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<b>APPLICATION NO.</b>	25/01047/FULLN
<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	15.05.2025
<b>APPLICANT</b>	Test Valley Borough Council
<b>SITE</b>	Western Avenue, Andover, Hampshire, <b>ANDOVER TOWN (ST MARYS) ANDOVER TOWN (MILLWAY)</b>
<b>PROPOSAL</b>	Closure/stopping up and removal of southbound carriageway of Western Avenue gyratory and associated changes to the highway network, including West Street and Waterloo Court, to allow for the development of a park with areas of hard and soft landscaping, play areas, lighting, pavilion, river viewing platforms and an off-road cycleway
<b>AMENDMENTS</b>	Additional information received: <ul style="list-style-type: none"><li>• 23.07.2025 – response to Highway consultation;</li><li>• 11.08.2025 – additional ecological information.</li></ul>
<b>CASE OFFICER</b>	Emma Jones

Background paper (Local Government Act 1972 Section 100D)

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## 1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee because it is submitted by the Council for its own development, and the scale and nature of the proposal is not minor.

## 2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site lies to the West/North-West of Andover Town Centre, in an area containing a mix of commercial and community uses/facilities, as well as residential properties. The application site includes parts of the public highways along Western Avenue, Waterloo Court, West Street and Chantry Street, the bus station forecourt, and a section of the River Anton and its adjacent vegetated banks. Parts of the site, towards to southern end, are within the Andover Conservation Area

## 3.0 PROPOSAL

3.1 The proposal is for the closure/stopping up and removal of the southbound carriageway of the Western Avenue gyratory, with associated changes to the highway network including on West Street and Waterloo Court, to allow for the development of a park with areas of hard and soft landscaping, play areas, lighting, pavilion, river viewing platforms and an off-road cycleway.

3.2 The submitted Planning Statement describes the proposals as follows;

*“The relocation of the southbound carriageway of the Western Avenue gyratory will provide the space for a new park to be created adjacent to the River Anton. The southbound carriageway is proposed to be relocated to sit alongside the northern carriageway of Western Avenue.*

*West Street is proposed to be widened to allow for this road to accommodate two-way vehicular movements. The bus station will be enhanced to accommodate a larger area for buses to turn around and exit back out via the northern section of West Street and onto Western Avenue via a new signalised junction.*

*The taxi bay and limited wait bay on West Street is proposed to be removed. Instead, this space will be widened so that it can be used as bus layover space to replace the loss of the bus stand on Western Avenue. A new time limited, on street, loading bay is proposed on Chantry Street. Taxi space re-provision is to be located on Waterloo Court opposite the rear elevation of the proposed New Theatre. This is outside the red line boundary of this planning application but will be included in the public realm proposals for the New Theatre.*

*The existing entrance into Lidl from Western Avenue is proposed to be closed and changes to the exit and entrance points into the store from West Street are proposed to allow for a new access and egress arrangement.*

*The park will build on the success of the Pocket Park at Town Mills and provide beautiful new areas of hard and soft landscaping to create spaces for the community to enjoy, including space for events and pop-up coffee shops and food stalls within a new central pavilion. Areas of formal and informal play are also proposed, in addition to new river platforms providing views of the River Anton which will be enhanced through careful interventions to improve its chalk stream river habitat. The river enhancement works will be undertaken by Southern Water and have been confirmed by the Local Planning Authority to be permitted development (application reference 24/01337/CLPN).*

*An improved off-road cycle path for the National Cycle Network Route 246 is proposed along the western side of the river which will connect into the existing network north and south of the gyratory”.*

#### 4.0 **RELEVANT HISTORY**

4.1 24/01337/CLPN; Application for a certificate of lawfulness for habitat improvement works, addition of river gravel, removal of poor quality/common trees (not subject to TPOs), shade reduction works to trees to support improved aquatic habitat and biodiversity, landscaping and planting – Certificate Issued - 26.03.2025

4.2 24/01183/CLPN; Application for lawful development certificate for proposed works for improvements to the watercourse – Certificate Issued - 23.10.2024

#### 5.0 **CONSULTATIONS**

5.1 **HCC Highways:** No objections subject to conditions

- 5.2 **Landscape**; No objection
- 5.3 **Conservation**; No objection
- 5.4 **Trees**; No objection subject to conditions
- 5.5 **Ecology**; No objection subject to conditions
- 5.6 **Environmental Protection**; No objection subject to conditions
- 5.7 **Refuse/Recycling**; No objection
- 5.8 **Community and Leisure**; Comments (summarised);
- Soft landscaping - would like to discuss the planting mix with the applicant before any the detailed soft landscape designs are finalised;
  - Landscape management plan – five-year management plan will be required;
  - Habitat Management and Monitoring Plan – plan setting out how the onsite Biodiversity Net Gain (BNG) obligation will be managed is required;
  - Play proposals – all play features and surfacing should accord to BSEN1176/1177. Any future play design should be sympathetic to the new space with the use of natural materials prioritised and should consider a range of play opportunities avoiding repetition;
  - Pollution control – what are plans for pollution receptors to mitigate impact of road run off into the river Anton and improve water quality;
  - Use of site for event space - pop up power supply will be required as part of the event space so we would like to agree the location for this;
  - Lighting - lighting design provides for illumination of the main access path using bollard lighting. Not convinced that this will be enough light to encourage use of the space and would like to discuss options for this including columns, festoon lighting and specific options to increase the amount of light for events.
- 5.9 **Property and Asset Management**; Comments (summarised);
- Application includes removal of the bin store at Andover Bus Station which serves Unity. Request that an alternative suitable location is found.
- 5.10 **Lead Local Flood Authority**; No objection
- 5.11 **Archaeology**; Recommended condition
- 5.12 **Natural England**; No objection
- 5.13 **Environment Agency**; No objection
- 5.14 **Southern Water**; Recommended conditions

5.15 **Designing Out Crime Officer**; Comments (summarised):

- Pleased to see in the planning statement that bollard lighting will be replaced with column lighting;
- Lighting should allow park users to see the faces of those approaching and that multiple layered light sources may make the park feel safer;
- Lighting should be considered in terms of indicating the most important route through the park and exits should be well lit and easy to identify. Using signs to indicate the 'lit route' at night time is useful for visitors to know their path through the park will be lit;
- The Design and Access statement refers to scheduling regular performances and community events in the Pavilion to ensure the space remains lively and accessible to all. This is important as the space could attract anti-social behaviour if it is left empty for large parts of the year;
- Would recommend that CCTV is installed to cover the path and the different squares that are proposed;
- Play areas should be designed so that they can be secured at night to reduce the amount of damage and graffiti that occurs after dark. The type of fencing and security measures will need to vary to suit the particular area. Consideration should be given to a single dedicated entry and exit point to enable parental/guardian control and supervision. Fencing at a minimum height of 1.2m can often discourage casual entry, provide a safe clean play area and reduce damage to the equipment. Fencing would also ensure that dogs are kept out of the children's play area;
- Signage is very important for rule setting within the park and the entrance signage should include a map of the park so people can plan their route through. Signage can inform people whether e-bikes or e-scooters are allowed through the park or any other rules that need to be followed. If the park is within the PSPO area of Andover this should be made clear at the entrances. It is also recommended to have posters providing information regarding how to report ASB to the police/ council. Signage is also useful to indicate whether dogs are allowed in the park and if they need to remain on the lead;
- Maintenance of the park is important to demonstrate the ownership of the park;
- May be necessary to select materials that are easy to remove graffiti from;
- Providing litter bins and dog waste bins encourages people to keep the area clean and tidy;
- Ensuring that the vegetation is well maintained is important so that it does not obstruct sight lines across the park or block light from the light sources.

6.0 **REPRESENTATIONS** Expired 18.06.2025

6.1 **Andover Town Council**; Objection, raising:

- Concerns of increase traffic flow, congestion and disruption, particularly along West Street;
- Potential increase in noise and air pollution to surrounding residential areas, with delivery times;

- Increased concerns regarding pedestrian safety in accessing park area with the new road layout, including crossing from town centre side to leisure centre side;
- Loss of amenities.

6.2 **8 x letters**; Objections and comments from Chantry Lodge Residents Association (petition with 69 signatures from residents of Chantry Lodge and 16 signatures from residents of Portland Grove); Flat A, Flat D, and Flat E Chantry Lodge; 43 and 55 Chantry Lodge; and an unknown address, raising (summarised):

- Strong objection to change from single traffic to two-way traffic in West Street – increase in traffic along West Street, added pollution in residential area, increased difficulty crossing road, and added noise level from traffic;
- Propose the following – keep Western Avenue dual carriageway, and widen exit from West Street to allow vehicles to use lay-by and join traffic at southern end of the park – this would save money on road widening/signage, and not seriously affect pedestrians;
- Important to reinstate loading bay for delivery vehicles and ambulances to Chantry Lodge;
- Users of Western Avenue and West Street will be seriously inconvenienced;
- Increased traffic and reduced air quality would impose a poorer living environment for residents and others – will be stop-start traffic in West Street;
- Most service and trade vehicles need to reverse in or out of Portland Grove – will cause disruption and delay buses;
- No information on ongoing costs for maintenance and management to sustain the proposals over time;
- The area, even with a 20 mph speed limit, will be more hazardous for pedestrian users;
- Regularly see congestion that builds up when traffic goes past Chantry Lodge and through the bus station, and as drivers try to enter Lidl's Car Park via the exit, it's an accident waiting to happen;
- See build up of cars stopping alongside Chantry Lodge waiting to pick up shoppers, students and schoolchildren;
- Recent roadworks on Western Avenue reducing it to one lane, residents were unable to get up to the main highway and waiting in queues of traffic;
- Agree in principle about the Linear Park but cannot see logic of two-way traffic and further traffic lights;
- Can envisage constant snarl-ups and traffic jams as well as the noise and the pollution. Better for the environment to keep the flow of the traffic moving freely;
- Traffic lights will be necessary in Bridge Street and Weyhill Road but there are constant bottlenecks there already;
- Pelican crossing will be in constant use causing more disruption to traffic flow;

- Increase in traffic will cause problems for emergency services;
- Waste of money to proceed with plans when a less detrimental (to the environment and residents) and lower costing solution can be found.

6.3 **1 x letter:** Comments from NatureSpace Partnership, raising (summarised):

- The applicant may choose to implement reasonable avoidance measure (RAMs) on site to reduce the likelihood of Great Crested Newts (GCN) being encountered during works as it does not appear that the pond to the north has been surveyed, whilst there is not good connective habitat between the site and nearby pond there is still a possibility GCN could disperse onto site if this pond is utilised by GCN;
- Informative note requested in respect of the above.

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  
Policy LE11: Main Town Centre Uses  
Policy E1: High Quality Development in the Borough  
Policy E2: Protect, Conserve and Enhance the Landscape Character of the Borough  
Policy E5: Biodiversity  
Policy E7: Water Management  
Policy E8: Pollution  
Policy E9: Heritage  
Policy LHW4: Amenity  
Policy T1: Managing Movement  
Policy T2: Parking Standards  
Policy CS1: Community Safety

7.3 Supplementary Planning Documents (SPD)

Andover Masterplan 2020  
Cycle Strategy and Network  
Andover Town Access Plan  
Andover Town Centre Public Realm Design Guide

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Character and appearance
- Heritage
- Highway network
- Biodiversity
- Water management
- Amenity and pollution
- Community safety
- Infrastructure and public open space

## 8.2 **Principle of development**

The site is located within the settlement boundary for Andover, as defined by the RLP inset maps. Policy COM2 of the RLP allows in principle for development and redevelopment within settlement boundaries, subject to compliance with the other relevant policies of the RLP. This is discussed in more detail below.

8.3 The site lies outside of, but adjacent to, Andover's primary shopping area, as defined by the RLP inset maps. Policy LE11 of the RLP seeks to encourage main town centre uses within Andover town centre, including leisure uses, to maintain the vitality and viability of the town centre. It is of note that the proposal forms part of the Andover Masterplan 2020, which aims to regenerate Andover town centre, and would enhance access into the town centre. In this respect, the proposal is considered to achieve the objectives of RLP policy LE11, together with substantial aims and objectives of the Andover Masterplan SPD being fulfilled in the deliver of this part of the Masterplan.

## 8.4 **Character and appearance**

The various parts of the application site are prominently located within the town, with numerous opportunities for public views being available at long and short distances, from the surrounding highway network, footways, and commercial/community uses.

8.5 The section of the River Anton that runs through the site, together with the land immediately around it, effectively forms an island surrounded by a somewhat excessive (in engineering and traffic flow context) road network. Despite the resulting prominent position of the river in terms of its location, the screening provided by the existing trees and vegetation immediately surrounding it means that in visual terms, it is effectively hidden from any meaningful public views. The trees and vegetation surrounding the river do however form a strong green corridor, creating a verdant character to this part of the town. The proposals, in so far as they relate to the removal of part of the Western Avenue carriageway, and the creation of an enlarged area of green space surrounding the river to form a park, would be considered to significantly enhance the public visibility of and connectivity with the water course, and the overall verdancy of the area.

8.6 In terms of built form within the park, the proposals would include a pavilion and river viewing platform, which are considered to be appropriate in their scale and appearance, being seen in the context of existing surrounding buildings, and with the pavilion in particular taking reference from the agricultural history of the area. Areas of informal and formal play are also proposed throughout the park, which would contain play facilities and features which would add visual interest. A planting scheme for the site has been indicated within the application submission, but not shown in detail on a plan. In principle, the planting scheme is considered to be acceptable. In respect of the proposed hard landscaping of the site (including street furniture), this has been shown indicatively, but essentially it would be expected that there would be cohesion with the existing palette of materials found within the Town Mills Park and the town centre. The same would apply to the proposed lighting and

signage throughout the park. It is considered that conditions would be appropriate in respect of the submission of hard and soft landscaping details, together with details of the long term management/maintenance of these features.

8.7 The proposed physical works to the highway network outside of the proposed park area would affect Western Avenue, West Street, Chantry Street and Waterloo Court, and would include carriageway widening in places along West Street, the creation of signalised/priority junctions at Western Avenue/West Street and Western Avenue/Waterloo Court, new/altered cycle and footpaths/crossings, and a reconfiguration of the existing bus station. These proposals would be seen in the context of the existing highway network within an urban setting, and it is considered that these works would have a neutral impact on the character of the area.

8.8 The application site contains many trees of varying quality, age and size. Collectively they are considered to provide important visual amenity and character to the surrounding area. The trees within the site are not protected by a Tree Preservation Order (TPO), however some of the trees within the southern part of the site would be protected by virtue of being located within the Conservation Area. The application is supported by an arboricultural report and tree protection plan. The proposals would result in the loss of several low-quality trees, and it is considered that this would not have a significant adverse impact on the visual amenity of the surrounding area. Two moderate quality trees would also be removed to facilitate the proposals. These are a Norway Maple (to the south west of the Lidl car park) and an Alder (to the northern part of the proposed park) which are in prominent locations, and therefore their loss would have some visual impact. However, the submitted tree report indicates that the landscape proposals for the site would include 79 new trees to be planted to compensate for these losses, and it is considered that this would, when seen in the context of public realm improvements and a form of good arboricultural practice, provide satisfactory enhancement to the future surrounding canopy cover. Details of how retained trees would be protected during construction have also been submitted, and are considered to be acceptable.

8.9 Overall, it is considered that the proposed development would integrate, respect and complement the character of the area, and it has been designed and located to ensure that the health and future retention of important landscape features would not be prejudiced, and that existing and proposed landscaping and landscape features could be accommodated within the site that would enable the proposed development to positively integrate into the landscape character of the area. It is considered that the proposed development would comply with policies E1 and E2 of the RLP.

#### 8.10 **Heritage**

##### *Conservation Area and listed buildings*

The statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or

any features of special architectural or historic interest which they possess, and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 8.11 The application site is predominantly outside of the Andover Conservation Area, however some elements of the proposals towards the southern end of the site abut and overlap this. The application site is also located close to listed buildings, the closest being the Grade II listed The Mill (Town Mills public house) and attached Bailiff House immediately to the south. Various other listed and historic buildings are located nearby, including the Grade II\* listed St Mary's Church to the east, numerous listed buildings on the High Street including the Grade II\* listed Guildhall, and the Station Hotel with associated stable blocks further south on Western Avenue, both listed at Grade II. Much of the significance of the Andover Conservation Area relates to the prevailing C18 and C19 character of the town centre, reflecting substantial Victorian expansion. This character is embodied by the many surviving buildings from this period, many of which are listed. The historic function of Andover as a medieval market town is also significant, with surviving burgage plots arranged around the historic marketplace. Much of the town's medieval industry would have been linked to the River Anton, and although little visible evidence of this industry survives, the river – which flows through the application site – remains important to the character of the town. The contribution that the application site makes to the Conservation Area is largely limited to the aesthetic quality associated with the existing green space surrounding the River Anton, which forms part of the boundary to and setting of the Conservation Area. There is also some value to the site in terms of its historical association with watercress production and the former railway, although remaining observable evidence of these associations is scarce.
- 8.12 The proposal would result in some limited physical changes to the south-western extent of the Conservation Area where the development site encroaches into it for the provision of the proposed cycle route, and there would be some change to views into and out of the Conservation Area. However, given that the proposed development seeks to primarily sustain the importance of the River Anton and the surrounding green space character, it is considered that the proposal would not have a harmful impact on the particular aspects of the Conservation Area that contribute to its significance. It is considered that the proposals would also not result in a perceptible change to the settings of most of the nearby listed buildings. The settings of The Mill and Bailiff House, and the Station Hotel and associated stables, would be subject to the most appreciable change.
- 8.13 The Mill and adjoining Bailiff House, both listed at Grade II, are C18 buildings that derive significance primarily from their historic construction dates, architectural and aesthetic value, and former association with the milling industry. Given the former use of the site as mills, the relationship between the building and the River Anton is important, and the adjacent Town Mill Riverside Park also makes a positive contribution to the experience of the buildings. The proposed development site contributes to the setting of the buildings, given the

association between the buildings and the River Anton which flows through the site, and due to the sense of continuing green space between the development site and the Town Mill Riverside Park. As noted previously, the development seeks to sustain the green space character of the site and its focus on the river, and therefore it is not considered that the proposal would give rise to any harmful impacts on the listed buildings.

Station Hotel and stables, both separately listed at Grade II, comprise a C19 public house with associated stable block. The significance of the buildings relates primarily to their historic construction dates, architectural and aesthetic value, and being an example of an historic pub with stables (and the information this provides us about past lives). The buildings would have had an association with the railway that once formed part of the development site, though the buildings predate it. Given that the evidence of this relationship with the former railway has largely been lost due to the removal of the railway, the proposed development site no longer makes a significant contribution to the setting of the Station Hotel and stables, and therefore the proposal is not considered to harmfully impact the listed buildings.

8.14 In addition to the above, it is noted that works associated with the proposals have the potential to impact on the remains of one of the former historic boat houses located along the River Anton. Limited information is available regarding what of this non-designated heritage asset may survive beneath Western Avenue, and it does not appear that additional survey works have shed any further light. Potential below-ground remains are discussed in the following paragraph, and there would be an opportunity to allow for additional details to be submitted regarding how any significant remains relating to the boat house would be dealt with, given the potential opportunity to better reveal its significance as part of the proposed development scheme.

#### 8.15 *Archaeology*

The proposals would have fairly widespread impact in an area where the town meets the river, and might be associated with such infrastructure as mills, laundry, tanning, cloth production etc, as well as pre urban river side activity such as of Mesolithic date. The location has an inherent archaeological potential. The archaeological discussion within the submitted Heritage Statement indicates that the area has been subject to impacts from a variety of sources including highways, the railway, the canal, watercress beds and past channel realignment. This has been confirmed by such bore hole logs as have been undertaken where made ground is shown to exist. The submission acknowledges that deeper archaeological features, such as tannery pits or mill races might survive at even greater depth than the truncation. It is considered that some level of archaeological monitoring against this eventuality is warranted, and an archaeological watching brief at the relevant stages of groundwork would be reasonable in order that any archaeological remains can be recognised and recorded if they are encountered.

8.16 Overall, it is considered that subject to condition, the proposals would make a positive contribution to sustaining, and potentially enhancing, the significance of heritage assets taking account of their character, appearance and settings,

and would accord with RLP policy E9, and in this respect the proposal preserves their historic interest required by section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### 8.17 **Highway network**

The application is supported by a Transport Assessment (TA), which considers the potential highway and transport impacts associated with the proposed development. The proposed development would result in the permanent closure and stopping up of the southbound dual carriageway of Western Avenue, with all vehicular traffic being redirected to the proposed two-way 30mph carriageway on the western side of the River Anton (which is currently a northbound dual carriageway). This would affect the current access arrangements into the Lidl car park and egress out of the bus station/West Street. West Street, which currently operates as a one-way carriageway, would therefore also be converted to accommodate two-way 20mph traffic in order to retain access to Lidl, Chantry Centre service yards, Andover bus station, and residential properties at Portland Grove and Chantry Lodge. This would result in the loss of the existing cycle lane, however a new continuous off-road cycleway connecting into National Cycle Network Route 246 (NCN Route 246) is proposed, which includes priority cycle crossings. New pedestrian routes through the site and crossings are also proposed. A new all-movements signalised junction is proposed at the junction of Western Avenue and West Street, along with a priority junction at Waterloo Court. Alterations are proposed to the layout of the bus station forecourt, and the existing taxi rank on West Street is proposed to be used as a bus stand (to compensate the loss of the bus stand on Western Avenue), with taxi provision being replaced elsewhere within the town centre (indicated as being within Waterloo Court, but not forming part of this current application). The proposals have been designed to be in compliance with the principles contained within the Andover Town Access Plan, the Andover Masterplan, and the Test Valley (North) Local Cycling and Walking Infrastructure Plan (LCWIP), and the applicant has engaged the services of HCC's "ITS team" to confirm its approach to traffic movement surveys, and the design specification of junction improvements, and related, highway infrastructure.

#### 8.18 *Active travel benefits*

The submitted TA identifies deficiencies in the existing highway network which currently deter walking and cycling within the area, including limited footway provision on the Western Avenue northbound arm, poorly defined crossing opportunities, inconsistent widths and surfacing on West Street, and substandard tactile paving along existing shared-use sections of NCN Route 246. It is considered that the active travel elements of the proposals, as described in the preceding paragraph, would represent a substantial uplift in the quality, safety and continuity of walking and cycling infrastructure within the town centre.

#### 8.19 *Public transport strategy*

The proposals would have a direct impact on bus infrastructure, operations and routing. The submitted TA therefore describes the existing operation of Andover Bus Station, the proposed reconfiguration of bus access

arrangements as part of the Riverside Park scheme, and potential implications for bus journey times and connectivity.

- 8.20 The removal of the southbound carriageway of Western Avenue, and the changes to West Street to enable two way traffic, would result in a change to bus egress movements. Buses would be required to exit the bus station eastwards along West Street, and joining Western Avenue via the proposed signalised junction. The existing bus station forecourt would be rearranged to accommodate turning movements, and the submitted TA confirms that Stagecoach has tested the proposed layout on site with operatives and vehicles, and amendments have been made to the turning area and alignment as a result of this exercise. The revised layout would enable the retention of all inbound and outbound routing functions required for the current level of service. The submitted TA does acknowledge that bus movements onto the new signalised junction may introduce some queuing, but any resulting delays are not quantified. Overall, however, it is considered that the proposals would ensure that bus operations would be maintained.
- 8.21 The closure of the southbound Western Avenue carriageway would result in the loss of an existing bus layover space and school coach stop facilities. The proposals do include a replacement layover bay on West Street, near to the bus station (in an area currently used as a taxi rank/informal waiting bay), which should be formally secured with a Traffic Regulation Order (separate to the planning process). The submitted TA notes that school coach operations using the current southbound stand are informal and not subject to planning controls, but the Highway Authority has set out that continued engagement with the schools/operators affected would be encouraged.
- 8.22 The proposal results in the permanent loss of a taxi rank on West Street. It is proposed that a permanent replacement will be delivered on Waterloo Court in conjunction with the proposed theatre (not part of this application). Discussions have taken place with HCC and the Licensing Authority (responsible for the licensing of Hackney Carriages) indicating that the existing rank on West Street is not well used. No temporary, or interim, arrangement is therefore necessary in this respect.
- 8.23 The site is within relatively close proximity of Andover Railway Station, and it is considered that the proposed enhanced active travel corridors and improved crossings are likely to strengthen intermodal connectivity and support increased use of sustainable modes.
- 8.24 *Deliveries and servicing arrangements*  
The submitted TA provides a summary of existing servicing operations, noting that West Street currently accommodates a range of delivery and refuse collection activities associated with Lidl, the Chantry Centre, Portland Grove, Chantry Lodge, and the bus station.
- 8.25 Access for maintenance of the proposed new park would be via a dedicated northern access point for maintenance vehicles. The proposals would also include the following changes to the existing servicing arrangements:

- Lidl: Access and egress would be from West Street via the new signalised junction, with the car park reconfigured to support this arrangement;
- Chantry Centre service yards: Access would be retained from West Street and Chantry Street;
- Portland Grove and Chantry Lodge: Vehicular access would continue to be taken from Chantry Street and West Street, with egress directed via the new signalised junction. The existing loading bay along West Street adjacent to Chantry Lodge would be relocated and a new on-street loading bay provided on Chantry Street;
- Waitrose service yard: Existing arrangements are retained with adjusted routing;
- Costa Coffee and bus station offices: Bin storage is proposed to be consolidated within service yard E. This removes refuse facilities from the Western Avenue frontage and reduces visual clutter within the public realm;
- Waterloo Court: No major changes to servicing are proposed.

8.26 It is considered that the proposed servicing strategy has been developed with appropriate stakeholder engagement and reflects a coordinated attempt to maintain operational viability while improving public realm and pedestrian safety.

#### 8.27 *Traffic and capacity modelling*

The proposed highway network reconfiguration works have been informed by previous highway modelling that has been undertaken. Whilst this cannot fully account for site-specific issues such as queuing, delay, or interaction with signal timings at the revised junctions, it has been concluded that the overall Andover Masterplan proposals, including those now proposed, would not result in significant detrimental impacts on journey times or traffic conditions to 2040, and the proposed highway layout is acceptable in operational terms. The highway authority has confirmed that in relation to the modelling, they are satisfied that the data set used to inform the modelling is acceptable for determining the planning application. No further evidence is required. In relation to sensitivity testing, it is accepted that such information would be required as part of required technical approval which is a separate requirement. The highway authority has confirmed that the details can be provided at the technical approval stage without prejudice to the planning submission, in relation to which, sufficient information has been provided.

#### 8.28 *Technical details*

The Highway Authority has provided comments and recommendations in respect of the submitted general arrangement, swept path analysis, visibility splays and highway geometry drawings. The comments go into technical detail, which falls outside the scope of the planning application, but would be dealt with at the subsequent technical approval stage with the Highway Authority.

#### 8.29 *Refuse/Recycling*

The proposals would not impact on the Council's waste and recycling

collections, and the submitted plans demonstrate that its standard-sized refuse collection vehicles (RCVs) would be able to safely access the houses and flats along West Street, Chantry Street and Waterloo Court.

#### 8.30 *Lidl*

As set out above, the proposed development would result in a change to the existing vehicular access arrangements for the car park/loading bay serving the Lidl supermarket. The existing “entry only” access into the Lidl site from Western Avenue would be removed, with the two other existing “exit only” accesses onto West Street becoming one for entry only and one for exit only. It is noted that there are conditions on extant planning permissions for the Lidl site which relate to the existing access arrangements, which would need to be varied in order to implement the amendments as proposed by this current application. The submission sets out that the applicant is working with Lidl to submit a planning application to address this.

#### 8.31 *Other details*

The highway authority has confirmed that details in relation to:

- Consistent annotation of flare lengths
- Visibility splays and potential obstructions e.g. street furniture
- Right-in movement to Chantry Street

Can be considered outside of the planning process as part of the technical approval stage. It has been confirmed that such details do not require a resolution before the determination of the planning application.

8.32 Overall, it is considered that the proposed development would comply with RLP policy T1, by providing good connections with existing and proposed pedestrian, cycle and public transport links and networks; by minimising impacts on the highway and rights of way network and pedestrian, cycle and public transport users; the proposed internal layout, access and highway network would be safe, attractive, in character, functional and accessible for all users and would not discourage existing and proposed users; the proposals would not have an adverse impact on the function, safety and character of and accessibility to the local or strategic highway network or rights of way network; and provision has been made to support and promote the use of sustainable transport.

#### 8.33 **Biodiversity**

##### On-site biodiversity

The site incorporates a number of significant ecological features and habitats that have value to protected species, this includes the river, it's banks and surrounding peripheral habitat and features such as trees and other vegetation. The complexity of the proposed development along with the wide area which it would affect, could, without being controlled, result in likely harm to protected species and their habitats.

### 8.34 *Baseline habitat and species information*

The submitted EIR sets out the following baseline ecological conditions at the site.

<b>Habitats</b>	<ul style="list-style-type: none"> <li>• River Anton</li> <li>• Scattered trees</li> <li>• Amenity grassland</li> <li>• Scrub and introduced scrub</li> <li>• Hardstanding and tall ruderal vegetation</li> </ul> <p>Site is of district value in relation to the river Anton which provides a 'network of habitat which contributes to ecological connectivity at a district level'. In relation to amenity grassland, trees and scrub, these habitats are considered to be of 'site' value.</p>
<b>Breeding birds</b>	<p>The site supports a typical assemblage of common and widespread breeding birds. Kingfisher is considered likely to make use of the site although no nesting sites have been recorded on the site.</p>
<b>Otter</b>	<p>Otter is expected to use the site for movement and foraging. The watercourse represents an important component of the local river system for this species in the wider landscape.</p>
<b>Reptiles</b>	<p>It is considered unlikely that the site supports permanent reptile populations and thus is considered to be of negligible value in this respect.</p>
<b>Water vole</b>	<p>Likely that the site represents an important component of the river system for water vole. Surveys reported the presence of droppings and latrines consistent with water vole which was confirmed through DNA analysis.</p>
<b>Bats</b>	<p>The site includes suitable commuting and foraging habitat along the river corridor, comprising dense scrub, scattered trees and the watercourse which itself provides linear connectivity to further suitable habitats. The river is therefore likely to represent a movement corridor for bats within the urban environment.</p> <p>In relation to features within the site that may be suitable for roosting bats, 4 trees within the site have been identified as having Potential Roost Features (PRFs) that could support individual bats (PRF-I). 1 further tree requires further assessment due to being covered in ivy which could provide roosting opportunity for individual bats.</p>

### 8.35 *Ecological impacts*

The following table sets out the impacts of the proposed development on the identified site features/habitats along with any proposed mitigation.

<b>Habitats</b>	<ul style="list-style-type: none"> <li>• Development would result in the loss, both temporary and permanent of common and widespread habitats of low ecological value.</li> </ul> <p>The applicant's mitigation for this loss includes embedded</p>
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	<p>mitigation (sensitive working practices e.g. fencing) to ensure impacts relating to physical disturbance of retained habitats e.g. compaction would be unlikely. Such mitigation can be secured through a Construction and Environmental Management Plan (CEMP).</p> <p>Other mitigation measures include:</p> <ul style="list-style-type: none"> <li>• Creation, and long-term management of semi-natural habitats; and</li> <li>• Reduction of shading of the watercourse</li> </ul> <p>which would result in the delivery of a net gain for biodiversity by increasing the extent, distribution and value of ecological habitats. These measures can be secured through a Landscape and Ecological Management Plan (LEMP).</p>
<b>Breeding birds</b>	<ul style="list-style-type: none"> <li>• Development would result in temporary loss of discrete areas of bird nesting habitat. Habitat type affected is generally low in value to nesting birds.</li> </ul> <p>Proposed mitigation would include the provision of nesting boxes providing opportunities for a range of bird species. This would maintain the availability of nesting sites lost during the construction phase of the development.</p>
<b>Otter and water vole</b>	<ul style="list-style-type: none"> <li>• No habitat used by otter or water vole for sheltering will be affected by the proposals. The river channel would remain unaffected.</li> <li>• Killing of otter or water vole could occur through collision with construction traffic.</li> <li>• Construction works could cause disturbance to otters and water vole.</li> <li>• Contamination (dust, run-off, and pollution) through construction works could affect otter and water vole.</li> </ul> <p>The above impacts are proposed to be mitigation through measures secured as part of a CEMP including the requirement of daytime working and pre-inspection for signs of otter and water vole prior to works.</p>
<b>Reptiles</b>	<p>Whilst reptiles are not likely to be affected by the proposals, a precautionary approach to habitat clearance within areas of grassland will be included within a CEMP.</p>
<b>Bats</b>	<ul style="list-style-type: none"> <li>• No bat roosts are to be lost as a result of the development</li> <li>• Proposals will result in the loss of localised areas of habitat likely used by commuting and foraging bats</li> <li>• Proposals would be likely to result in noise, lighting and vibration disturbance which may affect commuting and foraging bats.</li> </ul>

	<p>Mitigation proposed:</p> <ul style="list-style-type: none"> <li>• Proposed retention of north-south linear connectivity through retention and enhancement of trees/scrub along riparian corridor. Suitability of site as a linear corridor for commuting/foraging bats is unlikely to be affected.</li> <li>• River Anton would be protected together with numerous scattered trees along its length.</li> <li>• Light scheme to be implemented to minimise light spill.</li> </ul> <p>As a result of the proposed mitigation, no significant effect on bats is predicated at any scale.</p>
<b>Cumulative effects</b>	Avoidance and mitigation measures would ensure that impacts to ecological receptors would be avoided and/or mitigated. As result there is no mechanism for adverse cumulative impacts to occur.

### 8.36 *Great crested newts (GCN)*

The submitted ecological surveys have not found evidence of GCN utilising the site. Notwithstanding, there is likely to be suitable GCN habitat within 500 metres of the site. As a result, reasonable avoidance measures should be implement to reduce likelihood of GCN being encountered during the development. Such measures can form part of the CEMP which is recommended to be secured through a condition on any permission.

### 8.37 *Invasive species*

Japanese knotweed has been recorded within the site, on the southeastern bank of the river Anton. Cotoneaster is also present in adjacent areas. Both of these species are identified as invasive, non-native species. The EIR confirms that a CEMP would be used to avoid risks of spread. Control of these invasive species would likely include a combination of chemical and manual measures. Chemical measures will be given due consideration given the proximity of the watercourse to prevent effects to aquatic life.

### 8.38 *Biodiversity – assessment*

The submitted information has been considered by the Council’s principal ecologist who, whilst not objecting to the proposals, has suggested several conditions to ensure that the proposed mitigation, as set out by the applicant is secured. It is recommended that should permission be granted, conditions covering the following are imposed:

- Pre-commencement submission of a CEMP and LEMP. The CEMP condition would also include the requirement to consider GCN as set out at para. above.
- Amendment of existing lighting condition (no.10) to include reference to Guidance Note 08/23: Bats and Artificial Lighting at Night.

- Vegetation removal to be undertaken outside of the bird nesting season (avoiding March-August inclusive).
- Retention of trees which have been identified as having bat roosting potential.

Subject to the imposition of the above conditions, it is not considered that the proposals would result any likely harm to biodiversity. The proposals are considered to comply with policy E5 of the Test Valley Borough Revised Local Plan 2016.

8.39 The Council's ecologist has also recommended conditions in relation to:

- a) Requirement for measures to protect mammals from open trenches.
- b) Enhancement measures.

In relation to point (a), such a requirement can be included in the CEMP. A separate condition on this point is not therefore necessary. In relation to point (b), policy E5 of the Test Valley Borough Revised Local Plan requires a development to mitigate and/or compensate for any harm, there is no requirement for a developer to enhance overall biodiversity. In addition, the applicant is required to demonstrate at least a 10% uplift in biodiversity through Biodiversity Net Gain (BNG) requirements. As a result, it is not considered necessary or reasonable to require the developer to provide further enhancements.

8.40 Nationally designated sites

The river Anton is a tributary of the river Test, a Site of Special Scientific Interest (SSSI). If not prevented, pollution entering the river Anton would likely have an adverse impact on the SSSI. As discussed in the preceding paragraphs, a CEMP would be secured through a condition to ensure that measures are in place to prevent pollutants from entering the watercourse. Subject to such a condition, it is not considered that the proposals would have a likely significant impact on the river Test SSSI.

8.41 *Biodiversity Net Gain*

In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 71 of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%, as measured by the statutory biodiversity metric. BNG applies to this site due to the development impacting more than 25 square meters of on-site habitat.

8.42 The application is supported by a Statutory Metric for Biodiversity Net Gain (BNG) and BNG Assessments, to demonstrate that a 10% BNG uplift can be achieved at the site. An informative note is recommended in respect of the standard BNG condition.

8.43 **Water management**

Parts of the application site are located within flood zones 2 and 3, which are the zones with a medium and high risk of flooding, respectively. The

application is supported by a flood risk assessment. The Environment Agency and Lead Local Flood Authority have been consulted on the proposals. The proposals would result in a reduction in impermeable surfaces within the application site, primarily through the removal of part of the carriageway along Western Avenue, and its replacement with the proposed greenspace. The proposed highway works would utilise relocated gullies to continue to drain surface water as existing. The proposed park would also be graded so that surface water flows enter the River Anton. Overall, it is considered that there would be a reduction in surface water runoff rates when compared to the current situation. The proposals are not considered to increase the risk of flooding at the site or elsewhere, and would comply with RLP policy E7.

8.44 Southern Water has advised that the proposals may impact on existing water supply and/or sewer infrastructure that runs under the application site. Conditions are therefore recommended to ensure that any foundations and new planting are positioned so as not to impact on this, in accordance with RLP policy E7.

8.45 **Amenity and pollution**

In respect of residential amenity, it is not considered that the proposals would result in any adverse impacts on existing properties in respect of a loss of privacy, daylight or sunlight, by virtue of the proximity/relationship of the works with them. The proposals would comply with RLP policy LHW4.

8.46 In respect of pollution, the application is supported by a number of reports relating to air, noise and land contamination impacts. Pollution from lighting is also a consideration.

8.47 In respect of land contamination, the relevant submitted report includes the results of intrusive site investigation work, and an assessment of impacts. The report makes a number of recommendations in respect of additional site investigation works, and the submission of a detailed Remedial Method Statement and Validation report, and a Material Management Plan. It is considered that conditions would be appropriate to deal with this matter.

8.48 The application is supported by an Air Quality Assessment report which considers the likely impacts of nitrogen dioxide (NO<sub>2</sub>), and Particulate Matter (both PM<sub>10</sub> and PM<sub>2.5</sub>) on existing local receptors from the proposed road realignment works. The report concludes that *“the air quality assessment indicates that the annual mean air quality objective will be met at all receptor locations, and since the actual changes due to the proposed road configuration are small, and not significant, it can be concluded that re-configuration of the road will not lead to significant adverse impact upon existing air quality”*. It is agreed that on the basis of the information submitted, the changes to air pollution as a result of the proposed development would not be significant. The Council’s Environmental Protection Officer has highlighted that it is not clear within the submission that opportunities to achieve good design by improving or minimising air pollution impacts within the proposed new park and the cycleways have been fully realised. The submitted assessment of air quality also does not consider any impacts likely to arise from the demolition

and construction phases of the development, however it is considered that this matter can be addressed by condition, as any short-term effects arising from these activities can be managed appropriately.

- 8.49 The submitted Acoustics Assessment report considers the significance of noise impacts of the proposed highway works on the existing receptors, the potential for change in noise impact from deliveries being rerouted in respect of Portland Grove, and the noise levels within the proposed park. The report concludes that noise impacts from road traffic would be negligible or minor as a result of the proposed development, and therefore no mitigation is required. This is in line with noise regulations and guidance. As with air quality, the Council's Environmental Protection Officer has highlighted that the development presents opportunities to improve or reduce noise impacts within the proposed park and cycleways, but that it is not clear how this objective would be delivered through the scheme. In terms of changes in noise impact at Portland Grove, it is stated within the submitted report that these would result in only a low impact. In respect of existing green space in the vicinity of Western Avenue, the submitted report concludes that the changed road layout would "...*produce a partial betterment to the ambient sound levels...*". The submitted noise report does not consider the likely impact of works required to remove the existing carriageway, or for works associated with the construction of a new carriageway. It is possible that night working would be required for some of these works, resulting in a greater potential for impacts on nearby residential dwellings. It is considered that this matter can be addressed by condition.
- 8.50 In terms of noise from the more public use of the area created, including its use for public events, this is controlled through the Licensing Act 2003 (as amended). The Licensing Act requires a Temporary Event Notice (TEN) where music is the main purpose of an event. Where a TEN is required, the Council are a consultee and can address considerations around impacts. Performance from previous TENs can inform future decisions.
- 8.51 Alternatively, the space could be the subject of a premises license (which avoids the need to keep requesting TENs). An application for a premises license would be open for public representation. The Council would also be a consultee.
- 8.52 No specific details have been submitted with the application in respect of lighting, however this should follow good practice guidance in order to reduce obstructive light. This is a matter that can also be dealt with by condition.
- 8.53 Overall, in respect of pollution, it is considered that the submitted reports have demonstrated that the likely impacts on existing receptors from the proposed development would not be significant for noise or air impacts likely to arise from traffic following the proposed road realignments, and remedial works would not be required. Subject to conditions in relation to land contamination, demolition/construction, and lighting, it is considered that the proposed development would have no adverse impacts in respect of pollution, and would comply with RLP policy E8.

#### 8.54 **Community safety**

Development is required by RLP policy CS1 to deliver safe, accessible and liveable environments, and the design should take account of the need to reduce the opportunities for crime and anti-social behaviour. Important elements to consider in respect of the proposed park in the context of this policy are lighting, signage, security (fencing and CCTV), and ongoing maintenance/management of the area. The submission gives consideration to these matters, and it is considered that conditions would be appropriate to require that specific details are submitted in respect of these safety elements, prior to the park being brought into use.

#### 8.55 **Environmental Impact Assessment (EIA)**

The planning application has to be considered in accordance with Regulation 5 of the 'Town & Country Planning (Environmental Impact Assessment) Regulations 2017'. The key issues are:

- Whether the development would be a Schedule 1 or Schedule 2 development for the purposes of the 2017 Regulations;
- Is the site a Sensitive Area?

If the above apply, the LPA needs to provide an opinion on whether the development is EIA development requiring the planning application to be accompanied by an Environmental Statement.

8.56 Schedules 1 and 2 of the Regulations provide a description of certain development types. If the development falls within Schedule 1, then an EIA is automatically required. In this case the proposed development does not constitute a development identified within Schedule 1.

8.57 In relation to Schedule 2, the site is not wholly or partly located within a 'sensitive area' as defined in regulation 2(1). The proposed development is considered to fall under point 10(b) of Column 1 of The Regulations which relates to "urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas". The proposed development would exceed the thresholds at Column 2 of The Regulations. Consequently, the development is considered to be Schedule 2 development for the purposes of The Regulations.

8.58 In evaluating the proposals in accordance with the criteria in Schedule 3 of the 2017 Regulations, having considered the location, characteristics of the development and the potential impacts, it is concluded that the proposed development would not be a complex development having significant effects on the environment sufficient to warrant a full EIA. As a result, the proposal is not considered to be EIA development and the planning application is not required to be accompanied by an Environmental Statement.

#### 9.0 **CONCLUSION**

9.1 The proposed development would be in accordance with the relevant policies of the Test Valley Borough Revised Local Plan 2016, the relevant sections of the adopted Andover Masterplan SPD, and would be acceptable.

This project represents one of the major schemes that the SPD envisages being delivered in pursuance to the communities aspirations. Significant weight is therefore afforded to the Andover Masterplan SPD, together with the associated public consultation exercise that took place prior to the document being adopted.

## 10.0 RECOMMENDATION

**That the Local Planning Authority adopts a Screening opinion to the effect that the proposed development described as “Closure/stopping up and removal of southbound carriageway of Western Avenue gyratory and associated changes to the highway network, including West Street and Waterloo Court, to allow for the development of a park with areas of hard and soft landscaping, play areas, lighting, pavilion, river viewing platforms and an off-road cycleway” does not constitute EIA development for the purposes of Regulation 5 of the ‘Town & Country Planning (Environmental Impact Assessment) Regulations 2017’ and as such the application does not need to be accompanied by an Environmental Statement, and then:**

**PLANNING PERMISSION be issued subject to conditions & notes:**

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;**
  - 12766-LUC-XX-XX-DR-L-0100-S2-P02
  - 12766-LUC-XX-XX-DR-L-0001-S2-P07
  - 12766-LUC-XX-XX-DR-L-0002-S2-P04
  - 12766-LUC-XX-XX-DR-L-0610-S2-P01
  - 12766-LUC-XX-XX-DR-L-0603-S2-P01
  - 12766-LUC-XX-XX-DR-L-0606-S2-P01.1
  - 12766-LUC-XX-XX-DR-L-0605-S2-P01
  - 12766-LUC-XX-XX-DR-L-0607-S2-P01
  - 12766-LUC-XX-XX-DR-L-0601-S2-P01
  - 12766-LUC-XX-XX-DR-L-0604-S2-P01
  - 12766-LUC-XX-XX-DR-L-0602-S2-P01
  - 12766-LUC-XX-XX-DR-L-0010-S2-P02
  - CJ009625-HEH-HGN-40012558-DR-CH-1012 S2 P02
  - CJ009625-HEH-HGN-40012558-DR-CH-1008 S2 P03
  - CJ009625-HEH-HGN-40012558-DR-CH-1001 S2 P03
  - CJ009625-HEH-HGN-40012558-DR-CH-1004 S2 P03
  - CJ009625-HEH-HGN-40012558-DR-CH-1005 S2 P03
  - CJ009625-HEH-HGN-40012558-DR-CH-1000 S2 P04
  - CJ009625-HEH-HGN-40012558-DR-CH-1002 S2 P04
  - CJ009625-HEH-HGN-40012558-DR-CH-1014 S2 P01
  - CJ009625\_HEH-HGN-40012558-DR-CH-1015-S2 P02
  - CJ009625\_HEH-HGN-40012558-DR-CH-1017-S2 P01

- CJ009625\_HEH-HGN-40012558-DR-CH-1016-S2 P02
- CJ009625\_HEH-HGN-40012558-DR-CH-3501-S2 P02
- CJ009625\_HEH-HGN-40012558-DR-CH-1018-S2 P01
- CJ009625\_HEH-HGN-40012558-DR-CH-2501-S2 P02
- CJ009625\_HEH-HGN-40012558-DR-CH-2502-S2 P02
- CJ009625-HEH-HGN-40012558-DR-CH-1006 S2 P03
- CJ009625-HEH-HGN-40012558-DR-CH-0001 S2 P01
- CJ009625-HEH-HGN-40012558-DR-CH-0002 S2 P02
- CJ009625-HEH-HGN-40012558-DR-CH-0003 S2 P02
- CJ009625-HEH-HGN-40012558-DR-CH-0004 S2 P01
- CJ009625-HEH-HGN-40012558-DR-CH-0010 S2 P03
- CJ009625-HEH-HGN-40012558-DR-CH-1007 S2 P03
- CJ009625\_HEH-HGN-40012558-DR-CH-1020-S2 P01
- CJ009625\_HEH-HGN-40012558-DR-CH-1021-S2 P02
- CJ009625\_HEH-HGN-40012558-DR-CH-1022-S2 P02
- CJ009625\_HEH-HGN-40012558-DR-CH-1023-S2 P01
- CJ009625-HEH-HGN-40012558-DR-CH-1011 S2 P04

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

3. **No development shall take place (other than vegetation clearance) until a programme of archaeological monitoring (watching brief) during the relevant stages of groundwork, in accordance with a written scheme of investigation, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**  
**Reason:** Details are required prior to the commencement of development to ensure that any archaeological features found during groundworks can be recognised and recorded in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.
4. **Should the archaeological monitoring identify remains of a significance to warrant mitigation, then no further development shall take place (other than vegetation clearance) until a programme of archaeological mitigation of impacts of the development on any such remains has been submitted to and approved in writing by the Local Planning Authority. The archaeological mitigation shall be carried out in accordance with the approved details.**  
**Reason:** In order to determine what measures are required 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 Policy E9 of the Test Valley Borough Revised Local Plan 2016.
5. **No development shall take place until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person and shall assess the presence of any contamination on the site, whether or not it originates on the site. The assessment shall comprise at least a desk study and qualitative**

risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** Details are required prior to the commencement of development to ensure a safe environment including during construction in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

6. No development shall take place until assessments of air and noise (including vibration) impacts arising from the demolition and construction works have been carried out, and detailed mitigation schemes to address identified impacts have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall demonstrate the adoption and use of the best practicable means to minimise the effects of noise, vibration, dust. Development shall be carried out in accordance with the approved details.

**Reason:** Details are required prior to the commencement of development in the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

7. Notwithstanding the details submitted, no development shall take place (other than vegetation clearance and demolition) until full details of hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. Details shall include: proposed finished levels or contours; means of enclosure; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.). Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes, and proposed numbers/densities. The landscape works shall be carried out in accordance with the approved details.

**Note:** Southern Water has restrictions on tree planting adjacent to sewers, rising mains or watermains. Reference should be made to Southern Water's publication "A Guide to Tree Planting near Water Mains and Sewers" and the Sewerage Sector Guidance.

**Reason:** To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and to contribute to the character of the local area, and to protect existing

water supply and sewer infrastructure in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E2 and E7.

8. Notwithstanding the details submitted, the development hereby permitted shall not be brought into use until a landscape management plan, including long-term design objectives and arrangements for its implementation, including management responsibilities and maintenance schedules (for a minimum five year period), for all hard and soft landscaped areas (including play facilities and water features) shall be 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 appropriate maintenance of all landscaped areas in the development having regard to policy E2 of the Test Valley Borough Revised Local Plan 2016.
9. No foundations associated with the pavilion, river viewing platforms and play equipment shall be installed and no demolition works carried out until full details, including in relation to the proximity of these to the existing water supply and sewer infrastructure, have been submitted to and approved in writing by the Local Planning Authority. If required detailed specification of construction work required to accommodate the existing below ground infrastructure shall also be submitted for approval. Development shall be carried out in accordance with the approved details.  
Reason: To protect existing water supply and sewer infrastructure in accordance with Test Valley Borough Revised Local Plan (2016) Policy E7.
10. No lighting shall be installed in association with the operation of the park hereby permitted until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall comply with the advice and guidance of the Institute of Lighting Professionals Guidance Note GN01/21, "The Reduction of Obtrusive Light", and the submitted details shall demonstrate that these have been met in respect of light intrusion, light spill, bright luminaires, and upward light ratio (ULR) of luminaires. The lighting scheme shall also comply with Guidance Note 08/23: Bats and Artificial Lighting at Night unless areas of compromise are specified to be needed in balancing the requirements of highway and public safety, against that of protected species and wider ecological interests. The lighting shall be installed and operated in accordance with the approved details.  
Reason: In the interests of residential and visual amenity, community, and highway safety, and to prevent disturbance to protected species where that is possible in accordance with Test Valley Borough Revised Local Plan 2016 Policies E2, E5, E8 and CS1.
11. The existing bin storage provision serving the bus station/Unity shall not be removed until replacement provision has been provided in accordance with details that shall first be submitted to, and approved in writing by, the Local Planning Authority  
Reason: in the interests of amenity in accordance with Test Valley

**Borough Revised Local Plan policy E8.**

- 12. The development hereby permitted shall be carried out in accordance with the tree protective measures set out within the submitted “Arboricultural Impact Assessment” report (prepared by Land Use Consultants Ltd, reference 12766B, dated April 2025) and its associated tree protection plans.**

**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.**
- 13. The development hereby permitted shall be carried out in accordance with the provisions contained within the submitted “Flood Risk and Drainage” report (prepared by MEC Consulting Group Ltd, reference 28483-FLD-0101 Rev C, dated May 2025).**

**Note: No soakaways should be connected to the public surface water sewer.**

**Reason: 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.**
- 14. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall address and implement the mitigation measures outlined within the Ecological Impact Report (LUC, August 2025) for all relevant protected species and habitats and shall include the following:**

  - a) Risk assessment of potentially damaging construction activities.**
  - b) Identification of “biodiversity protection zones”.**
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).**
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.**
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.**
  - f) Responsible persons and lines of communication.**
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.**
  - h) Use of protective fences, exclusion barriers and warning signs.**
  - i) The removal of invasive non-native species and replacement of such species with native plants.**
  - j) Details of implementation of reasonable avoidance measures (RAMs) to reduce likelihood of great crested newts (GCN) being encountered during the works.**
  - k) Appropriate mitigation to avoid the disturbance, during**

construction, of trees identified within the Preliminary Ecological Appraisal (LUC, August 2025) as having bat roosting potential and the river corridor.

The approved CEMP: Biodiversity shall be fully adhered to and implemented throughout the construction period.

Reason: To protect biodiversity in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.

15. No development shall take place (including demolition, ground works, vegetation clearance until a Landscape and Environmental Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall include the following:
- a) Description and evaluation of features to be managed
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives (which coordinate and agree with the findings of the submitted Preliminary Ecological Appraisal (LUC, August 2025).
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period following completion of the CEMP: Biodiversity).
  - g) Details of the body or organisation responsible for the implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved development. The LEMP shall be in accordance with the guidance contained within British Standard 42020: Biodiversity – Code of practice for planning and development.

Reason: To protect biodiversity in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.

16. All vegetation removal and building works shall be undertaken outside of the bird nesting season (avoiding March – August inclusive). Should works be necessary during this period, they shall not commence until a nesting bird check has been undertaken by a suitably qualified ecologist, the results of which shall, along with details of any mitigation required, be submitted to and approved in writing by the local planning authority. The works shall be undertaken in accordance with the approved details.

Reason: To protect biodiversity in accordance with Policy E5 of the

**Test Valley Borough Revised Local Plan 2016.**

- 17. All trees identified within the Preliminary Ecological Appraisal (PEA) (LUC, August 2025) as having bat roost potential shall be retained. Reason: To prevent disturbance to protected species in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.**

**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. This development has potential to impact Great Crested Newts as there are ponds/waterbodies and suitable habitat within 500m of the development. If Great Crested Newts are discovered during development, all works must cease until advice has been sought from a suitably qualified ecologist, as failure to do so may result in prosecutable offences being committed.**
- 3. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:
  - a) Biodiversity Gain Plan has been submitted to the planning authority, and**
  - b) the planning authority has approved the plan.****

**The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Test Valley Borough Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. However based on the information available this permission is one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. Development shall proceed in accordance with any such approved details, with the approved Biodiversity Gain Plan maintained for the minimum of the 30 years which is set in the Environment Act 2021.**

- 4. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
  - on or within 8 metres of a main river (16 metres if tidal);**
  - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal);**
  - on or within 16 metres of a sea defence involving quarrying or excavation;**
  - within 16 metres of any main river, flood defence (including a remote defence) or culvert;****

- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the National Customer Contact Centre.

5. Bats, birds, great crested newts, reptiles, hedgehogs, dormice all receive a level of protection under various legislative provisions. The applicant/developer is reminded that any permission does not absolve them from complying with the requirements set out in legislation separate from planning.
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