

Policy LHW4: Amenity

Policy T1: Managing Movement

Policy T2: Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Planning history and scope of the current proposal
- Principle of development
- Water Management
- Highways

- Impact on the character and appearance of the area
- Heritage
- Ecology
- Impact on the amenity of residential property

8.2 **Planning history and background to the proposal**

Planning History

Section 4 sets out the previous planning permissions for use of the buildings as the same amount of tourist accommodation currently proposed. With the exception of those elements listed in paragraph 3.3, comprising modest alterations to the appearance of the buildings, the current proposal seeks to replicate these previous permissions.

- 8.3 Subsequent to the granting of the original planning permission (application reference 12/00009/FULLS, paragraph 4.2) for the use of the buildings as tourist accommodation, a follow up application featuring an alternative foul drainage arrangement was granted planning permission under application reference 12/02021/VARS (paragraph 4.1).
- 8.4 This second planning permission was issued on the 9th November 2012 with a time limit of 3 years to commence the development imposed as a condition, with the effect of setting an expiry date of 9th November 2015. None of the conditions imposed required the submission of any further detail to the Local Planning Authority prior to the commencement of development onsite or at any other stage of the construction process.
- 8.5 Following the issuing of planning permission reference 12/02021/VARS, Building Control application reference 12/00884/DOM was received on the 20th December 2012. As part of the assessing this application, the Building Control officer kept a log of the progress of construction as informed by onsite observations. On the 11th December 2014, it was observed that the rafters for the new pitched roof section at the eastern end of The Long Barn had begun to be installed following the removal of the previous flat roof design. It is considered that the process of removing the previous building fabric and the installation of the first part of the additional rafters to support the previously approved pitched roof design constitutes a building operation falling under section 55 of the Town and Country Planning Act (1990).
- 8.6 As a result, it is considered that the previous planning permission issued under application reference 12/02021/VARS remains extant, following the commencement of development within the requisite time period. In assessing whether this extant planning permission represents a 'fall-back position', Samuel Smith Old Brewery (Tadcaster) v Secretary of State for Communities and Local Government (2009) EWAC 333 (AP5), establishes the threshold of a realistic rather than theoretical prospect as the basis for assessment.

8.7 In this instance, paragraph 3.3 set out a number of differences between the extant permission and the buildings as they currently stand. However, these differences either comprise additional fenestration, alternative placement of fenestration and a higher ridge line for the roof section at the eastern end of The Long Barn. As a result, it remains possible for these elements to be removed and the appearance of the building altered to comply with the design approved under the extant permission. In addition, it is noted that the applicant has progressed construction to the stage of completion with all of the tourism units now suitable for occupation and fully furnished. Consequently, it is considered that although a reasonable expense would be incurred by the applicant to alter the buildings to the previously approved design, this remains a realistic prospect to enable their use for tourism purposes.

8.8 Scope of the proposal

The originally submitted drawings for the current planning application included reference to an additional building to be erected onsite, however, this element was included in error and subsequently omitted by the submission of amended drawings.

8.9 In addition, during the course of the application the installation of additional fencing, a decking area and extension adjoining the side (south) elevation of the The Hay Loft has been observed but again these elements do not form part of the current proposal.

8.10 **Principle of development**

The application site lies on land outside of a settlement boundary as designated by the inset maps of the TVBRLP. Policy COM2 of the TVBRLP states that development outside the boundaries of settlements will only be permitted if:

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

8.11 Policy LE16 is one of the policy exceptions listed in criterion (a) of Policy COM2 and is applicable to the proposal, as the policy covers conversions of existing buildings in the countryside. Policy LE16 states as follows:

The re-use of buildings in the countryside for commercial use (including tourist accommodation) will be permitted provided that:

- a) *the building is structurally sound and suitable for conversion without substantial rebuilding, extension or alteration; and*
- b) *the proposal would not result in the requirement for another building to fulfil the function of the building being converted; and*
- c) *the proposed use is restricted primarily to the building; and*
- d) *development would lead to an enhancement of its immediate setting.*

The re-use of buildings in the countryside for residential use will be permitted provided, in addition to criteria a) – d) above, that:

- e) the proposal is for occupational accommodation for rural workers; or*
- f) it is demonstrated that every reasonable attempt has been made to secure commercial use (including tourist accommodation); or*
- g) there is no other means of protecting and retaining the building which is of architectural or historic merit.*

8.12 Criterion (a)

During the course of the application, a site visit was undertaken to assess the extent of the operational development carried out and whether the development has avoided any substantial, rebuilding or alteration. The information submitted for the previous applications listed in section 4 demonstrate that the buildings comprised a combination of slate roofs with timber cladding sections and brickwork for the external walls before any construction commenced.

8.13 It was apparent onsite that the slate roof tiles for both buildings have remained in situ and an internal inspection demonstrated that these remain supported by timber supports. With regard to the building forming The Long Barn and The Lodge, the applicant has provided photographs demonstrating the addition of the new, horizontal cladding for the external walls on the brickwork sections. In relation to the The Hay Loft building, the internal inspection demonstrated the presence of original cross beams and roof rafters, with the external timber cladding now painted in black. It is acknowledged that the roof ridge section of The Long Barn/The Lodge has been installed to provide a continuous pitched roof form, but this section represents approximately 15% of the total roof space and therefore is not considered substantial in the context of the whole building. Furthermore, the installation of a new roof framework for this part of the building was previously assessed as not representing structurally significant in the previous applications.

8.14 Consequently, following the assessment undertaken out onsite and on the basis of the available evidence, it is considered that the proposed tourism use will be achieved without any substantial rebuilding, extension or alteration. Therefore, the application complies with criterion (a).

8.15 Criterion (b)

The buildings previously served an agricultural purpose that is no longer undertaken onsite and therefore, the proposal does not generate the requirement for another building. As a result, the proposed development complies with criterion (b).

8.16 Criterion (c)

Aside from the associated parking area that utilises the existing hardstanding, the proposed tourism use will be limited to the buildings themselves. Therefore, it is considered that the proposal complies with criterion (c) of Policy LE16.

8.17 Criterion (d)

It is considered that the repair and alterations to the buildings subject of the proposed change of use have resulted in an enhancement the appearance of the buildings within their immediate setting. Consequently, the proposal complies with criterion (d) of Policy LE16.

8.18 Criterion (e) to (f)

The proposal is not for open market housing and therefore, criterion (e) to (f) are not applicable in this instance.

8.19 Conclusion on the principle of development

Following the assessment undertaken above, it is considered that the proposal complies with Policy LE16 of the TVBRLP and therefore, is in accordance with criterion (a) of Policy COM2. Consequently, the principle of development is considered acceptable. To ensure that any potential future occupation is limited to tourism only, conditions have been added to the recommendation prohibiting occupation of the buildings as a main residence and requiring the keeping of a visitor log for monitoring purposes.

8.20 **Water Management**

Policy E7 of the TVBRLP covers the issue of water management and states:

Development will be permitted provided that:

- a) *it does not result in the deterioration of and, where possible, assists in improving water quality and be planned to support the attainment of the requirements of the Water Framework Directive;*
- b) *It complies with national policy and guidance in relation to flood risk;*
- c) *it does not result in a risk to the quality of groundwater within a principal aquifer, including Groundwater Source Protection Zones and there is no risk to public water supplies;*
- d) *all new homes (including replacement dwellings) achieve a water consumption standard of no more than 110 litres per person per day; and*
- e) *all new non-residential development of 500sqm or more achieve the BREEAM 'excellent' credit required for water consumption (reference Wat 1).*

Criterion d) – e) need to be satisfied unless it can be demonstrated that it is not financially viable.

8.21 Criterion (a)

The development undertaken and the proposed use will not serve to deteriorate water quality and therefore the application is in accordance with criterion (a).

8.22 Criterion (b)

National planning policy on Flood Risk is set out in section 14 of the NPPF and in particular to the assessment of individual planning applications, paragraph 167 sets out the following criteria:

When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) *within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) *the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) *it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) *any residual risk can be safely managed; and*
- e) *safe access and escape routes are included where appropriate, as part of an agreed emergency plan.*

8.23 With regard to criterion (a) Annex 3 of the NPPF sets a classification of the types of development according to the associational potential flood vulnerability. In this instance, the proposed use of the application site for tourism falls under the 'more vulnerable' category. The application site is located in Flood Zone 3, and in the absence of any site specific data, the default classification falls within Flood Zone 3(b), referred to as functional flood plain. Following the identification of the relevant flood classifications for the type of development and the location of the application site, it is necessary to refer to table 3 of the planning guidance set out in the NPPG. Table 3 sets out that development of a 'more vulnerable' classification should not be permitted in Flood Zone 3b.

8.24 In response to the application, the Environment Agency have reaffirmed this position, that the proposed tourism use is an inappropriate type of development for this location and consequently, objected to the proposal on this basis.

8.25 Policy E7 and local planning policy reflects the national guidance on flood risk and therefore, given the conflict identified above it is not considered that the proposal complies with national or local planning policy on this matter. As a result, the application is contrary to criterion (b).

8.26 Criterion (c)

The application site is not located within a groundwater source protection zone and does not serve to compromise the quality of groundwater. As a result, the application is in accordance with criterion (c).

8.27 Criterion (d)

The proposed tourism use falls within a residential use for the purposes of water quality and as a result, a condition has been added (no.5) to ensure that the development achieves the required water efficiency standard. With the imposition of this condition, the application complies with criterion (d).

8.28 Criterion (e)

The development does not qualify as either over 500sqm or non-residential and therefore, criterion (e) is not applicable in this instance.

8.29 Conclusion on compliance with Policy E7

The application is not considered to comply with national or local flood risk and consequently, is in conflict with criterion (b) of Policy E7 and the policy as a whole. However, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), an assessment is required to whether there are any material considerations to outweigh the development plan conflict on this matter.

8.30 Other material considerations

As set out in the planning history section above, the application site is subject to an extant planning permission for the same amount of tourism accommodation as the current proposal. Due to the relatively minor amount of building alterations required to comply with this permission, it is considered that this extant permission represents a realistic fall-back position. Consequently, regardless of the outcome of the current planning application, it is likely that the same amount of tourism accommodation will be delivered onsite.

8.31 National planning policy on flood risk has evolved since the determination of the previous planning applications listed under section 4. At the time of assessing these previous applications, there was no distinction between Flood Zone 3a and Flood Zone 3b with the application site simply falling under the classification of Flood Zone 3. The material planning policy guidance at the time was provided by Planning Policy statement 25 (PPS), which set out a site specific approach to managing flood risk, achieved through the undertaking of a flood risk assessment and onsite management plan. In the case of the previous planning permissions at the application site, it was considered that the implementation of an emergency evacuation and escape plan following liaison with the Council's Emergency Planner, was sufficient mitigation to ensure that the proposed tourism use was acceptable. As a result, there was no objection to the proposed use of the buildings for tourism accommodation on Flood Risk grounds and planning permission was subsequently issued.

8.32 In support of the current application, this previous risk assessment and onsite emergency evacuation plan has been submitted with updated contact details for the Environment Agency warning service and the current landowner. The current proposal is limited to ground floor living accommodate and therefore, represents an improvement on the previously approved arrangement in the context of the emergency evacuation measures. In addition, it was observed onsite that the application site now benefits from a substantive surface water drainage system and physical barriers in the form of bunds installed as part of the flood alleviation scheme.

8.33 As a result, although the conflict with planning policy on flood risk is acknowledged, it is considered that the proposal achieves a significant level of flood resilience, surface water drainage provision and emergency planning as required by the criteria of paragraph 167 of the NPPF. On the matter of flood resilience, it is noted that the installation of the bunds adjacent to the application site was not present at the time of the determination of the previous applications and therefore, provides an additional measure not previously secured.

Consequently, it is considered that the proposal benefits from a series of significant flood risk measures that will serve to minimise and manage flood risk in the same manner as the previous planning permissions.

- 8.34 In consultation with the Environment Agency, it has been confirmed that the objection is raised on the basis of the current national planning policy and flood zone classification rather than any site specific concerns. This policy is designed to direct development away from high risk areas on a strategic level. However, the individual circumstances of the planning history for the application site, whereby a previous planning permission pre-dating the current planning policy framework has been kept alive and remains implementable as a fall-back position, is highly unlikely to be replicable for other development proposals within high-risk flood zone areas. On this basis, the Environment Agency have indicated that they are unlikely to pursue a challenge in the event that planning permission is granted.
- 8.35 As a result, it is not considered that the issuing of planning permission in this particular instance will serve to undermine the strategic objective set out in criterion (a) of paragraph 167 of the NPPF and it is considered that the proposal can achieve the other requirements within this set of criteria. Given that tourism accommodation will be achieved onsite regardless of the outcome of the current application, it is therefore considered that the proposal will not result in an adverse flood risk and that other material considerations outweigh the identified conflict with planning policy.

8.36 **Highways**
Access

Vehicular access to the application site is provided by the adjoining public right of way network leading to an existing access onto the Romsey bypass highway positioned to the south of the application site (at Mainstone Bridge). On this matter, concerns have been raised by local residents and the HCC Rights of Way officer with regard to the potential impact on the function and safety of the public footpath network arising from its utilisation as vehicular access to the application site. In addition, concerns have also been raised in relation to safety of the existing access at the Mainstone Bridge.

- 8.37 With regard to the potential impact of the proposal, it is noted that the existing public footpath network serves as vehicular access to the residential properties aligning The Causeway and furthermore, that the footpath is of sufficient width to allow for the passing of vehicles without impeding either pedestrians or cyclists for the entire section serving the application site.

Given the use of this public footpath network by vehicles either arising from the historical agricultural use of the application site or the adjoining residential properties in conjunction with the modest amount of vehicle movements generated by the use of buildings as 3 units of tourism accommodation, it is not considered that the proposed use will serve to harm the function or highway safety of the public right of way network.

8.38 With regard to the use of the existing vehicular access at the Mainstone Bridge, the application does not include any alterations to this access point and will not generate a materially significant increase in vehicular movements. As a result, it is not considered that will result in an adverse impact on the highway safety of the local road network and the application is in accordance with Policy T1 of the TVBRLP.

8.39 It is acknowledged that the Rights of Way officer has raised concerns with the presence of obstructions on the adjoining public right of way (Romsey Extra No.5) but if any such obstructions have been installed, then they would be located outside the extent of the application site and therefore any remedial action should be pursued separate to the assessment of the planning application. From a comparison with the photographs taken as part of the previous planning applications in 2012, it is not apparent what obstructions the Rights of Way officer is referring to. Representations have also referred to the requirement for the applicant to demonstrate a legal right to utilise the public footpath network for vehicular access but this is a private legal matter covered by other legislation.

8.40 **Parking**

The proposed conversion will trigger the requirement to provide a total of 7 onsite car parking spaces. The existing hardstanding area adjacent to the buildings is sufficient to accommodate the parking of 7 vehicles onsite and therefore, the proposal is in accordance with the minimum parking standards set out in Annexe G and Policy T2 of the TVBRLP.

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

The application site is located adjacent to the Romsey Extra no.5 public footpath and therefore clear views into the application site are possible from a variety of positions along this public footpath. In addition, long distance views of the application site are possible from the public right of way network located to the south.

8.42 With regard to the visual impact of the development undertaken, there have been no significant alterations to the scale or layout of the buildings subject of the proposed tourism use. In relation to materials, it is considered that the addition of black stained horizontal timber cladding ensures a utilitarian, recessive appearance that complements the rural and verdant character of the wider setting. Furthermore, the proposed use will be limited primarily to the buildings with no additional increase to the existing hardstanding onsite. As a result, it is considered that the design of the proposal is acceptable and will preserve the rural and verdant character of the area, in accordance with Policies E1 and E2 of the TVBRLP.

8.43 **Heritage**

The application site lies in relative proximity to the conservation area of Romsey and a number of listed properties that align The Causeway. In accordance with sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

In addition, Section 72 of the same Act requires that special regard is paid to desirability of preserving or enhancing the character of the area with regard to development within conservation areas. Policy E9 reaffirms the requirement for development to either preserve or enhance the historic significance and special interest of designated heritage assets.

- 8.44 Due to the intervening distance between the application site and the conservation area (approximately 50m) as well as the intervening distance to the nearest listed building (approximately 110m), the application site does not form part of the immediate setting of the designated heritage assets but can be viewed in context with the other buildings when travelling along the adjoining rights of way network.
- 8.45 With regard to the impact of the proposal, the development undertaken has resulted in the conversion of the existing buildings onsite with a series of modest alterations to their previous form and appearance. In addition, any paraphernalia associated with the proposed tourism use will be largely contained to the buildings themselves or the adjoining area of hardstanding. Consequently, it is not considered that the proposal will result in any intrusion upon or harm to the setting of the designated heritage assets. Therefore, following the assessment undertaken above, it is considered that the proposal will preserve the historic significance and special interest of the designated heritage assets, in accordance with Policy E9 of the TVBRLP.
- 8.46 **Ecology**
The previous applications were supported by an ecology survey identifying that there was a low potential for the existing buildings to serve as a habitat for bats. Given that the buildings were to be converted rather than demolished, it was concluded that any adverse impact on this protected species would be avoided and that there would be no adverse impact on any other protected species or habitats.
- 8.47 After undertaking a site visit and as identified above, it is considered that the roof structure of the buildings has been retained and the bat access tile has been installed within the Hay Barn building. Consequently, on the basis of the available information, it is considered that the development undertaken has been carried out in accordance with the recommendations of the previously submitted ecology survey. Given that the only variations from the approved scheme comprise the modest alterations listed in paragraph 3.3, it is not considered that there has been any additional impact on protected species or habitats arising from the amendments proposed in the current application. As a result, it is considered that the application protects and conserves onsite biodiversity in accordance with Policy E5 of the TVBRLP.
- 8.48 **Impact on the amenity of residential property**
In the absence of any residential property in close proximity to the application site, it is not considered that the proposal will result in an adverse impact on the residential amenity with regard to privacy, daylight or sunlight provision. Therefore, the application is in accordance with Policy LHW4 of the TVBRLP.

9.0 **CONCLUSION**

- 9.1 The proposal does not comply with national and local flood risk guidance as required by criterion (b) of Policy E7 of the TVBRLP. Therefore, it is considered that the application conflicts with this policy and as a result, represents a departure from the TVBRLP.
- 9.2 However, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), an assessment against the other material considerations has been undertaken.
- 9.3 In this instance, the previous planning permission reference 12/02021/VARS is considered to represent a realistic fall-back position, whereby the same amount of tourism accommodation will be operational onsite regardless of the outcome of the current application. The current application incorporates the same flood evacuation and emergency as this previous planning permission and the application site now benefits from additional measures in the form of the installation of physical bunds as part of the wider flood alleviation scheme.
- 9.4 Consequently, it is not considered that the proposal will trigger any additional flood risk given the planning history and individual circumstances of the application site.
- 9.5 No other conflict with the policies of the TVBRLP has been identified and it is not considered that the proposal will result in any other material harm.
- 9.6 In the overall planning balance, it is considered that the proposal will result in modest environmental, economic and social benefits arising from the re-use of existing buildings and the delivery of tourism accommodation outweigh the breach of Policy E7 the TVBRLP.
- 9.7 As a result, permission is recommended.

10.0 **RECOMMENDATION**

PERMISSION subject to:

1. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:
Site Location Plan (007)
Proposed Site Plan (005)
Proposed Plans and Elevations (001)
Proposed Plans and Elevations (004)
Reason: For the avoidance of doubt and in the interests of proper planning.**
2. **The materials to be used in the development hereby permitted, shall be in accordance with the materials specified on the approved plans and application form.
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).**

3. The tourist accommodation shall not be occupied as a persons' sole or main place or residence, and occupied for tourism purposes only.
Reason: This 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 Policy COM2 of the Test Valley Borough Revised Local Plan (2016).
4. The owners/operators of the site shall maintain an up-to-date register of the names of all persons who stay within the approved tourism accommodation on the site, the duration of their stay, their main home addresses by way of road name and town, and shall make such information available at all reasonable times to the Local Planning Authority.
Reason: This 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 Policy COM2 of the Test Valley Borough Revised Local Plan (2016).
5. The development hereby permitted 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.
6. The development hereby permitted shall not be occupied until a Flooding Egress and Evacuation Strategy has been published and displayed in each of the units of tourist accommodation hereby permitted. The strategy shall thereby be displayed at all times.
Reason: To ensure that the persons using the units are aware of their evacuation procedure in time of flooding.
7. The development hereby approved shall not be occupied until the parking spaces, shown on the approved plan spaces have been laid out for the parking and manoeuvring of vehicles to enable them to enter and leave the site in forward gear in accordance with the approved plan and this space shall be reserved for such purpose at all times.
Reason: In the interests of highway safety in accordance with Policy T2 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.