
APPLICATION NO. 16/00544/OUTN
APPLICATION TYPE OUTLINE APPLICATION - NORTH
REGISTERED 03.03.2016
APPLICANT Dunsmere Developments Ltd
SITE Land north of Walworth Road, Picket Piece, Andover, SP11 6LY, **ANDOVER TOWN (ST MARYS)**
PROPOSAL Outline planning application for the residential development (Class C3) of up to 30 dwellings; with associated car parking, turning, public open space, landscaping, and improvements to existing vehicular access to Walworth Road, external access not reserved.
AMENDMENTS
CASE OFFICER Miss Emma Jones

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 This application was considered by the Northern Area Planning Committee on 4 August 2016 when it was resolved to:

- Delegate to the Head of Planning and Building that subject to the completion of a S106 legal agreement to secure financial contributions for transport/highways, public open space (including its maintenance), educational provisions, landscape maintenance and management arrangements, affordable housing and skills/training provision then OUTLINE PERMISSION subject to condition and notes.

1.2 Since the consideration of the application at NAPC on the 4 August 2016, an updated National Planning Policy Framework (NPPF) has been published (July 2018). This updated version of the NPPF replaces the previous version (March 2012) that was current at the time the application was considered by the NAPC. It is therefore necessary for the Committee to consider the application in light of the new material planning consideration before a decision can be issued. This report is an update dealing with an assessment of these changes in relation to the application. In other respects, the reports to the NAPC on the 4 August 2016 apply and these are included as follows:

- The report presented in the NAPC agenda for its meeting on 4 August 2016 is attached at **Appendix A**.
- The Update Paper reported to the NAPC meeting on the 4 August 2016 is attached at **Appendix B**.

1.3 The application was originally brought to the Northern Area Planning Committee because the proposal was considered to be of significant local interest.

2.0 **REPRESENTATIONS** Expired 26.07.2016

2.1 **1 x letter received since the application was considered by the NAPC on 4 August 2016; Objection from Alfred Cottage, 23 Walworth Road, raising;**

- Character of Area;
- Noise;
- Over Development;
- Overlooking;
- Traffic Generation Parking and Safety;
- Trees;
- We will be blighted by headlights directed into our living room and bedrooms in the evenings and at night from vehicles exiting the development, not to mention the additional noise;
- Walworth Road has already become a busy main road with many vehicles not adhering to the 30mph speed limit. With the pavements and road in poor condition there is an accident waiting to happen. We already have difficulty pulling out of our drive with vehicles speeding, the increased traffic flow and with the additional access road opposite will make access in and out of our property even more difficult;
- Picket Piece was a nice peaceful village which drew us to move here but is being changed by over development in the immediate area. We already suffer the noise of a ball being kicked constantly against the fence at the rear of our property from the development south of Walworth Road, making it difficult to enjoy sitting in the garden;
- The increase of traffic noise for longer hours;
- When we first moved here in 2014 owls could be heard in the evenings but I fear that with all the development their habitat and prey have disappeared. What other wildlife has these developments had an impact on?;
- The road condition from increase traffic of all sizes is getting worse and is a hazard to cyclists, pedestrians and road users. There have been numerous attempts to patch it but has not improved the road condition;
- There is an increase in litter especially from local takeaways;
- The residents of Picket Piece are losing all of our green spaces to developments with the fields between Picket Piece and Walworth Industrial Estate to be developed also. I would much rather see the land north of Walworth Road turned into a community parkland/nature reserve and opened up for the residents to make use of as there is no safe place left in Picket Piece for kids to run around and for dog owners to let dogs off leads;
- The pavements along Walworth Road are narrow and do not continue the length of the road so people are forced to cross over. With some road users travelling at break neck speeds I fear for the parents walking along with small children and pushchairs/prams;
- It is pleasant to be able to look out to the trees and hope that these would be protected in the plans of the development and no trees would be cut down;
- I would hope that there would be no development north of Walworth Road, and would not be given permission and our green spaces are preserved, Walworth Road does not become massively over developed and the residents of Picket Piece have some space to enjoy.

3.0 **POLICY**

3.1 Government Guidance

National Planning Policy Framework 2018 (NPPF)
National Planning Practice Guidance (NPPG)

3.2 Test Valley Borough Revised Local Plan (2016)(RLP)

SD1 – Presumption in favour of sustainable development
COM1 – Housing provision 2011-2029
COM2 – Settlement hierarchy
COM6 – New neighbourhood at Picket Piece, Andover
COM7 – Affordable housing
COM15 – Infrastructure
E1 – High quality development in the Borough
E2 – Protect, conserve and enhance the landscape character of the Borough
E5 – Biodiversity
E7 – Water management
E8 – Pollution
E9 – Heritage
LHW1 – Public open space
LHW4 – Amenity
T1 – Managing movement
T2 – Parking standard

3.3 Supplementary Planning Documents (SPD)

Affordable Housing
Infrastructure and Developer Contributions
Cycle Network and Network
Andover Town Access Plan

4.0 **PLANNING CONSIDERATIONS**

4.1 The main planning considerations are:

- Whether, in considering the guidance contained in the NPPF as a material planning consideration that has been published since the NAPC meeting on the 4 August 2016, the proposed development is considered acceptable.

4.2 **National Planning Policy Framework – background**

Paragraph 2 of the updated NPPF states that applications for planning permission must be determined in accordance with the Development Plan. Paragraph 12 recognises that the NPPF does not change the statutory status of the development plan as the starting point for decision making. It goes on to advise that where a proposed development conflicts with an up-to-date development plan, permission should not usually be granted and that local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. Paragraph 213 reinforces that the policies of local plans should not be considered out of date because of their adoption prior to the publication of the updated NPPF and confirms that due weight should be given to them, according to their degree of consistency with the NPPF.

4.3 **Considerations detailed in the 4 August 2016 agenda report**

With respect to the following considerations in the original Officer's report (**Appendix A**):

- The principle of development
- Character and appearance
- Trees and landscaping
- Highway network
- Water management
- Ecology
- Archaeology
- Affordable housing
- Public open space
- Educational provision
- Skills and training
- Amenity

it is considered that the updated NPPF does not introduce a materially different approach to these matters such that the original officer assessment of the proposal as set out in the original report to NAPC is now unsound. The corresponding Development Plan policies are not inconsistent with the updated NPPF such that a different recommendation on these matters arises.

4.4 **Comments and considerations in response to additional third party representation**

The comments made in the additional third party representation (see paragraph 2.1) have largely been considered within the reports already present to NAPC (Appendix A and B), including in relation to the principle of developing land to the north of Walworth Road, ecology, highway matters including mitigation/improvements, amenity, and trees.

4.5 The third party representation raises concerns with regards to headlights from the proposed access road being directed into the living room and bedrooms of 23 Walworth Road. The access to the site would be on a similar ground level to this property (i.e. not directing headlights upwards), and there would be a separation distance of approximately 20m between the access and the front elevation of this neighbouring property, and there is an intervening boundary treatment. It is not considered that this would result in any significant detriment to the amenities of the occupants of existing dwellings on Walworth Road.

4.6 It has also been suggested in the third party representation that there is an increase in litter especially from local takeaways. The proposed development is not located close to any generators of this type of litter, nor does the proposal include provision for such establishments. Litter bins are generally provided within the existing developments at Picket Piece in the areas of public open space, and provision can also be made within the application site at such a time as the specific details are proposed at condition/reserved matters stage.

4.7 **Legal agreement**

The required legal agreement has not yet been completed. Consequently the recommendation reflects the need to secure the same obligations to those set out in the previous NAPC recommendation.

5.0 **CONCLUSION**

5.1 It is clear that the publication of the revised NPPF represents a new material consideration compared to the position as it existed when the NAPC met on the 4 August 2016. However, it is not considered that the revised NPPF, or the additional letter of representation received, introduces a materially different approach to considering the planning considerations relevant to this application as outlined above. The proposal does not conflict with the revised NPPF and on this basis there is no reason to reach a different outcome to that of the NAPC on 4 August 2016.

6.0 **RECOMMENDATION**

Delegate to the Head of Planning and Building that subject to the completion of a S106 legal agreement to secure financial contributions for transport/highways, public open space (including its maintenance), educational provisions, landscape maintenance and management arrangements, affordable housing and skills/training provision then OUTLINE PERMISSION subject to:

1. **Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than which ever is the later of the following dates:**
 - i) **five years from the date of this permission: or**
 - ii) **two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.**

Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.
2. **Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.**

Reason: To comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order).
3. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers; 140126-01; 4797.002 Rev. B**

Reason: For the avoidance of doubt and in the interests of proper planning.
4. **No construction above foundation level shall take place on the dwellings until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan 2016 policy E1.

- 5. No development shall take place (including site clearance within the application site/area indicated red) until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The assessment should initially take the form of a geophysical survey of the site, followed by trial trenching targeted on potential archaeological features identified by the geophysics and also within any 'blank' areas in between. The Written Scheme of Investigation shall also include a programme of archaeological mitigation of impact, based on the results of the trial trenching.**

Reason: Archaeological work is required prior to construction of the development in order to assess the extent, nature and date of any archaeological deposits that might be present, to assess the impact of the development upon these heritage assets, to mitigate the effect of the works associated with the development upon any heritage assets, and to ensure that information regarding these heritage assets is preserved by record for future generations in accordance with Test Valley Borough Revised Local Plan 2016 policy E9.
- 6. Following completion of the archaeological fieldwork a report shall be produced in accordance with an approved programme including, where appropriate, post-excavation assessment, specialist analysis and reports, publication and public engagement. The report shall be submitted to and approved in writing by the Local Planning Authority.**

Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available in accordance with Test Valley Borough Revised Local Plan 2016 policy E9.
- 7. All landscape works forming part of the approved reserved matters shall be carried out in accordance with the approved details and with an implementation programme that shall have first been submitted to and approved in writing by the local planning authority prior to any development above foundation level taking place.**

Reason: To provide a satisfactory landscape setting to the development having regard to policy E2 of the Test Valley Borough Revised Local Plan 2016.
- 8. A landscape management plan, including long-term design objectives and arrangements for its implementation, including management responsibilities and maintenance schedules (for a five year period), for all landscape areas other than privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The landscape management plan shall be carried out as approved.**

Reason: To ensure appropriate maintenance of all non-domestic landscaped areas in the development having regard to policy E2 of the Test Valley Borough Revised Local Plan 2016.

- 9. 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.**
- 10. The development hereby permitted shall be carried out in accordance with the provisions set out within the submitted Arboricultural Impact Assessment (SJ Stephens Associates, 26th May 2016).
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**
- 11. Tree protective measures installed (in accordance with the tree protection condition above) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority Arboricultural Officer. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier without the prior written agreement of the Local Planning Authority.
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**
- 12. All service routes, drain runs, soakaways or excavations in connection with the same shall remain wholly outside the tree protective barrier without the prior written agreement of the Local Planning Authority.
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**
- 13. Details of the layout and specification for the children's play area shall be submitted to and approved in writing by the local planning authority prior to its installation. The development shall be carried out in accordance with the approved details.
Reason: To ensure its layout and equipping is of a high standard in accordance with Test Valley Borough Revised Local Plan 2016 policy LHW1.**
- 14. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, shall take place before the hours of 0730 nor after 1800 on Mondays to Fridays; before the hours of 0800 nor after 1300 on Saturdays; and at all on Sundays and public holidays.
Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.**
- 15. No development shall take place until a method of demolition and construction has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the local planning authority. No piling or any other foundation designs using penetrative methods shall take place. The scheme should include dust control measures.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

- 16. 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, in accordance with the recommendations set out in the submitted Geoprobe Environmental Limited report (Ref: GPE 15/202). In the event that contamination is found, or is considered likely, a scheme containing remediation proposals designed to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority. 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 Test Valley Borough Revised Local Plan 2016 policy E8.

- 17. In the event that contamination that was not previously identified is found at any time during demolition and/or construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being brought in to use.**

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

- 18. The development hereby permitted shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. Details shall include the responsibilities of each party for the implementation of the scheme; a timetable for its implementation; a management and maintenance plan for the lifetime of the development; arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.**

Reason: Details are required prior to the commencement of development to ensure the prevention of an increased risk of flooding and to ensure the improvement and protection of water quality, habitat and amenity in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

- 19. No dwelling hereby permitted shall be occupied until the crossing points on Walworth Road as shown on drawing 4797.002 Rev B have been implemented to the satisfaction of the Local Planning Authority.**

Reason: This is required prior to the commencement of development in the interests of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.

- 20. The development hereby permitted shall not commence until details of the roads, footways, footpaths and cycleways to be offered to HCC for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Details shall include;**
- a) the width, alignment, gradient and surface materials including all relevant horizontal and longitudinal cross sections showing existing and proposed levels**
 - b) the type of street lighting including calculations, contour illumination plans and means to reduce light pollution**
 - c) the method of surface water drainage including local sustainable disposal.**

Reason: Details are required prior to commencement to ensure that the roads, footway, footpath, cycleway, street lighting and surface water drainage are constructed and maintained to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.

- 21. Prior to the commencement of development full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of development and retained for the duration of the construction period.**

Reason: Details are required prior to the commencement of the development to ensure that construction of the proposed development will be in the interest of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.

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

Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 policies T1 and T2.

- 23. At least the first 4.5 metres of the access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.**

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

- 24. The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 5.0 'Conclusions and Recommendations' of the submitted Ecological Appraisal and Phase 2 Surveys Report (Lindsey Carrington Ecological Services Ltd., update August 2016), unless varied by any relevant European Protected Species (EPS) license issued by Natural England. All mitigation and compensation habitats shall be permanently maintained and retained in accordance with the approved details.**

Reason: To avoid impacts to protected species, to maintain the favourable conservation status of dormice, and to conserve and enhance biodiversity in accordance with Test Valley Borough Revised Local Plan 2016 policy E5.

- 25. No deliveries of materials or removal of spoil during the construction of the development shall take place before 0915 or after 1500 on Mondays to Fridays, or before 0800 or after 1300 hours on Saturdays. There shall be no deliveries of materials or removal of spoil during the construction of the development on Sundays and public holidays.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

Notes 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.**
- 2. Attention is drawn to the requirements of the Agreement dated XXXXXX under Section 106 of the Town and Country Planning Act 1990 which affects this development.**
- 3. A formal application for connection to the public sewage system and the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119 or www.southernwater.co.uk).**
- 4. Permission is required under the Highways Act 1980 to construct/alter/close a vehicular access. Please contact the Head of Highways, Hampshire County Council, Jacobs Gutter Lane Hounslow, Totton, Southampton, SO40 9TQ. (0300 555 1388) or highways-transportwest@hants.gov.uk at least 6 weeks prior to work commencing.**
- 5. Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.)**

outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.

APPENDIX A

Officer Report to Northern Area Planning Committee on 4 August 2016

APPLICATION NO.	16/00544/OUTN
APPLICATION TYPE	OUTLINE APPLICATION - NORTH
REGISTERED	03.03.2016
APPLICANT	Dunsmere Developments Ltd
SITE	Land north of Walworth Road, Picket Piece, Andover, SP11 6LY, ANDOVER TOWN (ST MARYS)
PROPOSAL	Outline planning application for the residential development (Class C3) of up to 30 dwellings; with associated car parking, turning, public open space, landscaping, and improvements to existing vehicular access to Walworth Road, external access not reserved.
AMENDMENTS	Amended/additional plans and information received: <ul style="list-style-type: none">• 14.06.2016• 12.07.2016• 14.07.2016
CASE OFFICER	Miss Emma Jones

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is referred to the Northern Area Planning Committee because the proposal is considered to be of significant local interest.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site comprises land to the rear (north) of the existing dwellings fronting Walworth Road, Picket Piece, and extends to the railway line to the north. The application site is currently a field of approximately 1.17 hectares in size. There is some vegetation within the site, and the boundaries consist of mature trees. The ground levels at the site rise gently from Walworth Road up to the northern boundary adjacent to the railway line, which is situated on an embankment.

3.0 PROPOSAL

- 3.1 The proposal seeks outline planning permission for a development of up to 30 residential dwellings with associated car parking, turning, public open space, landscaping, and improvements to existing vehicular access to Walworth Road.
- 3.2 The proposal is in Outline form with only the matter of access submitted for approval at this stage. All other matters (Layout, Appearance, Landscaping and Scale) are reserved for later approval.

3.3 The application proposes the erection of up to 30 dwellings comprising a range of house types and sizes. An indicative dwelling mix has been set out as follows;

12 x 1 bedroom
1 x 2 bedroom
3 x 3 bedroom
5 x 3/4 bedroom
9 x 4 bedroom

It is proposed that 12 dwellings would be affordable units.

3.4 Amended/additional plans and information have been received during the course of the application, in relation to: the position of the public open space; the position of dwellings in relation to existing trees and further arboricultural assessment; acoustic impact assessment; updated ecological appraisal; revised access/internal road arrangements.

4.0 **HISTORY**

4.1 There is no relevant planning history relating to the application site itself, however the land to the south of Walworth Road, opposite the application site, is subject of outline planning permission (application 10/00242/OUTN) for a mixed use development comprising up to 530 dwellings, local centre offering community facilities and retail units, public open space, vehicular, pedestrian and cycle access and landscaping. Whilst the site subject of this current planning application did not form part of this outline planning permission, it was shown indicatively on the submitted plans with that outline application as being a “subsequent phase”.

4.2 A planning application relating to the adjacent land to the east of the application site has also been submitted (as set out at para.4.3 below). The Northern Area Planning Committee (NAPC) considered that application on 21 April 2016, and resolved to instruct the Head of Planning and Building to issue Outline permission subject to the completion of an appropriate legal agreement to secure financial contributions for transport/highways, public open space (including its maintenance), educational provisions, landscape maintenance and management arrangements, affordable housing and skills/training provision. The S106 is still being progressed, and Outline permission has therefore not yet been issued.

4.3 15/03150/OUTN; Outline planning application for development of up to 53 residential dwellings with associated access, parking, open space and landscaping. Access into the site to be considered, all other matters reserved – Outline permission – pending decision.

5.0 **CONSULTATIONS**

5.1 **Planning Policy;** No objection, subject to public open space contribution.

5.2 **Landscape;** No objection, subject to conditions.

- 5.3 **Trees**; No objection, subject to conditions.
- 5.4 **Highways**; Comments raising;
- Seek amended plan with regards to access;
 - Expected comprehensive statement on safety merits of design in road safety audit.
- 5.5 **Transport Planner**; Comments;
- There are some concerns regarding this site - as it forms part of a larger allocation and with it coming forward in a small piecemeal way it is difficult to be assured that access, and permeability are adequately provide for. It is difficult to ensure that the layouts for each deliver a permeable layout, conforming with Manual for Streets and offer good design principles.
 - Each of the small development areas needs to ensure that it relates well (and acknowledges) the neighbouring one, providing a comprehensive network of footway/cycleways and good permeability through the development/s and to Walworth Road. Routes/footways should not just end at hedge lines or boundaries.
 - Also, we would want to look at access to Walworth Road and the ability of pedestrians/cyclists to cross it to access nearby services and facilities. So crossings, signage etc need to be considered.
 - Contribution should be sought towards the Picket Piece Travel Plan.
- 5.6 **Economic Development**; Comments;
- The applicant should contribute to construction skills training. This should be set out in a S.106 Agreement to provide an Employment and Skills Plan, based on the CITB Client Based Approach.
- 5.7 **Leisure**; Planting/management plan required and contribution towards long term management of public open space.
- 5.8 **Housing**; Support.
- 5.9 **Environmental Protection**; Suggested conditions.
- 5.10 **Southern Water**; Comments summarised as follows;
- Southern Water can provide foul sewage disposal to serve the site. Informative note requested in relation to connecting to the public sewer;
 - Condition requested in relation to surface water;
 - Southern Water can provide a water supply to the site. Informative note requested in relation to connecting to water supply.
- 5.11 **HCC Archaeology**; Suggested conditions.
- 5.12 **HCC Ecology**; Suggested conditions/notes.
- 5.13 **HCC Local Education Authority**; No objection subject to a contribution towards educational infrastructure.

5.14 **HCC Lead Local Flood Authority**; The general principles for the surface water drainage proposals are acceptable, however, we would recommend that further information on the proposals be submitted as part of a more detailed design phase.

5.15 **Natural England**; No objection.

6.0 **REPRESENTATIONS** Expired 28.04.2016

6.1 **Andover Town Council**; Objection, with comments as follows;

- Submitted plans do not show the cycle access or footpaths;
- Acoustic fencing will mean the entrance will feel very enclosed. Concerned about height of the acoustic fence;
- Concerned about the visibility splays for access and egress of the site;
- Concerned about sustainability of site, on foot pedestrians will have to cross the road to get to the nearest shops;
- All footpaths should be accessible to all. A crossing should be provided on the south side of the development to enable access to local amenities, such as shops and community centre;
- Play grounds and shops are not easily accessible, therefore it is suggested that 106 monies could contribute to better access.

6.2 **2 x letters**; Objection and comments from Brambles and Ridge House (Walworth Road), summarised as follows;

- Walworth Road is already being overused, is considerably noisy, and can be a rat run. Crossing the road can be dangerous;
- Picket Piece was once a quiet village. It will lose the character that it currently has;
- Village is now being overdeveloped and the road infrastructure is not suitable;
- During summer months it is lovely sitting in back garden listening to birds and enjoying views across the field;
- Small village is already being ruined by the housing development to the south and now the proposal is to squeeze another 30 houses behind us and more in the adjoining land around;
- Concerned that the proposed houses are being built too close to the existing properties, and that the boundary fences and hedgerows will be insufficient to maintain privacy. New properties directly overlook house and garden at Brambles;
- No detail regarding area of land around three trees with TPO protection. Understand the trees will not be touched but how will area around the trees be contained or controlled;
- Proposed development is overcrowded and unsympathetic to the existing residents;
- Plot 5 will affect privacy of Ridge House. Properties across the road have become overlooked by the ongoing development and would hope not to be so badly affected;
- Landscape screening proposed. Would like to think this will be sufficient height to provide level of privacy;
- Will tree line to west of development remain or be taken down if development continues that way?;
- Average speed through village is over the 30mph limit, and with the increase of vehicles and pedestrians, road safety needs a proactive approach.

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)

SD1 – Presumption in favour of sustainable development
COM1 – Housing provision 2011-2029
COM2 – Settlement hierarchy
COM6 – New neighbourhood at Picket Piece, Andover
COM7 – Affordable housing
COM15 – Infrastructure
E1 – High quality development in the Borough
E2 – Protect, conserve and enhance the landscape character of the Borough
E5 – Biodiversity
E7 – Water management
E8 – Pollution
E9 – Heritage
LHW1 – Public open space
LHW4 – Amenity
T1 – Managing movement
T2 – Parking standard

7.3 Supplementary Planning Documents (SPD)

Affordable Housing
Infrastructure and Developer Contributions
Cycle Network and Network
Andover Town Access Plan

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Character and appearance
- Trees and landscaping
- Highway network
- Water management
- Ecology
- Archaeology
- Affordable housing
- Public open space
- Educational provision
- Skills and training
- Amenity

8.2 **The principle of development**

Policy COM6 of the RLP makes provision for a new neighbourhood at Picket Piece, comprising approximately 400 dwellings together with a range of associated facilities. The application site lies within this designated new neighbourhood (as defined by Map E of the RLP). The proposed development, consisting of up to 30 dwellings, is therefore acceptable in principle, subject to the provision of:

- a) Affordable housing provision in accordance with policy COM7;
- b) Improvements to community and education facilities;
- c) Public open space provision in accordance with policy LHW1;
- d) Landscaping to be provided including
 - i) A landscape belt of approximately 5 metres width south of the railway line
 - ii) A landscape belt to complement that already permitted north of Ox Drove
- e) Access to the development via;
 - i) Vehicular access to Walworth Rd
 - ii) Pedestrian/ cycle links to Walworth Rd
- f) Off-site improvements to the transport network to manage the impact of additional movements including:
 - i) Junctions of the A3093/A3057/A303(T)
 - ii) Pedestrian/ cycle links along Ox Drove.

The proposed development makes provision for the above, as discussed further below, and it is considered to comply with policy COM6 of the RLP. An assessment of the proposed development against the other relevant policies of the RLP has also been carried out below.

8.3 **Character and appearance**

Policies E1 and E2 seek to protect the landscape of the Borough through the provision of high quality development that integrates with and respects/complements the character of the area, and through the retention/provision of appropriate landscaping and landscape features.

- 8.4 The application is an Outline Application only, the matter of access is for consideration with this current application, but the layout, appearance, landscaping and scale are not for consideration at this stage and should approval be granted, these would be reserved matters. The proposed layout is provided for illustrative purposes only at this outline stage.
- 8.5 The application site consists of land between the existing line of properties along, and facing onto, the northern side of Walworth Road and the railway line to the north, which is at an elevated ground level in relation to the application site. The site has a gradual slope to it, rising to the north up to a steep embankment upon which the railway line is situated. Public views of the proposed development would be achieved through the existing dwellings and the proposed access along Walworth Road and from the railway line by train users, and wider public views would be available from the rising land to the south of Walworth Road up to Ox Drove.
- 8.6 The proposed development would be largely seen against the backdrop of the railway line embankment to the north, and would be visually well contained as a result of this. The submitted indicative plans suggest that the proposed dwellings would consist of a mix of 2, 2.5 and 3 storeys, which is in keeping with the proposals at the adjoining site to the east (15/03150/OUTN), and the recently constructed housing development to the south of Walworth Road.

- 8.7 Policy COM1 of the RLP requires development across the Borough to help provide an inclusive mix of housing to meet the choice and needs of the community. The supporting text to this policy sets out that the density of proposals should be informed by the character of the site and its surroundings and be sympathetic to it, and that proposals should provide a mix of sizes and types of new homes to meet the demographic changes of the Borough. The site is approximately 1.17 hectares in size, and up to 30 dwellings are proposed. This equates to a housing density of approximately 25.6 dwellings per hectare on the site. This is a relatively low density, with 35-40 dwellings per hectare being typical densities found within the new housing development to the south of Walworth Road. This lower density does, however, reflect proposals at the adjoining site to the east (25.5 dwellings per hectare – 15/03150/OUTN), and takes into account that buffers are required to be provided between the proposed dwellings and existing trees, and between the proposed dwelling and the railway line to the north (as required by policies COM6 and E2 of the RLP).
- 8.8 On-site public open space would also be provided within the site. The provision of this, together with the buffers set out above, would reduce the developable area of the site, and in doing so would maintain the existing spacious and rural/verdant character of the site and its surroundings. The submitted indicative layout shows the public open space located centrally within the site, which in particular would allow more open views across the site through the site access from Walworth Road. It is considered that the density of the proposed development is acceptable and appropriate in the context of the character and appearance of the site and its surroundings. The submitted indicative layout for the development shows a mix of detached and semi-detached properties, as well as flats, together with a mix of bedroom numbers. The proposal is considered to accord with the provisions of policy COM1 in this respect.
- 8.9 There are a number of existing trees within the application site, although the proximity of many of these trees to existing public vantage points, and their size, limits their amenity value. There are also mature trees along the boundaries of the site which do have a high landscape amenity value, contributing to the verdant and rural character of the site, and providing an extent of screening. The proposals would see the removal of many of the small/poor quality trees, and the retention of those which are of a better quality and of a higher amenity value. This is considered to be acceptable, subject to their protection during construction in accordance with the provisions set out within the submitted Arboricultural Impact Assessment.
- 8.10 The supporting text to policy E2 sets out that on housing developments, buildings should be placed sufficiently far away from trees to allow adequate daylight and sunlight to reach the proposed properties, and that based on past experience, a distance of 15 metres should be provided between the dwelling and the outer edge of any mature canopies of trees. An amended indicative layout has been provided which shows that this can generally be achieved at the site. The exception to this is in relation to the proposed dwellings adjacent to the western boundary of the site, on the other side of which is a row of off site mature conifer trees. The submitted Arboricultural Impact Assessment

acknowledges a reduced distance between the proposed dwellings and these trees, but clarifies that they are in a poor condition and are beginning to windblow, and will need to be managed before the new dwellings are occupied. The Council's Tree Officer has agreed that these trees will need to be managed appropriately, and that agreement of this should be sought by way of condition. This matter can also be comprehensively assessed at the Reserved Matters stage of the development.

8.11 The submitted indicative layout shows the provision of new planting within the site and on the boundaries, and this is encouraged. Landscaping is a reserved matter, and therefore the specific details in respect of this are not being considered at this outline stage. The future responsibility for the maintenance of the landscaping would need to be secured as a planning obligation through the S106 agreement that is currently being progressed with the applicant.

8.12 It is considered that the submitted indicative layout and scale parameters demonstrate that a development can be achieved that would integrate successfully with the existing character and appearance of the area, with height, scale and massing being similar to other existing properties in the vicinity.

8.13 **Highway network**

Access

Policy T1 of the RLP seeks to ensure that proposed developments are connected with existing and proposed pedestrian, cycle and public transport links to key destinations and networks, and that its impact on users of the networks is minimised. The development, in terms of layout and access, should also be safe, attractive, functional and accessible to all, and should not impact adversely on the function, safety or character of and accessibility to the highway network. Provision should also be made to support and promote the use of sustainable transport. Access is a matter for consideration under this outline planning application.

8.14 The proposed development would be served by one vehicular access from Walworth Road, which is an existing access. Discussions are ongoing with regards to this, between the Council's Highway Officer and the applicant, and further plans have been sought to demonstrate that the access would enable safe movement for all vehicles entering/exiting the site from/onto Walworth Road. In particular, amendments have been sought to reduce the width of the access road, and subsequently increase the radii at the junction with Walworth Road. This would ensure that large construction vehicles and refuse lorries, for example, can access/exit the site safely. This will be reported on further in an update report to Committee. It is also acknowledged that the plans submitted for the adjacent site to the east (15/03150/OUTN), which has three accesses onto Walworth Road (one vehicular and two pedestrian/cycle/emergency), show the internal road within that site extending up to the common boundary with this site, providing a link through to the internal road proposed at this site. In the event that the proposals at the adjacent site are constructed, access would therefore also be available through this site from Walworth Road, the accesses onto which are considered to be safe and functional.

- 8.15 In addition to the above, a footway would run along the vehicular access serving the site, providing a pedestrian link to Walworth Road, and to the residential development to the south of Walworth Road, which when completed will contain public open space (including playing fields/courts, parkland and allotments) and retail units. Details of the provision of a crossing point on Walworth Road have been sought from the applicant. The submitted indicative layout plan also shows that the internal road layout at the site would allow access into the adjacent site to the west. This site, whilst not forming part of the application site, does also form part of the allocated new neighbourhood at Picket Piece (policy COM6 of the RLP), however part of this adjacent site is also highlighted on map E of the RLP (which identifies the extent of the Picket Piece new neighbourhood) as being an existing employment site.
- 8.16 The submitted indicative layout shows that the proposed internal road at the application site would join the common boundary with the adjacent existing employment site, as opposed to the remaining vacant areas surrounding it that might form part of a proposal in the future for housing development. Whilst there is nothing to suggest that the existing employment site would not form part of a future proposal for housing development, it cannot be assumed that this would be the case. An alternative indicative layout has therefore been sought from the applicant to demonstrate that a link could be provided into the adjacent site at a point that would avoid conflicts with the existing employment site.
- 8.17 On the basis of the above, subject to further clarification with regards to visibility splays and the internal road layout, it is considered that the proposals would provide safe access and connections to existing and proposed transport networks for all users, and would therefore comply with policy T1 of the RLP.
- 8.18 Parking
The indicative layout submitted with this application shows that there is likely to be adequate space within the site to be able to provide a parking provision in accordance with the standards set out by policy T2 and Annex G of the TVBRLP and this can be secured by condition. Also specific details of the parking provision would be provided with the Reserved Matters application(s).
- 8.19 Mitigation
The proposed development is a travel generating development which would result in an additional demand on the existing transport network. Policy COM15 of the RLP sets out that development will be permitted provided that appropriate investment has been secured either in the form of works and/or financial contributions to mitigate the impact on existing infrastructure. The requirement for such contributions is discussed within the adopted Infrastructure and Developer Contribution SPD. The Test Valley Access Plan SPD sets out schemes where improvements to the highway network are necessary, and where schemes would help meet sustainability objectives. A S106 legal agreement can be used to secure the provision of these mitigation measures involving a financial contribution. In considering the need for developer contributions towards mitigating for the impact of development on the highway network, due consideration has been given to the three tests as set out within the Community Infrastructure Levy (CIL) Regulations 2010,

namely that a planning obligation must be (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development, and to Government guidance on planning obligations contained within the National Planning Practice Guidance.

- 8.20 Confirmation is awaited from the Council's Highway Officer with regards to which specific infrastructure projects within the Ward the proposed development would contribute towards as mitigation for the additional burden that it would place on the transport network. Clarification will also be sought as to whether the specific projects meet the CIL Regulations 2010, and that the pooling limits have not been reached. This clarification will be provided in an update paper. A legal agreement has not been completed but is being progressed with the applicants to secure contributions towards mitigating the additional burden that would be placed on the transport network. The application recommendation reflects this.
- 8.21 A Travel Plan was submitted as part of the application for the development to the south of Walworth Road (10/00242/OUTN), which included consideration of future development taking place to the north of Walworth Road, as is now proposed with this current application. A Community Development Worker (CDW) for the Picket Piece area has been employed through the provisions of the previously approved application, whose role, among other things, is to act as the Travel Plan Co-ordinator for Picket Piece. As the Travel Plan is relevant to the wider Picket Piece area, including the application site, it is considered reasonable and necessary to require that this proposal contributes towards supporting the work of the CDW in promoting sustainable travel habits through the wider development of Picket Piece. It is considered that this provision meets the CIL Regulations 2010 set out above. A S106 is being progressed by the applicant to secure this provision, and the recommendation reflects that the S106 Legal agreement has not yet been completed.
- 8.22 **Water management**
Policy E7 of the RLP seeks to ensure that development is acceptable in respect of flood risk (including from surface water), and water consumption. The application is supported by a Flood Risk Assessment, setting out details of the proposed surface water drainage strategy. This is likely to consist of Sustainable Drainage Systems (SuDs), including infiltration systems such as soakaways or above ground ponds/basins, and pervious pavements/hardstandings. A condition is recommended requiring specific details of the surface water drainage strategy to be submitted prior to the commencement of the development. The site is not defined as an area at risk of flooding (flood zone 1), and it is considered that such means of surface water disposal is acceptable, and will not give rise to additional flood risk elsewhere, or leave the development itself at risk of flooding.
- 8.23 Policy E7 of the RLP requires new homes to achieve a water consumption standard of no more than 110 litres per person per day in order to secure increased water efficiency. A condition to this effect has been recommended.

8.24 Drainage

Southern Water have confirmed that they can provide foul sewage disposal to service the proposed development, as well as a water supply.

8.25 Ecology

Policy E5 (Biodiversity) of the RLP requires development to conserve, and where possible restore and/or enhance biodiversity. The application is supported by an Ecological Appraisal and Phase 2 Surveys Report. The site comprises a field of semi-improved grassland, with areas of scrub, hedgerows and mature trees. The submitted ecological report identifies dormice, badgers, slow worm and birds being present at the site.

8.26 As the proposed development would impact on protected species and their habitats, the proposals must be considered against the three derogation tests in the Habitats Regulations. Policy E5 of the RLP also requires compliance with criteria which are consistent with these Regulations. A Natural England licence will only be issued for the development where it is considered to meet the requirements of the Regulations, which consist of the following three tests;

1. It preserves public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and
2. There is no satisfactory alternative; and
3. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

8.27 It is considered that the proposed development, in being an allocated site for residential development within the RLP, and which would contribute to the Borough's housing requirements, would comply with the first test of the Regulations, and the first criteria of policy E5 of the RLP, in terms of the purpose/need for the development.

8.28 The second test of the Regulations, and the second criteria of policy E5 of the RLP, relates to there being no satisfactory alternative to that being proposed. The third test of the Regulations, and the third criteria of policy E5 of the RLP, requires consideration to be given to mitigation measures to be implemented to avoid the injury/killing of protected species, and to address the impacts on their habitats. The submitted ecological report sets out that the indicative layout shown on the plans has been designed to maintain the main badger sett in its current location, provide suitable replacement reptile habitat, whilst preserving the most dormice habitat and allowing creation of new species rich hedgerows for dormice. The submitted ecological report also sets out mitigation and enhancement measures to be incorporated into the proposed development. On this basis, it is considered that the second and third tests of the Regulations, and the associated criteria of policy E5 of the TVBRLP, would be met. Conditions/notes are recommended in respect of securing appropriate mitigation.

8.29 Archaeology

Policy E9 (Heritage) of the RLP sets out that the merits of a development affecting an undesignated heritage asset (such as non scheduled archaeological remains) will be balanced against the scale of the harm or loss, either directly or indirectly, to the significance of that heritage asset.

8.30 The application is supported by an Archaeological Assessment which has assessed the archaeological potential of the area, and concludes that there is a potential for archaeological remains to be encountered at the site. The archaeological remains are likely to be of local importance, and a condition is therefore recommended to secure further archaeological assessment and mitigation at the site.

8.31 Affordable housing

Policy COM7 of the RLP sets out that on proposed housing sites consisting of a net gain of 15 or more dwellings, the Council will negotiate for up to 40% of dwellings to be affordable. It is confirmed within the submitted Design and Access Statement that this level of affordable housing would be provided (12 units if 30 dwellings overall are proposed), and this is to be secured through the provision of a S106 legal agreement which is currently being progressed with the applicant. The specific details of which units will be affordable units can be agreed at the stage when detailed plans are available.

8.32 Public open space

Policy LHW1 of the RLP requires the provision of public open space where there is a net increase in population to ensure that development does not cause or exacerbate deficiencies in the provision or quality of recreational open space. There is a deficiency within the St Mary's Ward of Outdoor Sports Facilities, Parks and Gardens, and Provision for Children and Teenagers. The supporting text to the policy indicates that the Council will seek open space provision, or contributions towards open space provision, from new housing developments. If open space is not being provided on site, it should be provided off site, and a S106 Legal agreement can be used to secure this provision, which will involve a financial contribution in order to mitigate against the impact of the proposed development.

8.33 The provision of parkland to the south of Ox Drove was included within the outline planning application for the housing development to the south of Walworth Road (10/00242/OUTN), and this provision would exceed the requirement generated by this current outline planning application. No parkland provision, either on site or off site, is therefore sought from this development. It is considered appropriate, however, to ensure that this application site has access to the approved parkland. This would be possible using proposed and existing pedestrian and cycle routes through this application site, and through the housing development to the south of Walworth Road. A children's play area is proposed to be provided on site, thereby mitigating the deficit in Provision for Children and Teenagers within the Ward as a result of this development. A condition is recommended requiring specific details of this to be provided.

- 8.34 No on site provision of Outdoor Sports Facilities is proposed in this instance. Mitigation for the impact of the proposed development on Outdoor Sports Facilities within the Ward can be provided through a financial contribution towards the enhancement of the pavilion facilities at Andover Cricket Club. The Public Open Space Audit (2012) identifies this mitigation scheme, and the Infrastructure and Developer Contributions SPD sets out how the contribution is calculated. The mitigation accords with the CIL Regulations 2010, which are set out at paragraphs 8.19 and 8.20 of this report.
- 8.35 A legal agreement is being progressed with the applicant to secure contributions towards mitigating the additional burden that would be placed on public open space, in lieu of none being provided on site, and subject to its completion, the proposals would comply with policy LHW1 of the RLP. The application recommendation reflects this.
- 8.36 **Educational provision**
Policy COM15 of the RLP sets out that development will be permitted provided that appropriate investment has been secured either in the form of works and/or financial contributions to mitigate the impact on existing infrastructure, including schools. The proposal would generate increased demand for school places, and currently there are deficits in primary school capacity within the area serving the development in this respect. Hampshire County Council as Local Education Authority has confirmed that mitigation for the additional burden that the proposed development would place on the existing educational provision can be provided by a S106 legal agreement securing financial contributions towards additional educational provision. The contribution would be used towards the expansion of the proposed new primary school at East Anton, which is within close proximity of the application site. The mitigation accords with the CIL Regulations 2010, which are set out at paragraphs 8.19 and 8.20 of this report.
- 8.37 A legal agreement is being progressed with the applicant to secure contributions towards mitigating the additional burden that would be placed on the existing educational provision, and subject to its completion, the proposals would comply with policy COM15 of the RLP in this respect. The application recommendation reflects this.
- 8.38 **Skills and training**
Policy ST1 (skills and training) of the RLP requires, where a development has a significant impact on the labour market, contributions towards the enhancement of skills training and the provision of apprenticeships within the local community. In this instance, an Employment and Skills Plan is requested in accordance with the Construction Industry Training Board (CITB) Client Based Approach, in order to identify and provide skills needs and training delivery. A S106 is being progressed by the applicant to secure this provision, and the recommendation reflects that the S106 Legal agreement has not yet been completed.

8.39 **Amenity**

Policy LHW4 of the RLP sets out that development will be permitted provided that; it provides for the privacy and amenity of its occupants and those of neighbouring properties; in the case of residential developments it provides for private open space in the form of gardens or communal open space which are appropriate for the needs of residents; and it does not reduce the levels of daylight and sunlight reaching new and existing properties or private open space to below acceptable levels. Policy E8 of the RLP sets out that development will be permitted provided that it does not result in pollution which would cause unacceptable risks to human health, the natural environment or general amenity, and that development that would or could potentially generate pollution will only be permitted if it can be demonstrated that there would not be any adverse impact on human health, the natural environment or general amenity. For the purposes of this policy, pollution includes noise and vibration, light and air.

8.40 The application is in Outline form only with all matters, other than access, reserved for later approval. An indicative layout has been provided as part of this application showing siting and juxtaposition with neighbouring properties including those existing dwellings along Walworth Road to the south. This layout indicates that residential development can be achieved on this site without resulting in an adverse impact on the amenity of neighbouring properties by virtue of overlooking, or loss of light and shadow. The Local Planning Authority retains the ability to influence and determine the acceptability of the relationships between existing and proposed development via any future Reserved Matters application(s).

8.41 In addition to the above, further key considerations with this application relate to the impact of noise and vibration on future occupiers of the proposed residential development. This is as a result of the proximity of the proposed development with the railway line, which runs along the northern boundary of the site, and there is an established commercial/industrial site to the west. It is also noted that the main vehicular access serving the site would run in between two existing dwellings fronting onto Walworth Road. The application is supported by an Acoustic Impact Assessment, which provides details of existing noise and vibration levels at the site. The report also makes recommendations with regards to noise mitigation measures that could be adopted, including in respect of the treatment of facades overlooking noise sources, ventilation within dwellings, and boundary treatments (i.e. acoustic fencing along the proposed access road). Specific details of any mitigation measures to be incorporated into the proposed development have not been provided with this outline planning application, however the LPA retains the ability to influence and determine the acceptability of any mitigation required/proposed via future submission of details. Conditions are also recommended in respect of this.

8.42 **Other matters**

The loss of (or harm to) a private view is not a material planning consideration.

9.0 CONCLUSION

- 9.1 Subject to conditions, the proposed development is considered to be acceptable in respect of the principle of development (as the site is allocated for residential development in the RLP), the character and appearance, existing trees and landscaping, the highway network (in terms of parking), ecology, water management/drainage, archaeology, and amenity. The proposal would thereby comply with the relevant policies of the RLP in these respects.
- 9.2 A legal agreement is currently progressing in relation to off-site highway infrastructure/delivery of travel plan, affordable housing provision, off-site public open space provision, skills and training, and education provision, and the recommendation reflects the need for this to be completed. In addition the agreement is required in relation to the adoption and/or management of on-site communal land. Subject to the completion of the legal agreement, the proposed development would be in accordance with the relevant policies of the Test Valley Borough Revised Local Plan 2016 in these respects.
- 9.3 Further information and clarification is awaited, and discussion ongoing, in respect of the access to the site. An update on the position of this matter will be included in a committee update paper. If the issue is not satisfactorily resolved then the recommendation below could be altered accordingly.

10.0 RECOMMENDATION

Delegate to the Head of Planning and Building that subject to the completion of a S106 legal agreement to secure financial contributions for transport/highways, public open space (including its maintenance), educational provisions, landscape maintenance and management arrangements, affordable housing and skills/training provision then OUTLINE PERMISSION subject to:

1. **Applications for the approval of all the reserved matters referred to herein shall be made within a period of three years from the date of this permission. The development to which the permission relates shall be begun not later than which ever is the later of the following dates:**
 - i) **five years from the date of this permission: or**
 - ii) **two years from the final approval of the said reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.****Reason: To comply with the provision of S.92 of the Town & Country Planning Act 1990.**
2. **Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.**
Reason: To comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order).

- 3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers; 140126-01**
Reason: For the avoidance of doubt and in the interests of proper planning.
- 4. No construction above foundation level shall take place on the dwellings until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan 2016 policy E1.
- 5. No development shall take place (including site clearance within the application site/area indicated red) until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The assessment should initially take the form of a geophysical survey of the site, followed by trial trenching targeted on potential archaeological features identified by the geophysics and also within any 'blank' areas in between. The Written Scheme of Investigation shall also include a programme of archaeological mitigation of impact, based on the results of the trial trenching.**
Reason: Archaeological work is required prior to construction of the development in order to assess the extent, nature and date of any archaeological deposits that might be present, to assess the impact of the development upon these heritage assets, to mitigate the effect of the works associated with the development upon any heritage assets, and to ensure that information regarding these heritage assets is preserved by record for future generations in accordance with Test Valley Borough Revised Local Plan 2016 policy E9.
- 6. Following completion of the archaeological fieldwork a report shall be produced in accordance with an approved programme including, where appropriate, post-excavation assessment, specialist analysis and reports, publication and public engagement. The report shall be submitted to and approved in writing by the Local Planning Authority.**
Reason: To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available in accordance with Test Valley Borough Revised Local Plan 2016 policy E9.
- 7. All landscape works forming part of the approved reserved matters shall be carried out in accordance with the approved details and with an implementation programme that shall have first been submitted to and approved in writing by the local planning authority prior to any development above foundation level taking place.**

Reason: To provide a satisfactory landscape setting to the development having regard to policy E2 of the Test Valley Borough Revised Local Plan 2016.

- 8. A landscape management plan, including long-term design objectives and arrangements for its implementation, including management responsibilities and maintenance schedules (for a five year period), for all landscape areas other than privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The landscape management plan shall be carried out as approved.**

Reason: To ensure appropriate maintenance of all non-domestic landscaped areas in the development having regard to policy E2 of the Test Valley Borough Revised Local Plan 2016.

- 9. 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.

- 10. The development hereby permitted shall be carried out in accordance with the provisions set out within the submitted Arboricultural Impact Assessment (SJ Stephens Associates, 26th May 2016).**

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

- 11. Tree protective measures installed (in accordance with the tree protection condition above) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority Arboricultural Officer. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier without the prior written agreement of the Local Planning Authority.**

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.

- 12. All service routes, drain runs, soakaways or excavations in connection with the same shall remain wholly outside the tree protective barrier without the prior written agreement of the Local Planning Authority.**

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.

- 13. Details of the layout and specification for the children's play area shall be submitted to and approved in writing by the local planning authority prior to its installation. The development shall be carried out in accordance with the approved details.**

Reason: To ensure its layout and equipping is of a high standard in accordance with Test Valley Borough Revised Local Plan 2016 policy LHW1.

- 14. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, shall take place before the hours of 0730 nor after 1800 on Mondays to Fridays; before the hours of 0800 nor after 1300 on Saturdays; and at all on Sundays and public holidays.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

- 15. No development shall take place until a method of demolition and construction has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the local planning authority. No piling or any other foundation designs using penetrative methods shall take place. The scheme should include dust control measures.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

- 16. 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, in accordance with the recommendations set out in the submitted Geoprobe Environmental Limited report (Ref: GPE 15/202). In the event that contamination is found, or is considered likely, a scheme containing remediation proposals designed to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority. 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 Test Valley Borough Revised Local Plan 2016 policy E8.

- 17. In the event that contamination that was not previously identified is found at any time during demolition and/or construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being brought in to use.**

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

- 18. The development hereby permitted shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. Details shall include the responsibilities of each party for the implementation of the scheme; a timetable for its implementation; a management and maintenance plan for the lifetime of the development; arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.**

Reason: Details are required prior to the commencement of development to ensure the prevention of an increased risk of flooding and to ensure the improvement and protection of water quality, habitat and amenity in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

- 19. No dwelling hereby permitted shall be occupied until the crossing points on Walworth Road as shown on drawing XXXXXX have been implemented to the satisfaction of the Local Planning Authority.**

Reason: This is required prior to the commencement of development in the interests of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.

- 20. The development hereby permitted shall not commence until details of the roads, footways, footpaths and cycleways to be offered to HCC for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Details shall include;**
- a) the width, alignment, gradient and surface materials including all relevant horizontal and longitudinal cross sections showing existing and proposed levels**
 - b) the type of street lighting including calculations, contour illumination plans and means to reduce light pollution**
 - c) the method of surface water drainage including local sustainable disposal.**

Reason: Details are required prior to commencement to ensure that the roads, footway, footpath, cycleway, street lighting and surface water drainage are constructed and maintained to an appropriate standard to serve the development in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.

- 21. Prior to the commencement of development full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of development and retained for the duration of the construction period.**

Reason: Details are required prior to the commencement of the development to ensure that construction of the proposed development will be in the interest of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.

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

Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 policies T1 and T2.

- 23. At least the first 4.5 metres of the access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.**

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

- 24. No development shall take place until an updated biodiversity mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details, with all compensatory habitat and biodiversity enhancement features being permanently retained.**

Reason: Details are required prior to commencement to avoid impacts to protected species, to maintain the favourable conservation status of dormice, and to conserve and enhance biodiversity in accordance with Test Valley Borough Revised Local Plan 2016 policy E5.

- 25. No deliveries of materials or removal of spoil during the construction of the development shall take place before 0915 or after 1500 on Mondays to Fridays, or before 0800 or after 1300 hours on Saturdays. There shall be no deliveries of materials or removal of spoil during the construction of the development on Sundays and public holidays.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

Notes to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
- 2. Attention is drawn to the requirements of the Agreement dated XXXXXX under Section 106 of the Town and Country Planning Act 1990 which affects this development.**
- 3. A formal application for connection to the public sewage system and the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119 or www.southernwater.co.uk).**

- 4. Permission is required under the Highways Act 1980 to construct/alter/close a vehicular access. Please contact the Head of Highways, Hampshire County Council, Jacobs Gutter Lane Hounslow, Totton, Southampton, SO40 9TQ. (0300 555 1388) or highways-transportwest@hants.gov.uk at least 6 weeks prior to work commencing.**
 - 5. Birds nests, when occupied or being built, receive legal protection under the *Wildlife and Countryside Act 1981* (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.**
-

APPENDIX B

Officer Update Report to Northern Area Planning Committee on 4 August 2016

APPLICATION NO.	16/00544/OUTN
SITE	Land north of Walworth Road, Picket Piece, Andover, SP11 6LY, ANDOVER TOWN (ST MARYS)
COMMITTEE DATE	4 August 2016
ITEM NO.	7.
PAGE NO.	11-34.
AMENDMENTS	Amended plans and information received; <ul style="list-style-type: none">• 02.08.2016• 03.08.2016

1.0 AMENDMENTS

- 1.1 Revised indicative layout plans have been submitted (and included in this update paper), showing the provision of two possible road links through the application site and up to the common boundary with the adjacent site to the west.
- 1.2 Amended plans have also been submitted in respect of the proposed access, including showing vehicle tracking diagrams and the provision of pedestrian crossing points. Conditions 3 and 19 of the main agenda report have been amended to reflect the submission of these plans, as set out below.
- 1.3 An updated 'Ecological Appraisal and Phase 2 Surveys Report' has been submitted to reflect the amendments made at paragraph 1.1 above. This does not have any implications on the assessment made at paragraphs 8.25-8.28 of the main agenda report. Condition 24 of the main agenda report has however been amended, as set out below.

2.0 CONSULTATIONS

- 2.1 **Highways;** No objection, subject to conditions and financial contribution.

3.0 PLANNING CONSIDERATIONS

3.1 Character and appearance

At paragraph 6.1 of the main agenda report, the Town Council raised concerns in respect of the acoustic fencing to be installed at the entrance to the site, commenting that it would feel very enclosed. There is currently already closed board fencing at the entrance to the site, along the side boundaries of the two properties either side of the access. In general, the provision of fencing along property boundaries is not an incongruous feature along Walworth Road. Notwithstanding this, the Local Planning Authority retains the ability to influence the specification (including size, design etc) of the proposed acoustic fencing via any future Reserved Matters application(s).

3.2 Highway network

It is set out at paragraph 8.14 of the main agenda report that discussions have been ongoing between the applicant and the Council's Highway Officer in respect of the proposed vehicular access to the site. Hampshire County Council as Highway Authority has also been involved in the discussions. It has been confirmed that the submitted details in respect of the proposed access, including its width/radii etc, and the visibility to be provided, are acceptable. Amended plans have also been submitted to show that crossing points would be provided on Walworth Road for pedestrian/cycle access from the site to the southern side (set out at para. 8.15 of the main agenda report). Amended plans submitted also demonstrate that an alternative route through the application site can be provided to allow access into the adjacent site to the west, avoiding an existing employment site (set out at para. 8.15 and 8.16 of the main agenda report). It is considered that the proposals would provide safe and functional access to the highway for all users, and thereby accord with policy T1 of the Test Valley Borough Revised Local Plan 2016 (RLP).

3.3 Mitigation

CIL

As of the 1 August 2016, the Council implemented the Community Infrastructure Levy, which raises funds for providing new infrastructure by levying a charge on new development. Development within the allocated new neighbourhood at Picket Piece (as defined by policy COM6 and map E of the RLP) is nil rated for CIL, on the basis that more site specific infrastructure is likely to be necessary to make the development acceptable, and that this would not represent general infrastructure, as identified on the CIL Regulation 123 List, that would otherwise be provided by other CIL liable development within the Borough.

3.4 Highways

Further to paragraph 8.20 of the main agenda report, it has been clarified that mitigation for the additional burden that the proposed development would place on the transport network can be provided through; (i) the provision of infilling the gaps in the local footway network along Walworth Road and improving the existing footway to cycleway standard, and; (ii) the provision of an island in London Road to enable future residents to safely access facilities at Picket Twenty by transport means other than a car. These improvements would enable better connectivity between the application site and the development to the south of Walworth Road, the remainder of the allocated new neighbourhood at Picket Piece (as defined by policy COM6 and map E of the RLP), and facilities within the wider surrounding area. These site specific improvements would not be funded through CIL. The improvements would accord with the CIL Regulations 2010, as set out at paragraphs 8.19 and 8.20 of the main agenda report, and policies COM6, COM15 and T1 of the RLP. The recommendation reflects that the S106 Legal agreement has not yet been completed.

3.5 *Public Open Space*

It is set out at paragraph 8.34 that mitigation for the proposed development on Outdoor Sports Facilities within the Ward can be provided through a financial contribution towards the enhancement of the pavilion facilities at Andover Cricket Club. Following further discussions with the Planning Policy Officer, it is noted that this enhancement project does not lie within the allocated new neighbourhood at Picket Piece and therefore constitutes general infrastructure as identified on the CIL Regulation 123 List, and is intended to be funded through CIL receipts. Mitigation for the proposed development on Outdoor Sports Facilities can however be provided through a financial contribution towards improvements to the approved sports pitches and associated facilities within the development to the south of Walworth Road, which would be well connected to the application site, and would benefit the wider Picket Piece community. These site specific improvements would not be funded through CIL. The improvements would thereby accord with the CIL Regulations 2010, as set out at paragraphs 8.19 and 8.20 of the main agenda report, and policies COM6 and LHW1 of the RLP. The recommendation reflects that the S106 Legal agreement has not yet been completed.

4.0 **RECOMMENDATION**

Delegate to the Head of Planning and Building that subject to the completion of a S106 legal agreement to secure financial contributions for transport/highways, public open space (including its maintenance), educational provisions, landscape maintenance and management arrangements, affordable housing and skills/training provision then OUTLINE PERMISSION subject to conditions 1-2, 4-18, 20-23 and 25, and notes 1-5 of the main agenda report recommendation, and amended conditions 3, 19 and 24 below:

- 3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers; 140126-01; 4797.002 Rev. B
Reason: For the avoidance of doubt and in the interests of proper planning.**
 - 19. No dwelling hereby permitted shall be occupied until the crossing points on Walworth Road as shown on drawing 4797.002 Rev B have been implemented to the satisfaction of the Local Planning Authority.
Reason: This is required prior to the commencement of development in the interests of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 policy T1.**
 - 24. The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 5.0 'Conclusions and Recommendations' of the submitted Ecological Appraisal and Phase 2 Surveys Report (Lindsey Carrington Ecological Services Ltd., update August 2016), unless varied by any relevant European Protected Species (EPS) license issued by Natural England. All mitigation and compensation habitats shall be permanently maintained and retained in accordance with the approved details.
Reason: To avoid impacts to protected species, to maintain the favourable conservation status of dormice, and to conserve and enhance biodiversity in accordance with Test Valley Borough Revised Local Plan 2016 policy E5.**
-