

Update Report to Northern Area Planning Committee 30.03.23

APPLICATION NO.	22/01992/FULLN
SITE	Land West, Finkley Farm Road, Andover, , ANDOVER TOWN (ROMANS)
COMMITTEE DATE	30 March 2023
ITEM NO.	7
PAGE NO.	10-61

1.0 REPRESENTATIONS

1.1 1 x letter of objection from 39 Tweed Road

- Unadopted area of land adjacent to Endeavour Primary School has been forgotten about by Taylor Wimpey
- The land is filled with building materials, such as bricks, litter and rocks
- Taylor Wimpey are keen to proceed on this development whilst disregarding their existing customers.
- Tried to work with Councillor and developer since August 2022 and it's still not sorted
- Development should not be approved until this issue is sorted or it should be included in this plan.

2.0 CONSULATIONS

2.1 Highways

Further emails were received from the Highway Authority on the 28th and 29th March 2023 that provides more information on why they believe that the requested financial contribution of £187,000 does meet the CIL tests. The response of the 28th March is set out below.

2.2 Necessary to make the development acceptable in planning terms;

Whilst the existing outline consent for the wider site secured measures towards active travel, this current application places additional demand from residents on infrastructure and must be viewed against current policy criteria and standards, for example the requirements of LTN 1/20 were not in place at the time of the original consent. Furthermore, the current application places additional vehicular trips on this route and on the network between the site and town centre, at junctions which experience congestion during peak periods and in some locations, for example A343/Smannell Road/Newbury Road is approaching theoretical capacity. As set out in our response, the contribution is considered necessary to off-set the vehicular impact by improving pedestrian and cycle infrastructure to present a genuine choice of transport modes for all. The Highway Authority are not seeking any further off-site

junction improvement works or contributions towards capacity led highway schemes on account of the financial contribution being provided for active travel improvements to off-set the vehicular impacts in this case. It is also considered necessary that the specific safety deficiencies as identified in the WCHAR report are addressed and the financial contribution is considered a fair and reasonable approach. In the absence of the contribution it is not clear how these deficiencies could be addressed and the residents would be reliant on sub standard active modes provision.

2.3 Directly related to the development:

The contribution is required to address deficiencies identified in the site specific WCHAR which considers the suitability of routes between the site and key facilities. The contribution requirement being identified within the scope of the agreed WCHAR assessment itself demonstrates a direct requirement between the development and the requirement for improvement. The purpose of the WCHAR is confirmed by the developer as required to “assess the provision for pedestrians and cyclists between the Application Site (referred to herein as the ‘Site’) and Andover town centre and railway station.” Thus demonstrating the direct relationship.

Specifically, in relation to the location where the contribution has been calculated the WCHAR confirms that whilst cyclists travelling west from Roman Road to Smannell Road the existing layout and geometries do not cater well for this manoeuvre and that there is a likelihood that cyclists are opting to not use the shared use path. The contribution requirement being based on the cost to provide segregated cycle provision in this location is therefore considered to directly address this issue. The contribution is also required in order to address the vehicular impacts of the development upon the highway network as explained above. The current TVBC Local Plan Policy T1 sets out that development will be permitted when “measures are in place to minimise its impact on the highway and rights of way network and pedestrians, cycle or public transport users”. The contribution requirement is therefore considered to be in accordance with TVBC’s current Local Plan.

2.4 Fairly and reasonably related to the development:

The scope and content of the WCHAR was agreed between the Highway Authority and Developer as being of a fair and reasonable extent given the characteristics of the site. The WCHAR report itself confirms “Given the size of the proposed development, particularly considering that around half of the proposed dwellings already benefit from outline consent, and that the wider MDA has already delivered a suite of improvements to pedestrian and cycle facilities, the focus of this WCHAR has been on the potential for improvements which are proportionate to the development impact.” Whilst the WCHAR suggests additional lining and signage could potentially assist with addressing the issues identified, this is not considered sufficient by the Highway Authority

and instead it is considered necessary for the development to contribute towards providing a policy compliant route. The contribution is calculated based on the specific cost of providing cycle crossing facilities and a segregated cycle route along Smannell Road in the vicinity of the roundabouts (specific extent measured at 97m. These sums were provided by the Department for Transport in its guidance to Local Authorities on producing LCWIPS. Whilst it is acknowledged the sums are indicative, given the scheme in its entirety is to go through subsequent design stages, it is considered a fair and reasonable approach to addressing the issues identified above. In order to further substantiate the requirement is proportionate, it confirmed that it is in line with a cost per (net) dwelling based on sites across Hampshire of a similar scale.

Specifically in terms of safety, the Highway Authority have no safety concern regarding the A343/Smannell Road/Newbury Road roundabout as confirmed in our discussion yesterday. As you know the Highway Authority have not provided a reason for refusal at this stage, given the formal response set out no objection subject to the contribution sum being secured. Clearly as set out above, and within the highway authority's formal responses to the application the contribution is required in part to address the accident record and specific safety related issues identified within the WCHAR report and therefore should a reason for refusal be required and defended at Appeal this would include the safety issues discussed within our responses and failure to provide policy compliant modal choice.

- 2.5 A further email from the Highway Authority was received on the 29th March 2023 providing further information on the requested contribution, the contents of this email are set out below in their entirety;
- 2.6 In order for us to be satisfied that the contribution meets the CIL tests i.e is necessary in planning terms, we would have been equally satisfied that if the contribution is not provided the resultant impact would be unacceptable. So that means we would object on the basis that the contribution, which we consider necessary, is not being secured.

In this scenario, the development coming forward without mitigation would be considered contrary to para 110 of the NPPF in that it fails to ensure that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

The residual cumulative impact of the development coming forward without mitigation towards delivery sustainable modes improvements would be considered severe in accordance with NPPF paragraph 111 in that the supporting context (paragraph 112) is not considered met as this confirms that developments should;

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas;
- b) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

The issues have been identified within the WCHAR report, accident record and also wider transport assessment work which assesses the vehicular impact on surrounding junctions for which the financial contribution towards sustainable modes is considered to offset. It is specifically required in order to address the documented safety issues involving cyclists at the Smannell Road/Roman Way/Cricketers Way roundabouts. The existing facilities are not considered suitable, attractive or policy compliant and in the absence of a reasonable contribution towards improving this element of the route the impacts are left unaddressed.

I am satisfied that the committee report reflects our formal response and position accurately in that we raised no objection subject to the contribution. However if you require a reason for refusal based on TVBC's stance to not secure it I would suggest;

The applicant has failed to provide a mitigation scheme to improve cycle infrastructure on Smannell Road and therefore would result in an unacceptable impact on the safety and operation of the highway network. In the absence of an acceptable mitigation scheme, the proposed development would be contrary to NPPF Paragraph 111 in that it would result in a severe impact on the local road network.

Reason: In the interest of Highway Safety

3.0 **PLANNING CONSIDERATIONS**

3.1 **Highways**

In the main Agenda Report in paragraphs 8.18 to 8.22 the Case Officer assesses the Highway Authority's request for a contribution of £187,000 towards sustainable modes of transport and off-site mitigation and why it is considered that the contribution does not meet the CIL tests. Since the writing of the main Agenda Report further discussions have been ongoing with the Highway Authority in this respect.

3.2 It is considered that the Highway Authority have provided further information to support their position and the LPA and the applicant would need time to consider this. To allow this to happen the LPA are proposing an amended recommendation to delegate to the Head of Planning and Building the requirement to consider and assess the response and agree a satisfactory resolution with the Highway Authority and the applicant. The Highway Authority has confirmed that they would welcome working collaboratively with the LPA post Committee to resolve this matter.

3.3 The Highway Authority requested Condition 9 of the main Agenda Report which sought details of the road construction. The applicant has advised that information relating to criterion (a) of this proposed condition have already been submitted as part of the application and was asking what further information was required. The Highway Authority has reviewed the condition and information submitted with the application and are satisfied that the information already submitted addresses criterion (a) of Condition 9 of the main Agenda Report and are happy that this condition can be amended to remove this criterion.

3.4 A Highway Informative has also been added to pick up the issue raised in the Highway Authority's response of the 2nd December 2022 advising that the change in access location may require the extinguishment of highway rights.

3.5 **Ecology**

Condition 17 of the main Agenda Report requires a detailed scheme of biodiversity enhancements to be submitted. Condition 24 of the main Agenda Report requires development to be carried out in accordance with the Mitigation and Enhancement requirements of the Preliminary Ecological Appraisal. The applicant has queried that as these two conditions are both seeking similar outcomes are they both needed.

3.6 The land at present is mown grass and has little biodiversity. The PEA sets out the following enhancements:

- A range of bird boxes
- Swift Bricks
- Landscaping to provide foraging habitats for birds and bats
- Bat boxes/bricks will be included across the development
- Bug Hotels and bee bricks

3.7 It is considered that these enhancements would increase biodiversity across the site. The landscaping is to be managed by TVBC who will ensure the foraging habitats are maintained. It is considered that the existing PEA does deliver biodiversity enhancements and these enhancements are secured through condition. The Council's Ecologist has agreed that Condition 17 can be removed as it effectively duplicates Condition 24 of the main Agenda Report.

- 3.8 The wording of Condition 24 has also been slightly amended to require an Ecologist's report to confirm that the Mitigation and Enhancements have been provided as opposed to a photographic record, the latter being considered to not provide sufficient clarity on a development of this size.

3.9 **Affordable Housing**

In the main Agenda Report in paragraph 8.54 there is a discussion on the provision of adapted wheelchair units. What was not clear was that whilst these are not being provided the developer is proposing at least two dwellings to provide adaptable units built in accordance with Building Regulations standard M4(2) Category 2 that can meet the changing needs of occupiers, these will be secured through the S106 legal agreement and the resolution has been updated to reflect this.

3.10 **Environmental Protection**

Whilst Condition 12 sought control over delivery times there was no corresponding condition on the opening hours of the development. To protect residential amenity Environmental Protection have suggested a Condition with the opening hours reflecting the trading hours of the commercial premises at the Northern Local Centre. This condition is included within the Amended Recommendation as condition 13, which states the following:

The commercial premises within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101 Rev A shall only be open between the hours of 0700 and 2300 hours on any day.

Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

3.11 **Other Matters**

The third party representation refers to land to the south of the application site on land on the opposite side of Dairy Road. This land is not part of the application site and ownership is retained by Taylor Wimpey. The representation requests that permission is withheld until this issue is sorted or the land is included in this plan. Whilst this is noted the land is outside of the application site and therefore cannot be addressed through this application and neither is it appropriate to withhold further development until this matter has been resolved. The LPA have brought this to the attention of the applicant.

4.0 AMENDED RECOMMENDATION

Delegated to the Head of Planning and Building that, subject to the completion of a satisfactory legal agreement to secure, mitigation land to offset the nitrogen load from the development, affordable housing provision and associated financial contribution, two adaptable dwellings built in accordance with Building Regulations standard M4(2) Category 2, the Framework Travel Plan and associated approval and monitoring fees, a Travel Plan Bond, transfer of onsite public open space to TVBC and associated commuted sum for its long term management and maintenance, financial contributions towards off-site public open space provision, details of the Management Company for the management and maintenance of internal roads; and satisfactory resolution of off-site highway mitigation measures 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 occupation of the development authorised by this permission shall not begin until the following highways works are complete and operational;
 - Highway improvement works shown on Drawing Number 18087/100 REVD or 06-034/1261B and 06-034/1262B hereby approved have been implemented in accordance with either of these drawings and;
 - the North Way/Finkley Arch “L” Improvements as set out in Schedule 12, Part 1 of the S106 Agreement that accompanies the Outline permission TVN.09258 as permitted on 13th August 2008 and shown on Drawing Number 06-034-02-135 REV B

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

3. The development hereby permitted shall not be carried out except In complete accordance with the details shown on the submitted plans, numbers;

Proposed Floor Plans - Plan Ref no. 22016 P152 - Version Building D - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P151 - Version Blocks B _ C - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P150 - Version Building A - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P161 - Version A bin/cycle _ substation - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P160 - Version Garages - 04/08/22

Proposed Elevations - Plan Ref no. 22016 P153 - Version Building D - 04/08/22

APPENDIX 2

Composite Plan - Proposed - Plan Ref no. 22016 P137 - Version Plot 72 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P136 - Version Plot 63-64 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P135 - Version Plot 60-61 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P134 - Version Plot 59 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P143 - Version Plot 22 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P142 - Version Plot 84 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P141 - Version Plot 93-95 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P140 - Version Plot 87-89 - 04/08/22
Site Location Plan - Plan Ref no. 22016 S101 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P110 - Version Plots 1-3 and 90-92 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P111 - Version Plots 4-5 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P112 - Version Plots 10, 27, 28, 58, 81 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P113 - Version Plots 11-12, 65-66, 74-75 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P117 - Version Plot 17 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P118 - Version Plots 18-20 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P119 - Version Plot 35 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P120 - Version Plots 24 and 62 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P121 - Version Plots 25-26, 82-83, 85-86 - 04/08/22
Composite Plan - Existing - Plan Ref no. 22016 P122 - Version Plot 29 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P123 - Version Plot 30 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P114 - Version Plot 13 and 102 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P115 - Version Plot 14-15 and 97-98 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P116 - Version Plots 16, 21 and 23 - 04/08/22
Composite Plan - Proposed - Plan Ref no. 22016 P128 - Version Plots 36-37 - 04/08/22

APPENDIX 2

Composite Plan - Proposed - Plan Ref no. 22016 P129 - Version Plots 38-39 - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P130 - Version Plots 40-41 - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P131 - Version Plots 50-51 - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P132 - Version Plots 52-53 and 54-55 - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P133 - Version Plots 56-57 - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P124 - Version Plots 31-32 - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P125 - Version Plots 33, 71 and 96 - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P126 - Version Plots 73 and 99 - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P127 - Version Plot 34 - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P138 - Version Plots 76-77 - 04/08/22

Composite Plan - Proposed - Plan Ref no. 22016 P139 - Version Plots 78-80 - 04/08/22

Site Layout - Plan Ref no. 22016 P103 - Version Affordable housing layout - 04/08/22

Details - Plan Ref no. WWL/E5020/001 C - Version Levels strategy layout - 04/08/22

Details - Plan Ref no. WWL/E5020/002 B - Version Drainage strategy layout - 04/08/22

Details - Plan Ref no. 22016 P104 - Version Boundary materials layout - 04/08/22

Details - Plan Ref no. 22016 P105 - Version Building material layout - 04/08/22

Site Layout - Plan Ref no. 22016 C101 A - 17/10/22

Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1001 PL04 - Version (1 of 5) - 17/10/22

Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1002 PL04 - Version (2 of 5) - 17/10/22

Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1003 PL04 - Version (3 of 5) - 17/10/22

Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1004 PL04 - Version (4 of 5) - 17/10/22

Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1005 PL04 - Version (5 of 5) - 17/10/22

Details - Plan Ref no. 06-034/1262 B - Version Sheet 2 - 30/10/22

Details - Plan Ref no. 06-034/1261 B - Version Sheet 1 - 30/10/22

Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 1 - Version Sheet 1 - 01/12/22

Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 2 - Version Sheet 2 - 01/12/22

Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 3 - Version Sheet 3 - 01/12/22

Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 1 - Version Sheet 1 - 01/12/22

Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 2 - Version Sheet 2 - 01/12/22

Landscaping - Plan Ref no. TWWL23988 20 DR-Sheet 3 - Version Sheet 3 - 01/12/22

Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 4 - Version Sheet 4 - 01/12/22

Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 5 - Version Sheet 5 - 01/12/22

Landscaping - Plan Ref no. TWWL23988 11 DR-Sheet 6 - Version Sheet 6 - 01/12/22

Details - Plan Ref no. D3181-FAB-00-XX-DR-L-1100 PL05 - Landscape Legend - 01/12/22

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

- 4. No development shall commence on site until a construction traffic management plan has been submitted to and approved in writing by the Local Planning Authority, which shall include:**
- (a) A programme of and phasing of demolition (if any) and construction work;**
 - (b) The provision of long term facilities for contractor parking;**
 - (c) The arrangements for deliveries associated with all construction works;**
 - (d) Methods and phasing of construction works;**
 - (e) Access and egress for plant and machinery;**
 - (f) Protection of pedestrian routes during construction;**
 - (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;**
 - (h) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e. wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process.**

Demolition and construction work shall only take place in accordance with the approved management plan.

Reason: In the interest of the amenities of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8 and T1.

5. No development shall take place (other than any approved demolition and site clearance works) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a safe living/working environment in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.

6. Prior to the commencement of construction activity including site clearance or groundworks, a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The CEMP shall detail the significant risks posed to amenity from the emission of noise, vibration, light and dust and set out the mitigation measures to be employed to control such emissions and mitigate the effects of such emissions on sensitive land uses. The CEMP shall include details of the site compound location(s). The construction activity shall only take place in accordance with the approved CEMP.

Reason: In the interest of the amenities of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

7. No development shall commence until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment and Drainage Strategy, has been submitted and approved in writing by the Local Planning Authority. The submitted details shall be implemented as approved and must include:
- a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment and Drainage Strategy.
 - b) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.

Reason: To ensure satisfactory surface water drainage on site in accordance with Policy E7 of the Test Valley Borough Revised Local Plan 2016.

8. No development shall commence until the tree protection as shown on Drawing Number 1826-KC-XX-YTREE-TPP01REVA has been installed and at least 2 working days' notice of development commencing given to the local planning authority. The Tree Protection shall be retained and maintained for the full duration of the construction phases of the development. No activities shall take place within the protected areas.

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

9. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - a) No dwelling shall be occupied until a connection between it and the adopted highway has been constructed to at least binder course level for use by pedestrians, cycles and vehicles.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the roads, footway, footpath and cycleways are constructed to an appropriate standard to serve the development in accordance with Policy T1 of the Test Valley Borough Revised Local Plan 2016.

10. No construction activity shall be carried out and no deliveries taken at or despatched from the site except between the hours of 07:30 hours and 18:00 hours Monday to Friday and 08:00 hours and 13:00 hours on Saturday and not at any time on Sundays, Bank or Public Holidays.

Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

11. No percussive or vibratory piling work shall be conducted on site until a noise and vibration assessment has been conducted and a scheme of mitigation measures has been submitted to and agreed in writing by the local planning authority. The agreed mitigation measures shall be carried out in accordance with the approved details.

Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

12. Deliveries and collections to and from the commercial premises within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101 Rev A shall only be undertaken between the hours of 07:30 and 18:00 Monday to Saturday and at no other time.

Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

- 13** The commercial premises within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101 Rev A shall only be open between the hours of 0700 and 2300 hours on any day.

Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

- 14** Prior to the installation of any fixed external plant, or externally venting plant in connection with the commercial use hereby permitted within 'Block D' as shown on the Amended Site Layout drawing no. 22016 C101 Rev A, a specification of the proposed plant to be installed, including details of noise emissions, shall be submitted to and approved in writing by the local planning authority. The specification and accompanying details shall be implemented as approved.

Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

- 15** No artificial lighting shall be brought into use or illuminated unless back plates or other mitigation measures have first been installed where necessary to ensure that light at any residential property does not exceed 2 lux after 2300 hours when the light is illuminated. All such mitigation measures shall thereafter be permanently retained.

Reason: To safeguard existing and future residents from artificial light pollution having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.

- 16** Details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall be implemented as approved and must include;

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

Reason: To ensure satisfactory surface water drainage on site in accordance with Policy E7 of the Test Valley Borough Revised local Plan 2016.

- 17** No development shall take place above DPC level of the development hereby permitted until a scheme showing EV Charging Points and Solar PV Panels has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 18 Prior to the occupation of the first dwelling an implementation plan for the delivery of the landscaping as shown on the submitted plan, Drawing Numbers,
TWWL 23988 11 DR-SHEET 1
TWWL 23988 11 DR-SHEET 2
TWWL 23988 11 DR-SHEET 3
TWWL 23988 11 DR-SHEET 4
TWWL 23988 11 DR-SHEET 5
TWWL 23988 11 DR-SHEET 6
shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure the provision, establishment and maintenance to a suitable standard of the approved landscape designs to create and 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 E1 and E2.
- 19 The apartment blocks hereby permitted, referred to as Blocks A, B, C and D on Drawing No. 22016/C101A shall not be occupied until the residential bin store associated with that apartment block has been fitted with internal lighting to allow for the safe use of the residential bin stores by future occupiers. The bin stores hereby permitted will be secured by a digi lock which shall be retained and maintained in good working condition thereafter.
Reason: To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.
- 20 No development shall take place above DPC level of the development hereby permitted until an Employment and Skills Plan to encourage and promote skills and training in the construction industry in accordance with the Construction Industry Training Board (CITB) Client Based Approach to developing and implementing an Employment Skills Strategy on Construction projects, Local Client Guidance – England, v2, CITB and the National Skills Academy 2016 has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: Details are required prior to commencement in order to identify and provide skills needs and training delivery in accordance with Test Valley Borough Revised Local Plan 2016 policy ST1.
- 21 Prior to the occupation of the dwellings hereby permitted a lighting strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Strategy shall comply with BS 5489-1:2020. The development shall be carried out in accordance with the approved details.
Reason: To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.

- 22** No dwelling hereby permitted shall be occupied until the parking and manoeuvring space associated with that dwelling has been provided in accordance with Drawing Number 22016/C101A 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.

- 23** The commercial premises hereby permitted shall not be brought into use until the bin store associated with that commercial use has been fitted with internal lighting to allow for the safe use of the commercial bin stores. The bin store will be secured by a digi lock that has a different code to the adjacent residential bin store and the digi lock shall be retained and maintained in good working condition thereafter.

Reason: To protect the amenity of future occupiers in accordance with Policy E8 of the Test Valley Revised Local Plan 2016.

- 24** Development shall proceed in accordance with the measures set out in Section 5 'Mitigation' and Section 6 'Enhancement Opportunities' of the Land West of Finkley Farm Road, East Anton, Andover, Preliminary Ecological Appraisal (RPS, July 2022). Thereafter, the mitigation and enhancement measures shall be permanently maintained and retained in accordance with the approved details, with a report from a qualified Ecologist providing confirmation and evidence to the Local Planning Authority within 6 months of final occupation.

Reason: To ensure the favourable conservation status of protected species and enhance biodiversity in accordance with the Natural Environment and Rural Communities Act 2006, the NPPF and Policy E5 of the Test Valley Revised Local Plan DPD.

- 25** The communal parking areas as shown on Drawing No. 22016/C101A will be marked by the painting of numbers on the ground to each residential unit to which they are allocated. The car parking spaces shall be marked prior to the occupation of the dwelling they are allocated to.

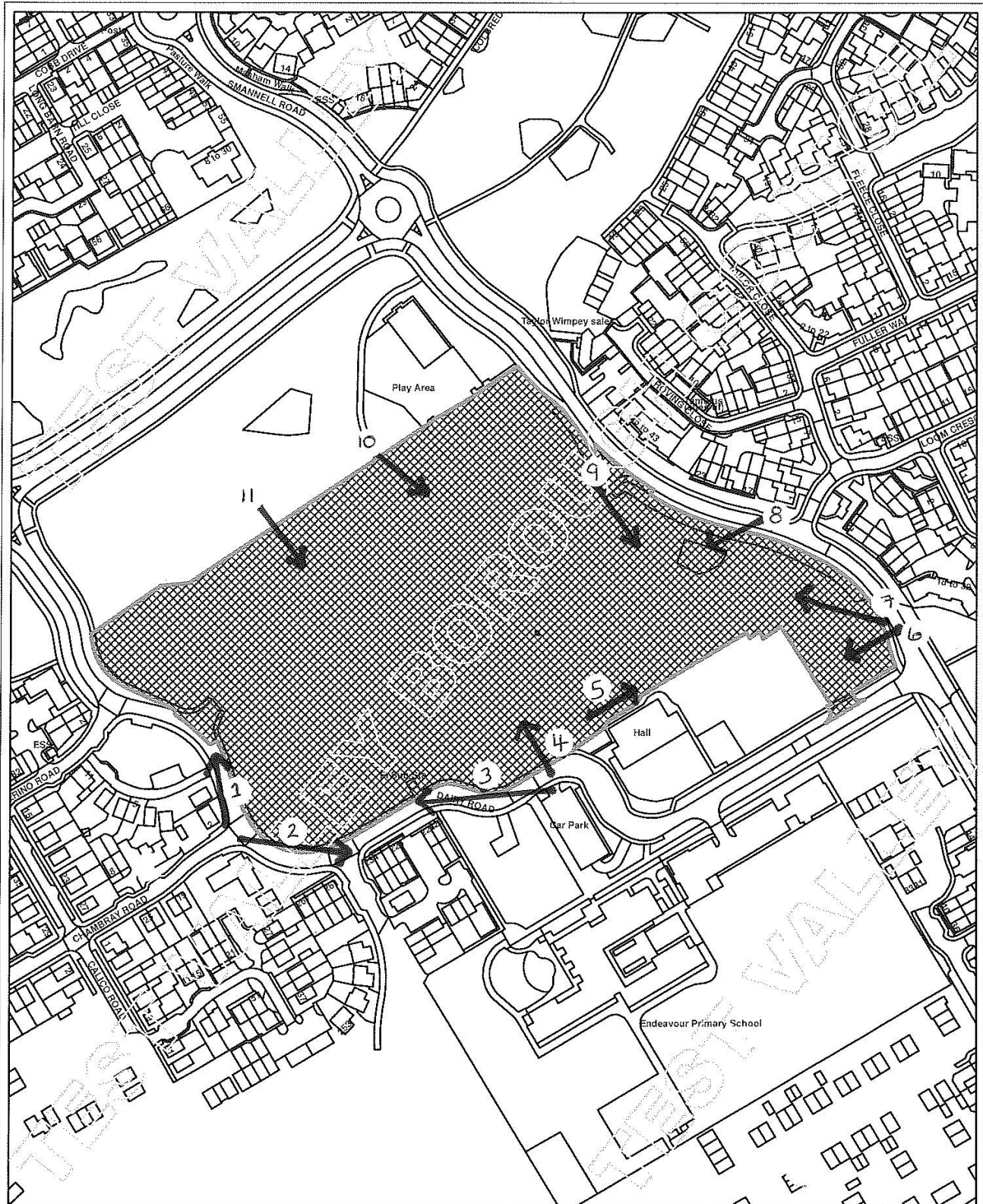
Reason: To ensure satisfactory parking levels are retained on site in accordance with Policy T2 of the Test Valley Borough Revised Local Plan 2016.

- 26** Rear access gates to all residential properties shall be fitted with a key operated lock that operates from both sides and shall be suitable for exterior use.

Reason: To ensure safe and secure development and contribute to reducing crime and disorder, in accordance with the adopted Local Plan, Policy CS1.

APPENDIX 2

- 27 The retail convenience store hereby permitted shall be restricted to Use Class E (a) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 and for no other purposes within Class E of that Order.
Reason: To protect amenities of neighbouring uses and ensure adequate parking in accordance with policies T2 and E8 of the Test Valley Borough Revised Local Plan 2016.**
- 28 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.**
- 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.**
- 2. There is a requirement to extinguish the highway rights across the existing access spur that is shown as surplus to requirement.**



Siteplan

Test Valley
Borough Council