

ITEM 7

APPLICATION NO.	12/02786/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	24.01.2013
APPLICANT	Mr and Mrs Husson
SITE	Broxton House, Village Street, Chilbolton, CHILBOLTON
PROPOSAL	Replace garage and cottage buildings with single building providing garage and workshop on ground floor with office and staff annexe above
AMENDMENTS	Amended plan received 25.03.13, 10.04.2013; Additional information submitted 10.04.2013, 18.04.2013
CASE OFFICER	Mrs Mary Goodwin

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is referred to Planning Control Committee (PCC) as Northern Area Planning Committee (NAPC) at its meeting on the 18 April 2013, resolved to recommend granting planning permission for the proposed development where the Head of Planning and Building was recommending refusal because of a conflict with Policy.

- 1.2
- A copy of the NAPC Agenda report is attached at **Appendix A**.
 - A copy of the NAPC Update Paper is attached at **Appendix B**.
 - A suggested list of conditions is included at **Appendix C**.

1.3 The consultation response of the Conservation Officer is provided, in full, in Paras 5.2 to 5.5 (inclusive) of the NAPC agenda report. The Case Officer has undertaken an assessment of the planning issues, against Policy, in Paras 8.1 to 8.12 (inclusive) (Appendix A).

1.4 The list of conditions and notes contained at Appendix C has been prepared by the Head of Planning and Building in consultation with the Conservation Officer, Highway Engineer, Tree Officer and County Ecologist.

2.0 POLICY

2.1 In addition to the Test Valley Borough Local Plan policies set out in the report at Appendix A, policies TRA05 (safe access), TRA09 (impact on the highway network), DES08 (trees and hedgerows) and DES10 (new landscaping) are also relevant and relate to the reasons for conditions set out in Appendix C.

3.0 **PLANNING CONSIDERATIONS**

- 3.1 There are two main issues for the PCC to consider in relation to this application (associated with the two reasons for refusal recommended to NAPC within the report at Appendix A). There was considerable debate at NAPC about the impact of the proposed scheme upon (i) the character, setting and appearance of the Conservation Area and village and (ii) the amenities of the occupiers of the adjacent property at Hazel House. With regard to point (ii) Officers have carefully considered the views expressed by Members of NAPC, and have re-assessed the scheme and recommendation. This is covered in more detail below and the Head of Planning and Building's recommendation for refusal now omits reason for refusal no.2 as recommended in the report to NAPC (Appendix A). The two key issues are summarised below.

Impact upon the Conservation Area, street scene, setting of house, and village

- 3.2 In determining the impact of the proposed building, with reference to Policy ENV15, the key consideration is the assessment of whether or not the proposed development would preserve or enhance the special character, appearance and setting of the Conservation Area. With reference to Design Policies DES01, DES02, DES05, DES06 and DES07, the key considerations relate to the scale, detailing, siting and massing of the development in relation to the surrounding landscape, village and character of development.
- 3.3 The NAPC were recommended by Officers to refuse the application because the proposal is unacceptable for conservation, design and visual amenity reasons. It is considered that the height, scale, massing and siting of the building is inappropriate and unduly dominant within the village and Conservation Area, and that it will be unacceptably harmful in views from Village Street, particularly from the north. The pertinent issues are covered in the attached report at Appendix A.

Impact upon the amenity of the neighbouring property at Hazel House

- 3.4 Policies AME01 and AME02 seek to protect the amenity and privacy of the occupiers of new development and/or neighbouring properties and specifies that development will only be permitted where the amenities of neighbours are not unacceptably harmed. Policy AME02 specifies that private gardens should not be overshadowed to the extent where daylight levels are reduced to unacceptable levels and AME01 specifies that new developments should be designed to minimise overlooking and in-looking.
- 3.5 The proposed development will be visible from the gardens of Hazel House, which lies at a lower level to the north east of the site. The increase in height and mass of the proposed replacement building (in relation to the existing built form) and its closer proximity to the shared boundary does mean that there would be increased visual impact on Hazel House and likely some interference with sunlight later in the day. The 1.8m boundary wall, existing buildings and mature trees on and adjoining the site already create overshadowing to Hazel House, particularly the ground floor windows on the side elevation and areas of the garden to the south and west. Having regard to this and the distance the proposed building would be from the boundary (around 4.5m)

there has been reassessment of the impact on Hazel House and an amended conclusion reached that the proposal would not have an undue impact on the amenities of the neighbouring property in relation to loss of light or overbearing impact.

4.0 CONCLUSION

4.1 The loss of the existing cottage to the north of the site entrance will be harmful to the character and appearance of the Conservation Area and it is not considered that the proposed replacement building would preserve or enhance the Conservation Area or compensate for the loss of the existing cottage building. The proposed new building would be harmful to the character and appearance of the Conservation Area, village street scene and setting of the nineteenth century house on the site, by virtue of its design, scale, height, massing, siting and form. For these reasons, the proposal is considered unacceptable and contrary to the provisions of TVBLP policies ENV15, ENV14, SET13, DES05, DES06 and DES07.

4.2 Following further consideration of the impact on the amenities of the neighbouring property, Hazel House, it is now considered that the proposal would not have an undue impact on these amenities. The Head of Planning and Building's recommendation below reflects this change in not retaining reason for refusal no.2 as recommended to NAPC.

4.3 The appropriate conditions referred to in the recommendation of NAPC below are set out in Appendix C.

**5.0 RECOMMENDATION OF NORTHERN AREA PLANNING COMMITTEE
PERMISSION subject to appropriate conditions to be advised by Head of Planning and Building.**

**6.0 RECOMMENDATION OF HEAD OF PLANNING AND BUILDING
REFUSE for the reason:**

- 1. The proposed new building would be harmful to the character and appearance of the Conservation Area, rural village street scene and setting of the principal house on the site, by virtue of its design, scale, height, massing, siting and form. The proposal is therefore contrary to the provisions of Test Valley Borough Local Plan Policies ENV15, ENV14, SET13, DES05, DES06, and DES07.**

Note to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
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APPENDIX A

Officer's Report to Northern Area Planning Committee – 18 April 2013

APPLICATION NO.	12/02786/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	24.01.2013
APPLICANT	Mr And Mrs M Husson
SITE	Broxton House, Village Street, Chilbolton, CHILBOLTON
PROPOSAL	Replace garage and cottage buildings with single building providing garage and workshop on ground floor with office and staff annexe above
AMENDMENTS	Amended plan received 25.03.13
CASE OFFICER	Mrs Mary Goodwin

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This application is being referred to Northern Area Planning Committee at the request of a Ward Member, because there is considerable local interest in the application.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site comprises a large attractive Victorian detached house with outbuildings, set in good sized gardens with adjoining paddocks (1.2 hectares), within the village and Conservation Area of Chilbolton. The existing buildings to either side of the site entrance comprise an older single storey cottage building with attached garden wall and a more modern pitched roof garage building with rooms above and dormer windows.

3.0 PROPOSAL

- 3.1 The proposal is for the demolition of two existing outbuildings to either side of the site entrance onto Village Street. These would be replaced with a large single outbuilding extending across the site frontage, beneath which an arched gateway would provide vehicular access into the site. The building would comprise a new cottage for staff (to replace the existing) and a replacement garage, workshop and office building. The scheme has been amended to show flint banding to the rear elevation and a revised eaves detail at the site entrance, fronting Village Street. A concurrent application for conservation area consent has been submitted for the demolition of the two existing buildings on the site (see separate item for application 12/02787/CAWN).

4.0 **HISTORY**

4.1 12/02787/CAWN - Demolition of garage and cottage buildings – Pending decision.

12/01258/FULLN – Extensions, alterations and revised fenestration to provide additional accommodation comprising extended drawing room, extended kitchen, boot room, hall, laundry, wc, plant room, swimming pool and changing room and erection of garden wall – Permission 13.08.2012.

07/01095/FULLN - Extension to provide television room, utility, hall and lobby – Permission 28.06.2007.

TVN.01259/4 - Erection of double garage, store and tool shed with office and ensuite over and erection of new boundary wall, fence and gates – Permission 28.06.2004.

TVN.01259/3 - Creation of new access and closure of existing access and erection of front boundary fence – Permission 15.04.1999.

TVN.01259/2 - TVN.1259/2 Outline - Erection of dwelling - Land forming part of Broxton House, Village Street, Chilbolton – Refused 23.02.1977 – Appeal dismissed - 07.11.77.

TVN.01259/1- Erection of dwelling (Outline) - Land at Broxton House, Chilbolton. Refused - 07.10.76. Appeal dismissed - 07.11.77.

TVN.01259 - Erection of dwelling (Outline) - Land at Broxton House, Chilbolton. Refused - 11.08.76.

5.0 **CONSULTATIONS**

5.1 **Policy** - No objection in principle to the replacement garage or cottage.

5.2 **Conservation Officer** – Objection:

The proposal will not preserve the character of the conservation area. The development will look out of place, disproportionate and dominating in the street scene, due to its size and bulk. The proposal does not adhere with Local Plan policy ENV 15.

5.3 Broxton House and its lodges have been highlighted within the Conservation Area Character Appraisal for Chilbolton as of local interest. This is defined as an ‘unlisted building of interest which does not have the same protection as listed buildings but are important nonetheless for the contribution they make to the character or appearance of the conservation area’. Within the text of the appraisal the area is described as follows: Opposite Copyhold Cottage is Broxton House, a large well detailed late 19th century red brick house set within a large plot, with a range of outbuildings including stables, and a former coach house’.

5.4 Broxton House dates from the late 19th century, from looking at historic OS maps, two buildings, in the current position of the garage and cottage buildings were also evident. It would appear that the existing garage and home office has been rebuilt at some point in the late 20th century or early 21st century. The existing cottage does appear to be contemporary with Broxton House and is therefore of some historic interest. Traditionally there has been a built presence fronting on to Village Street.

- 5.5 There is a concern that the proposal to build a two storey ancillary building would have a negative impact on the character and appearance of the conservation area. The character of the lane is rural and the lodge houses are appropriate and in proportion to the 19th century Broxton House, views are possible through to the house and the lane does not appear dominated by the buildings, despite them being positioned onto the road. The proposed building would appear out of proportion and inappropriately grand in style to the 19th century house. There would be a significant negative impact upon the character of the rural lane, the building would dominate it and create a tunnel effect due to its two storey height and the long expanse of roof, which will front onto the road and look overly bulky. The existing cottage and garage due to their more modest size, and the way in which the cottage steps down in height, has a pleasing ancillary character.
- 5.6 **HCC Ecologist** - No objection:
The application is supported by a report on the visual bat survey undertaken at the site and no evidence of bat use of the buildings or roosting sites have been found.
- 5.7 **Tree Officer** - No objection – subject to conditions.
The site lies within the conservation area, and therefore, the trees on the site are protected. The proposed replacement building remains clear of significant trees and no trees need to be harmed during its construction.
- 5.8 **Highway Engineer** - No objection subject to conditions.
- 6.0 **REPRESENTATIONS** Expired 17.04.2013
- 6.1 Chilbolton Parish Council – support:
A much welcomed improvement on broadly the same footprint as the buildings to be demolished. The new design is set back discreetly from Broxton House boundary, and shows that great care has been taken to improve the impact on the street scene, especially with the accompanying hedgerow. In addition, the staff accommodation could offer potential employment for local people. Overall, a pleasing and welcome development that will enhance the village.
- 6.2 Any additional comments received on the amended plan submitted on 25.03.2013 will be reported to Planning Committee in the update papers.
- 7.0 **POLICY**
- 7.1 Government Guidance: NPPF.
Test Valley Borough Local Plan:
SET03 – Development in the countryside
SET06 – Frontage infill policy areas in the countryside
SET12 – The alteration or extension of existing dwellings in the countryside
TRA02 – Parking standards
DES05 – Layout and siting
DES06 – Scale, height and massing
DES07 – Appearance, details and materials
AME01 – Privacy and private open space
AME02 – Daylight and sunlight

ENV05 – Protected species

ENV14 – Demolition in Conservation Areas

ENV15 – Development in Conservation Areas

ENV 17 – Settings of Conservation Areas, Listed Buildings, Archaeological Sites and Historic Parks and Gardens.

Village Design Statement – Chilbolton.

7.2 Draft Test Valley Borough Revised Local Plan

A public consultation period on the consultation draft of the Test Valley Borough Revised Local Plan is to commence on 8 March 2013. At this stage, the draft Revised Local Plan, though indicating a direction of travel, would carry very limited weight in the determination of planning applications. It is not considered that the draft Plan would have any significant bearing on the determination of this application.

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Principle of staff accommodation
- Impact on the character and appearance of the surrounding area
- Impact on the existing house and its setting
- Impact on neighbouring residential amenities
- Impact on protected species
- Impact on highways.

The principle of development

8.2 The site is located in the countryside, where policy SET03 of the TVBLP aims to restrict development unless there is an overriding need, or if it is a type of development considered appropriate in the countryside, as set out in the other relevant policies within the Local Plan. Policy SET13 of the TVBLP recognises that new or extended buildings within the curtilage of existing dwellings are appropriate in the countryside, provided there are no significant detrimental impacts on the character and appearance of the surrounding area or the wider countryside, the buildings are well related to the dwelling and where their use is incidental to the enjoyment of the dwelling or where used as ancillary residential accommodation. As such, the erection of replacement curtilage building(s) is considered acceptable subject to the policy considerations outlined in the following paragraphs.

Principle of staff accommodation

8.3 It is proposed that staff employed in the house and curtilage would reside within a staff unit of accommodation in the proposed new building, which would replace the existing cottage on the site. The cottage and house are already in one ownership (sharing an access, parking and curtilage). The proposed use of the replacement cottage as a staff annexe will be very similar to the existing situation, and is therefore considered acceptable, in principle.

Impact upon the character and appearance of the surrounding area

- 8.4 The proposed building has brick elevations and a pitched clay tiled roof. It is very substantial in scale and height, measuring approximately 26.5 metres in length, 6.5m in depth and with a ridge height of 6.7 metres. The building provides garaging for 4 cars, a workshop, office, and 2 bedroomed unit of accommodation at first floor level. The building has an L-shaped footprint, with a return at its northern end, towards Hazel House. The principal elevation faces towards Broxton House and is detailed with four dormer windows and a gabled arched entrance at the centre of the building, over a gated access onto Village Street.
- 8.5 The proposed building is sited adjacent to Village Street, and is aligned along the site frontage, set back approximately 2.5m from the site boundary. Hedge planting is proposed between the building and lane and a section of garden wall is proposed between the northern end of the building and the boundary with Hazel House.
- 8.6 The building will be very prominent and dominating in views from the lane, due to its scale, massing, siting and high unbroken roof form. It is considered that the building does not respond positively to the character or built pattern of the surrounding development within the village street scene. It also fails to respond to the gentle change in level across the site (levels drop down to the lane and to the north). The building will present a harsh and high unbroken roof form and extensive elevations towards the lane, to the detriment of public views within the Conservation Area. An amended plan has been submitted to show flint detailing within the Village Street elevation to the building and to raise the eaves over the gated entrance. However, it is considered that these revisions do not mitigate the unacceptable impact of the proposed building upon the street scene and character of the Conservation Area.
- 8.7 The loss of the existing cottage on the site is also considered harmful to the setting and character of the conservation area (see separate report for application 12/02787/CAWN). This building is of some age and character, although in need of repair. It is a traditional lodge building, of modest scale and height and public views are afforded over and around the building towards Broxton House and the countryside, from the adjacent lanes. Its replacement would only accord with TVBLP Policy ENV14, if the existing building is incongruous and is to be replaced with a more appropriately designed structure.
- 8.8 The proposed building will also impede public views into the site and towards the Victorian house and surrounding trees, from the adjacent lane, to the detriment of the setting, character and appearance of the Conservation Area. The loss of the existing gaps between the buildings at the site entrance is considered harmful to the village street scene and contrary to the provisions of TVBLP Policies ENV15 and DES06.

Impact upon existing house and its setting

- 8.9 The proportions, height and massing of the proposed building and its formal stable design and detailing appear out of character with the Victorian house on the site. The siting of the building is also considered unsympathetic to the setting of the house and the gated entrance beneath the building is inappropriately ‘grand’ in style and form. The proposal is therefore contrary to TVBLP Policy DES05, DES06, DES07 and SET13.

Impact on neighbouring residential amenities

- 8.10 The neighbouring property at Hazel House lies to the north of the site, and there is a significant drop in level at the site boundary, where there is a solid boundary wall, of approximately 1.8m height. The proposed new building will lie within 4.5m of the site boundary, at its closest point. This part of the new building provides garaging at ground floor level, with accommodation for staff within the roofspace. The fenestration is arranged towards Broxton House and to avoid overlooking to the neighbouring property at Hazel House. The northern elevation of the building, measures 11.8 metres in length, and 6.5metres in height, and will be prominent and overbearing in views from the side windows and a small part of the garden to the south of Hazel House. The Officer view is that the proposed building contravenes the provisions of TVBLP Policy AME01, in that it will be harmful to the amenity of the occupiers of the neighbouring property.

Impact on biodiversity and protected species

- 8.11 The application has been submitted with appropriate survey information regarding the potential for protected species to be present within the existing buildings on the site. The findings found no evidence of bats at the site. It is therefore considered that the proposal would not result in a net loss of biodiversity.

Impact on highways

- 8.12 It is considered that the proposed development would not have a significant adverse impact on highway safety and no objection is raised by the Highway Engineer to the proposals.

9.0 CONCLUSION

- 9.1 The proposed development is acceptable in principle and there is no objection to the loss of the existing modern garage building. However, the loss of the existing cottage to the north of the site entrance will be harmful to the character and appearance of the Conservation Area and it is not considered that the proposed replacement building would preserve or enhance the Conservation Area or compensate for the loss of the existing cottage building. The proposed new building would be harmful to the character and appearance of the Conservation Area, village street scene and setting of the nineteenth century house on the site, by virtue of its design, scale, height, massing, siting and form. The proposal would be overbearing upon the amenities of the occupiers of the neighbouring property at Hazel House. For these reasons, the proposal is considered unacceptable and contrary to the provisions of TVBLP Policies ENV15, ENV14, SET13, DES05, DES06, DES07 and AME01.

10.0 RECOMMENDATION

REFUSE for the reasons:

- 1. The proposed new building would be harmful to the character and appearance of the Conservation Area, rural village street scene and setting of the principal house on the site, by virtue of its design, scale, height, massing, siting and form. The proposal is therefore contrary to the provisions of Test Valley Borough Local Plan Policies ENV15, ENV14, SET13, DES05, DES06, and DES07.**
- 2. The proposal would be overbearing upon the amenities of the occupiers of the neighbouring property, and is therefore contrary to Test Valley Borough Local Plan Policy AME01.**

Note to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
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APPENDIX B

Update Report to Northern Area Planning Committee – 18 April 2013

APPLICATION NO.	12/02786/FULLN
SITE	Broxton House, Village Street, Chilbolton, CHILBOLTON
COMMITTEE DATE	18 April 2013
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1.0 AMENDMENTS

1.1 An amended proposed block plan was submitted on 10.04.2013 (attached) to accurately show the relationship of the amended design to the boundaries. Additional plans were submitted on 10.04.2013 to show the amended street elevation and to provide a coloured street scene drawing. These plans demonstrate the amended eaves line, which rises over the gated entrance on the south elevation and the additional brick and flint banding on the south elevation. The amendments have been submitted by the applicant to seek to enhance the design and impact of the building upon views from Village Street and the Conservation Area. The Conservation Officer, Parish Council and neighbours have been consulted on the amended plans, and the submitted responses are included below.

2.0 CONSULTATIONS

2.1 Conservation Officer - Objection

The amended scheme does not significantly overcome the concerns previously raised, which relate to the bulk of the proposed garage building and not just the design.

3.0 FURTHER REPRESENTATIONS

3.1 Chilbolton Parish Council – Support:

A much welcomed improvement on broadly the same footprint as the buildings to be demolished. The new design is set back discretely from the Broxton House boundary which demonstrates that great care has been taken to improve the impact on the street scene, especially with the accompanying hedgerow. In addition the staff accommodation could be potential work for local people. Overall a pleasing and welcomed development which will enhance the village.

3.2 1 X Neighbour letter (Hazel House) – Objection:

The proposed building will lie 4.5m from our boundary wall at a height of 11.8m. The level of the land at Hazel House is also considerably lower than the land at Broxton House. The proposal will deny natural light to our kitchen, utility rooms and sitting rooms. The proposal will have a serious impact

on the enjoyment of our property. The high brick wall and roof will be approximately 6m from our windows. Policy AME01 should be adhered to. The views of the Conservation Officer should be given full consideration. The proposal contravenes Local Planning Policies ENV15, ENV15, SET13, DES05, DES06, and DES07.

4.0 PLANNING CONSIDERATIONS

- 4.1 It is considered that the revisions to the design do not overcome the unacceptable harm to the street scene and visual amenity of the area, associated with the design, bulk, height, siting and massing of the proposed replacement building.
- 4.2 It is considered that the proposed new building will be harmful to the amenity of the occupiers of the neighbouring residential property at Hazel House, by virtue of the siting, proportions and design of the proposed building, in relation to Hazel House and its private gardens, which lie at a lower level than the site. It is considered that the proposal will be overbearing, and may result in some additional loss of light to the ground floor and first floor side windows at Hazel House. However, it is recognised that the existing 1.8m garden wall on the boundary between the two properties and the existing tree cover and buildings on the site already restrict daylight towards Hazel House to a similar extent.

5.0 AMENDED RECOMMENDATION **No change.**

APPENDIX C

12/02786/FULLN - SUGGESTED LIST OF CONDITIONS ADVISED BY HEAD OF PLANNING AND BUILDING

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. No development shall take place until samples and details of the materials to be used in the construction of all external surfaces of the building and garden wall hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure that the development has a satisfactory appearance and to ensure that harm is not caused to the character and appearance of the Conservation Area in accordance with Test Valley Borough Local Plan 2006 policy ENV15.
3. No development shall take place until details of the new mixed species hedgerow to be planted on the site frontage, including positions or density, species, and planting size, have been submitted to and agreed in writing by the Local Planning Authority. The planting shall be carried out before the end of the current or first available planting season following completion of the development. The planting shall be maintained to encourage its establishment for a minimum period of five years following completion of the development. Any trees or significant areas of planting that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced before the end of the current or first available planting season following the failure, removal or damage of the planting.
Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Local Plan 2006 policy DES10.
4. Prior to the commencement of development the visibility splays, hatched green on attached drawing no. TVBC/12/02786/FULLN/plan 1 shall be provided. Nothing within the approved visibility splays shall exceed 1 metre above the level of the existing carriageway (including the land level and any walls, fences and vegetation). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) these visibility splays shall be maintained in accordance with the above details at all times.
Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan Policy TRA05.

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

Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

6. **No development shall take place (including site clearance and any other preparatory works) until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location and specification of tree protective barriers. Such barriers shall be erected prior to any other site operations and at least 3 working days' notice shall be given to the Local Planning Authority that it has been erected.**

Note: The protective barriers should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012 unless otherwise agreed in writing with the Local Planning Authority.

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 Local Plan policy DES 08.

7. **Tree protective measures installed (in accordance with the tree protection condition above) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor 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 during the construction phase in accordance with Test Valley Borough Local Plan policy DES 08.

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

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan policy DES 08.

Notes to applicant:

1. **The following policies in the Development Plans are relevant to this decision: Test Valley Borough Local Plan: SET03, SET06, SET12, TRA02, TRA05, TRA09, DES05, DES06, DES07, DES08, DES10, AME01, AME02, ENV05, ENV14, ENV15, ENV 17**
2. **Please ensure that all development/works complies with the approved plans. Any changes must be advised and agreed in writing with the Local Planning Authority before they are carried out. This may require the submission of a new planning application. Failure to do so may result in enforcement action/prosecution.**

- 3. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
 - 4. The decision to grant planning permission has been taken because, the proposed development would not give rise to an adverse impact on, and preserve, the character and appearance of the Conservation Area and village, or adversely affect the amenity of neighbouring properties. This informative is only intended as a summary of the reason for grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service.**
 - 5. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**
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