

## ITEM 9

---

<b>APPLICATION NO.</b>	18/01437/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	07.06.2018
<b>APPLICANT</b>	Mr David Harrison
<b>SITE</b>	Starlings, Whinwhistle Road, East Wellow, SO51 6BN, <b>WELLOW</b>
<b>PROPOSAL</b>	Erection of one 4 bedroom detached house with separate car port
<b>AMENDMENTS</b>	<ul style="list-style-type: none"><li>• 1817 01 E</li><li>• 1817 02 B</li><li>• 1817 03 C</li><li>• 1817 05</li><li>• Footprint comparison</li><li>• St/005</li><li>• 1817-01 c</li><li>• Updated proposal wording from 5 bed to 4 bed and from garage to car port</li></ul>
	Received 10 July 2018, 8 August 2018, and 30 August 2018.
<b>CASE OFFICER</b>	Miss Sarah Barter

Background paper (Local Government Act 1972 Section 100D)

---

### 1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee because the Head of Planning and Building considers it to be of significant local interest or impact.

### 2.0 SITE LOCATION AND DESCRIPTION

2.1 Starlings is a detached two storey property located on Whinwhistle Road in the parish of East Wellow. The application site is located within the settlement boundary as set out within the Revised Borough Local Plan 2016.

### 3.0 PROPOSAL

3.1 The proposal is for the erection of one 4 bedroom detached house with separate car port to the rear of the existing Starlings dwelling. The application site would be accessed via a driveway to the south west of the site along the side of Starlings.

### 4.0 HISTORY

4.1 18/01085/FULLS - Demolition of existing garage at side of property, erection of detached garage and car port to front of property – 16.07.2018 – Permission subject to conditions and notes.

4.2 18/00222/CLPS - Application for lawful development certificate for single storey extension to the rear of the property – 05.03.2018 – Issue Certificate.

4.3 TVS.01108/3 – House in rear garden of Starlings – 16.03.1978 – Refuse  
Reasons:

01. Having regard to the size and shape of the plot and its relation with adjoining development it is considered that development as proposed would be detrimental to the visual amenities and the quiet enjoyment of the existing nearby property but its occupiers.

02. The proposal would create an undesirable precedent which would make it difficult to refuse further similar development.

4.4 TVS.01108/2 - Detached house and garage - rear of Starlings - Approved subject to conditions – 17.05.1977.

4.5 TVS.01108 - House and garage - land rear of Starlings - Outline Permission subject to conditions – 30.03.1976.

## 5.0 **CONSULTATIONS**

5.1 Highways – No Objection subject to conditions.

5.2 Trees – No Objection subject to conditions.

5.3 Ecology – No Concerns subject to condition.

## 6.0 **REPRESENTATIONS** Expired 24.08.2018

6.1 Wellow Parish Council – Objection

- Overdevelopment of the countryside.
- Need
- Although the number of bedrooms has reduced from 5 to 4 the actual footprint of the building has not changed so we would re-iterate that the proposed building represents overdevelopment of the site.
- The measures the developer has taken to try and address some of the concerns previously raised are not sufficient.
- The added front gable effectively provides a viewing platform which overlooks neighbouring properties.
- Windows from bedrooms 3 and 4 possibly overlook the neighbouring property.
- The proposed work will put other mature trees on site at risk.
- Plans have had to be amended at other neighbouring properties to avoid the disturbance of tree roots.
- There are bats in the area and officers are urged to recommend the requirement of a bat survey.
- The PC also query if this application falls within a RAMSAR area.
- Concern regarding increased traffic movement in and out of the site. This will add to noise and pollution affecting neighbouring properties and it is likely that due to on site parking overspill could result in cars parking along the busy Whinwhistle Road.
- Please note the 1978 refusal at this site for a dwelling.

6.2 2, 3, 5, 6 x2, 7, 9 Florence Close, Farthingdale, Sonaisali (Formally St Kitts) Whinwhistle Road, 15 Fielders Way, Havasu Hamdown Crescent – Objection (Summarised):

- There is no need for development in Wellow.
- The measurements provided appear to be inaccurate.
- A footprint comparison with Whinwhistle Road houses would tell a very different story.
- The turning circle would be right next to number 6 Florence Closes patio.
- The second turning area at the front of Starlings would create a blind spot to vehicles leaving the proposed new build.
- There could be up to 9 residents vehicles plus visitors cars, delivery vehicles using this single lane driveway day and night with the associated noise and exhaust fumes pollution and car lights.
- No mention of a pavement for pedestrians along the side of the proposed driveway or a safe walkway.
- The proposed development is garden grabbing with no thought for the adjoining 5 properties.
- The three pane floor to ceiling window for the landing shows what little respect for the privacy of adjacent properties the applicant has.
- The proposed residents would be able to look into the properties of Starlings back garden and windows, Farthingdales back garden and also St Kitts and number 6 Florence Close. It would be totally unacceptable.
- The design is not in keeping with Florence Close it is back to front with gigantic windows.
- The acoustic fence proposed would not make any difference it would also not stop dangerous toxic vehicle fumes building up and coming over the fence.
- Overdevelopment
- Threat and damage to trees from the garages and driveway
- Nobody has measured the diameter of any protected trees in the garden of Sonaisali. The occupants of Sonaisali have had to go to great lengths to protect these trees before starting there extension.
- The Silver Birch trees will not offer a screen to Sonaisali these trees have long thin trunks and are not evergreen.
- The proposed block plan does not show Sonaisalis rear extension currently under construction there would be a greater proximity to the proposed development.
- There would be loss of light into the rear garden at Sonaisali as the new build would be located directly south of this neighbours garden.
- The development is contrary to policy pg 54 para 5.39 of the RBLP, the development does not fall under permissive development for community need or affordable housing.
- The materials proposed are out of character and contrary to advice given in the Wellow Village Design Statement.
- Most properties on Whinwhistle Road are long plots with a single dwelling many of which are two storey.
- The criteria for the refusal from TVS.01108/3 in 1978 is still relevant.

- Contrary to policy E1 of the RBLP relating to poor design.
- Contrary to the NPPF 2012 para 64 which states that permission should be refused for development of poor design.
- If this back garden is approved there is no reason why every other back garden should not be developed. Is this something TVBC are keen to encourage.
- Confirmation that St Kitts have not agreed to this proposal despite comments in the Design and Access Statement.

## 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 Hierachy

E1 – High Quality Development in the Borough

E2 – Protect, Conserve, and Enhance the Landscape Character of the Borough

E5 – Biodiversity

LHW4 – Amenity

T1 – Managing Movement

T2 – Parking Standard

### 7.3 Supplementary Planning Documents (SPD)

Wellow Village Design Statement

## 8.0 **PLANNING CONSIDERATIONS**

### 8.1 The main planning considerations are:

- Principle of development
- Impact on the surrounding area
- Impact on neighbouring properties
- Trees
- Highway safety and parking provision
- Ecology
- Water Management
- Planning History

### 8.2 **Principle of development**

The site is located within one of the settlement boundaries of Wellow, as defined within the Local Plan inset maps. Policy COM2 of the TVBLP allows for development within the boundaries of settlements, provided that it is appropriate to the other policies of the TVBLP. An assessment of the proposal against those policies is undertaken below.

### 8.3 **Impact on the surrounding area**

#### Whinwhistle Road

The character in this area of Whinwhistle Road is formed of a wide range of building types, many have individual design treatments with a variety of finished roof styles and fenestration. The road is formed of denser development towards the A36 junction and extends to the north where more sporadic single and clusters of dwellings are present. The Wellow Village Design Statement (VDS) makes reference to the settlement pattern in the area referring to ribbon development occurring along Whinwhistle Road between 1930 and 1939. Furthermore the VDS references the second world war period in terms of the temporary shacks which were developed along this road to provide overnight accommodation for Southampton residents seeking to escape the bombing of the city. Further development was seen after 1945 with construction by local builders the majority of development was bungalows. The VDS then sets out that further development began to appear in the 1970s with the installation of mains sewerage and the first housing estates including Fielders Way in East Wellow which is located to the south of the application site and is used to access Florence Close.

- 8.4 The application site is located between the Fielders Way and Hamdown Crescent junctions to the north west of the Whinwhistle Road within a residential built up area part of the Road. There are 5 properties between these two junctions which are detached and front facing Whinwhistle Road with long front gardens set back between approx. 23m and 30m from the highway and large mature trees creating a verdant character. The neighbour to the south west of the application site at Starlings is Farthingdale. This property has the appearance of a chalet style dwelling with a long dormer window within the roof space and a shorter rear garden than Starlings to allow for neighbouring properties numbers 6 and 4 Florence Close plots. Killyglen which is brick built bungalow located to the north east on the corner of Whinwhistle Road and Hamdown Crescent also has a shorter garden than the three other properties on this part of the road with another property located to the rear fronting Hamdown Crescent called Tuscan within this area.
- 8.5 Four Winds located next to Killyglen is also a bungalow with parking located along the side and front of the dwelling. This neighbour benefits from a rear garden of similar depth to the application site. Sonaisali (formally St Kitts) is located between the application site and Four Winds. This neighbouring dwelling has recently been subject to planning permission for extensions to the rear and side and these extensions are currently under construction (planning ref: 16/02481/FULLS). The resultant dwelling at Sonaisali is of a chalet style dwelling with substantial roof massing particularly to the rear. Parking is available to the side and front of the dwelling.
- 8.6 The application site at Starlings is a detached two storey dwelling, brick built with a gable roof, it is currently undergoing refurbishment. It currently has a large parking area to the front and a double garage to the side. Planning permission has recently been granted for a new garage to the front of the dwelling, see paragraph 4.1 above. It is proposed to remove the double garage and provide a drive to the rear of Starlings for access to the proposed dwelling in this location.

- 8.7 Views from the public realm of the proposed development to the rear would be of a shared access to the front which would include a visibility splay across the front garden boundary to ensure no screening of anything over 600mm in height. Set back from Whinwhistle Road the proposed dwelling would be located approx. 62m from the public realm. Visible when viewed from the access point would be part of the front elevation of the proposed dwelling formed of two storeys with glazing, cladding and a gable roof. The presence of other dwellings in the background of dwellings in Whinwhistle Road forms part of the established character of the area. The dwellings at Florence Close are sporadically visible through gaps in development here. Further along the road and on Hamdown Crescent these two storey structures are also sporadically seen.
- 8.8 The introduction of a dwelling in this location when viewed from the public realm at Whinwhistle Road is considered to make efficient use of land whilst respecting the character to the surrounding area. Whilst none of the driveways seen at other dwellings extend past the existing dwellings as the proposed access would the driveways do sit adjacent the side elevations providing the perception of long driveways at the side of dwellings. As such it is not considered that the accessing of the new dwelling via a driveways to the side is out of character with this part of Whinwhistle Road.
- 8.9 Florence Close  
The application site is located adjacent number 6 Florence Close and is visible from the public realm within this Close. The application site is bounded by a 2m high close board fence adjacent number 6 Florence Close and to the rear next to number 7 Florence Close. Florence Close was developed in the 1970s and all of the dwellings are of a similar style. Two storey, gable roofs, tile hung at first floor and integral garages. The plots are smaller than those on Whinwhistle Road and the front gardens are open plan with driveways and gardens. The application site offers no other screening other than the fencing described from this view point. The proposed dwelling would be seen from the Close and would be orientated with its rear elevation facing to the north west towards number 7 Florence Close. The proposed dwelling would be approximately 1.8m from the existing boundary fence with number 6 Florence Close. The view given from the public realm within the Close would be of the first floor and gable roof and the lantern light over the single storey flat roof extension to the rear. The proposed dwelling would be located on a similar line of development with dwellings in the Close. The two storey element of the proposed dwelling would be positioned at between approx. 1m and 50cm forward of the existing two storey line of number 6 Florence Close with the single storey extension projecting a further approx. 2.5m towards the rear and the Close. The total height to the ridge of the dwelling would be approx. 7.5m with an eaves height of approx. 5m. Drawing 1817 03 C indicates number 6 adjacent and a difference of 10cm in ridge height in comparison with the proposed dwelling. Having reviewed the recent application at Starlings for a rear extension, see para 4.2 above, the existing starlings dwelling is approx. 7.4m high to the ridge also resulting in a difference of approx. 10cm in height.

- 8.10 The applicant has provided detail on neighbouring plot sizes at Florence Close and the proposed dwelling plot size as follows:

Footprint of dwelling compared to the overall plot size as a percentage within Florence Close

House Number	Plot Size m2	Dwelling Footprint (M2)	%
1	642	67	10.4
2	510	119	23.3
3	280	66	23.6
4	342	75	21.9
5	312	66	21.2
6	321	77	24.0
7	649	121	18.6
9	574	130	22.6
New Plot	672	112	16.7

In order to understand the accuracy of these figures (provided by the applicant) the Case Officer has also made the same assessment:

House Number	Plot Size m2	Dwelling Footprint (M2)	%
1	640.2	67.4	10.5
2	514	123.2	23.9
3	280.3	67.1	23.9
4	340.7	75	22
5	310.8	66.3	21.3
6	324	76.4	23.5
7	646	120.7	18.6
9	575	127.2	22.1
New Plot	594	115 (+12 Single Storey ext)	19.3 (21.3)

- 8.11 The verification process has revealed minor differences between the two presented. Comments have been received regarding an assessment of other plots in the immediate area given the plots location adjacent larger plots at Sonaisali and Farthingdale. As such the following assessment has also been made by the case officer.

House Name	Plot Size m2	Dwelling Footprint (M2)	%
Farthingdale	920	106.5	11.5
Starlings (As proposed)	925	75	8.1
Sonaisali	1419.2	89.9 (+36 ext)	6.3 (8.8)
Four Winds	1594.8	175.2	10.9
Killyglen	808.9	111.9	13.8
Tuscan	649.7	84.6	13
New Plot	594	115 (+12 Single Storey ext)	19.3 (21.3)

Revised Borough Local Plan Policy in this area does not specifically consider plot sizes in the area. However, policy E1 requires development to integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles and therefore surrounding plot sizes are relevant to this consideration. Paragraph 7.6 of the Revised Local Plan states that much of the identity of an area is derived from a combination of the considerations set out above. As such whilst there is a clear difference in dwelling footprint to plot size percentage when considering the dwellings fronting Whinwhistle Road and the dwellings within Florence Close it is considered that this proposed development offers a successful combination of layout, appearance, scale, materials and building style which follows the pattern of development provided by Florence Close and whilst also ensuring a similar design relationship with the existing dwelling at Starlings which fronts Whinwhistle Road. Therefore it is considered that this combination ensures the development is in accordance with the existing characteristics of the area and provides successful relationships with both Florence Close and Whinwhistle Road whilst respecting the other requirements of policy E1. As such it is considered that the development would be provided in accordance with relevant Local Plan policy in terms of impact on the surrounding area.

#### 8.12 **Impact on neighbouring properties**

##### Farthingdale

This neighbour is located to the south west of the application site. The Farthingdale plot is similarly proportioned to the resultant Starlings plot with the rear garden boundary on a similar line to the new Starlings rear boundary. Farthingdale is bounded by a close board fence of approx. 2m in height to the rear. At the front is a hedge of varying heights and a mature tree. The proposed access to the proposed dwelling would be located adjacent this neighbours side elevation and rear garden. The applicant has confirmed that the access drive would be surfaced in a non migratory material to reduce noise impacts in this respect, this requirement is included in condition 6. Furthermore it is not considered that vehicle movements to a domestic dwelling would be of a level that would create a significant noise nuisance which would result in a reason for refusal in this respect.

- 8.13 The proposed dwelling would be located approx. 12m from the rear boundary with this neighbour on an oblique angle. The front elevation of the proposed dwelling would be located approx. 27m from the rear elevation of Farthingdale. Given these separation distances it is not considered that there would be any impacts in terms of loss of light or overshadowing at this neighbouring property as a result of the proposed development. In terms of overlooking views from the first floor windows at the front of the proposed dwelling towards Farthingdale would be given. However, given the separation distance described and the existing overlooking from the neighbours at numbers 4 and 6 Florence Close it is not considered that there would be any significant additional impacts created in terms of overlooking at this neighbouring property.



8.14 6 Florence Close

This neighbour is located to the south west of the application site directly adjacent the proposed dwelling. The proposed dwelling would be located approx. 1.8m from the boundary fence with this neighbour. The side elevation facing this neighbour would have one first floor window serving an en-suite. This window would face the blank side wall of this neighbour only but would be obscurely glazed and would be required to be top hung opening only. The front elevation of the proposed dwelling would be positioned approx. 1m back from the rear elevation of number 6 Florence Close even so windows at first floor which would serve two bedrooms and a landing would offer oblique overlooking towards this neighbouring properties rear garden area. However, mutual overlooking between properties from first floor windows into rear private gardens is not uncommon in this location. It is acknowledged that trees and foliage has recently been removed from the plot creating more open views but as a result first floor windows at all surrounding neighbouring properties offer a degree of mutual overlooking between plots. The proposed dwelling is not considered to offer any more significant additional impact in this respect.

8.15 The proposed dwelling would be located to the north east of this neighbour and therefore there is not considered to be any impacts in terms of overshadowing at this neighbouring property. With regards loss of light there are two ground floor windows and a side doorway at no 6 facing the proposed development but given that these serve secondary rooms and are located underneath a covered canopy area it is not considered that there would be any significant loss of light created as a result of the proposed development.

8.16 The parking and turning area would be located at the front of the proposed dwelling. This results in the turning area for cars being located adjacent the rear garden of no 6. Whilst it is acknowledged that the turning area is adjacent the entire length of rear garden at this neighbouring property it is not considered on balance that there would be any significant impacts in terms of noise and smell given the domestic dwelling proposed within an existing built up residential area. The applicant has confirmed that the access drive would be surfaced in a non migratory material to reduce noise impacts in this respect, this surface is included in condition 6. It is noted that the drawings include annotation for an acoustic fence adjacent the garden at number 6. It is not considered that vehicle movements to a domestic dwelling would be of a level that would create a significant noise nuisance which would result in a reason for refusal in this respect and as such the placement of an acoustic fence in this location is not relied upon in order to make this proposal acceptable.

8.17 7 Florence Close

This neighbour is located to the rear of the application site and is bounded by approx. 2m high close board fence. This neighbours driveway and access is located immediately adjacent the fence. The front elevation of this property would be located approx. 22m away from the closest part of the new development, the single storey rear projection. The distance between the first floor windows at the front of number 7 and the rear of the proposed dwelling

would be approx. 25m. This separation distance is considered to offer an acceptable distance between these properties to ensure no significant overlooking occurs. Given these separation distances it is also considered that there would be no significant impacts at this neighbouring property in terms of overshadowing or loss of light.

8.18 Sonaisali (Formally St Kitts)

This neighbour is located to the north east of the application site fronting Whinwhistle Road. It is understood that a lot of boundary screening has been recently removed along the boundary with the application site and as a result the boundary treatment here is sporadic with some new specimens and the retention of some trees which are now subject to TPO. The proposed dwelling would be located approx. 5.5m from the boundary with this neighbour within the rear part of the garden at Sonaisali. The Occupiers of Sonaisali are currently building a 4m extension to the rear at two storey and therefore the Officer has taken this into account when considering the impacts of the development. At the closest point the proposed dwelling would be located approx. 23m away from this neighbour. Also proposed adjacent the boundary with this neighbour is a car port which would be positioned in front of the dwelling approx. 12m at the closest point from this neighbouring properties extension.

8.19 The proposed car port would be approx. 2.3m high with open sides. Given this height it is not considered that this element of the proposed development would create any significant impacts on this neighbouring property in terms of loss of light, overshadowing, or overlooking. Due to the proposed dwelling being located approx. 5.5m away from the boundary with this neighbour it is also not considered that the resultant impact in terms of loss of light or overshadowing would have any significant impacts on this neighbouring properties amenity.

8.20 The proposed dwelling would have one first floor side window facing this neighbours rear garden. This would serve a bathroom and would be obscurely glazed. It is considered appropriate to apply a condition ensuring that this is provided as such with top hung opening only. The front elevation windows at the proposed development would offer oblique views towards this neighbouring property but given the distance of approx. 23m between the front elevation of the proposed dwelling and rear elevation of Sonaisali it is not considered that on balance this creates an unacceptable level of overlooking.

8.21 Starlings

The existing Starlings dwelling would be located to the south east of the application site. The sub division results in a rear garden of 10m provided at Starlings adjacent to the access, driveway and car port. There would be a separation distance of approx. 24m between the rear elevation of Starlings and front elevation of the proposed development. This separation distance is considered to be appropriate and would not result in any significant overlooking towards the Starlings windows or rear garden.

8.22 To protect any higher elevated views within the roof space or a proliferation of fenestration on the front and rear of the proposed dwelling which would be to the detriment of surrounding neighbours it is considered appropriate to add a condition ensuring that permitted development for this is removed. Taking into account each neighbour's relationship with the site it is considered that the development can be provided within significant harm to the amenities of the surrounding neighbouring properties and subject to conditions the development can be provided in accordance with policy LHW4.

8.23 **Trees**

The Tree Officer has no objection to the principle of this proposal subject to appropriate conditions. The applicant has provided information on the car port foundation which is within the Birch tree RPA. Based upon 150mm square posts the size of each pad will be no greater in size than 600mm.

Notwithstanding this dimension, the course of action will be to expose the roots of the tree's and then take advice from Barrell Treecare as to any potential impact. As the proposal is now for a car port and not a garage, there will not be the need for continuous strip foundations and as such there is a flexibility to the positioning of the pads to include supporting lintels if need be.

8.24 The submitted site layout plan 01B shows a foul drain, which would conflict with the tree protection which the Tree Officer required further clarification on. The dwelling has now been moved forward slightly and as such the applicant has advised it is very unlikely that the sewer would conflict with this area. Drawing 1817/01/e has removed a note from previous revisions which referred to a sewer diversion. In effect by altering its position this affords sufficient easement for the existing drain and as such it is not anticipated that Southern Water would request the sewer to move thus avoiding any works within the RPA. A condition ensuring all service routes, drain runs, soakaways or excavations in connection with the development permitted shall remain wholly outside the tree protective barrier is considered reasonable to apply to ensure the RPA of this tree and others on site is protected.

8.25 Subject to conditions ensuring the development is carried out appropriately it is considered that the development can be carried out in accordance with policy E2 which concerns the retention of important landscape features.

8.26 **Highway Safety and Parking Provision**

The Highways Officer has no objection to the proposals. The development provides for 3 car spaces in accordance with the Council's parking Standards. 2 cycle storage spaces are not currently proposed but it is considered that this can be secured via condition. The Highways Officer considers that visibility requirements are provided on the land extended to the north within the control of the applicant. To the south this is provided by the neighbouring property Farthingdale for their own access. It is considered appropriate to add a condition ensuring the visibility splay shown on the approved plan is provided. It is also considered appropriate to add a condition ensuring the parking shown on the plans is provided prior to occupation of the new dwelling. Subject to these conditions it is considered that the development can be provided in accordance with policies T1 and T2 of the Revised Borough Local Plan 2016.

**8.27 Ecology**

The application is supported by an ecology survey (David Leach, June 2018), and the County Ecologist agrees with the findings of the report. The development is unlikely to adversely affect any biodiversity features and the County Ecologist would not raise any concerns. The report makes sensible recommendations regarding biodiversity enhancements, which the County Ecologist supports. Subject to an appropriate condition ensuring the development proceeds in accordance with the measures relating to bird and bat boxes it is considered that the development complies with policy E5 in this respect.

8.28 The Parish Council queried whether this site is within a RAMSAR area. It is not. The closest RAMSAR area is within the New Forest.

**8.29 New Forest SPA**

The development will result in a net increase in residential dwellings within 13.6km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit the New Forest. The New Forest SPA supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the Forest that result from new housing development. While clearly one new house on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England (the government's statutory nature conservation advisors) that any net increase (even single dwellings) would have a likely significant effect on the SPA when considered in combination with other plans and projects.

8.30 To address this issue, Test Valley Borough Council has adopted an 'interim mitigation strategy' whereby a scale of developer contributions of £1300 per new dwelling has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. This payment has not been secured so this recommendation is made subject to receipt of this payment and agreement.

**8.31 Water Management**

Under Policy E7 all new residential dwellings must achieve a water consumption standard of no more than 100 litres per person per day. This reflects the requirements of part G2 of the 2015 Building Regulations. It is recommended that a condition be added in order to address this.

**8.32 Planning History**

The planning history for this site includes the division of the Starlings plot under TVS. 01108 in 1976 to provide what is now number 7 Florence Close. A further application for the plot currently under consideration was refused ref: TVS.01108/3 for the outline erection of a house to the rear of Starlings. This application is over 40 years old dated 16.03.1978. There has been a significant change in planning policy in 40 years with each application judged on its own merits. No weight is afforded to this previous decision in this instance.

**9.0 CONCLUSION**

9.1 It is considered that the development can be provided in this location without significant impacts on the surrounding area, highway safety and parking provision, neighbouring properties, ecology and trees. As such it is considered that the development is acceptable and in accordance with the development plan.

**10.0 RECOMMENDATION A**

**DELEGATE to the Head of Planning and Building for the completion of agreement, by the 18 September 2018, to secure the following contribution:**

- i) financial contribution towards the New Forest SPA mitigation measures;**

**and then PERMISSION, subject to:**

- 1. The development hereby permitted shall be begun within three years from the date of this permission.  
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
- 2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:  
1817 02 B  
1817 03 C  
1817 04 A  
1817 05  
1817 01 E  
18105-BT5  
1817 01 D  
ST/005  
Reason: For the avoidance of doubt and in the interests of proper planning.**
- 3. No development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**
- 4. Prior to the commencement of development the access shall be constructed with the visibility splays shown on approved plan and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1m; metres above the level of the existing carriageway at any time.**

**Reason: In the interest of highway safety in accordance with Revised Local Plan DPD 2011-2029 Policy T1.**

5. **The development hereby permitted shall not be occupied until provision for 2 cycle parking/storage has been made, in accordance with details to be submitted and approved in writing with the Local Planning Authority has been made. The approved scheme shall be maintained for this purpose at all times.**

**Reason: In the interest of providing sufficient safe parking for cyclists and in accordance with the Test Valley Local Plan 2016 policy T2.**

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

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

7. **Development shall proceed in accordance with the measures relating to bird and bat boxes in Section 5.4 Enhancements of the Ecology Survey report (David Leach, June 2018).**

**Reason: To conserve and enhance biodiversity in accordance with Policy E5 of the Test Valley Revised Local Plan DPD.**

8. **The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.**

**Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.**

9. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows in the south eastern front or north western rear elevations of the proposal hereby permitted [other than those expressly authorised by this permission] shall be constructed.**

**Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.**

10. **The first floor windows in the south western and north eastern side elevations of the development hereby permitted shall be fitted with obscured glazing and shall be top hung opening only, and thereafter retained as such, unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LWH4.**

11. **The development hereby approved shall be undertaken in full accordance with the provisions set out within the Barrell Tree Consultancy Arboricultural Assessment and Method Statement reference 18105-AA-PB dated 28th June 2018.**  
**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.**
12. **Tree protective measures installed (in accordance with the tree protection condition) 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 barrier.**  
**Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**
13. **All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.**  
**Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**

**Notes to applicant:**

1. **The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
2. **In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**

---

**11.0 RECOMMENDATION B**

**REFUSE, for the following reason after 18 September 2018:**

1. **The site is included within the catchment area of the New Forest SPA. In accordance with 'The Conservation of Habitats and Species Regulations 2017' insufficient information has been provided in relation to the impact on the New Forest Special Protection Area and no contribution in line with the 'New Forest SPA Mitigation - Interim Framework' has been secured.**
-