

## ITEM 7

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<b>APPLICATION NO.</b>	18/01560/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	03.07.2018
<b>APPLICANT</b>	Mr R Wickens
<b>SITE</b>	The Four Horseshoes , Nursling Street, Nursling, SO16 0YA, <b>NURSLING AND ROWNHAMS</b>
<b>PROPOSAL</b>	Erection of rear extension to public house, bin stores, additional parking and the erection of five houses with associated works
<b>AMENDMENTS</b>	Noise Impact Assessment – 30.08.2018 Ecology report – 06.09.2018
<b>CASE OFFICER</b>	Miss Sarah Barter

Background paper (Local Government Act 1972 Section 100D)

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### 1.0 INTRODUCTION

- 1.1 The application is presented to Southern Area Planning Committee at the request of a Member.

### 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The Four Horseshoes is an established Public House located on Nursling Street. Nursling Street falls within the parish of Nursling and Rownhams and is at the end of a no through road set down from the M27 / M271 junction and roundabout. The Public House has land to the rear where the proposed rear extension would be located. Land to the south and east of the Public House is where the 5 dwellings are proposed. The application site also includes land to the north of the Public House on the opposite side of the road for car parking.

### 3.0 PROPOSAL

- 3.1 Erection of rear extension to public house, bin stores, additional parking and the erection of five houses with associated works.

### 4.0 HISTORY

- 4.1 17/03121/FULLS - Demolition of existing single storey skittle alley/function room and garage and construction of single storey extension – Withdrawn – 06.04.2018

Concerns over parking allocation.

- 4.2 TVS.2953/7 Retention of use of land at rear of car park as beer garden - Four Horse Shoes Public House, Nursling Street, Nursling. Permission subject to conditions – 28.09.1987.
- 4.3 TVS.2953/2 Construction of car park - land opposite The Four Horseshoes, Nursling Street, Nursling. Permission subject to conditions – 19.08.1981.

5.0 **CONSULTATIONS**

5.1 **Highways** – No Objection subject to conditions.

5.2 **Landscape** – No Objection subject to condition.

5.3 **Trees** – No Objection subject to conditions.

5.4 **Ecology** – No Objection subject to condition and SPA payment.

5.5 **Environmental Protection** – No Objection subject to conditions.

6.0 **REPRESENTATIONS** Expired 10.08.2018

6.1 **Nursling and Rowhams Parish Council** – Objection:

The last outline application to erect residential units on the site was refused. Please see the 2014 Documents in **14/00131/OUTS**. There were extensive objections to putting residential units on this site.

There are of course less units in this application. However the parish council object on the following grounds:

- **Noise:** The new houses will still be very close to the M27 and M271 Motorways. In 2014 the noise was a factor in the refusal and the motorway is now busier than 4 years ago. This is both Indoor noise levels and external noise levels in private gardens.
- **Pollution:** There will be a lot of dust, dirt and pollution from the proximity of the motorway. The air quality for a residential development on this site may be quite low.
- **Residential or Business land:** the old policy I have read lists this as business land. Can the officer please find and read the new policy for this area to see if residential use is allowed. If not then the parish would object on this policy ground as well.
- **Bats and nesting birds:** I note that Ecology has asked (on 2 August 2018) the applicant to provide a revised report. The Parish council would like a copy of this and may comment further.
- **Contributions:** there does not seem to be any contribution re New Forrest SPA and Solent Water SPA. I did not see in my reading of the application any contribution to public open space.

The Parish would like to see the four horseshoes redeveloped, but not by the build and sale of residential houses on the site as a way of funding the business refurbishment.

Additional Comments / Observations:

- **Highways:** There are four “HT” comments on the Highways report issued on the 2 August 2018 I would ask the officer to take note of.

Additional comments received 19.09.2018 - Objection

- My council wishes to submit an additional consultation, with an Objection to this application.
- The site of the proposed application is within the junction of two Motorways (M27 and M271). This junction is signalised causing traffic to change gear and accelerate away with associated increased engine noise. It is also on a raised section of Junction 3, causing noise at a higher level. Traffic on these M/W's is continuous day and night, being the main route to Southampton with the Docks, and also towards Totton and the south-west. There will be continuous traffic noise, vibration and dust day and night.
- The application indicates that the houses will require specific design to control internal noise to an acceptable level and external acoustic fencing to protect the garden areas.
- Application 14/01743/FULLS was refused by TVBC, and was appealed (APP/C1760/A/14/2225826). The appeal was dismissed on 17<sup>th</sup> Feb. 2015.
- The following paragraphs of the Inspector's report are pertinent to the Four Horseshoes application, as they both experience traffic noise from the Motorway. Para 7, 8, 9, 10, 11, 14, 15 & 16.
- Para 13 also refers to noise readings taken by a Council Officer, which greatly exceeds those recorded in the survey. Are there records of noise readings taken by a Council Officer on the Four Horseshoes site?
- The Council requests that you Refuse this application.

6.2 **11 x letters/emails from various addresses (summarised)** – Support:

- Longstanding patrons of the 'shoes and agree it is a sympathetic development with regards to the cottages being in keeping with the area.
- Welcome the proposed application to ensure longevity and indeed the existence of our local pub/restaurant.
- In favour of the application for five houses as understand it will help with the financing of the cost of full refurbishment and extension of the pub.
- Don't think the new houses being built would have detrimental effect on the local area.

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, E1, E2, E5, E8, E9, LHW4, T1, T2

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the surrounding area
- Design
- Amenity
- Trees

- Highway Safety and Parking Provision
- Ecology
- Other Matters

## 8.2 **Principle of development**

*Revised Local Plan (RLP) (2016)*

COM2 (Map 41) – the application site lies within the settlement boundary of Nursling and therefore the principle of residential development and the public house extension is acceptable, subject to any such proposal being appropriate in respect of other policies within the Revised Local Plan. These policies are discussed below.

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

The M27 and M271 wrap around the site to the north and west, this vehicle corridor sits higher than the site and is a prominent landscape feature visually and audibly. There is a public right of way situated adjacent the site to the north, under passing the M271 junction.

## 8.4 Development of five dwellings and associated works

There are no views from the footpath as the area where the dwellings would be located is screened by the public house and Bridgers Farm industrial buildings to the west of the site. The dwellings would be accessed through an existing access between the public house and the end of the existing terrace, no 3 Bridgers Cottages. The public views through the access would not be significant. The dwellings proposed would be visible and would not look out of character within the existing context of the site. The acoustic fencing proposed is sited on the western edge of the site adjacent plots 3 and 4 only and therefore the development continues to allow views straight through the site to the field to the rear (it should be noted that this land whilst currently fields is within the settlement boundary of the Revised Borough Local Plan 2016).

## 8.5 Extension to existing Public House

The extension to the rear of the public house would be largely screened from the public realm on the road due to the presence of the existing public house building. Any view given would be of a single storey extension which would not appear out of keeping with the surrounding area and public house use.

8.6 It is considered that the developments can be provided without significant impacts on the wider surrounding area in accordance with policies E1 and E2 of the Revised Borough Local Plan 2016.

## 8.7 **Design**

Development of five dwellings and associated works

Proposed is a semi detached pair and three detached properties all set around a central access. The proposed dwellings are all two storey in design with a mixture of hipped, gable and cat slide roofs. The dwellings are simple in appearance with canopied porches, dormer windows and brick detailing over the fenestration. The design of the dwellings is considered to be appropriate in terms of layout, appearance, scale, materials and building styles in accordance with policy E1 which seeks high quality development in the Borough.

8.8 Extension to existing Public House

The single storey extension to the rear fulfils its proposed use by providing a large open area with roof lights and sloping roofs. The proposed design ensures that the original public house building is still legible whilst providing the modern extension to the rear for dining. This is in accordance with policy E1 which seeks high quality development in the Borough.

8.9 **Amenity**

3, 2 and 1 Bridgers Cottages

This terrace row fronts Nursling Street and is located to the east of the public house with the access into the housing in between. The rear gardens of these neighbours extend to the south and would be located adjacent a parking space for 2 Bridgers Cottages and plot 1 which forms part of the semi detached pair. Plot 1 has no windows directly facing towards these neighbours ensuring no direct overlooking occurs as a result. Shadow would fall towards this neighbour but given there is approx. 4m between the side of the proposed dwelling and the boundary with these neighbours at the narrowest point and approx. 7m at the widest point the majority of the shadow would fall within this space and therefore it is not considered that this would create a significant impact in this respect. The development is also positioned approx. 23m from the rear elevations at these neighbouring properties and as such the development would not create any significant impacts in terms of loss of light.

8.10 Given the proximity of Bridgers Cottages to the entrance into the site and the main site area it is considered reasonable to apply a condition ensuring construction work is only undertaken between Monday and Friday 07:30 hours to 18:00 hours and Saturday 08:00 hours to 13:00 hours except on Bank Holidays when no such work shall occur. No such work shall occur on Sundays.

8.11 Proposed dwellings

Policy LHW4 also seeks to protect future occupier's amenity. Plots 4 and 5 are proposed to be located to the west of the site to the rear of the public house and the side of office buildings. Whilst Nursling Street is at a lower level than the motorway these dwellings rear gardens face the direction of the motorway and plot 5s garden borders the pub's outside seating area and garden. As such in consultation with the Environmental Protection Officer and in considering the Noise Impact Statement submitted it is considered appropriate to provide acoustic fencing to a height of 3m around the rear gardens of both plots 4 and 5 to mitigate against the noise which both of these sources provide. In providing this fencing shadow would be cast across the rear gardens of these properties from approx. 12 midday. The shadow through the afternoon on average is lengthy particularly from the west but in considering that this is an average shadow so the impact could be greater or lesser dependent on the time of year and that the shadow only begins to sit across the rear gardens through the later half of the day it is not considered that on balance this results in a reason for not locating this fence here given the noise attenuation benefits this would offer.

- 8.12 The appeal decision ref: 2225826, TVBC ref: 14/01743/FULLS at Land South of Upton Lane and East of Station Road, Nursling has been referred to in Parish Council comments. This site is located immediately to the north of the M27 and not located adjacent a junction. The proposal included the use of a static caravan for one gypsy family. A noise assessment including mitigation measures were provided with this application. These measures were considered by Environment Protection. They concluded that the measures were insufficient to ameliorate internal noise to an acceptable level (with all windows remaining closed and no further ventilation) and to also bring about an acceptable living environment. The Inspector agreed and also highlighted concern regarding a wholly enclosed amenity area for the caravan with 2.8m high acoustic fencing and the proximity of the railway line. Paragraph 16 of the appeal decision states that 'In this case it has not been shown that a satisfactory scheme to mitigate the recorded high background noise can be achieved'.
- 8.13 The Environmental Protection Officer has no objection to this proposal due to the mitigation proposed which is considered to ensure an acceptable living environment in this location which is to the south and east of the junction with the M27/M271. The appropriate conditions proposed include acoustic fencing around part of the site and also detail on the fenestration and background ventilation to be provided. This differs from the appeal site referred to as the mitigation has been assessed by Environmental Protection and is considered acceptable in this instance.
- 8.14 The Noise impact assessment advises that alternative layouts are not considered possible by the client, but infers that the ventilation and fenestration will be provided to take into account the noise levels on site. The Environmental Health Officer agrees with these conclusions but this is subject to appropriate conditions ensuring the detail is provided and agreed prior to first occupation. A query was also raised by the Environmental Protection Officer regarding amplified music at the public house and its impacts. The agent has confirmed that background music only is proposed at the pub. It is considered reasonable to apply a note ensuring the occupiers are aware that a license is required for amplified music.
- 8.15 The Parish Council have queried whether noise readings have been taken by a council officer on the Four Horseshoes site. Furthermore concern has been raised regarding the accuracy of the noise information submitted at the motorway junction. The Environmental Protection Officer has reviewed the noise readings and others taken on application sites in the area in close proximity to the motorway. Allowing for the variations between sites there is no evidence that the data presented with the application might be flawed. The Environmental Health Officer confirms that the characterisation of the noise on the site is acceptable and there are no grounds to ask for the survey to be repeated or any grounds for the council to commission its own survey.
- 8.16 Subject to appropriate conditions it is considered that the development can be provided without significant impacts on the amenity of both neighbouring properties and the future occupiers of the development.

**8.17 Highway safety and parking provision**

The parking provided for the pub - Commercial: 44 car spaces and a further 15 overflow car spaces are justified in accordance with RLP. The parking provided in accordance with the amount of dwellings and number of bedrooms provided - 10 spaces plus 1 visitor space are provided in accordance with RLP. An amended drawing has been received increasing the width of car spaces as requested by the Highways Officer.

8.18 The visibility splays provided are justified and manoeuvring space is demonstrated to be adequate. Subject to appropriate conditions ensuring this is provided together with the parking areas proposed it is considered that the development can be provided in accordance with relevant policies in the Revised Borough Local Plan.

**8.19 Ecology**

The application is supported by a professional bat survey report (4Woods Ecology, December 2017). The survey work comprises only a visual survey carried out in December. No dusk / dawn survey work has been done. The survey work identified that the existing function room element to be demolished has negligible bat roost suitability. However, a small number of bat droppings were found under below a small gap in the garage loft space, between the end rafter and front gable wall. DNA analysis has confirmed that these are from a common pipistrelle bat. No further dusk / dawn survey work has been carried out; however, the ecologist has concluded that given the characteristics of the roost feature and number of droppings, the roost only supports occasional summer-roosting bats.

8.20 Natural England have recently introduced further guidance and a policy regarding European protected species that allows decisions on licencing (and hence LPA engagement with the Habitats Regulations) to be based on visual survey findings alone where these can give sufficient confidence to determine the impacts and inform the necessary mitigation. The ecologist for this application has presented a case to this effect, and in this particular case I would agree that there is little to be gained from insisting on further survey work.

8.21 It can be concluded that the development would result in the loss of roosts used by individual non-breeding common pipistrelle bats, although it is unlikely that the site is used by either a maternity colony or as a hibernation roost. If avoidance measures are not taken then the work has the potential to kill / injure individual bats. The development will therefore result in a breach of the EU Directive. The application is provided by an appraisal Initial Ecological Appraisal (Ecosupport, Revision September 2018). Methodologies for sensitive vegetation clearance are provided in the report, in order to avoid impacts to protected species. These measures should be secured in any future consent, along with biodiversity enhancements.

8.22 An EPS licence can only be granted if the development proposal is able to meet three tests:

1. the consented operation must be for ‘preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment’; (Regulation 53(2)(e))
2. there must be ‘no satisfactory alternative’ (Regulation 53(9)(a)); and
3. the action authorised ‘will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range’ (Regulation 53(9)(b)).

8.23 In terms of the first test, the application will improve the living conditions for neighbouring properties given the unsightly present condition of the site and therefore result in social benefits of this nature. In addition, there are no other buildings on the site which could provide alternative accommodation on the nature proposed and consequently, there is no satisfactory alternative to the proposed development as required by the second test.

8.24 In order to assess the development against the third test, sufficient details must be available to show how killing / injury of bats will be avoided and how the loss of the roost/entry point to the roost will be compensated. In this case, a strategy is provided in the submitted report that includes methods to be followed during the development to ensure bats are not disturbed, killed or injured, together with new roosting opportunities to be provided on the building. It is noted that the County Ecologist supports these measures.

8.25 Subsequently, it is considered that the mitigation measures submitted will ensure that the proposed development is unlikely not to be licensed. With the addition of a condition securing the implementation of the submitted mitigation measures, the application is in accordance with Policy E5 of the TVBRLP.

#### 8.26 **Other Matters**

The Parish Council refers to application 14/00131/OUTS and the last outline application to erect residential units on the site which was refused. Application 14/00131/OUTS was refused but it relates to land to the south and east of the current application site and was also considered under the previous local plan when this area was still designated as countryside within the Revised Borough Local Plan 2016. As discussed above in paragraph 8.2 the application site is now located within a settlement boundary in the Revised Borough Local Plan 2016 and therefore development is acceptable in these locations subject to other relevant policies.

#### 9.0 **CONCLUSION**

9.1 The proposal is considered acceptable and in accordance with the development plan.

#### 10.0 **RECOMMENDATION**

##### **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, number:**  
D-2100  
D-2030  
D-2020  
D-1000  
D-2040  
D-1020  
D-1130  
D-1210  
D-1230  
D-1225  
D-1220  
D-1250  
D-1260  
LC/00266 01B  
D-1110  
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3. No development to the dwellinghouses 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 of the dwellinghouses 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. No development to the public house 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 on the public house 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.
- 5. Prior to the commencement of development the access shall be constructed with the visibility splays of 2m x 253m 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 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.

- 6. The development hereby permitted shall not be occupied until provision for 2 cycle parking/storage has been made for each dwelling, 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.**
- 7. At least the first 6 metres of the widened 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 2016 policy T1.**
- 8. The development hereby approved shall not be occupied until space 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.**
- 9. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Sapling Arboricultural Impact Assessment and Method Statement reference J1109 dated May 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.**
- 10. 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.**
- 11. No development shall take place above DPC level of the development hereby permitted until a schedule of landscape management and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be carried out in accordance with the implementation programme.**

**Reason: To ensure the provision of amenity afforded by proper maintenance of existing and new landscape features as an improvement of the appearance of the site and to 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 Revised Local Plan (2016) Policy E1 and E2.**

12. **Construction work (including the delivery of materials and removal of waste) shall unless otherwise agreed in writing by the local planning authority only take place between Monday and Friday 07:30 hours to 18:00 hours and Saturday 08:00 hours to 13:00 hours except on Bank Holidays when no such work shall occur. No such work shall occur on Sundays.**

**Reason: To maintain the character and amenities of the surrounding local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**

13. **Prior to the first occupation of the 5 dwellings, details of the fenestration to be provided to habitable rooms (living rooms; dining rooms and bedrooms) shall be submitted to the Local Planning Authority for approval. Unless otherwise agreed in writing the submitted details shall show that the proposed complete fenestration (including frames) will have the following performance:**
- **Fenestration to be installed on the western facades of Units 1, 2 and 3 shall have in the case of bedrooms, an acoustic performance of  $R_w = 33$  or higher and in all other habitable rooms an acoustic performance of  $R_w = 31$  or higher AND**
  - **Fenestration to be installed on the western facades of Units 4 and 5 shall have in the case of bedrooms, an acoustic performance of  $R_w = 35$  or higher and in all other habitable rooms an acoustic performance of  $R_w = 33$  or higher.**

**The approved fenestration shall be installed prior to first occupation and unless otherwise agreed by the Local Planning Authority, thereafter maintained.**

**Reason: To ensure the amenity of the occupants of the dwellings in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.**

14. **Prior to the first occupation of the five dwellings, details of the means of background ventilation to be provided to habitable rooms (living rooms; dining rooms and bedrooms) shall be submitted to the Local Planning Authority for approval. Unless otherwise agreed in writing the submitted details shall show that the proposed passive vents will when open, have the following performance:**
- **Passive vents to be installed in bedrooms with an external wall on the western façade of Units 1, 2 and 3 shall have an acoustic performance of  $D_{new} = 33 + 10 \log N$  or higher and in all other habitable rooms of  $D_{new} = 32 + 10 \log N$  or higher. N in all cases denotes the total number of such passive vents installed in each particular habitable room.**
  - **Passive vents to be installed in bedrooms with an external wall on the western façade of Units 4 and 5 shall have an acoustic performance of  $D_{new} = 35 + 10 \log N$  or higher and in all other habitable rooms of  $D_{new} = 34 + 10 \log N$  or higher. N in all cases denotes the total number of such passive vents installed in each particular habitable room.**

**The approved passive vents shall be installed prior to first occupation and unless otherwise agreed by the Local Planning Authority, thereafter maintained.**

**Reason: To ensure the amenity of the occupants of the dwellings in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.**

- 15. Prior to the first occupation of the five dwellings, details of a scheme for preventing summer overheating within each habitable rooms (living rooms; dining rooms and bedrooms) in Units 4 and 5, except where the particular room has openable fenestration provided to the eastern façade, shall be submitted to the local planning authority for approval. The approved scheme shall be installed prior to first occupation and unless otherwise agreed by the Local Planning Authority, thereafter maintained.**

**Reason: To ensure the amenity of the occupants of the dwellings in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.**
- 16. Prior to the first occupation of the development details of a 3 metre high acoustic barrier with a minimum superficial mass of 10kg/m<sup>2</sup> to be located on a footprint shown in Figure 5.1 of the submitted Venta Acoustic Report VA2069.180815.NIA2.1 dated 30/8/18 shall be submitted to the local planning authority for approval. The approved acoustic barrier shall be installed prior to the first occupation of Units 4 or 5 and shall thereafter be maintained.**

**Reason: To ensure the amenity of the occupants of the dwellings in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.**
- 17. The area shown as ‘New Lawn’ in the submitted site plan D 1020 May 2018 shall not be provided with seating for use by clientele of the public house or otherwise be used as a pub garden.**

**Reason: To ensure the amenity of the occupants of the dwellings in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.**
- 18. Development shall proceed in accordance with the measures set out in Section 4.4.1 ‘Bats’ of the Four Horseshoes Public House Nursling Street, Nursling Southampton Ecological Assessment report (4Woods Ecology, December 2017) unless varied by a European Protected Species (EPS) license issued by Natural England. Thereafter, the replacement bat roost features and enhancements shall be permanently maintained and retained in accordance with the approved details.**

**Reason: To ensure the favourable conservation status of bats in accordance with Policy E5 of the Local Plan.**

**Notes 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.**

- 2. 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.**
  - 3. Separate permission is required under the Highways Act 1980 to amend an access. Please contact the Head of Highways, Hampshire County Council, Jacobs Gutter Lane, Hounslow, Totton SOUTHAMPTON, SO40 9TQ, Tel. No. 03005551388 or at roads@hants.gov.uk at least 12 weeks prior to the access works commencing.**
  - 4. The agent has confirmed in an email dated 23 August 2018 that no amplified music (other than background music) will be played within the public house. If a license is sought to permit regulated entertainment, the Environmental Health department will consider the viability of such a proposal taking account of the likelihood of noise breakout from the completed building.**
-