
APPLICATION NO.	19/01427/VARS
APPLICATION TYPE	VARIATION OF CONDITIONS - SOUTH
REGISTERED	05.06.2019
APPLICANT	Kings Somborne Parish Council
SITE	Kings Somborne Recreation Ground, Romsey Road, Kings Somborne, SO20 6PP, KINGS SOMBORNE
PROPOSAL	Variation of condition 10 of 18/02874/FULLS (Erection of Community Building/Pre-school) to amend the drawing numbers to allow for the redesign of decks, ramps, steps; provision of canopies and storage shed; addition of hedge and pathways; alter window sizes; reduce soakaway; modify lighting and include air conditioning
AMENDMENTS	Amended planning statement submitted 13.07.2019 to reflect landscape officer comments in relation to proposed hedge details.
CASE OFFICER	Mrs Sarah Appleton
	Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is presented to Southern Area Planning Committee in accordance with the Member and Officer Interests Protocol.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site relates to part of the recreation ground which is located to the north east of the existing multi use games area (MUGA) adjacent to the north east boundary of the recreation ground. The existing village hall is located to the north west. Existing residential development which fronts onto the A3057 Romsey Road is located to the north, north east and north west. The site is currently laid to grass and includes part of a Public Right of Way (PROW) which runs from the A3057, along the north east boundary of the recreation ground towards surrounding residential development. Existing boundaries mainly consist of hedging and trees. Access to the site is taken directly from the A3057 from two existing accesses between 'The Croft' and 'Braemar' and adjacent to Field View.
- 2.2 The site is located within the King's Somborne conservation area and is adjacent to the site of John of Gaunt's Palace to the east which is a scheduled monument.

3.0 PROPOSAL

- 3.1 The application proposes the variation of condition 10 of planning permission 18/02874/FULLS to amend the drawing numbers which were previously approved for the pre-school building.

This would allow for the re-design of the decks surrounding the building along with the ramps and steps. The proposals also include:

- Provision of canopies;
- Provision of storage shed;
- Addition of hedge and pathways – which would result in moving the building 500mm closer to the MUGA;
- Alteration to window sizes;
- Reduce size of soakaway;
- Modify lighting and include air conditioning.

3.2 Canopies

This application proposes the provision of canopies on the building's south west and south east elevations. These entrance canopies would be formed of polycarbonate, mono-pitched roofs with white aluminium frames supported by posts. The canopy on the south west elevation would cover the area immediately over the entrance to the building and would be approximately 5.7 metres wide and would extend approximately 3.2 metres from the building. The proposed canopy on the south east elevation would span the width of the building (approximately 9.7 metres) and would extend approximately 3 metres from the building.

3.3 The applicant has confirmed that these canopies are proposed to allow for dry parking for buggies and a dry waiting area and to allow for outside play during inclement weather.

3.4 Storage shed

The proposed storage shed would be located to the north west of the main building adjacent to the boundary. The shed would measure approximately 3.5 x 1.6 metres and would have a pitched roof with a ridge height of approximately 2 metres. The shed would be metal and would provide space to store outside play equipment.

3.5 Hedge and path

The application proposes a new hedge which would be planted inside of the north east boundary. The hedge is to be of the following mix:

- 50% Hawthorn
- 10% Bird Cherry
- 10% Field Maple
- 10% Dog Rose
- 10% Hazel
- 10% Privet

3.6 A path would be positioned alongside the above hedge to provide access to the building. In order to accommodate the hedge/path, the building has been moved 500mm closer to the MUGA. The pathway to the building from the Village Hall has been amended to accommodate the adjacent football pitch runoff.

3.7 Alteration to window sizes

The proposed window on the right-hand side of the front elevation and the window on the extreme left-hand side of the south east elevation have been increased in size to match those on the north elevation.

3.8 Soakaway

A set of second soakaway tests at depths representative of the proposed infiltration blanket have been undertaken. These tests were undertaken after permission was granted under application 18/02874/FULLS. Based on these results the proposed infiltration blanket has been reduced in size from 10m x 5m x 1m to 6.5m x 5m x 1m.

3.9 Lighting and Air conditioning units

This application includes lighting for the entrance path which would come from 8 x 600mm high black bollard lights with 20w LED bulbs installed with a root mount system. With regards to lights on the building, bollard lights are proposed on the northwest and northeast sides of the building. These lights would be 20 Watts. Black diecast aluminium wall lights facing downwards would be provided to the front and rear decks.

3.10 Compressors for the air conditioning units are to be located externally on the northwest elevation of the building. They are proposed to be mounted on concrete blocks.

3.11 The application also includes information which seeks to address the conditions imposed under the permission granted under application 18/02874/FULLS.

4.0 **HISTORY**

4.1 18/02874/FULLS – Erection of community building/pre-school – PERMISSION subject to conditions 14.03.2019.

4.2 The most recent planning applications within the recreation/Village Hall area are as follows:

4.3 18/00986/CLES - Certificate of lawful existing use for the land adjacent to the Recreation Ground - previously leased as grazing/recreation use, now only used for recreation – ISSUE CERTIFICATE 05.07.2018.

4.4 17/01674/FULLS - Side extension to form a pre-school area and associated enclosed play area – WITHDRAWN 03.08.2017.

4.5 15/01904/FULLS - Erection of entrance lobby and open porch to front; Replace flat roof with mono-pitched roof; extension to north west (Village Hall) – PERMISSION subject to conditions 09.10.2015.

4.6 14/01848/CLPS - Certificate of lawful proposed development - Erect multi-use games area on land owned by Parish Council including 3 metre high mesh fence – ISSUE CERTIFICATE 02.09.2014.

4.7 14/01648/FULLS - Installation of solar roof panels on the south east and south west elevations and installation of 2 air source heat pumps on the north east elevation and one air source heat pump on the north west elevation (Village Hall) – PERMISSION subject to conditions 01.09.2014.

4.8 14/01049/CLPS - Certificate of lawful proposed development - Erect multi-use games area on land owned by Parish Council including 3 metre high mesh fence (amended description) – NOT ISSUE CERTIFICATE 16.07.2014.

5.0 **CONSULTATIONS**

5.1 **Landscape** – No objection.

5.2 **Trees** – No objection.

5.3 **Conservation** – No objection.

5.4 **Highways** – No objection.

5.5 **Ecology** – No objection.

5.6 **Historic England** – No comment.

6.0 **REPRESENTATIONS** Expired 05.07.2019

6.1 **8 x letters** of objection raising the following:

General

- There are errors with the submitted drawings.
- Concern about health and safety issues in relation to the raised deck area – no indications of measures to prevent 2 year old children from falling down the steps and deck area which will now have a sheen due to the proposed materials with which it will be made from. Deck will be affected by the weather and this surface is likely to be a skating rink. National Standards for Pre-schools require *'outdoor spaces to be free of hazards'*.
- National Standards for pre-schools also require the provision of a rest area for children (i.e. a sleeping area) which has not been provided.
- Space provided is not in accordance with the Regulation of Pre-school Childcare Services without the creation of a second space the provision of which would be likely to have fire regulation implications.
- Installation of CCTV cameras will adversely affect the privacy of users of adjoining properties, nearby sports and child play facilities and raises several issues of who would have access to the images captured and how they would be stored and monitored.
- Repeat that this application has failed to properly consider alternatives such as further internal development of the existing village hall building and the development of the Scout Hut site.
- Appreciate the need for a preschool facility within the village but remain convinced that this application will be at detriment to immediate neighbours and the village as a whole.

6.2 Highways

- Application claims 33 spaces are required to serve the village hall and the new pre-school. The original specification claimed that 51 spaces are available including a new disabled person's parking space – this was not backed up by any evidence.
- No allowance has been made for the users of the sports pitches – by inspection, these pitches must equate to at least 1.5 hectares and therefore there is a requirement for at least 18 spaces meaning the current situation has a requirement of 40 spaces and with the addition of the pre-school this will increase to a required total of 51 spaces, not 33.
- Claims that 50 spaces can be provided by the applicant have always been questioned and a measured survey has been undertaken (by third party) and a drawing produced which accurately indicates available car parking in the area to highway standards. Only 31 spaces are possible which falls short of the requirement.
- Inadequacy of current parking situation was confirmed on Wednesday 26 June when a cricket match was in play. The car park was full with only 27 cars accommodated. They were sensibly parked, and blocked the vehicular access by the hall to the playing field, but as there are no marked bays they were not parked as tight as they could but there was little scope for many additional spaces. Car park overflow is a common occurrence when the main hall is fully utilised or a sports match is in progress.
- Car park does not have the capacity to provide adequate parking. Limited capacity of the car park would not allow access by emergency vehicles.
- Lack of capacity in the car park results in an overflow of parking onto the A3057 (Romsey Road) which has an adverse impact on both road and pedestrian traffic.
- Floor area which confirms parking requirements has not been properly calculated. A total of 52 spaces is required for both buildings not 34 as claimed. If the 18 spaces are then added to serve the sports pitches then a total of 70 spaces are required on site, far more than the 31 spaces which are possible. Even just to serve the two buildings an additional 21 spaces need to be created which requires part of the outfield to the cricket pitch to be tarmacked over for parking. If the full parking requirement is to be met then 39 additional spaces need to be created.
- Regulation B5 of the Approved Building Regulations document requires Fire Engine access to within 45 metres (hose length) of any point on any elevation of the new building at all times. Does a grass surface on the edge of a flood plain provide an adequate load bearing surface in the middle of winter for access and turning? How would it affect the football pitch run-off area?
- Existing gates comply but it is going to be extremely difficult to line the engine through given the angle and its proximity to the Village Hall due to the recent Village Hall enhancements.

- Irrelevant to planning but there is also a requirement for a Fire Hydrant within 90 metres of the door to the Pre-school, I am not sure if this exists.

6.3 Residential amenities

- Additional noise will be created by the air conditioning units.
- There have been no changes to the design of the building that would reduce the overlook to and the consequential loss of privacy for adjoining properties.
- Disappointed to see that no attempt has been made to mitigate the impact of the development on the immediate neighbours and their surrounding properties.
- The fence erected on the boundary of Okanagan will not adequately protect the privacy of the occupiers of this property.
- Although the ramp has been moved further from the boundary with Okanagan, the new fence will still effectively only be waist height when standing at the entrance to the preschool and the building will dominate the view. Had hoped that the building would be screened with trees or a tall evergreen hedge.
- The new fence whilst appreciated is still very ineffective with regards to the MUGA and we are getting more and more intruders scaling the fence to retrieve balls, sometimes causing damage and on occasion becoming abusive when challenged.
- Request that the proposed new hedge on the recreation ground side of the fence be allowed to grow substantially higher than the fence for the entire length to assist with preventing balls from coming over, deterring intruders, and screen us from the pre-school.
- Ask that the fence be extended to the return on the village hall side and provide privacy as the entrance path to the preschool appears to have been moved closer to Okanagan.

6.4 Character and appearance

- The landscape details which have been submitted are inadequate. A full management and maintenance schedule has not been supplied.
- Lighting – no information has been provided confirming whether lighting will be controlled to prevent light pollution to the area – PIR control to individual lights would appear to be the most appropriate to ensure lighting is only utilised as and when necessary. Lighting would have an adverse impact on the amenity of the area known for its dark skies, particularly in the winter months.
- Proposals do nothing to soften the impact of this development on the conservation area in which it sits. Proposals negatively impacts on the amenity of the area.
- The design remains entirely inappropriate for a conservation area in a rural setting, and makes a mockery of planning applications other villagers are forced to adhere to.
- Believe that the prominence of the building due to ground levels and the modern design chosen will make the development highly conspicuous and sadly out of character with its surroundings.

- Proposals would have canopies and a storage shed which would be out of character with the surroundings and very visible to nearby houses.
- What plans if and does the Parish Council have to screen this large pre-fabricated building?

6.5 Trees

- Condition 5 – service routes – only drainage runs have been incorporated on the drawings, water, electricity and telephone runs have been omitted.
- Tree protection measures should also be included to show protection of trees, during construction works, within root protection areas. The new perimeter fence is indicated as providing root protection, but this is purely a method statement describing how to dig fence posts holes within a root protection area – this is inadequate as it passes through the middle of the root areas to T8, T9 and T10. These trees have root protection zones extending into the play area of the pre-school close to the infiltration blanket. Protection measures need to be placed beyond this zone within the site to fully protect the trees during construction works.
- Implications of manoeuvring an articulated vehicle into the site on trees – presence of trees would result in difficulties for such a vehicle to access the site – may be that the building requires a re-design to incorporate shorter units to avoid major surgery to the trees which would be detrimental to the amenity and character of the Conservation Area along the A3057.

6.6 Flooding

- As part of the flood prevention measures the building is raised on jacks. The new drawing and specification show a solid skirt around the building down to the ground level thereby blocking off the opportunity for water to flow beneath the building thus increasing the flood risk.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

COM2 – Settlement hierarchy

COM9 – Community led development

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 standards
CS1 – Community safety

7.3 Supplementary Planning Documents (SPD)

- Kings Somborne Conservation Policy (1987)

8.0 **PLANNING CONSIDERATIONS**

8.1 The application relates to the variation of condition 10 of 18/02874/FULLS to allow for amendments to the design of the building as previously approved (detailed in paragraphs 3.1-3.11 above). The development in all other instances is unaffected by the proposals. As a result, the main planning considerations are:

- Impact on the character and appearance of the surrounding area
- Heritage
- Trees
- Impact on neighbour amenity
- Flooding
- Ecology
- The planning balance

As matters have been raised in relation to the adequacy of the car parking provision, highway impact will also be discussed. The principle of the development has been established through the permission granted under application 18/02874/FULLS. The Officer report and subsequent update paper to the Southern Area Planning Committee on 12 March 2019 in relation to application 18/02874/FULLS are appended to this report (Appendix A) for information.

8.2 The application also includes information which seeks to demonstrate compliance with the conditions set out on the 18/02874/FULLS permission. The adequacy of the submitted information is discussed under the appropriate heading below.

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

The site is located within the existing recreation ground which is characterised by an area of open land set up as sports pitches. The site consists of a small area of grass between the existing multi-use games area (MUGA) and the north east boundary of the site, adjacent to John of Gaunt's Palace (scheduled monument). The site is immediately adjacent to the MUGA, half-pipe skating ramp and play area, the existing Village Hall is located to the north west and neighbouring residential dwellings are located to north, north east and north west, these dwellings being in a linear form along the A3057, Romsey Road. The site is surrounded by hedges and other vegetation. The area immediately surrounding the site is considered typical in its character of a recreation ground.

- 8.4 The building proposed is pre-fabricated modular steel building placed on concrete pads which would lift the building off the ground. The building would have a footprint of 9.6 x 15 metres and would have a flat roof. Decking and ramps would be provided around the building to allow for access along with canopies over the decking areas on the south west and south east elevations.
- 8.5 Public views of the proposed building would be available from the adjacent public footpaths to the east/south/south west. The site would be screened by existing vegetation as the footpaths run further to the south, towards 'The Gorrings' and as such, you would only become aware of the building as you move closer towards that part of the recreation ground when heading north. The site is significantly screened from the public footpath which runs to the east, across John of Gaunt's Palace Scheduled Monument towards Church Road and from informal paths within the Scheduled Monument by existing boundary vegetation. The site is not visible from the A3057 (Romsey Road) due to the separation distance from the road and as it is screened by the existing built form of adjacent dwellings.
- 8.6 The proposed building and the amendments to it, along with the proposed shed are utilitarian in their appearance. The building itself is not considered to be of any particular architectural merit. Notwithstanding this, from the surrounding public vantage points mentioned above, the proposed building would be seen in context with surrounding utilitarian development, including the adjacent MUGA, skate ramp and play area. The building would also be seen in context with the adjacent village hall. As a result of this context, it is not considered that the proposals would result in any adverse impacts on the character and appearance of the surrounding area. With regards to the shed, this would be modest and residential in its design/scale and would be seen in context with both the building and surrounding residential development. As a result, it is not considered that the shed would result in any adverse impacts on the character and appearance of the surrounding area. The proposals are considered to comply with policy E1 in this regard.
- 8.7 The proposed materials to be used in the construction of the external surfaces of the proposals have been submitted with the application (in response to condition 2 on the permission granted under 18/02874/FULLS). These are as follows:
- Building - Steel exterior surface 200 micron "leather effect" plastisol coating. The walls are proposed to be coloured in "mushroom" with the roof, soffit and skirt would be coloured in "vandyke brown".
 - Decks, ramps and steps – wood look composite board on a wooden sub-frame with wood posts. The colour proposed for the decking would be "spiced rum". Balustrades and hand rails for the steps and ramps are proposed to be powder coated aluminium in black.
 - Pathways – tarmac path from the Village Hall. Rear (north) path would be concrete paving slabs.
 - Storage shed – steel shed powder coated green.
 - Fences – 1.8m high close board fence with concrete posts/gravel boards along the boundary with Okanagan.

- To the north east and south west of the site, a 1.8m high green powder coated steel security fence is proposed.
- Canopies – 8mm clear multiwall polycarbonate roof panels supported on white powder coated aluminium supports.

8.8 The material details as submitted are considered to be appropriate for the site and its context. Subject to the above material details being secured by condition, it is considered that they would 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.

8.9 Impact on landscape character and the character of the Public Right of Way
Policy E2 of the RLP ensures the protection and enhancement of the landscape character of the Borough. Policy T1 of the RLP seeks to ensure that developments do not have an adverse impact on the character of the rights of way network.

8.10 The siting of the proposed building (as amended) and shed, adjacent to the PROW would result in a change to the character of both the PROW and the landscape character from the PROW. Currently, there are open landscape views across the recreation ground from the footpath. These open views would be lost from a small section of the PROW where it runs along the north east boundary of the site (approximately 30 metres). The provision of wire mesh fence on the PROW boundary (similar to the MUGA fence) would help the footpath feel less enclosed, however, the building itself would still result in the loss of open views across the recreation ground. The loss of open views from the footpath is a concern raised by the Council's landscape officer in the original application.

8.11 Whilst the proposals would result in a change to the character of the surrounding landscape/PROW, as this change would effect a relatively small section of the PROW immediately adjacent to the site, as open views of the surrounding landscape are already interrupted by existing structures, specifically the MUGA and as an existing section of footpath is already enclosed as it meets the A3057 pavement (the proposal would extend this already enclosed section), it is not considered that the change would result in an adverse impact on the overall landscape character or the character of the PROW.

8.12 A close board fence has been erected on the north west (Okanagan) boundary. This has replaced a hedge. It is proposed to provide hedge planting on the recreation ground side of the fence and it is considered that this would help to soften the appearance of the fence and would help to retain a soft vegetative screen along this boundary. The applicant has submitted details of this hedge (as required by condition 2 of 18/02874/FULLS) which would be a mixed native species hedge with the following mix:

- 50% Hawthorn
- 10% Bird Cherry
- 10% Field Maple
- 10% Dog Rose

- 10% Hazel
- 10% Privet

Planting would be in a staggered in two trenches to a density of 7 plants per metre in groups of 3, 5, 7, 9 or 11 to achieve the above mix. In addition, the applicant has provided details on the implementation of the proposed planting.

8.13 The Council's landscape officer is content that the mix proposed would be suitable for the site and is happy with the proposed implementation of the planting. As such, subject to a condition requiring the applicant to comply with the details submitted, it is not considered that the proposals would have any adverse impact on the landscape character of the area or on the character of the PROW. The proposals are considered to comply with policies E2 and T1 in this regard.

8.14 Other landscape details

In accordance with condition 2 of 18/02874/FULLS, the applicant has included details of other hard and soft landscaping proposed for the development including details of means of enclosure and hard surfacing materials (see paragraph 8.7 above) along with details on maintenance and management. It is considered that the details submitted would help to improve the appearance of the site and enhance the character of the development in the interest of visual amenity in accordance with Test Valley Borough Revised Local Plan (2016) policies E1 and E2. A condition will be added to any permission requiring the development to be undertaken in accordance with the submitted details.

8.15 **Heritage**

Impact on conservation area

The proposed building is located within the King's Somborne conservation area which was designated as such in September 1987. King's Somborne Conservation Policy was adopted at the same time. This document sets out the character of the village along with information on development management procedures and environmental enhancement. The King's Somborne Conservation Policy is a material consideration when determining this planning application.

8.16 The area around the recreation ground was brought into the conservation area boundary in 1987 as it was considered to be an important open area (page 1 of the Conservation Policy). The Conservation Policy document does not provide any specific comments on the contribution the recreation ground makes to the character of the conservation area as a whole and there is no other mention of the site within the document although it does show that there is an important hedgerow along the north east boundary of the site.

8.17 The existing character of the area surrounding the site is discussed above (para. 8.3) The proposed building, the amendments to it and the proposed shed are utilitarian in their design which is not considered to be of any particular architectural merit.

Notwithstanding this, it is important to consider the existing character and context of the site to understand what, if any harm the proposals have on the character of the conservation area to understand what impact the proposal would have on this heritage asset.

- 8.18 As discussed earlier in this report, the proposed building and shed would be sited so that they would be seen in context with the recreation ground and associated structures. The proposals would be seen in context with the MUGA and its tall, wire fence, the skating half pipe and play area which, whilst some may not consider to be visually attractive, are wholly characteristic of structures you would expect to be sited within an area used for recreation. The proposals would also be seen in context with the existing Village Hall, which, whilst more traditional in its appearance, is not considered to be of a design that enhances the character of the conservation area within which it sits. None of the structures in the immediate vicinity of the site are considered to enhance the character and appearance of the conservation area. It is noted that the hedge designated an important hedgerow in the Conservation Policy is to be retained.
- 8.19 As a result of the above, whilst not of a particularly attractive design, due to the context within which it will sit and its modest scale, it is not considered that the proposals would result in any additional significant harm to the character and appearance of the conservation area. The harm that the proposals would have on the conservation area is therefore considered to be less than substantial.
- 8.20 Policy E9 of the RLP states that where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm would be considered against the public benefit of the proposals. The public benefits of the proposed development were discussed in detail at paragraphs 8.6 – 8.14 of the officer report for application 18/02874/FULLS which is appended to this report. The proposals would clearly have significant social benefits including allowing the growth of the existing pre-school on the site along with providing the community with a facility that would offer a wider range of activities and services. It is considered that the public benefits identified would outweigh the less than substantial harm that would result from the development. As such, it is considered that the proposals would comply with policy E9 of the RLP.
- 8.21 Listed buildings
There are various listed buildings along Romsey Road, due to the separation distances between these buildings and the site, it is considered that the proposals would not result in their settings being adversely affected.
- 8.22 Archaeology
The original application was supported by a report on an archaeological watching brief (Cotswold Archaeology August 2018). The report states that there is clear evidence for a general background of prehistoric activity in the landscape around the site and approximately 60m to the east is the Scheduled Monument of John of Gaunt's Palace.

The aim of the watching brief was to identify, investigate and record all significant buried archaeological deposits revealed. An archaeologist was present during intrusive groundworks comprising of two geotechnical test pits.

8.23 Despite the archaeological potential of the site, the watching brief identified no archaeological remains. As a result of this, it is not considered that the proposals would have any adverse impacts on archaeology.

8.24 Scheduled monument

The site is adjacent to John of Gaunt's Palace to the north east which is designated as an ancient monument. The site is separated from the monument by an existing vegetative boundary and there would be limited visual connection from the monument to the proposed site. In addition, due to the nature of the proposals, there would be limited ground disturbance. As a result, it is not considered that the proposals would result in any adverse impacts on the scheduled monument. Historic England has confirmed that they have no objections to the proposed development.

8.25 Heritage summary

As a result of the above, it is considered that the proposals would sustain the significance of surrounding listed buildings, surrounding archaeology and the adjacent scheduled monument. It is considered that the proposals would result in less than substantial harm to the character and appearance of the conservation area. It is considered that the public benefit arising from the scheme would outweigh this harm. As a result, the proposals are considered to comply with policy E9 of the RLP.

8.26 **Trees**

Due to the nature of the proposed amendments, It is not considered that the development proposed in this variation application would result in any adverse impacts to trees. The Council's tree officer has confirmed no objections to this variation application. Implications to surrounding trees were discussed at paragraphs 8.40 – 8.43 of the original officer report (Appendix A). A condition will be added to any permission requiring service routes, drain runs, soakaways or excavations in connection with the development to be outside of the root protection areas in accordance with the tree statement submitted with the original application (ref: KS 16). This would repeat condition 5 imposed on 18/02874/FULLS.

8.27 Third party comments have been received in relation to the provision of tree protection on the site. Tree protection is proposed to be provided by the provision of the proposed fencing along the north east boundary first, before the building is brought onto the site. This was detailed in the tree statement (KS 16) previously considered acceptable to the Council's tree officer under application 18/02874/FULLS. With this variation application, the applicant has submitted a proposed method statement in relation to the post holes that would encroach into the root protection areas of adjacent trees. The applicant has also subsequently confirmed that other than the post holes, no other services would encroach into the tree RPAs, these being provided in a single trench from the Village Hall.

The Council's tree officer has again confirmed no objections to the submitted details and as a result, subject to the condition discussed in paragraph 8.26 above, it is not considered that the development proposed under this variation application would have any adverse impacts on trees adjacent to the north east boundary of the site.

- 8.28 Third party comments are also concerned about the impact the proposed development would have on two Birch trees adjacent to the access to the site (one of which is protected by a Tree Preservation Order (TPO)). The concern relates to the impact access to the site by an articulated lorry with a 12 metre trailer and its required manoeuvring space would have on these trees.
- 8.29 Subsequent to these comments, the applicant has taken advice from the supplier of the building who has confirmed that the delivery of the proposed building would not require an articulated lorry. They confirm that the building, being 9.6 metres in length can be transported on a rigid trailer which requires a smaller turning circle and, after a site visit, they did not envisage any problems with a rigid trailer turning into the site with the vehicle entering the site central to the site access road and therefore the 3.8m height restriction would not cause a problem as this restriction is outside of the vehicles turning circle.
- 8.30 As a result of the above and as discussed at paragraph 8.42 of the report for application 18/02874/FULLS (Appendix A), it is considered that an advisory note on any permission advising the applicant that the trees adjacent to the access are protected and that if any works are needed to allow access to the site, that a tree works application and/or notice will need to be submitted and consented before works to the trees can be undertaken would be sufficient in this instance.
- 8.31 **Impact on neighbour amenities**
The impact the proposals would have on the amenities of surrounding neighbouring dwellings is discussed in detail at paragraphs 8.44 – 8.54 of the officer report for application 18/02874/FULLS. The following paragraphs discuss the impact the proposed amendments to the developments would have on surrounding neighbour amenities.
- 8.32 Canopies
Due to the separation distance between the proposed canopies and neighbouring residential dwellings (the nearest canopy on the south west elevation of the building would be located approximately 10 metres with the boundary of a parcel of land associated with Okanagan) and due to the nature of the nearest piece of land associated with Okanagan (see paragraph below) it is not considered that the canopies would result in any adverse impact on the amenities of surrounding neighbouring dwellings.
- 8.33 Window layout
The proposed changes to the window layouts would not effect the elevations of the building that face towards neighbouring dwellings. As a result, it is not considered that these amendments would result in any adverse overlooking.

8.34 Addition of hedge and pathways

The proposed additional of a path and hedge adjacent to the north west boundary would result in the building moving 500mm closer to the adjacent MUGA. The building would not be positioned any closer to the site boundary with Okanagan than previously permitted and the submitted plans demonstrate that the amendments would not result in an increase in the overall height of the building). It is not considered that the addition of the proposed hedge and pathways indicated and the subsequent, minor repositioning of the building would result in any impacts over and above those considered under the original application (18/02784/FULLS – Appendix A).

8.35 Decking and ramps

The decking and ramps used to access the building have been repositioned to the front of the building, moving them further away from the boundary with a parcel of land associated with the neighbouring dwelling at Okanagan. Part of the revised decking/ramp layout would be located approximately 3.5 metres from the site boundary with the adjacent land. Due to the level that the proposed building would be positioned at, views would be available over the recently erected boundary fence from this part of the decking/ramp. However, as discussed at paragraphs 8.45 and 8.46 of the original report for application 18/02784/FULLS, it is not considered that views into this land would have an adverse impact on the amenities of the occupiers of Okanagan. The adjacent piece of land is significantly overgrown, is of unkempt and unmanaged appearance with there being no evidence that that this area is used as part of the private garden for Okanagan, with the domestic garden activity of this property taking place immediately to the rear of the dwelling, approximately 30 metres from the boundary of the site. As a result, it is not considered that the amendment to the positioning of the decking/ramps would have any adverse impacts on the amenities of the occupiers of Okanagan.

8.36 In relation to impacts the proposed decking/ramp amendments on the neighbouring dwellings at Wattle Cottages, Nanijsel and Thyme, due to the separation between the proposals and these properties (as discussed at paragraph 8.44 of the report for 18/02784/FULLS – Appendix A) and as the decking/ramps would be moved further away from these dwellings when compared to the permitted scheme, it is not considered that this aspect of the proposals would result in any adverse impacts on the amenities of the occupiers of these properties.

8.37 Proposed storage shed

The proposed storage shed would be located immediately adjacent to the recently erected boundary fence to the north west. As a result of the modest scale of the proposed shed (see paragraph 3.4 above) and as it would be screened from neighbouring dwellings by the boundary fence, it is not considered that the shed would result in any adverse impacts on surrounding residential amenities.

8.38 Lighting

The proposals include lighting on the entrance path which would be provided by 8 600mm high black bollard lighting with 18w LED bulbs. Identical lights would be provided to the north west and north east sides of the building. The building would also be provided with wall mounted lights which would consist of 4 18w downward facing black die cast wall lights. These lights would have a 28 degree beam and an output of 600 lumens. Comments are awaited from the Council's environmental protection officer as to the appropriateness of the proposed lighting. This will be reported in the update paper. For the purposes of this report, the condition in relation to lighting as imposed under 18/02784/FULLS is repeated. This can be amended if the submitted lighting details are considered acceptable.

8.39 Noise

The proposal includes details (as required by condition 9 of 18/02784/FULLS) of the proposed air conditioning units that would be installed on the north east elevation of the building. Comments are awaited from the Council's environmental protection officer as to whether the details submitted are acceptable in terms of the impact this plant would have on surrounding residential amenities. This will be reported in the update paper. For the purposes of this report, the condition as imposed under 18/02784/FULLS is repeated. This can be amended if the submitted details are considered acceptable.

8.40 Concerns were raised during the Southern Area Planning Committee on the 12 March 2019 in relation to the acoustic performance of the building and the impact its use as a pre-school would have in terms of noise on the amenities of neighbouring dwellings. Condition 11 was imposed on the permission granted under 18/02784/FULLS requiring the applicant to submit details of the acoustic treatment of the building. Such details have not been submitted as part of this application. As a result, it is considered that the same condition should be imposed on any permission granted in respect of this variation application.

8.41 Neighbour amenity summary

As a result of the above, it is not considered that the amendments to the building/decking and addition of a shed would cause any adverse impacts on surrounding residential amenities. With regards to lighting/noise, comments from the Council's environmental protection officer will be reported in the update paper.

8.42 **Highways**

Parking

Parking for the proposed development was discussed and considered acceptable under the previous application (18/02874/FULLS – paragraphs 8.55-8.58). Whilst the amendments proposed under this variation application do not include any changes to the parking provision previously considered acceptable, third party comments have raised concerns relating to the accuracy of the amount of parking that can be accommodated in the existing car park as stated by the applicant.

Comments are concerned that the car park cannot accommodate the 50 spaces indicated by the applicant and the potential impact a lack of parking provision could have on the surrounding highway network, particularly when the sports pitches are in use. This has been demonstrated through the submission of photographs showing parking when the playing fields were in use for a school event.

- 8.43 The parking standards set out at Annex G of the RLP require a pre-school to have 1.5 spaces per 2 full time staff and 1 space per 4 children for drop off and collection. A community hall is required to have a minimum of 1 space per 10sqm metres of open hall. Therefore, if used as a pre-school, there would be a requirement for the provision of 11 car parking spaces. If used as a community building, there would be a requirement for 8.5 spaces.
- 8.44 In addition to the above, the applicant has confirmed that the requirement for the Village Hall, based on its floor area would be for 22 spaces (based on the standard being 1 space per 10 square metres of open hall, with the area of the main hall, Jubilee Room and Committee Room totalling 220 square metres). The requirement for the playing fields would be 8.4 spaces, this being calculated on the area of the biggest pitch at 0.7 hectares (the football/cricket pitches overlap and as such it is not possible to play both sports at the same time).
- 8.45 As a result of the above, the overall requirement, in accordance with the Council's parking standards, if all of the facilities within the recreation ground, along with the pre-school (being the worst case scenario as more spaces are required for this use than a community use of the building) are being used at the same time would be 41.4 spaces.
- 8.46 Third party comments and a parking plan provided claim that only 31 spaces can be provided at the site. The applicant has subsequently provided a plan to demonstrate that 43 spaces can be provided, along with the provision of access for emergency vehicles. This plan is accompanied by an explanation of where the parking spaces are to be provided. A scaled drawing showing how 43 spaces would be delineated on the ground is to be provided by the applicant. Subject to the submission and acceptability of this plan and subject to a condition requiring the spaces to be marked out/delineated on the ground prior to the first use of the building, it is considered that parking can be provided in accordance with the parking standards set out in the RLP and thus would be in accordance with policy T2 of the RLP.
- 8.47 Traffic generation
The amendments proposed under this application do not materially impact on the amount of traffic generated by the proposals which was an issue dealt with at paragraph 8.59 of the report for application 18/02874/FULLS (Appendix A). It is not considered that the proposals would result in an increase in traffic that would have an adverse impact on highway safety. The highways officer has confirmed no objections to the proposals in this regard. The proposals are considered to comply with policy T1 of the RLP.

8.48 Access

Third party comments are concerned that the access proposed to be utilised for the delivery of the building is not adequate and cannot accommodate the turning circle required for an articulated lorry. As discussed at paragraph 8.29 above, the applicant has confirmed that access is not required for an articulated lorry as the building would be delivered on a rigid trailer which requires a smaller turning circle. The Council's highway officer has also subsequently confirmed that it is highly unlikely that a vehicle of the size suggested by the third party would be required to access the site. With the applicant confirming that this is the case, no objections have been raised from the highways officer.

8.49 Public Right of Way (PROW)

The proposed development would take place adjacent to a PROW which runs adjacent to the hedge on the north east side of the site. The submitted plans show that the PROW is to be retained in accordance with policy T1 of the RLP.

8.50 Other highway matters

Third party comments have raised concerns about Fire Engine access and fire hydrant provision. Whilst Fire Engine access has been shown on parking plans provided by the applicant this is a requirement under the relevant Building Regulation legislation and is thus not a material consideration when determining this planning application.

8.51 Travel Plan

Condition 7 of 18/02874/FULLS requires the submission of a travel plan. The applicant has submitted information in relation to this condition as part of this variation application and this has been considered by Hampshire County Council highways. The highways officer has confirmed that the information submitted is not acceptable as a travel plan. As a result, the requirement for a travel plan will be re-imposed as a condition should this current variation application be permitted.

8.52 **Flooding and drainage**

Issues in relation to flooding and drainage were discussed at paragraphs 8.63 – 8.75 of the report in relation to application 18/02874/FULLS. It is not considered that the amendments proposed as part of this application would change the conclusion reached in the original application. It is not considered that the proposed amendments would have a material impact on the flooding implications of the proposals as previously determined. In relation to the third party comments on the skirt provided to the building, it is understood from the applicant that this skirt would be permeable and as such potential flood volume storage provided within this part of the site would not be displaced elsewhere. Further clarity on this is being sought from the applicant and will be reported in the update paper.

8.53 Ecology

The Council's ecologist when considering the proposed lighting, is of the view that, due to the nature of the site (amenity grassland with adjacent hedgerow habitat), the proposals would not result in any adverse impact to commuting and foraging bats.

8.54 A condition was imposed on the original application requiring habitat features be incorporated into the proposed development. The ecologist specifically requested that such features would be in the form of hedge planting to replace the hedge that was removed on the north west boundary. The applicant has included details of this hedge planting with this application and these details are considered acceptable by the Council's ecologist. Subject to a condition on any permission requiring the hedge to be planted in accordance with the submitted details, it is not considered that the proposals would result in any adverse impacts on ecology. The proposals are therefore considered to comply with policy E5 of the RLP.

8.55 Other matters

Matters that are not material to the determination of this application

The following matters have been raised by third party comments:

- Health and safety concerns in relation to the use of the decking and measures in place to prevent children from falling from the steps/decking area
- Requirement of a rest area for pre-school children
- Request for the provision of a new close board fence on the boundary with the existing village hall (which is not proposed as part of this application).

These matters are not material to the consideration of this planning application as they are dealt with under separate standards. They are therefore not a matter that can be considered when determining this application.

8.56 Accuracy of plans

Third party comments have noted that the scale bar shown is incorrect in that it shows a 1:1000 scale and not 1:500 as stated on the plan. The applicant has confirmed this discrepancy and has confirmed that the plan should be scaled at 1:500. Notwithstanding this, for clarity, an amended plan which corrects this discrepancy is being sought from the applicant.

8.57 In addition to the above, amendments to the landscaping (hedge planting, including implementation and maintenance) have not been shown on the corresponding plans. For the avoidance of doubt, amended plans are being sought which reflect the changes made in the planning statement to the proposed landscaping.

8.58 The planning balance

The proposed development, being located in the settlement boundary of King's Somborne is considered acceptable in principle provided that it complies with the other relevant policies contained within the Test Valley Borough Revised Local Plan 2016 (RLP).

8.59 Due to its utilitarian design, it is considered that the proposed building as amended would result in a less than substantial harm to the significance of the conservation area. The harm identified weighs against the granting of planning permission for the proposals. How much weight this is afforded is discussed below.

8.60 In accordance with E9 of the RLP, the less than substantial harm to the conservation area needs to be considered against the public benefits of the scheme. The proposed development would offer significant social benefits to the surrounding community. These benefits are given significant weight in the officer recommendation of this application and are considered to outweigh the less than substantial harm identified. In addition, subject to conditions, the proposals would not result in any adverse impacts on the character and appearance of the surrounding area, trees, neighbour amenities, highways, flooding, drainage, ecology and the provision of public open space.

8.61 As a result of the above, when considering the planning balance, it is considered that the benefits of the proposed development would significantly outweigh identified harm. The proposals are recommended for permission on this basis.

9.0 CONCLUSION

9.1 The proposals as submitted as part of this variation application are considered acceptable in principle and, subject to conditions, would not result in any adverse impacts on the character and appearance of the surrounding area, trees, neighbour amenities, highways, flooding, drainage and ecology. It is considered that the social benefits arising from the proposed development would significantly outweigh the less than substantial harm identified in relation to the character of the conservation area. The proposals are recommended for permission on this basis.

10.0 RECOMMENDATION

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

- **Submission of amended plans which correct the discrepancies identified with the current submitted plans/details; and**
- **submission of a scaled plan demonstrating that a minimum of 41 parking spaces can be accommodated within the existing car park at the site**

Then PERMISSION subject to conditions and notes:

1. **The development hereby permitted shall be begun within three years from the date of this permission granted under application 18/02874/FULLS.**

Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2. The materials used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details contained within the Planning Statement under '*1. Samples and details of the materials to be used in the construction of all external surfaces*'**

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.

- 3. Hard and soft landscaping shall be undertaken in accordance with the details contained in the submitted Planning Statement under '*3. Additional hedge, access path and adjustment of building position*' and '*2. Details of hard and soft landscape works*' either before occupation or within 3 months of the first occupation of the building.**

Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area and to enhance biodiversity in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E2 and E5.

- 4. All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted other than the proposed fence post holes shall remain wholly outside the root protection areas of adjacent trees as shown in document KS 16 (Issue 2), 'Tree Statement' submitted as part of application 18/02874/FULLS.**

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.

- 5. Within the first 3 months of any part of the development being brought into use a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include measures to improve and encourage the use of sustainable transport. The travel plan shall include details of when these measures will be introduced. To support the promotion of the use of sustainable modes the travel plan shall also include: how the travel plan will be managed; targets aimed at lowering car use, particularly single occupancy trips from/to the site; a program for monitoring the travel plan and its progress and how the travel plan and its objective of encouraging the use of sustainable transport will be implemented. The approved travel plan shall thereafter be retained throughout the lifetime of the development.**

Reason: To comply with sustainability objectives in accordance with policy T1 of the Test Valley Borough Revised Local Plan 2016.

- 6. Details of all external lighting shall be submitted to and approved in writing by the local planning authority prior to first installing any such lighting. Development shall be carried out in accordance with the approved details**

Reason: To safeguard the amenities of the area and/or in the interests of road safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

- 7. Notwithstanding the submitted details, no external plant or equipment (including air conditioning units) shall be installed until full details of the plant or equipment including their location have been submitted to and approved in writing by the Local Planning Authority. The external plant or equipment shall installed in accordance with the approved details and any measures required by the Local Planning Authority to minimise noise from the plant or equipment shall be completed prior to the same being brought into use and thereafter retained.**

Note - Information to be submitted shall include a detailed specification of the plant to be installed including an expected noise level at 1m from the equipment, the exact location of the proposed plant, the distance(s) to the nearest noise sensitive property including gardens, the hours of use and any appropriate remedial measures to reduce the potential for noise, likely to affect nearby residential properties at any time. The applicant should be aware that following the submission of the information, the LPA may require further acoustic control measures to be implemented.

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

- 8. The building hereby permitted shall not be used for a pre-school purpose unless or until full details of the acoustic treatment of the building have been submitted to and approved in writing by the Local Planning Authority. The acoustic measures installed in the building, and which are specifically identified in the approved details, shall be maintained in accordance with the approved details in perpetuity.**

Reason: To minimise the effect of noise generated internal to the building on the living conditions of neighbouring properties, in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).

- 9. The development shall not be occupied until space has been laid out and provided for the parking of vehicles in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.**

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

- 10. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:**

TBC on submission of amended plans.

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

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. The proposed development would be in close proximity to and involve the removal of hedgerow that may support nesting birds. Nesting Birds are protected by the Wildlife and Countryside Act 1981. It is illegal to intentionally or recklessly kill, injure or take any wild bird; to take, damage or destroy any nest while it is in use or being built or to take or destroy a wild bird's egg. It is highly advisable to carry out the hedge removal/building works within 5 metres of any hedgerow outside of the bird nesting season, which is generally considered 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 during this period then a thorough, careful and quiet examination of the vegetation within 5 metres of the works must be carried out before work starts. If occupied nests are present then work must stop and building work recommence once the nest becomes unoccupied of its own accord.**
 - 3. Trees adjacent to the access to the site from the A3057 Romsey Road are protected by virtue of their location in the conservation area or by a Tree Preservation Order (TPO). It is advised that any tree works required to allow access to bring the building onto the site would need to form part of tree works application and/or notice which would need to be submitted to the Local Planning Authority. Such applications can take up to 6-8 weeks to be considered.**
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