

---

<b>APPLICATION NO.</b>	19/02424/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	15.10.2019
<b>APPLICANT</b>	Miss Harriet Pitney
<b>SITE</b>	Ganger Farm, Ganger Farm Lane, Romsey, SO51 0QA, <b>ROMSEY EXTRA</b>
<b>PROPOSAL</b>	Erection of 7 dwellings including the substitution of two approved detached Kington house types (shown as plots 149 and 150 on 19/00499/VARS) with 2 pairs of semi-detached Barwick housetypes
<b>AMENDMENTS</b>	None
<b>CASE OFFICER</b>	Miss Sarah Barter

Background paper (Local Government Act 1972 Section 100D)

---

## 1.0 **INTRODUCTION**

1.1 This application is presented to Southern Area Planning Committee because it is contrary to the provisions of an approved development plan or other statements of approved planning policy, adverse third party representations have been received and the recommendation is for approval.

## 2.0 **SITE LOCATION AND DESCRIPTION**

2.1 Ganger Farm, since named Kings Chase, is currently under construction to provide a range of housing and public open space as detailed in the proposal wording. The site is accessed from Jermyns Lane in Romsey on the southern side of the Lane opposite Hilliers Arboretum.

## 3.0 **PROPOSAL**

3.1 This proposal seeks to erect 7 dwellings including the substitution of two approved detached Kington house types (shown as plots 149 and 150 on 19/00499/VARS) with 2 pairs of semi-detached Barwick housetypes.

Overall this provides a net increase of 2 dwellings.

## 4.0 **HISTORY**

4.1 19/00499/VARS - Vary condition 1 of the approved planning permission (18/01597/VARS) to vary the approved plans. The proposed changes incorporate the substitution of some of the larger properties originally approved for more traditional family housing of 3 and 4 bedroom properties. The application seeks an amended road layout to accommodate the house type substitutions and an additional area of hardstanding to the north for the purposes of turning and manoeuvring – Permission subject to conditions and notes – 20.09.2019.

- 4.2 18/01597/VARS - To vary condition 2 (approved plans) of 14/01090/FULLS (Erection of 275 dwellings with access, parking landscaping, open space, allotments and associated works. Provision of sports facilities comprising of sports pitches (including artificial surfaced pitches with floodlighting and perimeter fencing and grass surfaced pitches), pavilion and parking) to replace drawing 18-1782-001 Rev Y with 18-1782-001 Rev EE and 18-1782-PAV-005, 1539-2013 P06 with 1539-2013 P08, 1539-2018 P06 with 1539-2018 P08, and 1539-2017 PO4 with 1539-2017 PO5 to relocate play area 4 adjacent sports pavilion, re-alignment of road to southern boundary and provision of solar panels on pavilion – Permission subject to conditions and notes – 05.12.2018.
- 4.3 14/01090/FULLS - Erection of 275 dwellings with access, parking landscaping, open space, allotments and associated works. Provision of sports facilities comprising of sports pitches (including artificial surfaced pitches with floodlighting and perimeter fencing and grass surfaced pitches), pavilion and parking (Amended and additional plans and information received 15th, 23rd, 24th and 26th March, 2nd April and 5th June 2015, including Addendum to Environmental Statement) – Permission subject to conditions and notes – 22.07.2016.

## 5.0 **CONSULTATIONS**

- 5.1 Housing – No Objection subject to legal agreement securing additional financial contribution.

A financial contribution for affordable housing for the part unit (0.4) totaling £13,648 will be required, and to be secured via legal agreement.

- 5.2 Ecology – No Concerns. Contribution for New Forest SPA for 2x dwellings.

- 5.3 Natural England – Concur with the assessment conclusions.

## 6.0 **REPRESENTATIONS** Expired 08.11.2019

- 6.1 Romsey Extra PC – No Objection.

- 6.2 Springwood Braishfield Road– Objection.

- It looks to me as if the developer is squeezing in more units to an already packed site.
- Is it that they have agreement for 2 detached houses and they want to upgrade that to 2 pairs of semi-detached i.e. 4 units to replace the original 2 houses plus a further 3 units?
- If so then this is a sneaky intensification of the site - greedy and detrimental to this semi-rural area in terms of character and traffic generation etc.
- The barrage of amendments that come through on large developments like this (and we have seen a few to the north of Romsey recently!) is I am sure designed to bamboozle.

## 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

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

E6 – Green infrastructure

E7 – Water management

E8 – Pollution

E9 – Heritage

LHW1 – Public open space

LHW2 – Ganger Farm, Romsey

LHW4 – Amenity

T1 – Managing movement

T2 – Parking standard

CS1 – Community safety

ST1 – Skills and training

### 7.3 Supplementary Planning Documents (SPD)

Affordable Housing

Infrastructure and Developer Contributions

Cycle Strategy and Network

Test Valley Access Plan 2015

## 8.0 **PLANNING CONSIDERATIONS**

### 8.1 The main planning considerations are:

- Principle of development
- Landscape and visual impacts
- Affordable Housing
- Amenity
- Highway impacts
- Trees
- Ecology
- Nitrate Neutrality
- Planning Balance

## **8.2 Principle of development**

The principle for development has been established in the permission issued under application - 14/01090/FULLS on the 22.07.2016 at Ganger Farm. This application seeks to erect 7 dwellings on an area originally occupied by five, centrally located in the site to the south of the permitted sports pitches. The net increase in units has been achieved by substituting two approved detached Kington house types (shown as plots 149 and 150 on 19/00499/VARS) with 2 pairs of semi-detached Barwick housetypes.

## **8.3 Test Valley Revised Borough Local Plan 2016**

Policy COM2: Settlement Hierarchy – the site lies outside of the boundaries of the settlement and is therefore within the countryside. Development outside of the settlement boundaries will be permitted if a) it is a type appropriate according to RLP policy or b) it is essential to be located in the countryside.

8.4 This development does not comply with either part a) or b) of COM2. However other material considerations need to be taken into account which could justify a departure from the saved policies of the development plan.

8.5 The total number of houses on the wider site has increased by two dwellings with smaller different house types replacing larger homes to reflect the current housing market requirements. Whilst this application does represent a departure from the local plan policy COM2 it is considered that given the extant permission which is currently being built on this major development site, the change in house type would not impact on the countryside considerations that policy COM2 seeks to protect.

Subject to compliance with the other local plans policies listed in para 7.2 the application can be determined favourably.

## **8.6 Landscape and visual impacts**

Policy E2 of the RLP seeks to ensure that development will not have a detrimental impact on the appearance of the immediate area and the landscape character of the area within which it is located and to meet various other criteria such that it does not threaten important landscape features and positively integrates into landscape character.

8.7 It is not considered that the revised housing, the designs of which are seen elsewhere on the Kings Chase development, would have any significant impacts on the wider landscape character given the applications sites location centrally within the existing development area surrounded by similar style properties. It is considered that the development is therefore compliant with policy E2 of the RLP.

## **8.8 Affordable Housing**

Under policy COM7, for 15 or more dwellings, 40% of these dwellings are to be for affordable housing. However, the Housing Officer is aware that this development was granted planning permission allowing the Affordable Housing contribution to be 20%. Therefore based upon the total number of residential units 277 (2 more than the originally consented scheme) and 20% provision for Affordable Housing, this equates to the delivery of 55.4 dwellings for affordable housing.

- 8.9 Currently, Ganger Farm will be delivering 55 affordable housing units as secured by legal agreement, S106 (14/01090/FULLS). Under Revised Local Plan COM7, whole dwellings will be sought on-site and where the number sought does not equate to a whole number units, the remaining part dwelling will be sought as a financial contribution. As the required Affordable Housing contribution will be 55.4 dwellings, and acknowledging that 55 affordable dwellings are already being providing, the LPA would be seeking 0.4 as a financial contribution. A contribution of £13,648 will be secured via legal agreement which is currently being completed. Subject to doing so, the proposal accords with policy COM7 of Test Valley Revised Borough Local Plan 2016. An update will follow.
- 8.10 **Amenity**  
The proposal introduces two new dwellings in the form of semi detached properties into this block of dwellings. The proposed dwellings would be sited on the previously agreed line of development fronting the sports pitches ensuring garden depths to adjacent proposed dwellings to the south are retained at approx. 10m. It is considered appropriate to apply a condition similar to that seen in the historic housing applications on this site to secure the obscure glazing which is annotated on the elevation drawings to protect any overlooking impacts. Subject to this condition it is not considered that the introduction of two semi detached pairs in this location would give rise to any unacceptable impacts in terms of amenity at either the proposed dwellings or the dwellings already previously permitted. Development is considered to accord with policy LHW4 of the RLP.
- 8.11 **Highway impacts**  
The proposal provides for appropriate parking levels at each property through both garaging and allocated spaces together with appropriate visitor spaces as set out on plan 18-1782-210 C. Consistent with the extant permissions a condition is required removing Permitted Development for garage conversions. Subject to this condition the development would accord with policies T1 and T2 of the Revised Borough Local Plan 2016.
- 8.12 **Trees**  
Due to the relatively central location of the application site the proposals do not create any additional impacts on the existing mature trees which are on the outer boundaries of the site. As such it is considered that subject to appropriate conditions ensuring compliance with tree protection detail the development can be provided without significant harm to the important landscape features on site in accordance with policy E2 b) of the Revised Borough Local Plan 2016.
- 8.13 **Ecology**  
The County Ecologist has been consulted in respect of the proposals and has no concerns in respect of impacts on protected species on site.

**8.14 New Forest SPA**

In line with Policy E5 and Section 11 of the NPPF, consideration should be given to potential implications on international designations. The development will result in a net increase in residential dwellings within 13.6km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit the New Forest. The New Forest SPA supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the Forest that result from new housing development. While clearly one new house on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England (the governments statutory nature conservation advisors, who have provided comments on this proposal) that any net increase (even single dwellings) would have a likely significant effect on the SPA when considered in combination with other plans and projects.

- 8.15** To address this issue, Test Valley Borough Council has adopted an Interim Mitigation Strategy whereby a scale of developer contributions of £1300 per new dwelling has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. This application includes a net increase in dwellings by +2 as such £2600 is payable and is in the process of being secured via legal agreement. Subject to the signing of the legal agreement covering these matters the development would accord with policy E5 of the Revised Borough Local Plan 2016. Update to follow.

**8.16 Nitrate Neutrality**

The River Test and its major tributaries flow into the Solent. The Solent region is one of the most important for wildlife in the United Kingdom. There are currently high levels of nitrogen and phosphorus input into this water environment and there is evidence to suggest that this is having a detrimental impact on the biodiversity of this area. Housing and other certain types of development are currently contributing negatively towards this issue and there is evidence that further development, without mitigation, would exacerbate this impact.

The Solent region consists of the following Special Areas of Conservation (SAC) and Special Protection Areas (SPA):

- Chichester and Langstone Harbours SPA
- Portsmouth Harbour SPA
- Solent and Southampton Water SPA
- Isle of Wight Lagoons SPA
- Solent Maritime SAC
- Solent and Dorset Coast SPA (Proposed)

- 8.17** These sites are protected by National and European Law which requires the Council to undertake a formal assessment of the implications of any new plans or projects that may be capable of affecting the designated interest features of European Sites before deciding whether to grant planning permission for new residential development. This formal assessment is known as an Appropriate

Assessment and considers the potential adverse effects of a plan or project (in combination with other plans or projects) on Special Areas of Conservation and Special Protection Areas. The European Court of Justice recently determined a case related to considering water quality in Appropriate Assessments. The impact of the case law is that any development which could result in a decrease in water quality would cause a likely significant effect on the Solent's European sites.

- 8.18 In the context of planning, the impact comes from population increase and the resultant increase in effluent. Proposed developments for new housing, hotels and care homes (as well as other forms of overnight accommodation) are being affected by the issue as a result. Given the nature of this application the applicant was invited to provide an assessment. This was submitted on the 14<sup>th</sup> January 2020 from WYG. The nitrate budgeting has been carried out on the 7 units only with the resultant calculation providing a figure of -1.543 kg/TN/yr. This figure which demonstrates neutrality has resulted in an appropriate assessment being submitted to Natural England. Natural England's response concluded that the measures proposed would mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that they concur with the assessment conclusions. The LPA is satisfied that the development can be provided in accordance with the Habitat Regulations.

8.19 **Planning Balance**

The development addresses appropriate considerations in terms of impacts on trees, the wider landscape, neighbours, ecology, and the highway. It also secures contributions to affordable housing and New Forest SPA mitigation through a legal agreement. Given the ongoing developments at the site being carried out under the extant permissions and the provision of additional housing which meets the current market requirements it is considered that the scheme overrides the conflict with policy COM2 of the Test Valley Borough Revised Local Plan.

9.0 **CONCLUSION**

- 9.1 Subject to appropriate conditions, some of which were applied to the previous applications at this site, the development is considered to be acceptable.

10.0 **RECOMMENDATION**

**Delegate to Head of Planning and Building for the following:**

- **The completion of a legal agreement to secure financial contributions towards the New Forest SPA mitigation measures and affordable housing, then**

**PERMISSION subject to:**

1. **The development hereby permitted shall be begun within three years from the date of this permission.**

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

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

18-1782-206 D  
18-1782-210 C  
18-1782-200-1BH-002C  
18-1782-200-BA-001  
18-1782-200-BA-002  
2252 K  
2263 N  
18-1782-205 D  
18-1782-203-G  
18-1782-200-MO-001 A  
18-1782-200-MO-002 A  
18-1782-201 G  
158 B  
159 B  
160 B  
18-1782-202 D  
18-1782-211 C  
18-1782-200-SS-002 B

Reason: For the avoidance of doubt and in the interests of proper planning.
3. The development shall commence in accordance with the detail approved by the Local Planning Authority on the 4th July 2017 as follows:

CEMP updated 3rd July 2017  
Drawing 1-1782-001 U - Build Phase Plan  
Drawing 1-1782-001 U - COMPOUND AND ACCESS PLAN

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

Reason: The CEMP is required in order to safeguard the amenity of the local area, existing residents and the plants at the Sir Harold Hillier Gardens and Arboretum from adverse impacts during construction having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.
4. Development shall be undertaken in accordance with the following detail approved by the Local Planning Authority on the 4th July 2017

Details - Plan Ref no. NOISE ASSESSMENT - 26/04/17  
Details - Plan Ref no. PILING - Version 18-1782-001 U - 15/06/17  
Details - Plan Ref no. CEMP - 03/07/17

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

Reason: To safeguard the amenity of existing residents having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.

5. No construction work in relation to the development, including preparation prior to operations, shall take place other than between the hours of 07.30 hours to 18.00 hours Monday to Friday and 07.30 hours to 13.00 hours on Saturdays and at no time on Sundays or Public or Bank Holidays.

Reason: To safeguard the amenity of existing residents having regard to policy E8 of the Test Valley Borough Revised Local Plan 2016.

6. Development shall be provided in accordance with plan ref no EMMP approved by the Council on the 3rd July 2017 unless otherwise agreed in writing by the LPA.

Reason: To ensure that notable species and priority and notable habitats and features of local biodiversity importance and the adjacent Sites of Nature Conservation Importance are safeguarded during construction, site clearance and investigation works, to conserve and enhance biodiversity, to avoid impacts to and ensure the favourable conservation status of protected species having regard to policy E5 of the Test Valley Borough Revised Local Plan 2016.

7. All works to trees hereby approved shall be carried out in full accordance with the provisions set out within the Barrell Arboricultural Impact Appraisal and Method Statement dated 22 October 2019 reference 13389-AA10-CA and Tree Protection Plan 13389-BT12

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

8. All tree protective measures installed in accordance with condition 6 of this permission shall be maintained and retained for the full duration of works or until such time as has first been agreed in writing with the Local Planning Authority. No activities, material storage, placement of site huts or other equipment what-so-ever shall take place within the fencing without the prior written agreement of the Local Planning Authority.

Reason: To ensure the avoidance of damage to existing trees and natural features of amenity value during the construction phase in accordance with policy E2 of the Test Valley Borough Revised Local Plan 2016.

9. All service routes, drain runs, soakaways, street lighting or excavations in connection with the same shall remain wholly outside the tree protective barriers installed in accordance with condition 6 of this permission.

Reason: To ensure the avoidance of damage to existing trees and natural features of amenity value during the construction phase in accordance with policy E2 of the Test Valley Borough Revised Local Plan 2016.

10. The development shall be carried out in accordance with the Construction Traffic Management Plan dated 26.04.2017 and approved by the Council on the 3rd July 2017.

**Reason:** To ensure that all site clearance, site investigation and construction operations make appropriate provisions to prevent conflict with or hazards to other highway users in the interest of highway safety having regard to policy T1 of the Test Valley Borough Revised Local Plan 2016.

11. No dwelling hereby approved shall be occupied unless any window in that dwelling marked "obscure glazed and top hung window" on the approved plans has first been fitted with obscured glazing and is top hung, such that no part of the window is clear glazed or opening unless it is more than 1.7m above the floor level of the room in which the window is installed. Thereafter this window shall be retained as such, unless otherwise agreed in writing by the Local Planning Authority.  
All such windows shall thereafter be retained as such, unless otherwise agreed in writing by the Local Planning Authority.  
**Reason:** To protect the amenity and privacy of the adjoining occupiers in accordance with policy LHW4 of the Test Valley Borough Revised Local Plan 2016.
12. No dwelling hereby approved shall be occupied until all parking spaces allocated to that dwelling on the approved plans have been laid out in accordance with the approved plans and are available for use. These spaces shall thereafter be reserved for such purposes at all times.  
**Reason:** In the interests of highway safety in accordance with policy T2 of the Test Valley Borough Revised Local Plan 2016.
13. No dwelling hereby approved shall be occupied until space has been laid out and provided for the parking of bicycles for that dwelling in accordance with the approved plans. These facilities shall thereafter be reserved for such purposes at all times.  
**Reason:** In the interests of highway safety in accordance with policy T2 of the Test Valley Borough Revised Local Plan 2016.
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order), the garage(s) hereby approved shall at all times be available for the parking of vehicles.  
**Reason:** In order to maintain the approved on site parking provision and to reduce highway congestion in accordance with policy T2 of the Test Valley Borough Revised Local Plan 2016.
15. All dwellings 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 Local Plan 2016.

**Notes to applicant:**

- 1. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
  - 2. 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.**
-