
APPLICATION NO.	22/01012/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	12.04.2022
APPLICANT	Test Valley Borough Council - Mr Boyce Jeffery
SITE	Land at Bury Hill, Red Rice Road, Red Rice, UPPER CLATFORD
PROPOSAL	Change of use to public open space and construction of car park
AMENDMENTS	Additional Information received 25 th May 2022 re: Car park surface Tree Survey Visibility Splays Heritage Statement Additional Highway Plans received 21.06.2022, 28.07.2022. Traffic Survey Submitted 27 th July 2022 Additional Visibility Splay plans received 19.08.2022
CASE OFFICER	Samantha Owen

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

- 1.1 The application is presented to the Northern Area Planning Committee because it is submitted by the Council for its own development which is not minor.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site is located on the flanks of the hillfort known as Bury Hill Ring a Scheduled Ancient Monument (SAM) The land rises and is bounded by field hedges, to the south these hedges contain mature trees. Until recently the land was part grazed by horses with field shelters and some fencing across it. The remainder of the land was left ungrazed and has in the recent past been used for hay making. The site is rural in nature with little development in the immediate area.

3.0 PROPOSAL

- 3.1 The site is 15 hectares and it is proposed that it will be managed to enable public access to the countryside for leisure and recreation purposes. The site has been used in recent years for grazing and some cropping and this is proposed to change to open space with public access. The land will be a mix of chalk grassland habitat, woodland and hedgerow management. A small car park of 24 spaces is proposed in the southern corner of the site with access direct from Red Rice road. Small bunds of half a metre with planting will be placed around the car park to restrict access to the land by vehicle. A car park barrier is also proposed to further restrict larger vehicles to the site.

4.0 **HISTORY**

4.1 18/01487/FULLN – Change of use from agricultural to equestrian – Refuse 02.08.2018 – Appeal Dismissed 02.010.2019

18/00148/FULLN - Change use of land from agricultural to equestrian use. Erection of 36 stables, tack and hay stores, outdoor riding arena, office and toilet cabin, machinery store, carpark, water treatment plant, bore hole and fencing of 6 paddock areas – Withdrawn 23.04.2018

5.0 **CONSULTATIONS**

5.1 **Highways: No objection**

- Satisfied that internal parking spaces are acceptable
- Speed Survey as submitted is acceptable and the Highways Authority is satisfied that the required visibility splays of 2.4m x 167m to the south and 2.4m x 139m to the north of the proposed access can be achieved. A condition is recommended requiring updated drawings showing the visibility splays to be submitted to and approved by the local planning authority.

5.2 **Archaeology: Comment**

- Site is an important part of the setting of the scheduled monument of Bury Ring and as such its positive management recognising the role of the landscape in that setting.
- Limited ground works other than car park, some planting and some small scale infrastructure.
- Car park already partially exists and so would not raise any archaeological issues
- Planting is of limited scale but management plan intends to protect the setting of the monument.
- Site infrastructure should be located to ensure that they are sympathetically located/designed for the setting of the monument.
- Any works including planting or on site infrastructure that fall within the extent of the scheduled area would need Scheduled Monument Consent and could not be implemented without this consent.

5.3 **Conservation: No objection**

- Proposed car park would be relatively low key and small and set at the furthest part of the site from the ring.
- Its visual impact over time should lessen as it weathers in and vegetation softens the edges.
- Would need to be careful as to how to mark out parking bays as white lines are unlikely to be acceptable and noticeable.
- Bins, benches and information boards would need to be considered carefully as it these could impact the character of the site.
- Mown paths raise no objection.

5.4 **Landscape: Comment**

- Landscape views from the nearby public rights of way have been considered.
- Bury Hill is viewed within the landscape as a distinctive feature group of trees on raised ground. The tree grouping is seen in many local views, the lack of visible development means this area is distinctly rural.
- Area is noted for its lack of development, it has an historic character and setting due to the Schedule Ancient Monument.
- The Landscape Character Area is Thruxton and Danebury Chalk Downland which has a relatively unspoilt agrarian character.
- The access which already exists gives the main view into the site.
- Proposed car park would be a simple gravelled finish and will be fairly informal.
- Proposals have a negligible impact on the character and appearance of the area.
- Overall proposed management will be positive.
- Information boards should be sited sensitively.
- Condition regarding species, density, mix, implementation and establishment of hedge planting to be agreed through condition.

5.5 **Historic England: Comment**

- Have concerns cannot see details of pathways or the fence.
- In the NPPF 2021 it is a core planning principle to conserve heritage asset in a manner appropriate to their significance so that they can be enjoyed for their contribution.
- Have concerns on heritage grounds.
- Issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of para 189 of NPPF.

5.6 **Trees: No objection**

- There should be little impact to trees from the proposal
- Suggest a Condition re tree protection and a method statement for the seeded chalk land grass areas within the RPA's.

5.7 **Hampshire County Council Countryside Service:** No response received.

5.8 **Ramblers:** No response received.

6.0 **REPRESENTATIONS** Expired 16.05.2022

6.1 **Upper Clatford Parish Council (UCPC): Objection**

- Object due to absence of key information provided
- Application supports the Neighbourhood Development Plan requirement to access the countryside.
- Heritage Statement is required
- Footpath around Bury Ring has deteriorated in recent years and increased footfall could result in further path erosion.
- Visitor predication information should be shared.

- Concern about vehicle traffic volume TVBC are invited to provide analysis of road usage predictions associated with the use of the public open space.
- Planning Statement alludes to TVB traffic monitoring along Red Rice Road in November 2021, however overall volume of traffic has not been revealed.
- Upper Clatford has conducted its own traffic monitoring which will continue and additional monitoring by TVBC is welcomed in order to support any necessary mitigations.
- The road passing the site is currently a 60mph this should be changed to a 40mph.
- Increased signage could be encouraged to approach the car park from Red Rice road which would reduce traffic through Upper Clatford.
- Hampshire Highways should look at road surface which is likely to deteriorate further if increase in traffic volume.
- Pedestrian footpath stops at the last house meaning pedestrians have to utilise road or verge to access footpath around Bury Hill Ring. TVBC need to include a mown path along Red Rice road, if visitor numbers increase HCC should consider creating a rural footpath along the verge.
- Existing access points to public footpaths should remain open.
- Design and materials have been carefully selected for the car park. A further enhancement is recommended of tree planting to north and east edges of the bund. Efforts should be made to prevent excess vehicles parking along verge of Red Rice road.
- Restoration of chalk grassland and management of trees and hedgerows are welcomed.
- Creation of woodland is welcomed
- Additional visitor numbers should be manage so that they do not conflict with ecological objectives.
- Litter management as set out is welcomed.
- Provision of cycle racks would be welcome

6.2 1 x support from 21 Clatford Manor.

- Approve of plan to re-designate the site.
- Management Plan – Para 4.1 concern with regard to visibility of access from cars driving from Upper Clatford, suggest a warning sign.
- Ecology survey has a large number of redactions but it is clear Badgers are in area will there need to be any special considerations re disturbance re walkers and dogs.
- Concern about walkers using the road, the footpath on the north side of Red Rice road be extended to a permissive footpath through the farmers' fields on the north side of existing hedgerows.
- Key Performance Indicators identified in the Management Plan should include impact on Upper Clatford Parish.

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)(RLP)

COM2 – Settlement Hierarchy

E1 – High Quality Development in the Borough

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

E5 – Biodiversity

E9 – Heritage

T1 – Managing Movement

T2 – Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of Development
- Impact on the character of the area and Scheduled Ancient Monument
- Highway Matters
- Trees
- Ecology

8.2 **Principle of Development**

The site is located within the countryside as defined by Policy COM2 of the Revised Local Plan (RLP). Development within the countryside is allowed provided it accords with relevant policies as set out in Policy COM2 or it is essential for it to be located within the countryside.

8.3 The application does not accord with any of the relevant policies as set out in Policy COM2 therefore consideration is required to be given as to whether it is essential to be located within the countryside.

8.4 This land was acquired by utilising a contribution that was secured under the Outline permission for Picket Twenty (TVN.09275). The Access Management Contribution was to facilitate the Access Management Scheme (AMS). The AMS included the acquisition of land to facilitate and manage access by the public to the countryside within the vicinity of the Picket Twenty development.

8.5 As the land was purchased to increase opportunities to access the countryside it is considered that it would need to be located within a countryside location and as such it is considered that the development is essential to be located within the countryside and therefore accords with Policy COM2 of the RLP.

8.6 **Impact on the character of the area and the Scheduled Ancient Monument.**

The site at present has been within agricultural/grazing use. An area of fencing has been erected and these are in situ and have been for a few years. Para 189 of the NPPF requires heritage assets, which in this case is the Scheduled Ancient Monument (SAM), "...should be conserved in a manner appropriate to their significance." Policy E9 of the RLP states that development that affect a heritage asset will be permitted provided that it would make a positive contribution to sustaining or enhancing the significance of the heritage asset taking account of its character, appearance and setting."

8.7 The application site is an important part of the setting of the scheduled monument of Bury Ring, the proposed changes are minimal and apart from the car park will be largely a change to the planting of the area and some infrastructure to aid access to the site in the form of bins, benches etc. A modest bund of 500mm is proposed around the car parking which would be planted. A management plan has been provided and this includes some new planting which is considered would protect the setting of the monument. Historic England have raised some concern regarding the fence and the pathways and that these have not been detailed. The fence is already in situ and has been for a few years and the application seeks to make no changes to this, the Planning Statement makes it clear that the paths would be mown grass. Whilst their request for further information is noted as the fence is in situ and the paths are to be mown it is not considered that these changes would detrimentally impact the setting of the monument. No objection has been received from the Landscape Officer, Conservation Officer or County Archaeologist and as such although Historic England's comments are noted it is considered that the proposals do ensure that the monument is conserved in a manner appropriate to its significance in accordance with Paragraph 189 of the NPPF. The Council is aware of the need to apply for Scheduled Ancient Monument Consent for works within the monument designation.

8.8 The Conservation Officer has requested a condition be imposed regarding the positioning of benches, bins and information boards. The Council has under the Town and Country Planning (General Permitted Development) (England) Order an ability under Part 12 of that Order to carry out works and place equipment on land that belonging to or maintained by them for the purposes of any function exercised by them on that land. This would include the placing of bins, benches and information boards. These would be considered minimal and reversible and with careful placing should not have a detrimental impact on the setting of the monument. The Conservation Officer has raised concern about marking out the parking bays with paint and that this would be prominent and urbanising. Details submitted with the application show that the parking bays would be laid out with minimal markings, notwithstanding this due to the bunding that is proposed around the car park the surface of the carpark would not be overly visible from the wider site and views from the road passing the site would be glimpsed. It is considered that the proposal accords with both the NPPF and Policy E9 of the Revised Local Plan and that the SAM would be conserved in a manner appropriate to its significance.

8.9 **Highway Matters**

Policy T1 requires development to not have an adverse impact on the function, safety and character of the highway network and that any access needs to be safe. Policy T2 requires development to have sufficient car parking in accordance with the agreed standards. The provision of parking spaces for recreational countryside space is not specified within the agreed parking standards within Annex G of the RLP. The submitted plans show 20 car parking spaces and space for cycle parking. With no adopted standards for this type of use the number of spaces has been based on the applicant's experience of other similar open space venues managed by the Council. The

Council manage and own another site in Sherfield English in a similar way to how Bury Hill is proposed to be used, this is smaller at 13 hectares but its 12 car parking spaces are sufficient to meet the demand. The proposal site is only an additional 2 hectares in size and therefore it is considered that 20 spaces would be sufficient for the proposed use. Also due to its proximity and linkages to the public footpath network, people will also utilise these sustainable transport routes to access the site. Tracking diagrams show that the internal spaces are fit for purpose and the Highways Officer raises no objection.

8.10 A Traffic Survey, which includes a survey of vehicle speeds, has been submitted in support of the application. The Highways Officer is satisfied with the methodology and raises no objections to the conclusions. The Survey results require specific visibility splays. The applicant has already submitted visibility splay plans of 2.4m x 160m in both directions at the site access. The findings of the Traffic Survey show that visibility splays should be of 2.4m x 167m to the south and 2.4m x 139m to the north. Revised visibility splay plans show a visibility splay of 2.4m x 167m to the south and 2.4m x 139m to the north. Revised plans dated the 19th August 2022 show these visibility splays to the back edge of the carriageway as requested by the Highways Officer. The Highways Officer raises no objection subject to conditions securing the visibility splays prior to first use. It is considered that the proposed development accords with policies T1 and T2 of the RLP.

8.11 Upper Clatford Parish Council (UCPC) have raised concern about the lack of a pedestrian footpath along Red Rice Road to the site and requested that a mown path is created in the verge. The verge from Upper Clatford to the site is not in the ownership of TVBC and they would be unable to create a path of this nature.

8.12 Rights of Way

Bury Hill has a number of Rights of Way across it. Upper Clatford footpath 5 takes you from Red Rice road and in a clockwise direction around the Bury Hill Ring until it reached Upper Clatford footpath 4 which links to Anna Valley and then Upper Clatford footpath 4 carries on around the other half of Bury Ring. These footpaths are unaffected by the proposal. The UCPC have also raised concern about the deterioration of these footpaths due to increased visitor numbers, whilst this is noted the proposed public access allows for an alternative route to be walked which would remove some of the pressure from Bury Hill Ring. Rights of Way are maintained and managed by Hampshire County Council Countryside Services so if there is deterioration of the footpath this would be for Hampshire County Council to resolve.

8.13 **Trees**

Policy E2 of the RLP requires development to ensure the protection, conservation and enhancement of the landscape of the Borough and that important local features like trees are not lost. The application site has a row of trees along the boundary to the south west with a group being adjacent to

the proposed car park. The application has been submitted with a Tree Survey Report and details of the construction of the car park. Hard surfacing is already in place and this is proposed to be overlaid with a geo grid surface to protect the adjacent trees. The Tree Officer has raised no objection to the proposal and has suggested Conditions which are recommended. It is considered that the proposal accords with policy E2 of the RLP.

8.14 Ecology

Policy E5 requires development to conserve and where possible restore and/or enhance biodiversity. The site has until recently been grazed and used for arable crops and has little intrinsic ecological value. The proposed use will introduce chalk grassland, a small woodland and management and gapping up of hedgerows. The site whilst being managed for public access will also be managed to increase the biodiversity value across the site. This is supported by the Parish Council. It is considered that the proposal does restore and enhance biodiversity in accordance with Policy E5 of the Local Plan.

9.0 CONCLUSION

9.1 The proposed development is acceptable in principle and would not give rise to unacceptable impacts on the character of the area, highways or trees and accords with the relevant policies of the Local Plan.

10.0 RECOMMENDATION

PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.**
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 41010-0; GA_BH-1001 REV C; GA-BH1002 REVB, Proposed Path Layout; Car Park Surface Section**
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **The development shall not be brought into use until vehicular visibility splays as indicated on drawing GA-BH1002 REVB, in which there should be no obstruction to visibility exceeding 1 metre in height above the adjacent carriageway channel line, have been completed. Such visibility splays shall thereafter be maintained and retained for the lifetime of the development.**
Reason: In the interests of highway safety and to accord with Policy T1 of the Test valley Borough Revised Local Plan 2016.
4. **Prior to the approved car park being brought into use details**
 - **of the proposed species and density of planting to fill gaps in the hedgerows present on site and;**
 - **the proposed species and density of planting of the approved bund that surrounds the car park**

shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out in accordance with the approved details and thereafter retained and maintained for the lifetime of the development.

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

5. No development (including groundworks) shall commence on the car park until a plan showing the proposed Tree Protection Fencing has been submitted to and approved in writing by the Local Planning Authority. This agreed Tree Protection Fencing shall be maintained and retained for the duration of the groundworks and construction of the car park.

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

6. Prior to the approved car park being brought into use a method statement detailing the establishment of the seeded chalk grassland within the Root Protection Areas of the adjacent trees as shown on plan GA_BH-1001 REV C shall be submitted to and approved by the Local Planning Authority. Seeding shall be carried out in accordance with the agreed Method Statement.

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

7. The site shall be managed in accordance with the Land South of Bury Ring, Upper Clatford Management Plan 2022-2026

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

Note to applicant:

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