

Notice of Meeting

Northern Area Planning Committee

Date: Thursday 23 November 2023

Time: 5.30 pm

Venue: Conference Room 1, Beech Hurst, Weyhill Road, Andover,
Hampshire, SP10 3AJ

For further information or enquiries please contact:

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Legal and Democratic Service

Test Valley Borough Council,
Beech Hurst, Weyhill Road,
Andover, Hampshire,
SP10 3AJ

www.testvalley.gov.uk

The recommendations contained in the Agenda are made by the Officer and these recommendations may or may not be accepted by the Committee.

PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Membership of Northern Area Planning Committee

MEMBER	WARD
Councillor J Budzynski (Chairman)	Andover St Mary's
Councillor Z Brooks (Vice-Chairman)	Andover Millway
Councillor I Andersen	Andover St Mary's
Councillor C Borg-Neal	Andover Harroway
Councillor C Donnelly	Andover Downlands
Councillor A Gillies	Andover Winton
Councillor L Gregori	Andover Harroway
Councillor L Lashbrook	Charlton & the Pentons
Councillor P Lashbrook	Bellinger
Councillor N Lodge	Andover Downlands
Councillor J Neal	Andover Millway
Councillor K North	Andover Romans
Councillor J Sangster	Andover Romans

Northern Area Planning Committee

Thursday 23 November 2023

AGENDA

The order of these items may change as a result of members of the public wishing to speak

- 1 Apologies
- 2 Public Participation
- 3 Declarations of Interest
- 4 Urgent Items
- 5 Minutes of the previous meeting 4 - 19

To approve, as a correct record, the minutes of the meeting held on 12 October 2023.
- 6 Information Notes 20 - 25
- 7 22/02668/FULLN - 18.10.2022 26 - 70

(OFFICER RECOMMENDATION: PERMISSION)
SITE: Land adjacent to Test Valley Farm, Little Drove Road, **CHILBOLTON**
CASE OFFICER: Emma Jones
- 8 21/03028/FULLN - 15.10.2021 71 - 84

(OFFICER RECOMMENDATION: PERMISSION)
SITE: Land North of Bury Hill Farm, Upper Clatford, Hampshire, **UPPER CLATFORD**
CASE OFFICER: Katie Nethersole

ITEM 5 Minutes of the **Northern Area Planning Committee**
of the **Test Valley Borough Council**
held in Conference Room 1, Beech Hurst, Weyhill Road, Andover
on Thursday, 12 October 2023 at 5.30 pm

Attendance:

Councillor J Budzynski (Chairman) **Councillor Z Brooks (Vice-Chairman)**

Councillor I Andersen
Councillor C Borg-Neal
Councillor A Gillies
Councillor L Gregori
Councillor L Lashbrook

Councillor P Lashbrook
Councillor N Lodge
Councillor J Neal
Councillor K North
Councillor J Sangster

Also in attendance
Councillor M Flood

Councillor S Hasselmann

246 **Apologies**

Apologies for absence were received from Councillor Donnelly.

247 **Public Participation**

In accordance with the Council's scheme of Public Participation, the following spoke on the application indicated:

<u>Agenda Item No.</u>	<u>Page No.</u>	<u>Application</u>	<u>Speaker</u>
7	18 - 60	21/02304/FULLN	Mr Harris (Amport Parish Council) Mr Ashworth (Applicant) Mr Langer (Applicant's Agent) Councillor Flood (Ward Member)
8	61 - 70	23/00932/FULLN	Mr Seastron (Applicant) Mr Partridge (Applicant's Agent)
9	71 - 79	23/02043/FULLN	Mr Ewer (Chilbolton Parish Council) Mr Dryden (Applicant)

248 **Declarations of Interest**

There were no declarations of interest.

249 **Urgent Items**

There were no urgent items for consideration.

250 **Minutes of previous meeting**

Councillor Neal proposed and Councillor Andersen seconded the motion that the minutes of the previous meeting were an accurate record. Upon being put to the vote the motion was carried.

Resolved:

That the minutes of the meeting held on 21 September 2023 be approved and signed as a correct record.

251 **Schedule of Development Applications**

Resolved:

That the applications for development, as set out below, be determined as indicated.

252 **21/02304/FULLN**

APPLICATION NO.	21/02304/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	03.08.2021
APPLICANT	Another Place
SITE	Amport House, Furzedown Lane, Amport, SP11 8BG, AMPORT
PROPOSAL	Conversion of Amport House into a Boutique Hotel with additional accommodation in the grounds (planning use class C1), kids club, energy centre, cycle storage, new swim club (planning use class E) and landscaping enhancements
AMENDMENTS	Amended plans dated 5 November 2021 Additional Transport Assessment, Addendum to Historic Environment, Additional Management and Servicing Plan – 5 November 2021. Amended Plans received 17 June 2022 Amended Design and Access Statement, Amended

Noise Impact Assessment, Biodiversity Net Gain,
Transport Statement Addendum, Amended
Preliminary Ecological Appraisal – 17 June 2022
Amended Plans received 30 August 2022
Additional Air quality Assessment dated 12
September 2022
Nitrogen Load Calculation Report dated 31 October
2022
Additional supplementary Tree Plan – 1 December
2022
Additional Water Monitoring Maintenance – 5
January 2023
Additional Ecology Reports – 31 March 2023
Amended Bat Survey - 15 June 2023
Additional Information regarding the swim club and
plan showing location of LPG tanks – 21 August
2023

CASE OFFICER

Samantha Owen

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;**
001 – P4
002 – P3
420 P3
130 P4
310 P6
814 P1
19240-201A
19240 – 101 – E
19240 – 102 – F
19240 – 103 – C
19240 – 104 – C
19240 – 105 – D
19240 – 301 – E
19240 – 302 – D
19240 – 303 – C
19240 – 304 – C
19240 – 305 – C
19240 – 306- A
19240-055-E
150-P3
D110 P10
D100 P10

19240 – 350C

410 –P3

110-P9

100 P11

120-P10

010 P6

19240-056-G

180-P14

320 P5

D120 P10

812 –P4

810 –P4

811-P4

813-P4

814 –P1

430 P1

431 P1

200 P14

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

- 3. No development shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. Specifically the method statement shall:**
- 1. Provide a schedule of trees to be retained within 15m of the proposed building, the schedule to include the required root protection areas as set out in British Standard 5837:2012;**
 - 2. Provide a specification for tree protective fencing and ground protection in accordance with the above standard;**
 - 3. Confirm timing of erection of such tree protective fencing, which must in any case be erected prior to commencement of any site clearance or ground works. A pre commencement site visit with the Council will be undertaken to ensure all tree protection is correctly positioned. The agreed tree protection shall be retained and maintained for the full duration of works;**
 - 4. Require a sign to be hung on such tree protective fencing, repeated as appropriate, which clearly states Construction Exclusion Zone – No access**
 - 5. Demonstrate that where foundations encroach within any calculated RPA's of any retained trees these foundations can be constructed without compromising the future health and longevity of the retained trees affected;**
 - 6. Demonstrate that any new hard surfacing that encroaches within the calculated RPA of any retained trees can be constructed without compromising the future health and longevity of the retained trees affected;**
 - 7. Demonstrate that any service runs/trenches where they encroach within the calculated RPA of any retained tree can be achieved without compromising the future health and longevity of the retained trees.**

- 8. Demonstrate that all site works, mixing areas, storage compounds, site buildings and associated contractor parking areas remain wholly outside any tree protection zones and at a suitable separation to prevent damage to retained trees.**
- 9. The removal of hard surfacing within the RPA and VTBZ of the T072 as shown in drawing number 8428-D-AIA rev A shall be carried out in accordance with paragraph 4.4.3 of Hayden's Tree Survey, Arboriculture Impact Assessment Preliminary Arboricultural Method Statement and Tree Protection Plan dated 30.11.22.**
- 10. Provide a phasing plan of all works that impact trees on site including a schedule of all tree felling and tree surgery works proposed.**
- 11. All work shall be undertaken in accordance with the requirements, specifications and timing detailed within the approved method statement.**

Reason: To prevent the loss during development of trees and natural features and to ensure, so far as is practical, that development progresses in accordance with current Arboriculture best practice, in accordance with Policy E2 of the Test Valley Borough Revised Local Plan 2016.

- 4. No development shall commence until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment and Drainage Strategy P1, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:
 - a. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed**
 - b. If infiltration is viable, an updated drainage strategy including implementation and calculations are provided to take into account infiltration features and an assessment of the risks to controlled waters.****

Reason: To ensure the site has adequate surface water drainage in accordance with Policy E7 of the Test valley Borough Revised Local Plan 2016.

- 5. Prior to the commencement of demolition and construction activity including site clearance or ground-works, a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The CEMP shall detail the significant risks posed to amenity from the emission of noise, light and dust and set out the mitigation measures to be employed to control such emissions and mitigate the effects of such emissions on sensitive land uses. Unless otherwise agreed by the Local Planning Authority, construction activity shall only take place in accordance with the approved CEMP.**

Reason: In the interest of the amenities of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

- 6. No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the LPA. The approved statement shall include scaled drawings illustrating the provision for:**
- The parking of site operatives and visitors' vehicles.**
 - Loading and unloading of plant and materials.**
 - Management of construction traffic and access routes.**
 - Storage of plant and materials used in constructing the development.**

Development shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

- 7. Prior to commencement on site a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the method of cleaning wheels and chassis of all HGV's, plant and delivery vehicles leaving the site and the means of keeping the site access road and adjacent public highway clear of mud and debris during site demolition, excavation, preparation and construction. The scheme shall be implemented in accordance with the approved details and shall be installed and operational before any development commences and retained in working order throughout the duration of the development. No vehicles shall leave the site in a condition whereby mud, clay or other deleterious materials shall be deposited on the public highway.**
- Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.**

- 8. No development shall take place (other than works to existing building fabric) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site, taking into account the former military use of the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure that the development does not have an adverse impact on the quality of the local environment in accordance with Test Valley Borough Revised Local Plan policy E8.

- 9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.**

Reason: To ensure that the development does not have an adverse impact on the quality of the local environment in accordance with Test Valley Borough Revised Local Plan policy E8.

- 10. No development of the Swim Club shall commence until details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.**

Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 11. No work relating to the construction of the development hereby approved, including deliveries, collections or works of demolition or preparation prior to operations, shall take place before the hours of 07.30 nor after 18.00 on Mondays to Fridays; before the hours of 08.00 nor after 13.00 on Saturdays; and not at all on Sundays and Bank/Public Holidays.**

Reason: To protect the amenities of neighbouring residential properties in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.

- 12. Within the first 3 months of any part of the development being brought into use a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include measures to improve and encourage the use of sustainable transport. The Travel Plan will include details of when these measures will be introduced. To support the promotion of the use of sustainable modes the travel plan will also include how the travel plan will be managed; targets aimed at lowering car use, particularly single occupancy trips, from/to the site; a program for monitoring the travel plan and its progress and how the travel plan and its objective of more sustainable travel will be promoted. The approved travel plan shall thereafter be retained throughout the lifetime of the development.**

Reason: To comply with the Council's sustainability objectives.

- 13. Prior to the commencement of works on the accommodation in the grounds hereby permitted details of the following shall be submitted to and approved by the Local Planning Authority:**
- **Materials and finishes of all surfaces including windows and doors**
 - **Joinery details of doors and windows at a scale of 1:20**
 - **Details of any external refuse storage**
- 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 and impact on the setting of the listed buildings in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E9.**
- 14. Prior to any works being carried out on increasing the size of the opening in the wall between Amport House and the outbuilding as shown on Drawing Number DRA A 811 P4 a detailed demolition method statement shall be submitted and approved in writing. The demolition method statement shall include detailed drawings at 1:50 showing the finished appearance and full details of making good the areas affected. Development shall be carried out in accordance with the approved details.**
- Reason: To protect the architectural interest of the wall in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.**
- 15. Prior to any external works being carried out on the existing buildings on site including the Grade II Amport House samples and details of any materials and finishes shall be submitted to or made available for inspection on site 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 preserving the historic interest of the listed building in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.**
- 16. Prior to the laying of any new hardstanding material samples and details of all new hardstanding and paths shall be submitted to or made available for inspection on site 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 preserving the historic interest of the listed building in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.**
- 17. No underground tanks shall be installed until a scheme detailing the full structural details of the installation has been submitted to and approved in writing by the Local Planning Authority. Details shall include:**
- **Excavation for the tanks;**
 - **tank surround and**
 - **associated pipework and monitoring system.**

Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not have an adverse impact on the quality of the water environment in accordance with paragraph 174 of the National Planning Policy Framework, Position Statement D2 of the [‘The Environment Agency’s approach to Groundwater protection’](#) and Test Valley Borough Revised Local Plan policy E8.

- 18. No development shall take place above DPC level on the Swim Club Building hereby permitted until details of the following shall be submitted to and approved by the Local Planning Authority;**
- Details of any proposed ventilation or plant**
 - External servicing**

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 and impact on the setting of the listed buildings in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E9.

- 19. No development shall take place above DPC level of the new buildings/structures/walls 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 or made available for inspection on site 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 and impact on the setting of the listed buildings in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E9.

- 20. No development shall take place above DPC level of the development hereby permitted until the following landscaping details have been provided:**

Soft landscape works shall include: written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities.

The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan.

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 Revised Local Plan (2016) Policy E1 and E2.

- 21. 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.

- 22. Prior to occupation, a detailed scheme of biodiversity enhancements to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority.**

Development shall subsequently proceed in accordance with any such approved details, with the enhancement features being permanently retained and managed in accordance with the approved plan. Within one month of implementation photographs and a report of the implemented measures shall be submitted by an ecologist for approval to the Local Planning Authority.

Reason: To ensure that the scheme complies with Policy E5 of the Test Valley Revised Local Plan DPD and the NPPF.

- 23. The design of the final biomass boiler shall not exceed the parameters set out in the Air Quality Assessment dated 9 September 2022 in terms of its net thermal input and stack height.**

Reason: To ensure the biomass boiler does not result in unacceptable levels of air pollution in accordance with Policy E8.

- 24. Vehicle deliveries and collections shall be restricted to the following hours:**

07:00 - 18:00 Monday to Friday

08:00 – 18:00 Saturdays

09:00 – 16:00 Sundays/Bank Holidays

Reason: To protect the amenities of neighbouring residential properties in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.

- 25. The Kids Club shall be used by residents of the Hotel only and will only operate between the hours of 09:00-21:00 and be restricted to a maximum of 18 children at any one time. Daily Records shall be kept of numbers within the facility with 3 months being kept at all times and these shall be made available to the Local Planning Authority on request.**

Reason: To protect the amenities of neighbouring residential properties in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.

- 26. The uses within the Swim Club building (excluding the Kids Club) shall operate between the hours of 07:00 - 21:00 only and be restricted to a maximum of 27 non-hotel residents per day. Daily Records shall be kept of numbers within the facility with 3 months being kept at all times and these shall be made available to the Local Planning Authority on request.**

Reason: To protect the amenities of neighbouring residential properties and to ensure adequate parking on site in accordance with Policy E8 and T2 of the Test Valley Borough Revised Local Plan 2016.
- 27. The development shall operate in accordance with the details as set out in the Management and Servicing Plan dated June 2022.**

Reason: To protect the amenities of neighbouring properties in accordance with policy E8 of the Test Valley Borough Revised Local Plan 2016.
- 28. The development shall be carried out in accordance with the recommendations included in Section 6 'Recommendations' of the Aport House Bat Survey Report (Avondale Ecology, June 2023).**

Reason: To ensure that the scheme complies with Policy E5 of the Test Valley Revised Local Plan DPD and the NPPF.
- 29. Prior to the installation of the proposed Energy Centre and Swim Club plant, an assessment of the cumulative noise from these sources shall be submitted to the Local Planning Authority for approval. The assessment shall be undertaken using the procedures within BS 4142:2014+A1:2019 and shall include the location, specification, hours of operation, noise performance of the plant or equipment in octave bands, the sound pressure level predicted at the nearest noise sensitive premises and all measures required to mitigate any adverse impact identified in the assessment. Any mitigation measures required to reduce noise from the Energy Centre and Swim Club plant shall be completed prior to the same being brought into use and permanently retained thereafter.**

Reason: To protect the amenities of neighbouring residential properties in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.
- 30. The development 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 Revised Local Plan (2016) Policy T1.
- 31. Prior to the creation of any boreholes details shall be submitted to the local planning authority for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes. The details shall include how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected.**

Reason: To ensure that redundant boreholes are safe and secure, And do not cause groundwater pollution or loss of water supplies in accordance with paragraph 174 of the National Planning Policy Framework, Position Statement D2 of the [‘The Environment Agency’s approach to Groundwater protection’](#) and Test Valley Borough Revised Local Plan policy E8.

32. Prior to occupation of any part of the proposal the proposed mitigation to reduce nutrients being released into the water environment as set out in the Amport House Strategy for water use, monitoring, maintenance and management dated January 2023 shall be implemented. The site shall thereafter be managed in perpetuity in accordance with the Amport House Strategy for water use, monitoring, maintenance and management dated January 2023.

Reason: To ensure that the development would not have an adverse effect on the integrity of the Solent designated sites, including the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) through excess nutrient loading. In accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.

33. Details of any new external lighting shall be submitted to and approved in writing by the local planning authority prior to first installing any such lighting before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenities of the area and/or in the interests of road safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

Notes to applicant

1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
2. The proposed development would lie within a Source Protection Zone. The applicant will need to consult with the Environment Agency to ensure the protection of the public water supply source is maintained and inform Southern Water of the outcome of this consultation.
3. **Waste on-site**
The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

- We recommend that developers should refer to:
- the [position statement](#) on the Definition of Waste: Development Industry Code of Practice
- The [waste management](#) page on GOV.UK04 Waste to be taken off-site.

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on GOV.UK for more information.

The Officer's recommendation as per the update paper was proposed by Councillor Budzynski and seconded by Councillor Brooks. Upon being put to the vote the motion was carried.

253

23/00932/FULLN

APPLICATION NO.	23/00932/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	05.04.2023
APPLICANT	Mr Bryan Powell
SITE	Pure Cremation Group Ltd, Units 1 to 5 Threadster Park, 33B West Way, SP10 5JG, ANDOVER TOWN (DOWNLANDS)
PROPOSAL	Change of use of building from general industrial (Class B2) to mortuary (retrospective)
AMENDMENTS	Amended/additional plans and information received: <ul style="list-style-type: none">• 11.07.2023
CASE OFFICER	Emma Jones

PERMISSION subject to:

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

 - TV-AP-822.01
 - TV-AP-822.02
 - TV-AP-822.03 REV B
 - TV-AP-822.04 REV A

Reason: For the avoidance of doubt and in the interests of proper planning.
- 2. No new (including replacement) external plant, machinery or equipment shall be installed in association with the use hereby permitted until full details have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, appearance, design, specification and noise performance of the plant, machinery or equipment, and all measures required to mitigate any noise emissions to ensure that they will not cause detriment to the amenity of residential occupiers. Any new external plant, machinery or equipment shall be installed in accordance with the approved details, and any mitigation measures required to reduce noise shall be completed prior to the same being brought into use and permanently retained thereafter.**

Reason: In the interest of the amenities in the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.
- 3. The space that 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 shall be reserved for such purposes at all times.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

Note to applicant:

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

The Officer's recommendation as per the agenda was proposed by Councillor Budzynski and seconded by Councillor Brooks. Upon being put to the vote the motion was carried.

254

23/02043/FULLN

APPLICATION NO.	23/02043/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	08.08.2023
APPLICANT	Mr John Dryden and Mrs Ayeesha Menon
SITE	Tuxford House, Village Street, Chilbolton, SO20 6BE, CHILBOLTON
PROPOSAL	Single storey rear extension, erect garden building, loft conversion with rear dormers and roof lights to front elevation
AMENDMENTS	
CASE OFFICER	Claudia Hurlock

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:
3058/05_01_D - PROPOSED REAR EXTENSION AND LOFT CONVERSION – submitted 08.08.2023
Reason: For the avoidance of doubt and in the interests of proper planning.**
- 3. The new rooflights hereby approved shall be of the 'conservation' type ie flush to the existing roof covering and thereafter retained as such.
Reason: To ensure the development has a satisfactory impact on the character and appearance of the conservation area in accordance with policies E1 and E9 of the TVBRLP.**
- 4. The new brickwork shall match the surrounding existing brickwork in terms of colour, texture, facebond and mortar.**

Reason: To ensure the development has a satisfactory impact on the character and appearance of the conservation area in accordance with policies E1 and E9 of the TVBRLP.

- 5. Prior to the development hereby permitted being brought into use, an electric vehicle charging point shall be installed at the site and thereafter maintained in perpetuity.**

Reason: In the interests of improving sustainability in accordance with policy HD4 of the Chilbolton Neighbourhood Development Plan.

Notes to Applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
- 2. No vehicles (including builder's and contractor's), machinery, equipment, materials, spoil, scaffolding, skips or anything else associated with the works, use, or occupation of the development, shall be left on or near to Chilbolton Footpath 7 as to cause obstruction, hindrance, or a hazard to its legitimate users. The public retain the right to use the Public Right of Way at all times.**
- 3. 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 2017. 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.**

The Officer's recommendation as per the agenda was proposed by Councillor Budzynski and seconded by Councillor Brooks. Upon being put to the vote the motion was carried

(The meeting terminated at 6.30 pm)

ITEM 6

TEST VALLEY BOROUGH COUNCIL NORTHERN AREA PLANNING COMMITTEE INFORMATION NOTES

Availability of Background Papers

Background papers may be inspected up to five working days before the date of the Committee meeting and for four years thereafter. Requests to inspect the background papers, most of which will be on the application file, should be made to the case officer named in the report or to the Development Manager. Although there is no legal provision for inspection of the application file before the report is placed on the agenda for the meeting, an earlier inspection may be agreed on application to the Head of Planning and Building.

Reasons for Committee Consideration

The majority of applications are determined by the Head of Planning and Building in accordance with the Council's Scheme of Delegation which is set out in the Council's Constitution. However, some applications are determined at the Area Planning Committees and this will happen if any of the following reasons apply:

- (a) Applications which are contrary to the provisions of an approved or draft development plan or other statement of approved planning policy where adverse representations have been received and which is recommended for approval.
- (b) Applications (excluding notifications) where a Member requests in writing, with reasons and within the Application Publicity Expiry Date, that they be submitted to Committee. A Member can withdraw this request at any time prior to the determination of the application to enable its determination under delegated powers.
- (c) Applications submitted by or on behalf of the Council, or any company in which the Council holds an interest, for its own developments except for the approval of minor developments.
- (d) Applications where the Head of Planning and Building Services recommends refusal of an application solely on the basis of failure to achieve nutrient neutrality where a Ward Member requests in writing, with reasons, within 72 hours of notification of the recommendation for refusal that they be submitted to Committee for determination. A Member can withdraw this request at any time prior to the determination of the application to enable its determination under delegated powers.
- (e) To determine applications (excluding applications for advertisement consent, certificates of lawfulness, listed building consent, and applications resulting from the withdrawal by condition of domestic permitted development rights;

Schedule 2, Part 1, Classes B, C, D, E, F, G, and H of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended) on which a material planning objection(s) has been received within the Application Publicity Expiry Date and which cannot be resolved by negotiation or through the imposition of conditions and where the officer's recommendation is for approval, following consultation with the Ward Members, the latter having the right to request that the application be reported to Committee for decision.

Public Speaking at the Meeting

The Council has a public participation scheme, which invites members of the public, Parish Council representatives and applicants to address the Committee on applications. Full details of the scheme are available from Planning and Building Services or from Democratic Services at the Council Offices, Beech Hurst, Weyhill Road, Andover. Copies are usually sent to all those who have made representations. Anyone wishing to speak must book with the Democratic Services within the stipulated time period otherwise they will not be allowed to address the Committee.

Speakers are limited to a total of three minutes per item for Councillors on the Area Committee who have personal interests or where a Member has pre-determined his/her position on the relevant application, three minutes for the Parish Council, three minutes for all objectors, three minutes for all supporters and three minutes for the applicant/agent and relevant Ward Members who are not Committee Members will have a maximum of five minutes. Where there are multiple supporters or multiple objectors wishing to speak the Chairman may limit individual speakers to less than three minutes with a view to accommodating multiple speakers within the three minute time limit. Speakers may be asked questions by the Members of the Committee, but are not permitted to ask questions of others or to join in the debate. Speakers are not permitted to circulate or display plans, photographs, illustrations or textual material during the Committee meeting as any such material should be sent to the Members *and* officers in advance of the meeting to allow them time to consider the content.

Content of Officer's Report

It should be noted that the Officer's report will endeavour to include a summary of the relevant site characteristics, site history, policy issues, consultations carried out with both internal and external consultees and the public and then seek to make a professional judgement as to whether permission should be granted. However, the officer's report will usually summarise many of the issues, particularly consultations received from consultees and the public, and anyone wishing to see the full response must ask to consult the application file.

Status of Officer's Recommendations and Committee's Decisions

The recommendations contained in this report are made by the officers at the time the report was prepared. A different recommendation may be made at the meeting should circumstances change and the officer's recommendations may not be accepted by the Committee.

In order to facilitate debate in relation to an application, the Chairman will move the officer's recommendations in the report, which will be seconded by the Vice Chairman. Motions are debated by the Committee in accordance with the Council's Rules of Procedure. A binding decision is made only when the Committee has formally considered and voted in favour of a motion in relation to the application and, pursuant to that resolution, the decision notice has subsequently been issued by the Council.

Conditions and Reasons for Refusal

Suggested reasons for refusal and any conditions are set out in full in the officer's recommendation.

Officers or the Committee may add further reasons for refusal or conditions during the Committee meeting and Members may choose to refuse an application recommended for permission by the Officers or to permit an application recommended for refusal. In all cases, clear reasons will be given, by whoever is promoting the new condition or reason for refusal, to explain why the change is being made.

Decisions subject to Completion of a Planning Obligation

For some applications, a resolution is passed to grant planning permission subject to the completion of an appropriate planning obligation (often referred to as a Section 106 agreement). The obligation can restrict development or the use of the land, require operations or activities to be carried out, require the land to be used in a specified way or require payments to be made to the authority.

New developments will usually be required to contribute towards the infrastructure required to serve a site and to cater for additional demand created by any new development and its future occupants. Typically, such requirements include contributions to community facilities, village halls, parks and play areas, playing fields and improvements to roads, footpaths, cycleways and public transport.

Upon completion of the obligation, the Head of Planning and Building is delegated to grant permission subject to the listed conditions. However, it should be noted that the obligation usually has to be completed sufficiently in advance of the planning application determination date to allow the application to be issued. If this does not happen, the application may be refused for not resolving the issues required within the timescale set to deal with the application.

Deferred Applications

Applications may not be decided at the meeting for a number of reasons as follows:

- * The applicant may choose to withdraw the application. No further action would be taken on that proposal and the file is closed.
- * Officers may recommend deferral because the information requested or amended plans have not been approved or there is insufficient time for consultation on amendments.
- * The Committee may resolve to seek additional information or amendments.
- * The Committee may resolve to visit the site to assess the effect of the proposal on matters that are not clear from the plans or from the report. These site visits are not public meetings.

Visual Display of Plans and Photographs

Plans are included in the officers' reports in order to identify the site and its surroundings. The location plan will normally be the most up-to-date available from Ordnance Survey and to scale. The other plans are not a complete copy of the application plans and may not be to scale, particularly when they have been reduced from large size paper plans. If further information is needed or these plans are unclear please refer to the submitted application on the Council's website. Plans displayed at the meeting to assist the Members may include material additional to the written reports.

Photographs are used to illustrate particular points on most of the items and the officers usually take these. Photographs submitted in advance by applicants or objectors may be used at the discretion of the officers.

Human Rights

The European Convention on Human Rights ("ECHR") was brought into English Law, via the Human Rights Act 1998 ("HRA"), as from October 2000.

The HRA introduces an obligation on the Council to act consistently with the ECHR.

There are 2 Convention Rights likely to be most relevant to Planning Decisions:

- * Article 1 of the 1st Protocol - The Right to the Enjoyment of Property.
- * Article 8 - Right for Respect for Home, Privacy and Family Life.

It is important to note that these types of right are not unlimited - although in accordance with the EU concept of "proportionality", any interference with these rights must be sanctioned by Law (e.g. by the Town & Country Planning Acts) and must go no further than necessary.

Essentially, private interests must be weighed against the wider public interest and against competing private interests. Such a balancing exercise is already implicit in the decision making processes of the Committee. However, Members must specifically bear Human Rights issues in mind when reaching decisions on all planning applications and enforcement action.

The Natural Environment and Rural Communities (NERC) Act 2006 and Environment Act 2021

The Council has a duty under the Environment Act 2021, from the 1st January 2023, to ensure consideration is given to what can be done to conserve and enhance biodiversity through the exercise of its functions, agree policies and specific objectives based on those considerations and to act to deliver these policies and achieve objectives.

Previously the Council had a duty under the Natural Environment and Rural Communities Act 2006 as follows: "*every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*".

It is considered that this duty has been properly addressed within the process leading up to the formulation of the policies in the Revised Local Plan. Further regard is had in relation to specific planning applications through completion of the biodiversity checklists for validation, scoping and/or submission of Environmental Statements and any statutory consultations with relevant conservation bodies on biodiversity aspects of the proposals. Provided any recommendations arising from these processes are secured either by condition or, where appropriate, legal Obligation as part of any grant of planning permission (or included in reasons for refusal of any planning application) then the duty to ensure that biodiversity interest has been conserved and enhanced, as far as practically possible, will be considered to have been met.

Other Legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination of applications be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the Borough comprises the Test Valley Borough Revised Local Plan (2016), and 'made' Neighbourhood Plans. Material considerations are defined by Case Law and includes, amongst other things, draft Development Plan Documents (DPD), Supplementary Planning Documents (SPD) and other relevant guidance including Development Briefs, Government advice, amenity considerations, crime and community safety, traffic generation and safety.

In July 2021 the Government published a revised National Planning Policy Framework (NPPF). The revised NPPF replaced and superseded the previous NPPF published in 2018. The revised NPPF is a material consideration in planning decisions.

So that sustainable development is pursued in a positive way, at the heart of the revised NPPF is a presumption in favour of sustainable development. Decisions should apply a presumption in favour of sustainable development. This does not change the statutory status of the development plan as a starting point for decision making. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Where a planning application conflicts with an up to date development plan, permission should not usually be granted. Local planning authorities may take decisions which depart from an up to date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

For decision-taking, applying the presumption in favour of sustainable development means:

- Approving development proposals that accord with an up to date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - The application of policies in the revised NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the revised NPPF when taken as a whole.

Existing Local Plan policies should not be considered out of date because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF (the closer the policies in the Local Plan to the policies in the revised NPPF, the greater the weight that may be given).

ITEM 7

APPLICATION NO.	22/02668/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	18.10.2022
APPLICANT	Mr Chris Rees
SITE	Land adjacent to Test Valley Farm, Little Drove Road, CHILBOLTON
PROPOSAL	Demolition of existing building and erection of four residential dwellings with associated landscaping, access and parking
AMENDMENTS	Amended/additional plans and information received: <ul style="list-style-type: none">• 10.02.2023• 02.03.2023• 22.05.2023• 15.08.2023• 30.08.2023• 25.09.2023• 18.10.2023
CASE OFFICER	Emma Jones

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee in accordance with the Member and Officer Interests Protocol.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The site is located on the edge of the village of Chilbolton. The site comprises an area of grassed agricultural land associated with Test Valley Farm and contains a disused agricultural building and a number of mature trees, many of which are protected by a Tree Preservation Order. The site is positioned in between the existing agricultural workers dwelling at Test Valley Farm (and its associated annexe) and the residential properties along the southern end of Station Road and along Little Drove Road. The site is accessed from Little Drove Road, and the site is bounded to the north east and south by footpaths Chilbolton: 15 and 16, which are Public Rights of Way (PRoW).

3.0 PROPOSAL

3.1 The proposal seeks full planning permission for the demolition of an existing agricultural building and the erection of four detached three bedroom dwellings with associated landscaping, access and parking.

3.2 Amended/additional plans have been submitted during the consideration of the application, including revisions to the proposals consisting of;

- Revised planting strategy between Plots 1 and 2, with a widening of the entrance into the site;

- Removal of the visitor parking spaces opposite plot 2 and replacement with extended understorey planting;
- Reduction in size of Plot 1 curtilage to exclude two of the three oaks that were previously shown within;
- Repositioning of Plot 3 garage;
- Repositioning of Plot 3 and 4 to the west;
- Lowering of the ridge height of the houses located on Plot 3 and 4;
- Overall review of the Planting Strategy to provide for more trees within the application site.

The additional/amended information also includes the following;

- Information in respect of nutrient neutrality;
- Updated highway assessments (including vehicle tracking);
- Updated ecology assessments/information;
- Updated tree assessments.

4.0 **RELEVANT HISTORY**

4.1 21/02241/FULLN; Demolish building and erect seven residential dwellings with associated access, landscape, and parking – Refused - 14.10.2022, for the following reasons;

01. *The amount of development proposed, together with its layout, appearance and scale, would be cramped and intensive and would not integrate, respect or complement the character of the area, and it would have a detrimental impact on the appearance of the immediate area and the landscape character of the area. In addition, the proposed development has not been designed or located to ensure that the health and future retention of important landscape features including protected trees would not be prejudiced, there is limited scope for the provision of new landscape features to enable the proposed development to positively integrate into the landscape character of the area, and arrangements for the long term management and maintenance of the existing and proposed landscaping have not been secured. The proposed development would be contrary to Policies E1 and E2 of the Test Valley Borough Revised Local Plan 2016 and Policies EN2 and HD4 of the Chilbolton Neighbourhood Development Plan'*
02. *The proposed development would result in the loss of habitats at the site, with no satisfactory justification or suitable mitigation measures being provided. Furthermore, insufficient information has been submitted to demonstrate that the proposals would not impact adversely on roosting or foraging bats at the site, or on ecological linkages with the nearby West Down Nature Reserve. The proposed development would not conserve, restore, or enhance biodiversity, and would not satisfy the three tests required to be considered in respect of protected species and the requirements of the Conservation of Habitats and Species Regulations (as amended). The proposed development would fail to comply with Policy E5 of the Test Valley Borough Revised Local Plan (2016) and Policy HD4 of the Chilbolton Neighbourhood Development Plan;*
03. *Insufficient information has been provided with the application to*

demonstrate that the proposal can achieve nutrient neutrality. As such, it cannot be concluded that the proposal will not result in a likely harmful significant effect on the internationally designated nature conservation sites in the Solent, in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) and as advised within guidance from Natural England (updated March 2022). As such, the proposal fails to comply with Policies E5 and E8 of the Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended);

04. *It has not been demonstrated that refuse vehicles would be able to safely and efficiently manoeuvre within the site without conflicts arising with the proposed buildings and/or landscaping. The proposed internal layout of the development would therefore not be safe, functional or accessible for all users, and the proposal would be contrary to Policy T1 of the Test Valley Borough Revised Local Plan 2016;*
05. *The car parking provision for proposed plot 1 would not be appropriately located so as to be convenient to users, and would encourage parking in locations that could lead to impacts on highway safety, contrary to Policies T1 and T2 of the Test Valley Borough Revised Local Plan 2016 and Policy HD5 of the Chilbolton Neighbourhood Development Plan;*
06. *The proposed development, by virtue of the potentially limited boundary treatments separating proposed plot 1 from the adjacent public right of way, would not provide for the privacy and amenity of the occupants of this plot, contrary to Policy LHW4 of the Test Valley Borough Revised Local Plan 2016 and Policy HD4 of the Chilbolton Neighbourhood Development Plan;*
07. *In the absence of a legal agreement to secure a financial contribution towards off site new affordable housing to meet the needs of the borough, the proposal is contrary to Policy COM7 of the Test Valley Borough Revised Local Plan 2016.*

Appeal submitted and pending decision.

- 4.2 18/00577/CLEN; Application for a lawful development certificate for existing use of occupation of the property known as Test Valley Farm in breach of an occupancy condition – Not Issue Certificate - 23.06.2020.
- 4.3 11/02519/FULLN; Erection of replacement building to form annex for dependant persons accommodation and PV panels on roof (retrospective) – Permission - 26.04.2012.
- 4.4 05/00581/FULLN; Part relaxation of condition 1 of TVN.02548/6 - relating to the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in section 290 (1) of the Town and Country Planning Act, 1971, or in forestry (including any dependants of such person residing with him) or a widow or widower of such a person, to include equestrian activities - erection of agricultural workers dwelling – Permission - 06.02.2006.
- 4.5 TVN.02548/6; Erection of agricultural workers dwelling - Permission -

08.12.1988.

5.0 **CONSULTATIONS**

5.1 **Trees**; No objection subject to condition

5.2 **Landscape**; Comments (summarised);

- Within a hard and soft landscape condition, the planting and hard landscaping layout can be amended further to soften the scheme to a more village context.

5.3 **Ecology**; No objection

5.4 **Refuse/Recycling**; No objection

5.5 **Environmental Protection**; No objection to previous planning application at the site subject to conditions

5.6 **Highways**; Final response awaited. Previous comments noted that additional plans were required in respect of vehicle tracking. Plans have been submitted, and the Highways Authority has been re-consulted.

5.7 **Rights of Way**; Requested informative note

5.8 **Ramblers Association**; No objection

- Would ask that a 6' fence is not erected alongside footpath Chilbolton 15 as this will enclose the footpath and detract from the countryside walking experience.

5.9 **Environment Agency**; No response

5.10 **Natural England**; No objection subject to appropriate mitigation being secured (in respect of nutrient neutrality)

6.0 **REPRESENTATIONS** Expired 08.11.2023

6.1 **Chilbolton Parish Council**; Objection, summarised as follows;

- Site is semi woodland countryside, containing many trees with TPOs, in a rural situation that should never have been considered as a site for possible development;
- Anomalies regarding settlement boundary;
- Restrictions on Test Valley Farm;
- Direct contravention with CNDP policy HD1 – ignores requirement for mix of 1, 2 and 3 bedroom houses. Potential to create loft extensions and additional bedrooms;
- Transport assessment refers to four bedroom units;
- No dimensions on the plans;
- Houses are oversized for location and out of character with the local area – contrary to CNDP policy HD3;
- No evidence of electric vehicle charging or how light pollution will be limited – contrary to CNDP policy HD4;
- Concerned for future infilling development at the site;

- No change in conclusion of previous refusal in respect of ecology and wildlife;
- Removal of leylandii hedgerow contrary to CNDP policy EN2. Not native but they are nesting and roosting homes for birds and bats. New hedgerow will take many years to embed and provide same level of natural roosting space. No space for replacement tree planting;
- Removal of hedgerow will expose the new home to overlooking from neighbours and footpath, and to prevailing winds;
- Private gardens will reduce the natural environment;
- Query the redactions in the ecology reports;
- Cannot see how the commitment to “greater diversity of species” is evidenced;
- New planting does not mitigate the impact on bats from construction, new homes, lights, vehicle movements and impact residential gardens will have on creatures. Light pollution huge issue in an area where dark skies protect the bat population;
- No mention made of boundaries with West Down and need to ensure continued wildlife corridors;
- Proposed contrary to TVBC local plan policy E5 and CNDP policy HD4 in respect of ecology;
- Query how woodland/mitigation would be managed and looked after (and by who) in the long term;
- Ongoing dispute in respect of the site being within the settlement boundary. Parish Council will object to any development on the site until it can be removed from the settlement boundary at the next local plan unless any development is only for agricultural workers in accordance with the occupancy condition and otherwise complies with the CNDP;
- Agricultural use of the site has not ceased. Existing dwelling and annex at site are subject to agricultural occupancy conditions. Certificate of Lawfulness refused. Owner continues to occupy whole site and engage in agricultural activity, including planting of/tending to vines. Site clearly remains in area where new dwellings are not normally permitted except where there is an overriding need in the interests of agriculture, forestry or equestrian activities, which is not the case;
- Overlooking from footpath to plot 1. Also likely works to/felling of mature trees in plot 1 garden would result;
- Clarity sought on proposed sewerage connections, and impact of nitrates/phosphates on environment (Test and Itchen). Overload already occurs in village;
- Septic tanks for other properties exist on the site – no reference made to access etc;
- Errors and failings within the submitted plans and statements in respect of traffic and transport impacts. No passing places within the development site, and street layout not wide enough for two vehicles to pass. Proposed passing places on Little Drove Road would be too small and no means of parking enforcement. Trip rates are misleading and do not account for rise in home delivery traffic or rural character of site. Refuse vehicles tracking drawings are incomplete and do not show

manoeuvring, which would require larger turning head. No tracking of Station Road and Little Drove Road turn, which would over sail soft verge and strike trees and shrubs – alteration to junction required (would be detrimental to the rural character). Assertion that collision on Station Road/Little Drove Road was driver error is incorrect.

Intensification of use of junction has potential to be detrimental to highway safety. Increased vehicle use on footpath convergence at access to site would impact pedestrian safety;

- Building traffic and noise during construction a concern for local residents – query how this would be controlled – would wish to see conditions;
- In response to ecology report, Parish Council lease and manage West Down from Hampshire County Council (HCC). However, the Parish Council would not be prepared to enter into any legal agreement with any other body with regard to the management of any other area. No explanation of who other Management body might be;
- Development cannot achieve biodiversity net gain. Plan is to graze different parts at different times of year and use the same herd as is used on West Down. West Down SINC is the target conservation site for these animals. The cattle cannot be in two places at once and are needed primarily on West Down throughout the summer. The herd referred to is only between 4 and 6 animals. 30 year management plan difficult to achieve;
- The buffer zone to West Down will be compromised by the development;
- Proposed development represents urbanisation of a site which has contested status and has resulted in over 100 negative responses from members of the public and other public bodies;
- Amended plans/information fail to address concerns;
- Alarmed that the developer at no point relates to the CNDP, and has not ensured the proposals align with it. Policies continue to be contravened;
- Whilst lighting diagram would lead us to believe that disturbance to trees/bat roosts and surrounding residents would be minimal, no thought given to the future - no guarantee that this would be maintained. Residents can easily upgrade/add extra lighting;
- Arboricultural statement states that no detailed soil assessment was carried out and this is of great concern;
- This development, whatever its size, is fundamentally flawed. Huge issues of access and sewage not been addressed, and there remains the unresolved issue of the legality of the site and the contravention of policy HD1 of the CNDP. The plan is a legal document that takes precedence over the TVBC Local Plan and as such we would expect it to be supported and the policy to be upheld.

6.2 **142 x letters**; Objections from;

- Lynton; Bannuts Farm (x3); Daventry Cottage - (Village Street, Chilbolton);
- Hill View (x2); The Old Bakery (x2); Downside (x2); The Brae (x5);

Brindle Croft (x2); Pine Cottage (x5); Dolphins (x3); High Pad (x4); Cedars (x4); Ringwold (x2); Littlemead; The Hollies (x2); Mayfield; Staddlestones (x2); Beech Cottage (x3); Tree Grove (x2); Little Trees (x2); Westdown (x3); The Nest (x2); Rowan Cottage (x2); Melbury House; Woodford; Sunny Hill - (Station Road, Chilbolton);

- Numbers 9, 10, 14 (x2), 16 - (Durnford Close, Chilbolton);
- Numbers 5 (x2), 12, 15 - (Garston Mede, Chilbolton);
- Brier Lea (x3); Pathways (x3); Morningside - (Little Drove Road, Chilbolton);
- Louise Cottage (x2); number 35 - (Branksome Avenue, Chilbolton);
- Number 9 - (Branksome Close, Chilbolton);
- Number 28 - (Test Rise, Chilbolton);
- Skelbrooke; Bryony; numbers 6, 8, 10, 14, 27, 28 - (Drove Hill, Chilbolton);
- Four Winds; Upcote (x2); Lilybowers; Four Winds (x2); Drove Cottage; number 20; Woottons; Danebury (x2); 5 x unknown properties - (Drove Road, Chilbolton);
- Meadow View; Lauderdale (x2) - (Coley Lane, Chilbolton);
- Fairways (x2); Orwell House - (River View Close, Chilbolton);
- Birchgrove - (Birch Grove, Chilbolton);
- Holly House - (Paddock Field, Chilbolton);
- Orchards - (Cart Lane, Chilbolton);
- The Spinney - (Wherwell);
- 12 Firsway - (Whitchurch);
- Mount Pleasant - (Winterslow);
- 4 Seton Drove (x2) - (Hook);
- 19 Pirbright Road (x2) - (Farnborough);
- 108 Hermon Hill (x2); 15 Fitzgerald House, St Georges Grove - (London);
- 8 Kestrel Place (x2) - (Watlington);
- 17 x unknown addresses;

with comments summarised as follows;

- Character of Area – would not integrate, respect or complement the surroundings;
- Design;
- Crime and Community Safety;
- Sizes of houses;
- Ecology/biodiversity;
- Materials;
- Smell;
- National Planning Policy Framework;
- Government Advice Circulars;
- Need (eg Agricultural Workers Dwelling) – the two existing dwellings provide sufficient accommodation for the needs of the smallholding;
- Noise. Responsibility under the Human Rights Act – Article 1 and 8. Impacts on enjoyment of gardens. NPPF paragraph 185;
- Over Development – amenities already over stretched;
- Overlooking;

- Chilbolton Neighbourhood Development Plan (policies C13, HD1, HD3, HD4, HD5);
- Previous Planning Decisions;
- Scale and Bulk Results in Loss of Light;
- Supplementary Planning Documents;
- Test Valley Revised Local Plan 2016 (policies E1, E2, E5, COM7);
- Traffic Generation Parking and Safety;
- Impact on (including future pressure due to proximity of buildings/roads, and damage to roots) and loss of trees (including TPO trees). Cannot be mitigated by new planting due to lack of space. Insufficient assessment carried out (soil). Contravenes CNDP policy EN2;
- Agricultural tie on existing property and annex. Proposed development does not fulfil this need. Recent application refused to remove tie. Perverse to insist upon the occupancy condition for the existing building and yet permit unconditional development on the same piece of land. To grant planning permission on this site for any use other than the agriculture tie allows for is illegal;
- Owner continues to occupy the whole site and in 2022 there were cows on the pastures (including the application site) along with planting grape vines & being registered with DEFRA;
- Highway safety impacts on Little Drove Road and surrounding roads (including for pedestrians, horse riders etc) – too narrow/congested for increase in traffic (including during construction and for heavy goods/delivery/commercial vehicles) and blind bends (including junction with Station Road). TRICS data not appropriate for the location or representative. Three minor collisions in past 18 months between cars travelling in opposite directions in Little Drove Road, and villagers have suffered a number of near misses when walking. The Highway Code stresses the importance of pedestrian safety;
- Consequences for access for emergency service vehicles;
- Impact on public rights of way (safety/access, character and quietness);
- Quality of life and wellbeing affected (including from light emissions and noise);
- Impact on light and light pollution. Lighting strategy cannot be enforced;
- Impacts on wildlife/protected species (including through loss of trees and new lighting, and during construction) at the site and encroachment on West Down Nature Reserve – habitats destroyed regardless of mitigation. Query who will monitor adherence to Ecological Assessment and whether a European Protected Species licence has been applied for. Contrary to TVBC Local Plan Policy E5, policy HD4 of the CNDP and NPPF paragraph 180. No information on habitat linkages with West Down and the wider Mottisfont SAC. Overall net loss in habitat and biodiversity. Query who would be responsible for managing mitigation measures;
- All bat species are protected under the conservation of Habitats & Species regulations 2017 (as amended), Wildlife & Countryside Act 1981 (as amended) and Section 41 of the NERC Act 2006;

- Mitigation land already being managed by nature – no need for mitigation plan;
- Impact on/loss of countryside views;
- Issues surrounding inclusion of site in Chilbolton settlement boundary, which is disputed;
- Proposal does not accord with policy HD1(2) of CNDP. Houses could be converted to create larger homes;
- Clarity sought on proposed sewerage connection and the impact of waste water nitrates and phosphates on the environment (including Test and Solent);
- Application is out of character with the landscape and unneeded in Chilbolton;
- Road/verge damage, tree/hedgerow damage, wildlife damage and unwanted noise/pollution from vehicles (including during construction);
- No justification for proposal;
- Passing places would result in faster traffic and unnecessary destruction of hedgerow. People will park in them, regardless of signage. Query who would police this. Cost of finding the current owners and purchase of the land needs to be factored in. Double yellow lines not fitting for a small single track country lane;
- Existing house and land could be owned by someone who ran a small holding which would enhance the area and benefit the village. Existing agricultural buildings would then not be demolished but repaired and used as they should be;
- Landscape objection to previous application;
- Applications cause great distress and expense and are completely unsuitable and unwanted in the village;
- Opportunist planning application focussed on financial gain;
- Application would constitute a change of use from agricultural (not a brownfield site) to domestic dwellings;
- Chicken coops may contain asbestos and agricultural chemical contamination. Risk of contamination seepage from what used to be a rubbish dump at West Down;
- Little or no detail as to the dimensions of the rooms in the four proposed properties, their overall footprint or elevations;
- Quiet residential village would become a construction rat-run;
- Previous illegal and anti-social breaching of planning law and covenants cannot be rewarded by approval of the proposed development;
- Proposed does not comply with TVBC Local Plan;
- Test Valley Farm would no longer be viable as a smallholding/farming;
- Development would set a precedent (including on adjacent land and other farmland);
- Development inappropriate to the setting and out of character in this currently green and wooded area;
- No provision for affordable housing;
- Overloading of the clean water supply – water pressure already reduced. No element for grey water usage is evident;
- Refusal reasons for previous application for 7 homes should be

- applicable to an application for 4 homes. Previous refusal has been appealed;
- As there is no large barn to convert, the creation of a large barn conversion style house from a single storey low level barn is incongruous. Out of character with the area and would be intrusive through the canopy of trees that are planned to have their crowns lifted;
 - No provision for electric vehicle charging which is a requirement of CNDP – HD4;
 - Internal road is single lane and will cause issues with deliveries and residents passing each other. Turning circle for refuse vehicle is tight;
 - Implications for access to septic tank serving Pathways;
 - There are three large houses currently under construction within the village which will put more strain on the utilities and local services which are all overstretched as it is;
 - Ask Officers and TVBC Councillors to consider whether they have sufficient policies and practices in place in relation to the LGA document 'Probity in Planning' regarding planning decisions involving serving officers and Councillors;
 - Query who would manage trees/woodland;
 - Scope for further extensions/infill development;
 - Exacerbate electricity supply issues. Application does not state how electricity and heating will be supplied to the houses. No measures to contribute towards the Government's Net Zero policy when designing new houses. Solar panels would still have a negative impact on an aging and fragile grid;
 - Design does not resemble a farmstead. Development including landscaping is suburban;
 - Village is the largest in the area and is suffering the consequences in terms of traffic on the roads without footpaths, water supply and sewerage systems overstretched, school oversubscribed, doctors surgery overstretched;
 - Developments will price locals out of the village. People have had to move out of the village due to a lack of appropriate housing;
 - Landscaping is manicured and inappropriate;
 - Amended plans and additional information do not overcome concerns raised;
 - No visitor parking spaces;
 - TVBC's corporate objectives and priorities are to protect and enhance the environment and provide for a mix of housing including affordable homes, employment, community facilities and other land uses to meet the needs of the communities;
 - Mandatory Government Top down Housing Targets gaining opposition support in Parliament for reform to restore primacy of local decision making in Planning. New Homes needed are to be the right homes in the right places. Policy intention of the Government and LPA's is that new developments should contribute positively to their surroundings rather than merely avoid doing unacceptable harm;

- Impact on tranquillity and beauty of West Down Nature Reserve which is used for leisure and relaxation;
- The applicant has never consulted the Parish Council or residents.

6.3 **5 x letters**; Objection from Stop Chilbolton Overdevelopment (SCO) Residents Group, on grounds which have been covered above.

6.4 **1 x letter**; Objection from CPRE Hampshire, on grounds which have been covered above.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

- Policy SD1 – Presumption in Favour of Sustainable Development
- Policy COM2 – Settlement Hierarchy
- Policy COM7 – Affordable Housing
- Policy COM10 – Occupational Accommodation for Rural Workers in the Countryside
- COM15 - Infrastructure
- Policy E1 - High Quality Development in the Borough
- Policy E2 - Protect, Conserve and Enhance the Landscape Character of the Borough
- Policy E5 – Biodiversity
- Policy E7 - Water Management
- Policy E8 - Pollution
- Policy LHW4 – Amenity
- Policy T1 - Managing Movement
- Policy T2 – Parking Standards

7.3 Neighbourhood Plan

Chilbolton Neighbourhood Development Plan (CNDP)

- Policy EN2 – Trees and Hedgerows
- Policy EN3 – Local Green Spaces
- Policy HD1 – Housing Scale and Mix
- Policy HD4 – Design of New Development
- Policy HD5 – Parking within the Curtilage

7.4 Supplementary Planning Documents (SPD)

Village Design Statement - Chilbolton

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Character and appearance
- Amenity and pollution
- Biodiversity
- Water management
- Highway network

8.2 **The principle of development**

The application site is located within the settlement boundary for Chilbolton, as defined by the RLP inset maps. Policy COM2 of the RLP allows for development and redevelopment within the boundaries of a settlement, subject to compliance with the other policies of the RLP.

8.3 Third party representations have raised concerns regarding the inclusion of the site within the designated settlement boundary for Chilbolton and the legality of this, and they claim that this is disputed. As part of the evidence to support the RLP, the methodology for what was included in a settlement boundary was updated in 2014 to include other areas including car parks, schools, public open space, and farms. As Test Valley Farm adjoins the built-up area of Chilbolton, it was therefore included within the settlement boundary for Chilbolton. On a wider note, the RLP, including the changes to the settlement boundaries, was consulted on including with residents, parish councils, and was subject to an examination in public with a government appointed planning inspector. The inclusion of the application site within the designated settlement boundary is important and any discussion on how this was arrived at is immaterial to this application.

8.4 *Housing Scale and Mix*

In respect of housing mix and scale, policy HD1 of the Chilbolton NDP states that;

- 1) The number of homes built within Chilbolton over the 10 year plan period, should be about 20 homes, in line with the Housing Need Survey findings; and
- 2) The mix of any individual development should only be 1, 2 & 3-bedroom homes including apartments, semi-detached, terraced or bungalows.

8.5 The proposals consist of the provision of 4 x three bedroom dwellings. It is considered that this would accord with policy HD1 of the CNDP.

8.6 *Agricultural dwelling at Test Valley Farm*

Third party representations have raised concerns regarding the agricultural occupancy condition that relates to the dwelling and annex at Test Valley Farm, and that this would prevent the development of the application site. The existing dwelling at Test Valley Farm is subject of an occupancy condition, worded as follows (see paragraphs 4.4 and 4.5 of this report for the relevant planning applications);

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or in equestrian activities, or a widow or widower of such a person, and to any resident dependants.

Reason: The site is an area where new dwelling units are not normally permitted except where there is an overriding need in the interests of agriculture, forestry or equestrian activities.

A similar condition applies to the annex.

- 8.7 For clarification, the above condition does not relate to the land surrounding Test Valley Farm, and therefore does not restrict its use or ownership. In addition, the above condition does not require the dwelling at Test Valley Farm to be occupied by a person working or last working on agricultural land etc at/associated with Test Valley Farm – just that they are working/last working in agriculture, forestry, or equestrian activities in the locality. Therefore the development of the application site as proposed would not result in the loss of the agricultural workers dwelling at Test Valley Farm, or render the occupancy condition redundant – it would still remain a requirement for any current/future occupier to comply with.
- 8.8 *Conclusion on principle of development*
The proposed development would comply with RLP policy COM2, in being located within the settlement boundary for Chilbolton, as defined by the RLP inset maps, and the principle of the proposal is therefore acceptable. The proposals also consist of the provision of 4 x three bedroom dwellings, and it is considered that this would accord with policy HD1 of the CNDP. An assessment of the proposals against the other relevant policies of the RLP is provided below.
- 8.9 **Character and appearance**
Policies E1 and E2 of the RLP seek to protect the landscape of the Borough through the provision of high quality development that integrates with and respects/complements the character of the area, and that does not have a detrimental impact on the appearance of the immediate area or landscape character, including through the retention/provision of appropriate landscaping and landscape features. Policies EN2 and HD4 of the Chilbolton NDP also echo these requirements.
- 8.10 The application site is located at the south east edge of the village of Chilbolton, and is a triangular piece of land that sits in between the detached dwellings along Station Road/Little Drove Road and the existing dwelling at Test Valley Farm. The application site is predominantly grassland, and contains a dilapidated agricultural building as well as numerous mature trees which generally enclose the site, many of which are protected by Tree Preservation Orders (TPOs) – including Oak trees. The undeveloped and vegetated nature of the application site results in it having a distinctly verdant character and appearance, and reflects the transition between the more built up part of Chilbolton, the agricultural buildings and uses at Test Valley Farm,

and the more open countryside beyond. Whilst the site has no landscape designations, the existing mature trees are important landscape features which can be appreciated from the wider surrounding area, including Station Road/Little Drove Road, and the two Public Rights of Way (PRoW) that run adjacent to and within close proximity of the site (Chilbolton 15 and 16). Open views across the site from the PRoW that runs along the north east boundary of the site are possible, under the canopy of the mature trees. It is considered that the presence of the existing trees significantly reduces the developable area at the site. The existing dwellings within the surrounding area are generally single detached dwellings set within spacious plots with landscaped front gardens and private driveways, which contribute positively to the verdant character of the area and the street scenes in which they are located.

- 8.11 The proposed development has been designed to create an agricultural character with three of the buildings being of a barn style, and one of the buildings having a farmhouse character. This is considered to be appropriate in considering the context of the site, situated on the edge of the settlement, adjacent to the open countryside. In contrast to the previously refused scheme at the site for 7 dwellings (see paragraph 4.1 of the report), the proposed scheme of 4 detached dwellings allows for larger individual plots, with greater separation between the buildings, and better opportunities for a robust soft landscaping scheme (with new trees to frontages and hedgerows on plot boundaries), including the long term successful retention of the existing mature trees, due to the proximity of the built form (including the road, parking areas and gardens) to these. These factors would provide softening to the buildings, and defensible boundaries for the proposed dwellings. It is considered that the proposed development would be reflective of the characteristics found in surrounding developments, in these respects. The area in which the existing trees are located would be supplemented with additional planting, and would form a communal landscaped area. The submission indicates that a private management company would be responsible for this area. The Council's Landscape Officer considers that the proposed planting and hard landscaping layout could be amended further to soften the scheme to a more village context, and it is considered that this could be dealt with by condition. Conditions would also be appropriate in respect of the protection of existing trees during construction, as well as the future ongoing management of the communal landscaped areas.
- 8.12 In respect of the visual impacts of the proposals on the surrounding PRoWs, a post & rail fence is proposed along the boundary with footpath 15 (which runs along the north east boundary of the site), which would maintain views into and across the site from this PRoW. It is acknowledged that these views would change significantly from the current situation, however as set out above, it is considered that the proposed development would respond positively to the rural character and context of the site, the site would continue to be dominated by the existing mature trees, and views of the countryside as a backdrop would be possible.

- 8.13 Third party representations have raised concerns regarding the impacts of the proposals on the nearby West Down Nature Reserve which is designated within the Chilbolton NDP as a Green Space Designation (map 8). Local Green Space designations provide protection for green areas that are demonstrably special and hold a significance for local communities. Paragraph 5.33 of the Chilbolton NDP states that every green space lying within and adjacent to the Settlement Boundary is important, whether it is field or gardens as it gives character and enhances the open feel of the village no matter to whom it belongs. In view of the separation distance between these sites (over 90m), it is not considered that the proposal would impact visually on this green space or on the contribution the West Down Nature Reserve makes to the open character of this part of the village.
- 8.14 Overall it is considered that the proposed development would respect this edge of countryside location, and the importance of the site as a transition between the more built up areas of Station Road/Little Drove Road and the countryside beyond. It is considered that the amount of development proposed, together with its layout, appearance and scale, would integrate, respect and complement the rural character of the area, and it would not have a detrimental impact on the appearance of the immediate area and the verdant and spacious landscape character of the area. In addition, the proposed development has been designed and located to ensure that the health and future retention of important landscape features including protected trees would not be prejudiced, and provision has been made for new landscape features to enable the proposed development to positively integrate into the landscape character of the area. It is considered that the proposed development would comply with RLP policies E1 and E2, and policies EN2 and HD4 of the Chilbolton NDP.
- 8.15 **Biodiversity**
RLP policy E5 sets out that Development in the Borough that will conserve, and where possible restore and/or enhance, biodiversity will be permitted. The application is accompanied by ecological information.
- 8.16 *Loss of habitats*
The proposal would result in a loss of grassland habitat at the site, however off-site enhancement of a higher distinctiveness habitat has been proposed to off-set the biodiversity loss associated with the proposed reduction in grassland area on-site. In addition, enhancement of the existing on-site woodland has been proposed. A habitat management plan for 30+ years has been submitted in respect of the off-site mitigation land, which consists of 3 hectares of land abutting the application site, to the north west. This sets out that the off-site area would be 'rewilded' or enhanced by controlling the cattle grazing and by allowing areas of the grassland sward and woodland understorey to develop in diversity and structure. It is advised that the same herd of cattle are currently used on the development site, the off-site mitigation land and on the adjacent Nature Reserve (West Down Nature Reserve). It is considered that the proposed enhancements to the off-site land would benefit

species, and increase connectivity locally with the West Down Nature Reserve and with the wider area, enhancing wildlife corridors and habitats. A S106 legal agreement would be required to secure the proposed mitigation – whilst this has not been progressed, the applicant has confirmed their willingness to do so.

8.17 *Roosting bats - lighting*

The site has been assessed as being of county importance for foraging and commuting bats, with a noctule maternity roost identified within a tree on site, and rare barbastelle bats (a light sensitive species) recorded foraging on site. The trees within the site also support the maternity roost mentioned above as well as autumn mating roosts and day roosts. A lighting strategy has been submitted during the consideration of the application, which demonstrates that the majority of lighting would be positioned to ensure that light does not fall onto the existing trees, and it is considered that this would reduce disturbance on any local bat populations. Conditions are recommended in respect of lighting.

8.18 *Roosting bats - trees*

The submitted ecological information sets out that there are existing trees on site with suitable roosting features for bats, and that have been assessed as having high roosting potential. Additional information has been submitted during the consideration of the application following a site visit with the applicant's ecologist and arboriculturist. The submitted tree works strategy would ensure that the direct loss of the identified bat roosts and potential roost features would be avoided. The existing protected trees are also predominantly located outside of the proposed curtilages associated with the dwelling, such that any concerns regarding future pressure for tree removal/thinning are addressed, as they would be managed collectively as a woodland. Whilst the existing non-native leylandii hedge along the southern boundary of the site would be removed, this would be replaced with new trees and hedging. This landscape feature has been assessed as being relatively species poor, however it does provide some cover and acts as a windbreak enabling bats and other species to hunt when weather conditions are inclement. The submitted ecology information sets out that shelter and a dark corridor along the southern boundary would be retained in the long term by the planting of new native hedgerow and a new line of trees ensuring there is no net loss in hedgerow habitat, and that this would provide greater diversity for foraging bats and maintain the wildlife corridor function. It is also advised that in the short term there would be no loss of cover, darkness or shelter as the southern side of the Test Valley Farm access track has a similar hedge consisting of a line of cypress trees which acts as cover and shelter.

8.19 *Habitats Regulations*

As the proposed development would impact on protected species and habitats, the proposals must be considered against the three derogation tests in the Habitats Regulations. Policy E5 of the RLP also requires compliance with criteria which are consistent with these Regulations. A Natural England licence will only be issued for the development where it is considered to meet the requirements of the Regulations, which consist of the following three tests;

1. It preserves 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; and
 2. There is no satisfactory alternative; 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.
- 8.20 The site is located within the settlement boundary for Chilbolton, as defined by the RLP inset maps, and therefore the principle of development is acceptable. The Council is able to demonstrate a 5 year housing land supply, however this does not necessarily preclude the development of windfall sites such as this. The proposal would contribute towards the borough's housing requirements, as well as those within the Parish as identified within the CNDP. It is therefore considered that the proposals would meet the first test of the Regulations, and the first criteria of policy E5 of the RLP.
- 8.21 The second test of the Regulations, and the second criteria of policy E5 of the RLP, relates to there being no satisfactory alternative to that being proposed. It has been demonstrated that the proposed internal layout for the site, which is of a lower density than previously proposed, allows for ecological enhancements to be provided within the site, as well restricting direct and indirect impacts to species and habitats, due to the proximity of buildings to important ecological features (such as trees) etc. It is considered that the proposals would meet the second test of the Regulations, and the second criteria of policy E5 of the RLP.
- 8.22 The third test of the Regulations, and the third criteria of policy E5 of the RLP, requires consideration to be given to mitigation measures to be implemented to avoid the injury/killing of protected species, and to address the impacts on their habitats. As set out already, appropriate mitigation is proposed in respect of the various protected species and habitats that would be affected by the proposed development, and it is considered that the proposals would meet the third test of the Regulations, and the third criteria of policy E5 of the RLP.
- 8.23 *Other matters in respect of biodiversity*
Third parties have made reference to sections of the submitted ecology reports that have been redacted. These sections relate to badgers, and are kept confidential to avoid ill-treatment of this species, in accordance with the NPPG. Notwithstanding this, the submitted reports conclude that badgers are unlikely to be impacted by the proposals.
- 8.24 *Conclusion on biodiversity impacts*
Overall, subject to conditions/obligations, it is considered that the proposed development would conserve, restore and enhance biodiversity, and would accord with RLP policy E5, policy HD4 of the Chilbolton NDP and the Conservation of Habitats and Species Regulations 2017 (as amended).

8.25 *Nutrient neutrality*

The water environment within the Solent region is one of the most important for wildlife in the United Kingdom. The Solent water environment is internationally important for its wildlife and is protected under the Water Environment Regulations and the Conservation of Habitats and Species Regulations, as well as national protection for many parts of the coastline and the sea. Advice produced by Natural England (updated in March 2022) advises that there are high levels of nitrogen and phosphorus input into this water environment with sound evidence that these nutrients are causing eutrophication at these designated sites. These nutrient inputs are currently caused mostly by wastewater from existing housing and agricultural sources. The resulting dense mats of green algae are impacting on the Solent's protected habitats and bird species. The designated sites affected are:

- Chichester and Langstone Harbours SPA/Ramsar
- Solent and Southampton Water SPA/Ramsar
- Solent Maritime SAC
- Portsmouth Harbour SPA/Ramsar

8.26 There is uncertainty as to whether new growth will further deteriorate designated sites. This issue has been subject to detailed work commissioned by local planning authorities in conjunction with Natural England, Environment Agency and water companies. Until this work is complete, the uncertainty remains and the potential for future housing development across the Solent region to exacerbate these impacts create a risk to their potential future conservation status.

8.27 As such, it is Natural England's view that there is a likely significant effect on the internationally designated sites in the Solent due to the increase in waste water from new development providing overnight accommodation. Natural England has advised that one way to address this issue is for new developments to achieve nutrient neutrality to ensure that new development does not add to existing nutrient burdens and that the scheme can be delivered in line with the Conservation of Habitats and Species Regulations 2017 (as amended).

8.28 The proposed development would result in an increase of nitrates at the site. In order to mitigate the proposals, the applicant has secured credits with the Roke Manor Farm Nitrate Mitigation scheme to offset the increase in nitrate load from the development. An allocation agreement has been submitted to demonstrate this. On this basis, the LPA has completed an Appropriate Assessment, and this has been reviewed by Natural England, with no objections being raised. In addition, a S106 legal agreement would be required to secure the proposed mitigation – whilst this has not been progressed, the applicant has confirmed their willingness to do so. As such, it can be concluded that the proposal will not result in a likely significant effect on the internationally designated nature conservation sites in the Solent, in accordance with the requirements of the Conservation of Habitats and Species Regulations. As such, the proposals comply with Policies E5 and E8 of the RLP.

8.29 Highways

Policy T1 of the RLP seeks to ensure that proposed developments are connected with existing and proposed pedestrian, cycle and public transport links to key destinations and networks, and that its impact on users of the networks is minimised. The development, in terms of layout and access, should also be safe, attractive, functional and accessible to all, and should not impact adversely on the function, safety or character of and accessibility to the highway network or public rights of way network.

8.30 *Traffic generation*

The existing site is agricultural in nature and is accessed via a private access track off Little Drove Road. Little Drove Road in this location forms a single-track lane serving three residential dwellings. Beyond the extent of the adopted highway in this location, the track continues as a private access serving the site and the existing dwelling at Test Valley Farm. Access to the proposed development for both vehicles and pedestrians would be via the existing track leading from Little Drove Road. The Highway Authority accepts that the historic use of the site is agricultural in nature, and that previously it was likely to have been visited by and generated a small and infrequent level of traffic via typical agricultural vehicles. In order to assess the likely level of traffic generation from the proposed development, the highways information submitted with the application contains an interrogation of the TRICS database (Trip Rate Information Computer System) to form a valid dataset for trip rate extrapolation purposes. The Highway Authority has confirmed that the level of traffic generation from the proposed development would be considered immaterial in highway impact terms. In addition, the information submitted with the application provides a review of the most recent accident data and confirms no existing accident trends within the vicinity of the site.

8.31 *Vehicle Passing Places on Little Drove Road*

Given the current width of Little Drove Road, and in particular at the western end, the passing of two vehicles travelling in and out of the site would be of concern. In order to mitigate this, the provision of two new passing areas on Little Drove Road are proposed, on land under the control of the Highway Authority. It is considered that these areas would facilitate the safe passing of oncoming vehicles, and are acceptable. These works would need to be constructed under a S278 Minor Works agreement with the Highway Authority, prior to the commencement of the proposed development. A condition is recommended in respect of this.

8.32 *Requirement of Traffic Regulation Orders (TRO)*

The utilisation of TROs (double yellow lines) is recommended by the Highway Authority along the access/parts of Little Drove Road to ensure that their width is not compromised by parked cars to an extent that there would be an obstruction for vehicles travelling to and from the site. The provision of TROs is particularly valid for the proposed passing areas, given that parked vehicles in these areas would compromise their function to the detriment of highway safety. The installation of TROs would need to pass through public consultation and a legal process, and a financial contribution would therefore be required in order to cover the costs of this. The requirement for a TRO in

association with the proposed highway improvement works would be secured through the processing of any S278 Minor Works agreement with the Highway Authority. This type of Agreement would be necessary for the proposed highway improvement works to be carried out prior to the commencement of the proposed development. The Agreement would include securing a developer contribution to cover the costs associated with the processing of a TRO. It is therefore not considered necessary nor appropriate to secure a financial contribution towards this as part of the planning process, given that there are other processes and mechanisms that can be used to achieve the same outcome.

8.33 *Refuse turning areas*

Updated vehicle tracking drawings have been submitted during the consideration of the application (in response to revisions to the proposed site layout) showing a refuse vehicle entering the proposed development in a forward gear, performing turning manoeuvres internally, and then exiting the site in a forward gear. Vehicle tracking drawings have also been submitted in relation to a refuse vehicle manoeuvring through the junction of Little Drove Road/Station Road, in order to access the proposed site. An updated consultation response from the Highway Authority is awaited, and this will be reported in the Update paper.

8.34 *Parking*

RLP policy T2 requires development to provide car parking in accordance with the Council's adopted standards as set out within Annexe G of the RLP (two spaces each for 2 and 3 bed dwellings). Policy HD5 of the Chilbolton NDP also requires parking provision for residential developments, however the standards are in excess of the Council's adopted standards (three spaces each for 2 and 3 bed dwellings). The proposed development would make provision for at least three on-plot car parking spaces to serve each of the proposed dwellings, including within garages which would also be sufficient in size to accommodate cycle/storage. There is no requirement for a visitor car parking space to be provided given that the proposal is for less than 5 dwellings. The proposed car parking provision, in terms of the numbers being provided, as well as their design and location (which would be appropriate so as to be convenient to users), is in accordance with the Council's adopted standards and the NDP policy requirements. The proposed internal site layout is also acceptable in regard to general manoeuvrability for vehicles to access and egress the proposed dwellings. A condition is recommended in respect of securing charging points for electric vehicles, in accordance with Policy HD4 of the Chilbolton NDP.

8.35 *Public Rights of Way*

The site is bounded to the north east and south by footpaths Chilbolton: 15 and 16, which are Public Rights of Way (PRoW). The proposals would not encroach onto, or result in the loss of these footpaths. It is therefore not considered that the proposal would have an adverse impact on the function, safety, character of (as discussed earlier in this report), or accessibility to the rights of way network, as required by RLP policy T1. An informative note is recommended to ensure that the PRoWs remain unaffected during construction.

8.36 *Conclusion on highway impacts*

Subject to conditions and an updated consultation response from the Highway Authority, it is considered that it has been demonstrated that the proposed development would benefit from safe access to and from the highway network, would benefit from safe and efficient manoeuvring space internally (including for refuse vehicles), and would be provided with an appropriate level of on-site car parking. The proposal would also not impact adversely on the existing public rights of way network. It is considered that the proposals would comply with RLP policies T1 and T2, and policy HD4 of the Chilbolton NDP.

8.37 **Amenity and pollution**

Policy LHW4 of the RLP sets out that development will be permitted provided that; it provides for the privacy and amenity of its occupants and those of neighbouring properties; in the case of residential developments it provides for private open space in the form of gardens or communal open space which are appropriate for the needs of residents; and it does not reduce the levels of daylight and sunlight reaching new and existing properties or private open space to below acceptable levels. RLP policy E8 prevents development that would result in adverse impacts in respect of pollution such as noise, odour and light.

8.38 The proposed dwellings would be positioned to the south of the existing mature trees within the site, and it is not considered that they would cause any overbearing impacts or result in a loss of daylight or sunlight to the proposed dwellings. Each of the proposed dwellings would also be provided with a private outdoor amenity area that would be adequate for the occupants. In addition, the relationship of the proposed dwellings with each other, as well as with nearby existing residential properties would be such that there would be no adverse impacts on amenity in terms of a loss of privacy, daylight or sunlight. The proposals would comply with RLP policy LHW4 in these respects.

8.39 Conditions are recommended in respect of contamination, restricting construction hours/activities, future plant/machinery, and external lighting, so as to ensure that there is no adverse disturbance to existing and proposed occupants in terms of noise and light pollution, in particular during the construction phase of the development, in accordance with RLP policy E8.

8.40 **Water management**

RLP policy E7 sets out that development will be permitted provided that supporting criteria relating to the water environment are satisfied where relevant. The site is located in flood zone 1, which is the flood zone with the lowest risk of flooding. It is not considered that the proposed development would be at an adverse risk of flooding, or increase the risk of flooding elsewhere. It is proposed that surface water drainage would be dealt with through the provision of soakaways and permeable surfaces, which is also considered to be acceptable.

- 8.41 It is proposed that foul sewage arising from the development would be disposed of via a gravity connection to an adopted sewer, with the submitted plans showing drain runs leading out of the site to the north east, towards a nearby sewer and sewage works. This is considered an acceptable means of sewage disposal, and would accord with national guidance in this respect.
- 8.42 Policy E7 of the RLP requires new homes to achieve a water consumption standard of no more than 110 litres per person per day in order to secure increased water efficiency. A condition to this effect is recommended.
- 8.43 Overall it is considered that, subject to conditions, the proposal would have no adverse impacts on the water environment, and would comply with policy E7 of the RLP.
- 8.44 **Other matters**
Access across the site to existing septic tanks serving adjacent properties would be a civil matter between the parties involved.
- 8.45 All applications are considered on their own merits, and it is not considered that granting planning permission for this development would set any precedents for future development within the area.

9.0 CONCLUSION

- 9.1 The proposed development is considered to be acceptable and in accordance with the relevant policies of the Test Valley Borough Revised Local Plan 2016.

10.0 RECOMMENDATION

Delegate to the Head of Planning and Building to grant PERMISSION subject to the completion of a legal agreement to secure obligations in respect of the following:

- Off-site biodiversity mitigation;
- Nitrate mitigation measures;

and 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;**
 - 1070-PSL-00
 - 1070-PSL-01 REV 2
 - 1070-PSL-00-B REV 2
 - 1421-0102 REV C
 - 1070-01-PL500
 - 1070-01-PL501
 - 1070-01-PL502
 - 1070-01-PL503
 - 1070-01-PL200

- 1070-01-PL201
- 1070-01-PL202
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- 1070-04-PL503 REV 2
- 1070-04-PL200
- 1070-04-PL201
- 1070-04-PL202
- 1070-02-03G-PL500
- 1070-02-03G-PL200

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

3. **No development shall take place until full details of the off site highway works as shown on drawing NJC-006 within the submitted Highway Technical Note (prepared by Nick Culhane Highway Consultant, dated May 2023) have been submitted to and approved in writing by Local Planning Authority.**

Reason: Details are required prior to commencement in the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

4. **No development shall take place until the off site highway works as shown on drawing NJC-006 within the submitted Highway Technical Note (prepared by Nick Culhane Highway Consultant, dated May 2023) or as otherwise subsequently approved have been implemented in accordance with the approved details.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

5. **No development shall take place (including site clearance and demolition works) until a Construction Site Management Plan has been submitted to and approved in writing by the Local Planning Authority. This should include (but not be limited to); construction traffic routes, parking and turning provision to be made on site,**

measures to prevent mud from being deposited on the highway and a programme for construction. The approved details shall be fully implemented prior to the commencement of development. Development shall be carried out in accordance with the approved details.

Reason: Details are required prior to commencement in the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

6. No development shall take place (including site clearance and demolition works) until a survey to assess the nature and extent of any Asbestos Containing Materials (ACMs) at the site has been carried out and a report of the findings submitted to and approved in writing by the Local Planning Authority. The survey must be undertaken by a competent person, and shall assess the presence of all ACMs on the site. In the event that these materials are identified, a Method Statement setting out how the ACMs will be removed from the site and disposed of at a suitably licensed waste facility shall be provided. Development shall be carried out in accordance with the approved details.

Reason: To ensure a safe working and living environment in accordance with Test Valley Borough Revised Local Plan (2016) policy E8.

7. In the event that contamination is found at any time during construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being occupied.

Reason: To ensure a safe working and living environment in accordance with Test Valley Borough Revised Local Plan (2016) policy E8.

8. Notwithstanding the details submitted, no development shall take place above damp proof course (DPC) level of the development hereby permitted until full details of the hard and soft landscape works within the site have been submitted to and approved in writing by the Local Planning Authority. The details shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities; proposed finished levels or contours; means of enclosure; and hard surfacing materials. The landscape works shall be carried out in accordance with the approved details.

Reason: To ensure that landscaping and landscape features enable the development to positively integrate into the landscape character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E2.

- 9. No development shall take place above damp proof course (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 shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme. The landscape implementation, management and maintenance shall be carried out in accordance with the approved details.**

Reason: To ensure that arrangements for the long term management and maintenance of proposed landscaping have been made in accordance with Test Valley Borough Revised Local Plan (2016) Policy E2.
- 10. 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.
- 11. The development hereby permitted shall be carried out in accordance with the submitted “Arboricultural Impact Appraisal and Method Statement” (prepared by Technical Arboriculture, reference AIA/AMS-KC/AH/TVFARM/001 Revision C, dated August 2023), and the associated “Tree Protection Plan” (reference TPP-KC/TVFARM/001 Revision D).**

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 (2016) 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 (2016) 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.

- 14. The development hereby permitted shall be carried out in accordance with the submitted “Ecological Assessment” (prepared by Peach Ecology, dated 6th February 2023). The enhancement measures shall be installed prior to the first occupation of the dwellings hereby permitted and shall be permanently maintained and retained in accordance with the approved details.**

Reason: To conserve and enhance biodiversity in accordance with Test Valley Borough Revised Local Plan (2016) Policy E5.
- 15. No external lighting shall be installed at the site during the construction phase of the development hereby permitted until a detailed lighting strategy for the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, with any approved lighting strategy maintained in perpetuity.**

Note: All lighting should follow best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (Guidance note 08/18 Bats and artificial lighting in the UK). Details shall also include the location and type of luminaires as well as the levels of horizontal and vertical illuminance on the neighbouring residential properties. Any scheme should be designed for 0% Upward Light Output Ratio (ULOR).

Reason: In the interests of visual and residential amenity, and to prevent disturbance to protected species in accordance with Policies E2, E5 and E8 of the Test Valley Borough Revised Local Plan 2016.
- 16. The external lighting to be installed on the dwellings hereby permitted shall be in accordance with the submitted “Lighting Strategy” (prepared by Designs for Lighting Ltd, dated August 2023) and associated Horizontal Illuminance plan (revision P01) and maintained as such in perpetuity. No other external lighting shall be installed during the operational phase of the development hereby permitted until a detailed lighting strategy for the operational phase of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, with any approved lighting strategy maintained in perpetuity.**

Note: All lighting should follow best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (Guidance note 08/18 Bats and artificial lighting in the UK). Details shall also include the location and type of luminaires as well as the levels of horizontal and vertical illuminance on the neighbouring residential properties. Any scheme should be designed for 0% Upward Light Output Ratio (ULOR).

Reason: In the interests of visual and residential amenity, and to prevent disturbance to protected species in accordance with Policies E2, E5 and E8 of the Test Valley Borough Revised Local Plan 2016.

- 17. No fixed plant or machinery shall be installed outside of any building until details have been submitted to and approved in writing by the Local Planning Authority. Details shall demonstrate that the proposed plant or machinery will not have an unacceptable impact upon the amenity of neighbouring properties by virtue of the emission of noise. Development shall be carried out in accordance with the approved details.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.
- 18. No work relating to the construction of the development hereby permitted, including deliveries, collections or works of demolition or preparation prior to operations, shall take place before the hours of 0730 nor after 1800 on Mondays to Fridays; before the hours of 0800 nor after 1300 on Saturdays; and at all on Sundays and public holidays.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.
- 19. There shall be no burning on site during site clearance and construction.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.
- 20. The areas shown for the manoeuvring of refuse vehicles on drawing NJC-001 Rev 3 within the submitted Highway Technical Note Addendum (prepared by Nick Culhane Highway Consultant, dated October 2023), to the front of plots 3 and 4, shall be provided prior to the first occupation of the dwellings hereby permitted and shall remain available for this purpose at all times.**

Reason: In the interest of highway safety in accordance with the Test Valley Borough Revised Local Plan (2016) Policy T1.
- 21. No dwelling hereby permitted shall be occupied until vehicular access to the public highway to serve each dwelling has been provided in accordance with the approved plans.**

Reason: To ensure a satisfactory and safe means of access to the highway in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
- 22. No dwelling hereby permitted shall 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, including within the approved garages, shall thereafter be reserved for such purposes at all times.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
- 23. No dwelling hereby permitted shall be occupied until provision for cycle storage for two bicycles for that dwelling has been made within the site. The provision for cycle storage shall be maintained for this purpose at all times.**

Reason: In the interest of providing sufficient safe parking for cyclists and in accordance Policy T2 of the Test Valley Borough Revised Local Plan 2016.

24. **No dwelling hereby permitted shall be occupied until an electric vehicle charging point has been installed to serve each of the dwellings and thereafter maintained in perpetuity.**
Reason: In the interests of improving sustainability in accordance with policy HD5 of the Chilbolton Neighbourhood Development Plan and Policy SD1 of the Test Valley Borough Revised Local Plan 2016.
25. **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.
26. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no building, structure, walls or fences of any kind other than those expressly authorised by this permission shall be erected.**
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the landscape character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.
27. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows/dormer windows in the roof slopes of the development 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 landscape character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.
28. **The dwellings hereby permitted shall have no more than three bedrooms at any time.**
Reason: In order to meet the local housing need and to ensure appropriate on-site parking provision is provided in accordance with policies HD1 and HD5 of the emerging Chilbolton Neighbourhood Development Plan 2019-2029.

Notes to applicant:

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

- 2. The site is bordered by Footpaths 15 and 16. The applicant should be aware of the following requirements: i) Nothing connected with the development or its future use should have an adverse effect on the rights of way, which must always remain available for public use; ii) There must be no surface alterations to a Public Rights of Way without the consent of Hampshire County Council as Highway Authority. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980; iii) No builders or contractor's vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the Footpaths so as to obstruct, hinder or provide a hazard to users.**
 - 3. Attention is drawn to the requirements of the Agreement dated XXXXXX under Section 106 of the Town and Country Planning Act 1990 which affects this development.**
-

NOTES

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REV	DESCRIPTION	DATE	AUTH	CHK'D

Test Valley Borough Council - Northern Area Planning Committee - 23 November 2023



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PROJECT

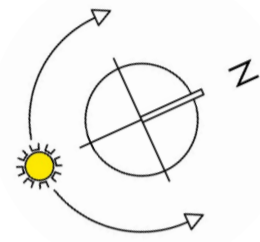
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CHILBOLTON

HAMPSHIRE

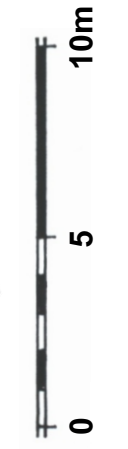
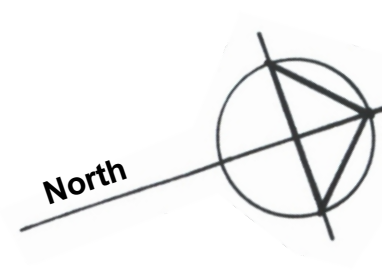
DRAWING

SITE PLAN

SCALE	DATE	AUTHOR	CHK'D
1:500 @ A3	MAY 23	OC	OC
JOB NO.	DRAWING NO.	REV	
1070	1070-PSL-01	2	



SITE PLAN



LEGEND NOTES

- 1 Proposed native tree & shrub copse (to replace existing poor quality ornamental vegetation removed) to filter views of site from the east & to improve setting of the existing public footpath
- 2 Mown grass - species rich lawn turf (supplied by Wildflower Turf Product code WFT-Species-Rich-26)
- 3 Proposed native trees to bolster tree cover & soften boundary (Oak)
- 4 Species rich wildflower grass (low maintenance and biodiversity gain)
- 5 New native hedgerow planted at min. 1.5m high for immediate impact, with 1.8m high black chainlink fence to rear with some economy planted standard and feathered native trees. Min at max. 3m high. Underplant hedge with native bulbs at min. 15cm high.
- 6 Existing offsite poor quality Cypress with limited understorey/shrubs
- 7 Native mix clipped hedge to define rear garden of Plot 1 & to improve the setting of the existing public footpath running along the eastern boundary
- 8 Mixed ornamental shrubs & groundcover, with occasional specimens to soften front elevations of Plots
- 9 1.2m high spill timber post & rail fence with mown grass and drifts of bulbs below
- 10 Proposed avenue of native trees to frame views along access drive with mown grass and drifts of bulbs below
- 11 1m high native mix hedge & vigorous groundcover to soften views of Plot 1 driveway
- 12 Areas of native understorey planting to filter views of the development from the existing public footpath & to create new habitats for local fauna (Hazel, Hawthorn, Holly, Field Maple, Hornbeam, Spindle tree etc)
- 13 Proposed native trees to bolster woodland (Oaks)
- 14 Proposed native trees to bolster woodland (Oaks)
- 15 Areas below canopy of existing Oaks. Manage as ecology/wildlife area - selectively retain some drifts of existing nettles for habitat value, with some areas of grass enhanced by carefully preparation and sowing of woodland wildflower grass seed
- 16 Proposed 1.2m high post & 3 split rail fence (with stockproof mesh) along boundary to existing public footpath & along existing access
- 17 Approximate location of existing 4m high Holly - retain existing
- 18 Native mix clipped hedge to form rear boundary to Plot 4
- 19 Area of mixed ornamental shrub planting & tree planting to Plot 4
- 20 1.8m high, 5m long brick wall to provide privacy between Plot 3 & 4
- 21 Proposed native trees to bolster woodland (Oaks) - to improve the setting of the existing public footpath & to create new habitats for local fauna (Hazel, Hawthorn, Holly, Field Maple, Hornbeam, Spindle tree etc)
- 22 Strip of granite setts to mark arrivals
- 23 Quality natural stone slabs or clay pavers
- 24 Access drive - black bitmac with conservation kerbs
- 25 Strip of granite setts to mark arrivals
- 26 1m high clipped hedge to define front garden of Plot 3 & to soften views of drive & parking area
- 27 Small flowering trees to filter internal views
- 28 1.8m high 'instant' native mix hedge to provide green break between Plots 2 & 3
- 29 Strip of loose laid 20mm buff stipple to side of Plot 1
- 30 Proposed insect 'hotel' constructed on site with surplus building materials for added habitat value
- 31 Proposed insect 'hotel' constructed on site with surplus building materials for added habitat value
- 32 Hedgehog hibernation feature concealed among areas of new native understorey planting. Final locations agreed on site with Peach Ecology
- 33 Private drive - permeable reinforced buff colored gravel or quality pcc block paving (colour to be agreed)
- 34 Private drive - permeable reinforced buff colored gravel or quality pcc block paving (colour to be agreed)
- 35 Group of 3 no. fruit trees to increase habitat enrichment

GENERAL NOTES

All existing trees & planting to be retained within or adjacent to the site shall be protected in accordance with BS5837:2012. Contractor shall establish location of all services & drainage before starting any work

Groundwork - soil levels for shrub beds and areas of grass should have any compacted subgrade thoroughly broken up by machine before instructing the groundworker/landscape contractor to spread topsoil. All rubble, concrete etc to be removed before spreading topsoil

Ensure narrow planting beds are free of concrete footings before planting. If the concrete cannot be removed then the location of bed shall be paved or spread with gravel

All imported topsoil to BS 3882:2015 multipurpose grade. Sample to be approved by landscape sub-contractor before earthworks carried out. Our recommended soil is Compost Soil (S a 70:30 blend of quality, screened British Standard topsoil and Eco Mix Soil Improving compost) by Eco. Tel: 01262 658601

Minimum topsoil depths to be: Trees - 1x1x0.8m pit, hedges 0.6x0.5m trenches, Shrubs and groundcover 0.4m & Grass 0.15m

General plant stock to conform to BS3936 and planting to BS4428:1989. Contractor shall give the Landscape Architect the opportunity of inspecting all plant stock at a holding nursery before delivery to site

Bark mulch to be Melcourt Spruce Ornamental (or similar approved) laid to a minimum depth of 75mm. Mulch to have a nominal chip size of 5-35mm. Fire tested in accordance with BS 4790:1987 and Forest Stewardship Council® (FSC®) certified

Establishment maintenance for 12 months for all planting to include weed control, watering and replacement of failures (to the current Specification) in the planting season following failure. Particular attention given to watering trees during prolonged dry spells

The developer/client shall be responsible for ensuring foundation design accommodates all proposed and existing tree planting with reference to the current NHBC guidance

Drawing to be read with Architects site layout, Peach Ecology ecological assessment, Technical Arboriculture tree report and TGD landscape maintenance plan

Revisions

A	10th October 2022	Plan revised to suit minor changes to Plots 1, 3 & 4
B	17th May 2023	To reflect comments from TVGC landscape officer
C	23rd May 2023	Return fence added on side of Plot 2 as requested by TVGC

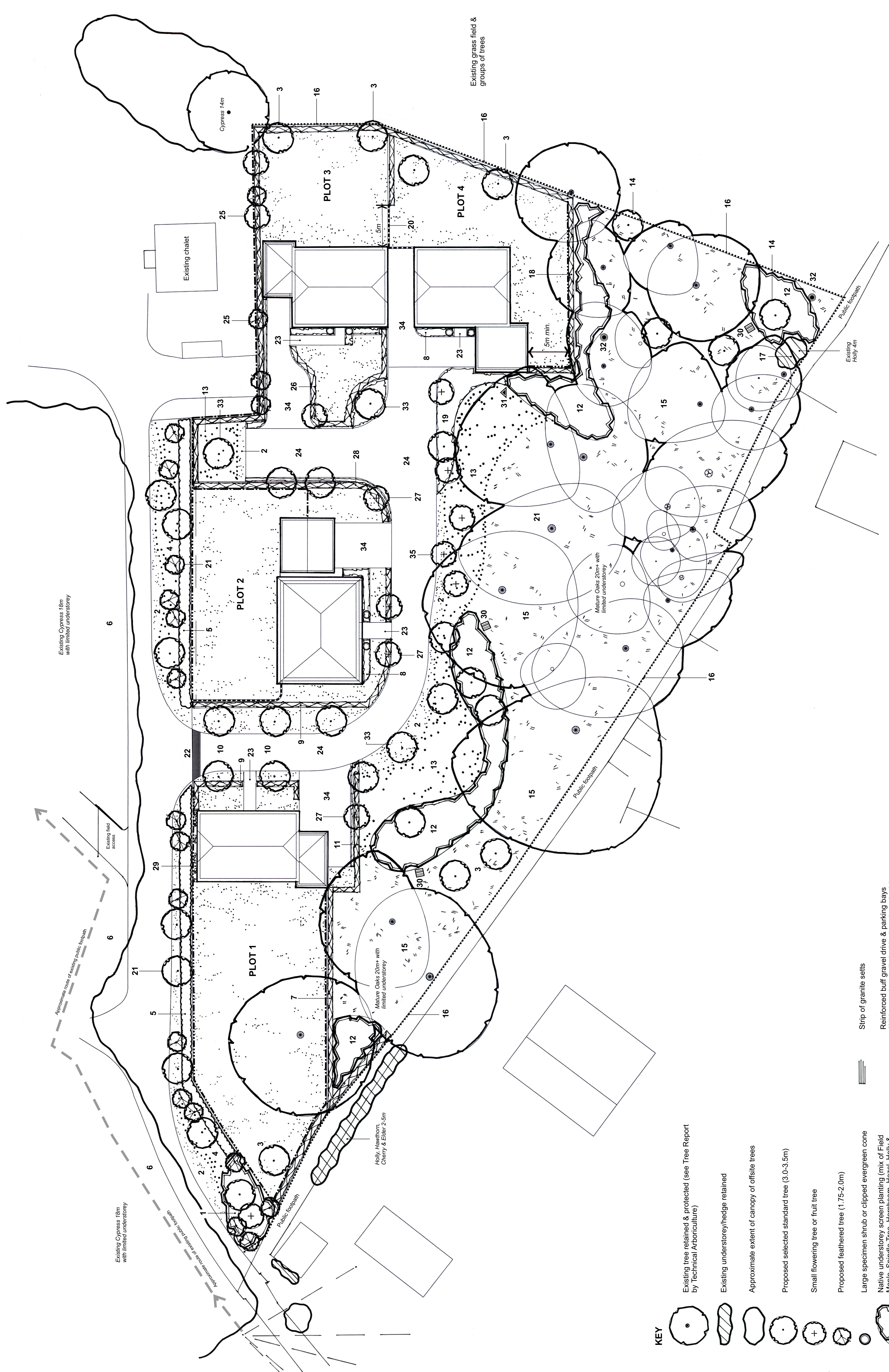
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PROJECT
TEST VALLEY FARM
STOCKBRIDGE
HAMPSHIRE
 For Alired Homes

DRAWING
 Landscape Plan

Scale: 1:200 @ A0
 Drawn by: TG
 Date: July 2022

1421 - 0102 Rev C
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KEY

- Existing tree retained & protected (see Tree Report by Technical Arboriculture)
- Existing understorey/hedge retained
- Approximate extent of canopy of offsite trees
- Proposed selected standard tree (3.0-3.5m)
- Small flowering tree or fruit tree
- Proposed feathered tree (1.75-2.0m)
- Large specimen shrub or clipped evergreen cone
- Native understorey screen planting (mix of Field Maple, Spindle Tree, Hornbeam, Hazel, Holly & Hawthorn)
- Native mix hedgerow planting (black chain link fence to rear of hedge)
- Proposed hedge - native species favoured
- Low shrubs and groundcover
- Mown grass - species rich lawn turf (supplied by Wildflower Turf Product code WFT-Species-Rich-26)
- Species rich wildflower grass - seeded with Enormate seed mixtures
- Area below existing Oak trees - selectively retain drifts of nettles plus other, and prepare other areas by hand and sow woodland wildflower grass seed mix
- Strip of granite setts
- Reinforced buff gravel drive & parking bays (NB gravel or similar) with pinned steel edging
- Black bitmac with conservation kerbs
- Natural stone slab paving or clay pavers
- 1.8m high brick wall & piers
- 1.2m high spill timber post & rail fence with stockproof mesh attached
- 1.8m high closeboard timber fence (allow for hedging gaps - see notes)
- 1.5m high black chainlink fence to rear of hedgerow
- Neat log piles/hibernacula (x3)
- Hedgehog hibernation feature (x2)
- Insect hotel (x1)

NOTES

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PROJECT
TEST VALLEY FARM
 CHILBOLTON
 HAMPSHIRE

DRAWING

CONTEXTUAL SITE PLAN

SCALE	DATE	AUTHOR	CHK'D
1:1000 @ A3	MAY 23	OC	

JOB NO.	DRAWING NO.	REV
1070	1070-PSL-00-B	2



CONTEXTUAL SITE PLAN

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PROJECT
TEST VALLEY FARM
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DRAWING
PLOT 1
ELEVATIONS

SCALE	DATE	AUTHOR	CHK'D
1:100 @ A3	OCT 22	OC	OC

JOB NO.	DRAWING NO.	REV
1070	1070-01-PL500	



PLOT 1 - WEST ELEVATION

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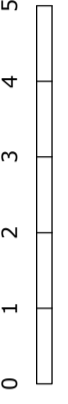
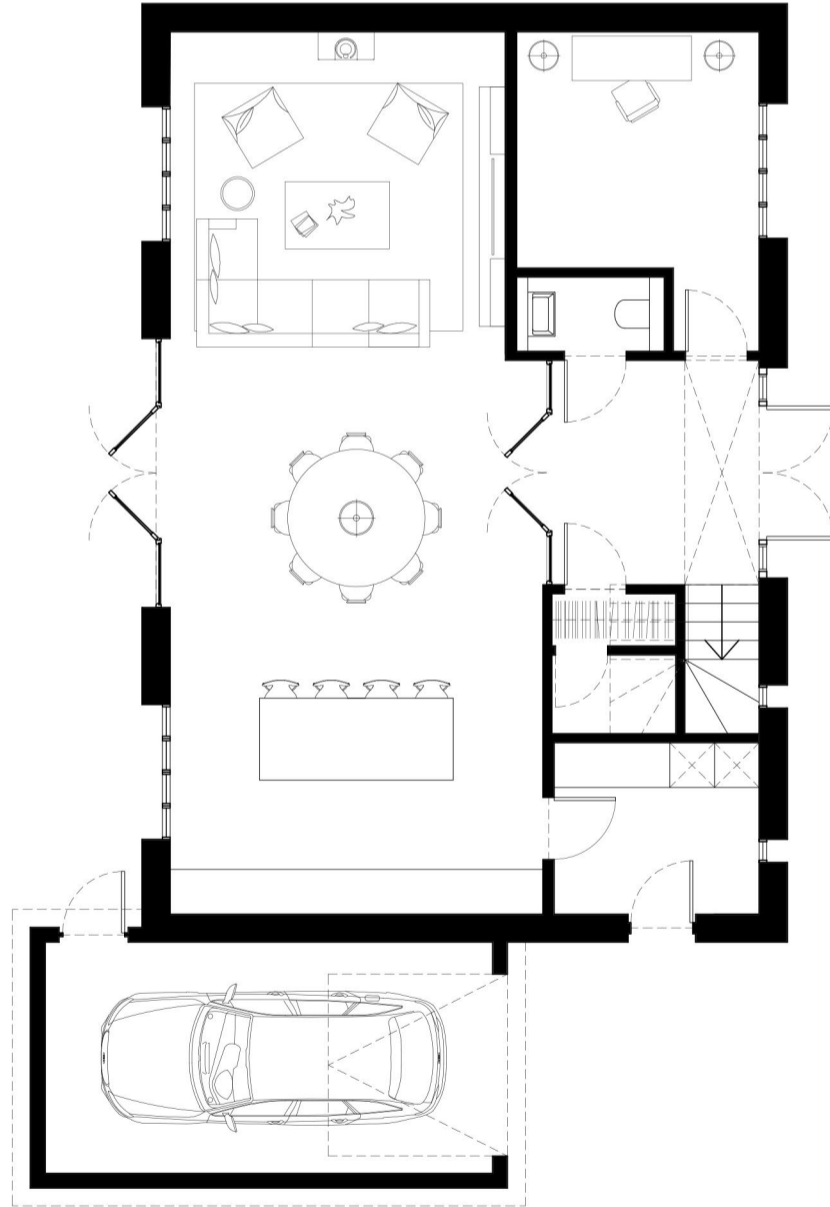
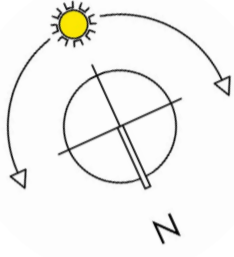
TEST VALLEY FARM
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DRAWING

PLOT 1
 PLANS

SCALE	DATE	AUTHOR	CHK'D
1:100 @ A3	OCT 22	OC	OC

JOB NO.	DRAWING NO.	REV
1070	1070-01-PL200	



PLOT 1 - GROUND FLOOR PLAN

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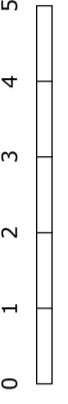
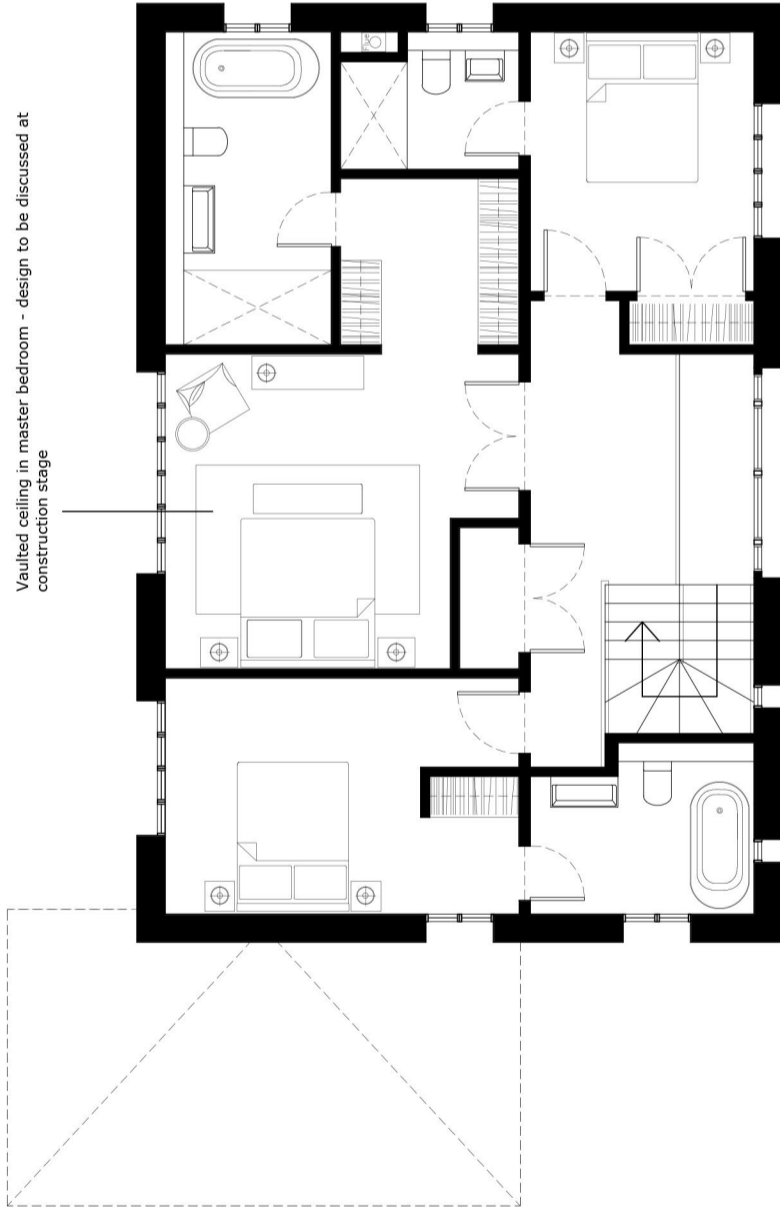
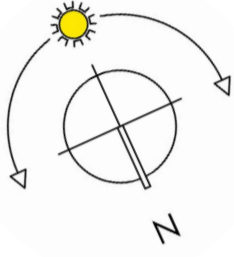
TEST VALLEY FARM
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DRAWING

PLOT 1
PLANS

SCALE	DATE	AUTHOR	CHK'D
1:100 @ A3	OCT 22	OC	OC

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1070	1070-01-PL201	



PLOT 1 - FIRST FLOOR PLAN

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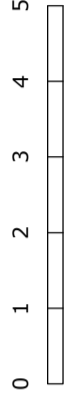
TEST VALLEY FARM
 CHILBOLTON
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DRAWING

PLOT 2
 ELEVATIONS

SCALE	DATE	AUTHOR	CHK'D
1:100 @ A3	OCT 22	OC	OC

JOB NO.	DRAWING NO.	REV
1070	1070-02-PL500	



PLOT 2 - NORTH ELEVATION

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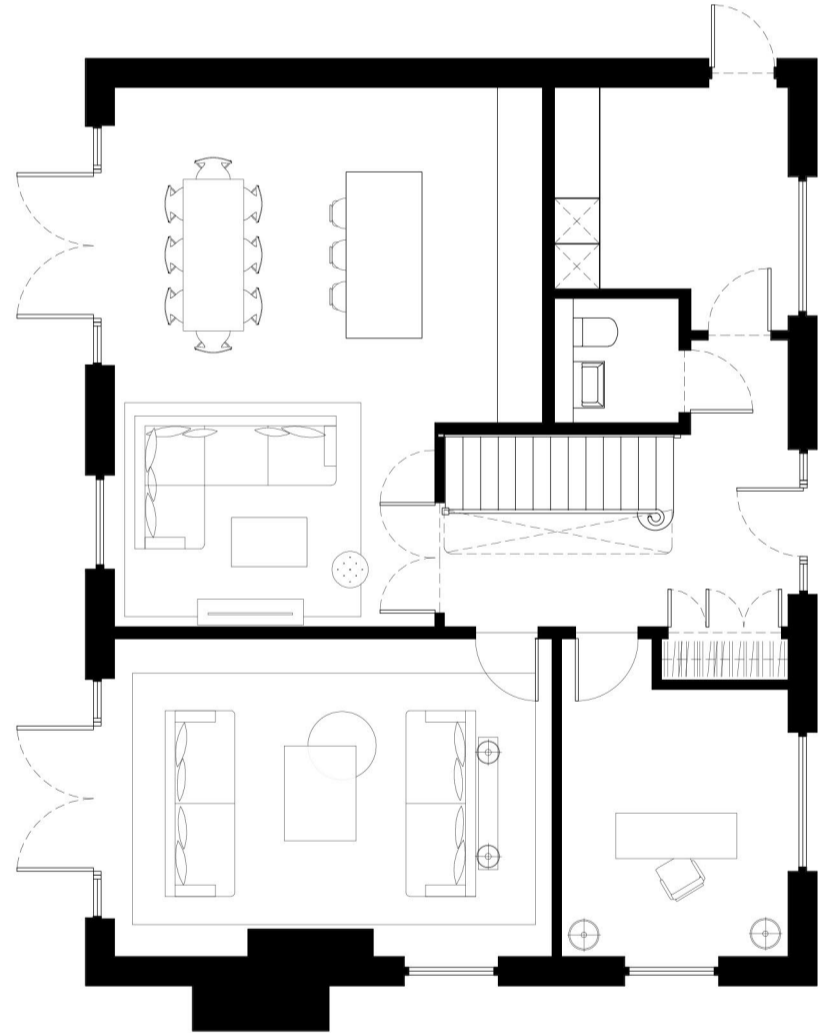
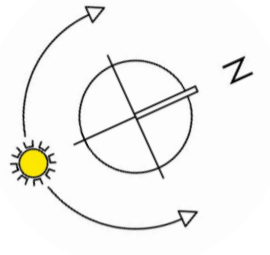
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PROJECT
TEST VALLEY FARM
 CHILBOLTON
 HAMPSHIRE

DRAWING
PLOT 2
PLANS

SCALE	DATE	AUTHOR	CHK'D
1:100 @ A3	OCT 22	OC	OC

JOB NO.	DRAWING NO.	REV
1070	1070-02-PL200	



PLOT 2 - GROUND FLOOR PLAN

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Test Valley Borough Council - Northern Area Planning Committee - 23 November 2023



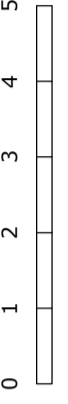
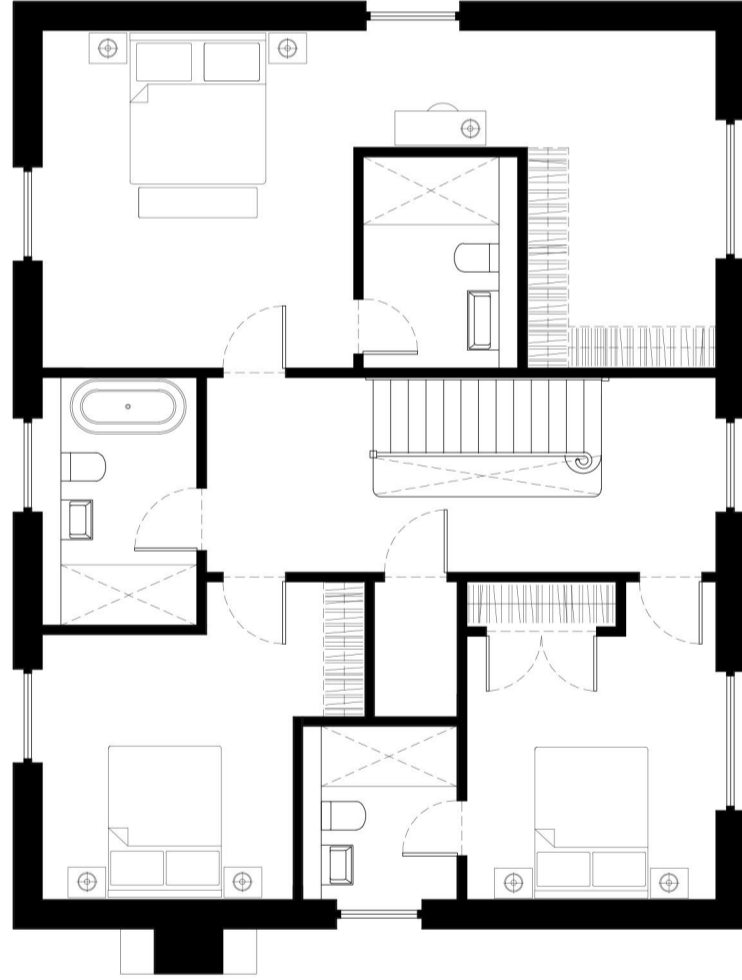
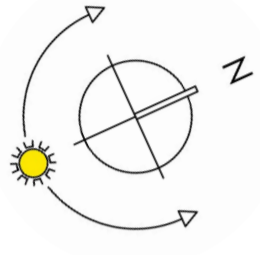
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PLOT 2 - FIRST FLOOR PLAN

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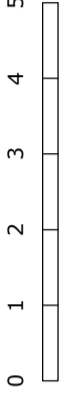
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PLOT 3
ELEVATIONS

SCALE	DATE	AUTHOR	CHK'D
1:100 @ A3	MAY 2023	OC	OC
JOB NO.	DRAWING NO.	REV	REV
1070	1070-03-PL500		2



PLOT 3 - EAST ELEVATION



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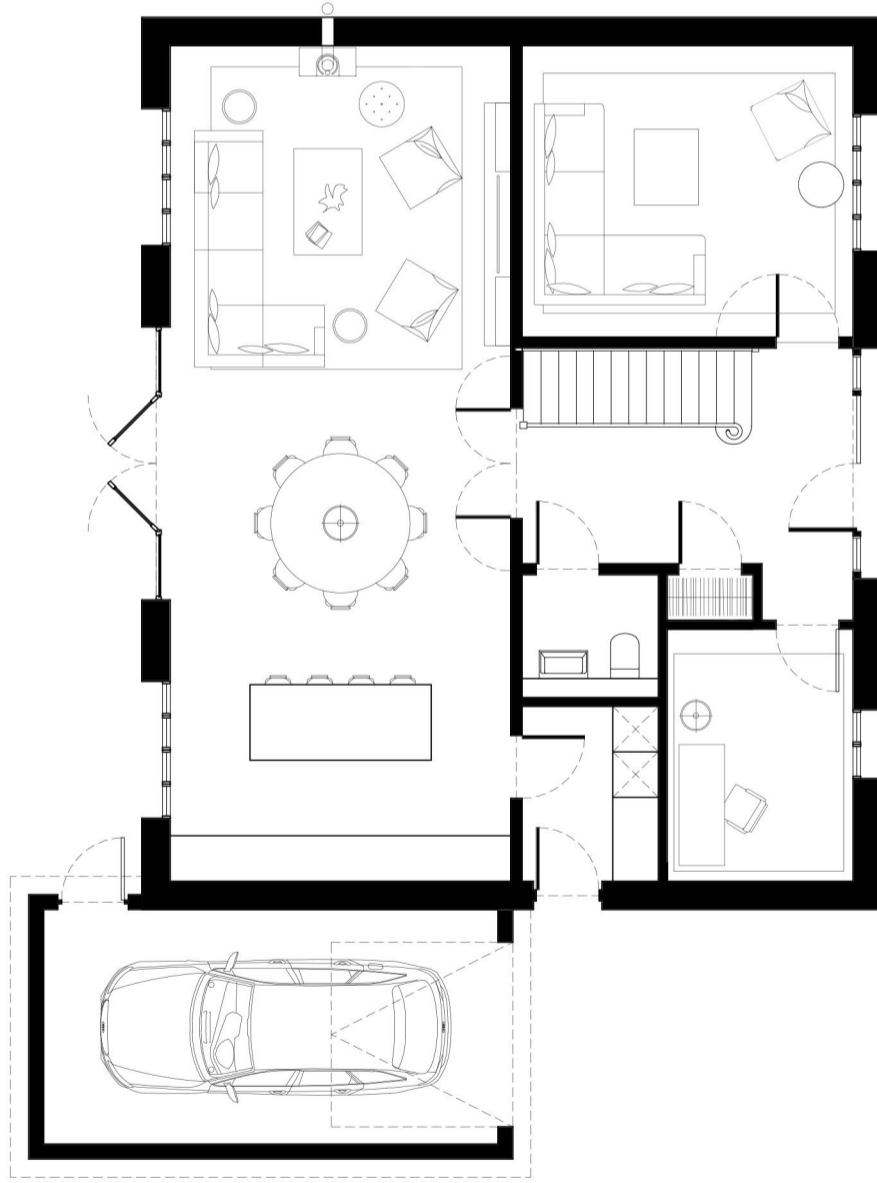
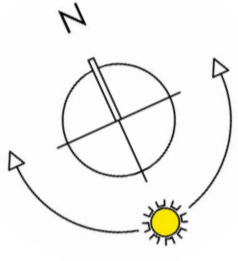
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PLOT 3 - GROUND FLOOR PLAN

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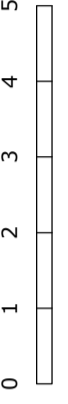
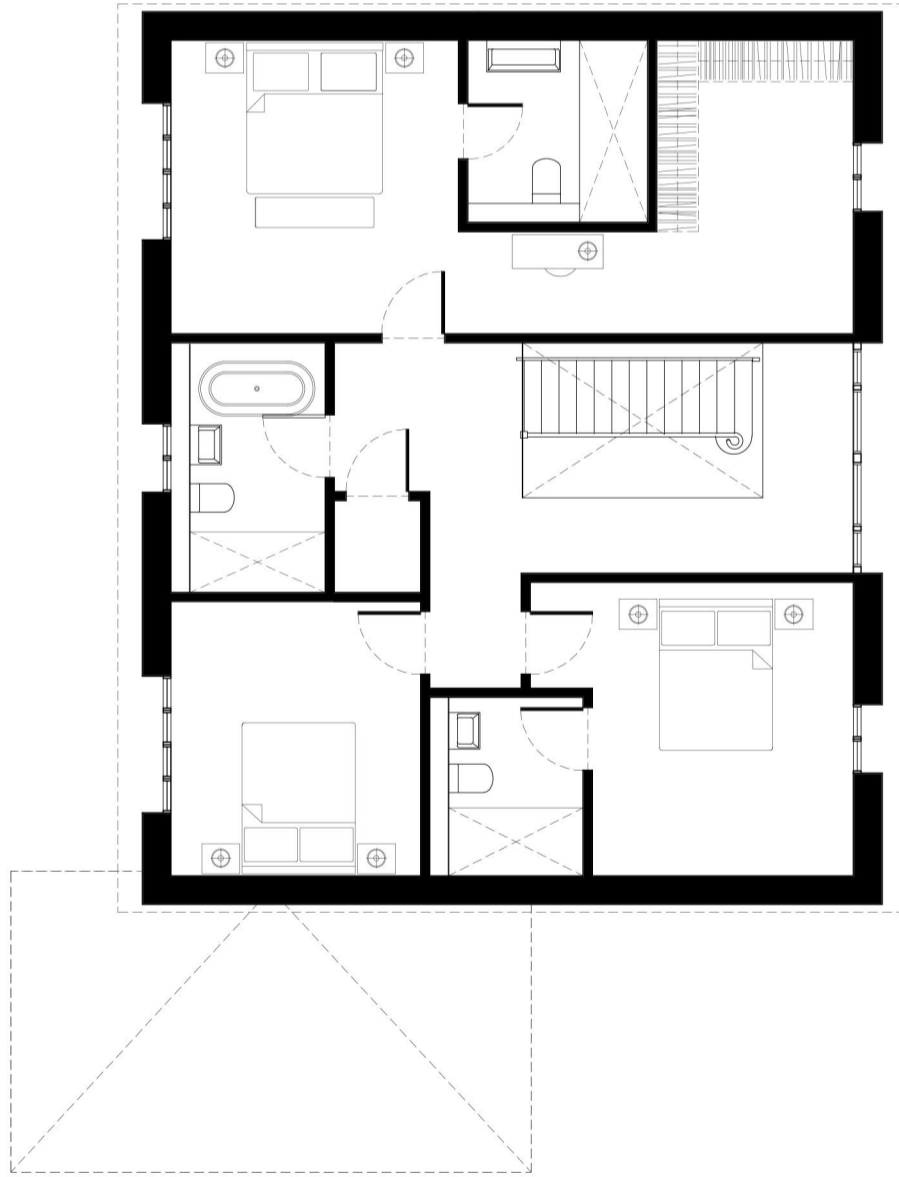
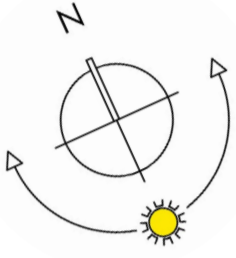
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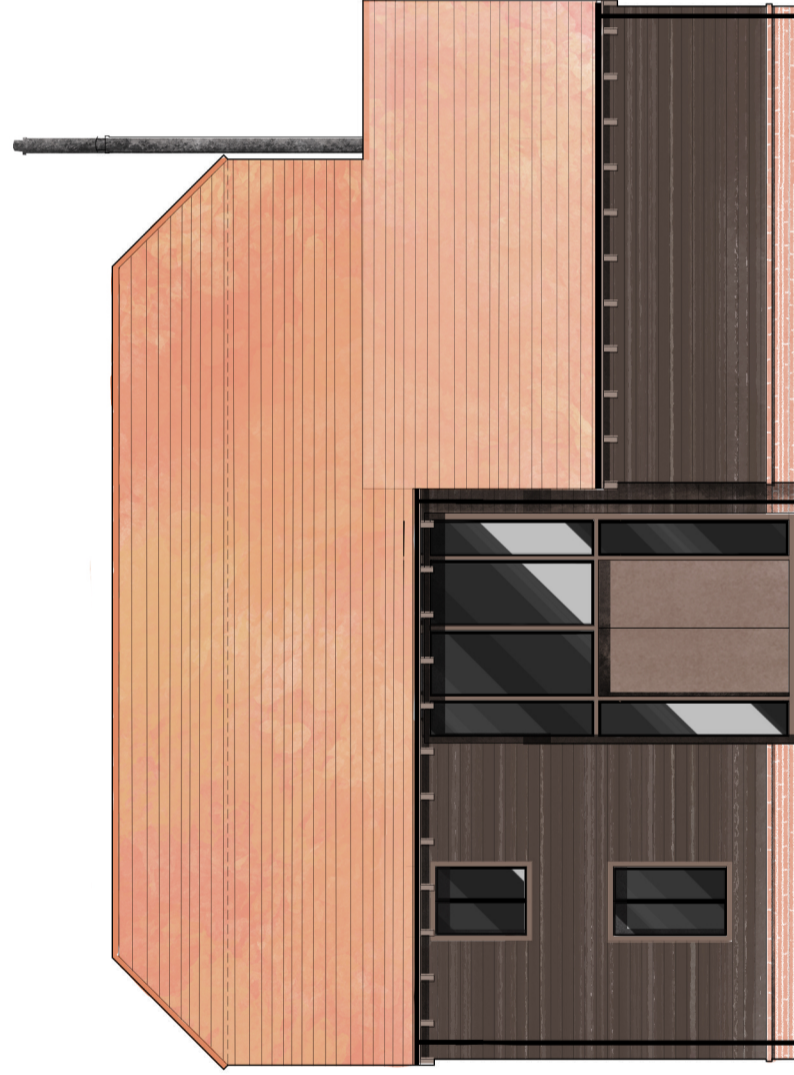


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ELEVATIONS

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PLOT 4 - EAST ELEVATION



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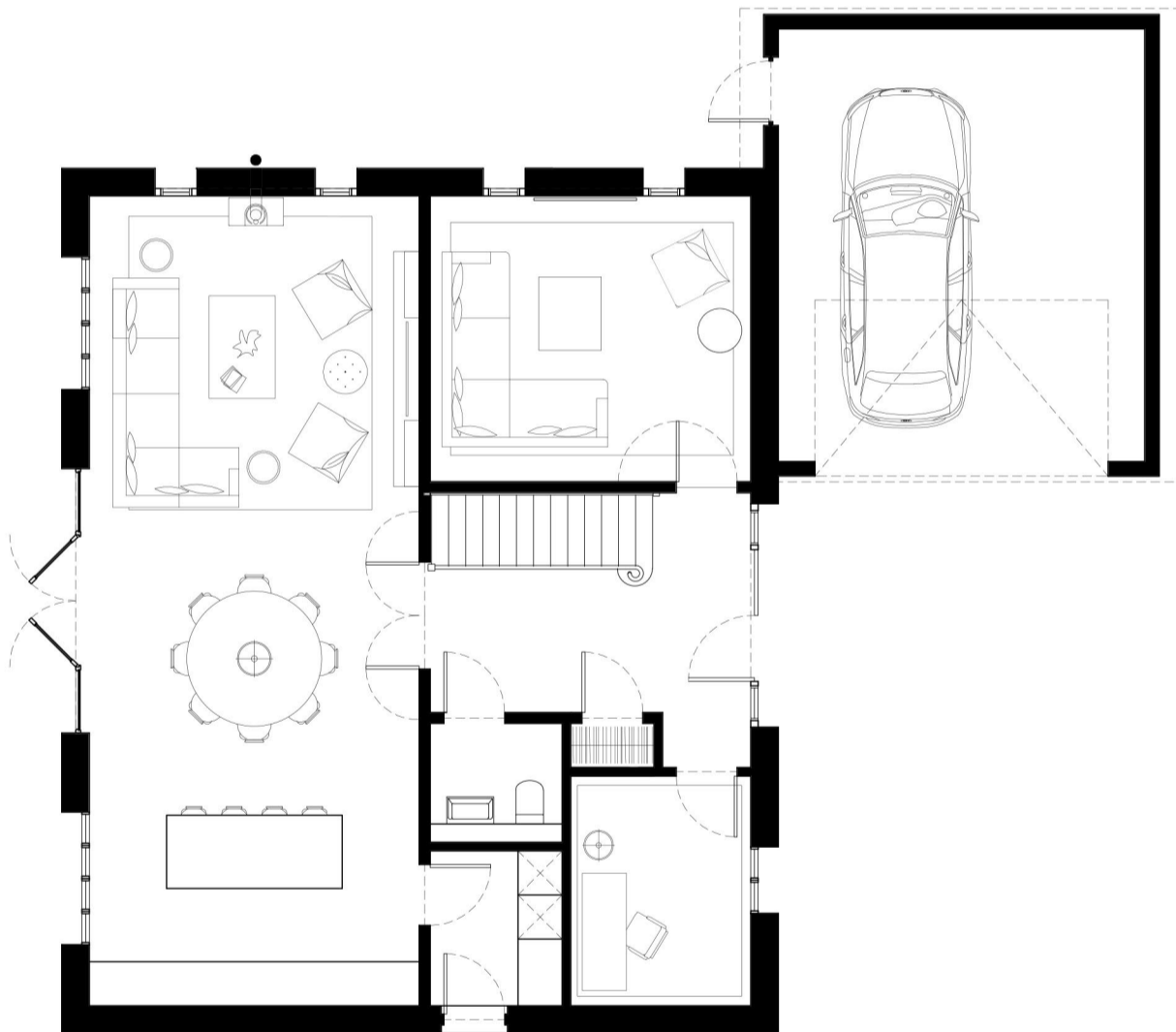
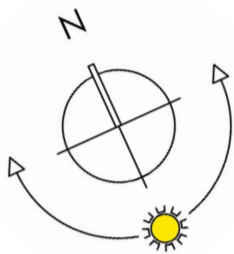
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PLOT 4 - GROUND FLOOR PLAN

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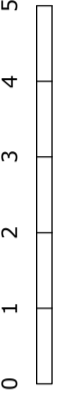
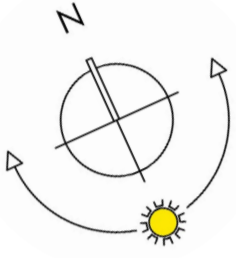
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PLOT 4 - FIRST FLOOR PLAN

ITEM 8

APPLICATION NO.	21/03028/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	15.10.2021
APPLICANT	Li
SITE	Land North of Bury Hill Farm, Upper Clatford, Hampshire, UPPER CLATFORD
PROPOSAL AMENDMENTS	Conservation and Ecological Enhancement Scheme
CASE OFFICER	Katie Nethersole

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This application has been called to NAPC at the request of a member as it raises issues of more than local interest.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site is located to the north of Bury Hill Farm and comprised of an area of water meadow adjacent the Pillhill Brook. It lies adjacent to the Upper Clatford Conservation Area and nearby listed buildings include Bury Hill Farm and Knapp Cottage. It is largely laid to unmanaged grass and scrub land and rises from the north to the south. To the east of the site is a line of mature trees and beyond that is a public right of way, Upper Clatford 1.

3.0 PROPOSAL

- 3.1 It is proposed to create three ponds with an inlet and outlet to the Pillhill Brook to create a wetland scheme that would be used to offset increases in nitrates created as a result of the provision of new residential development. It is also proposed to provide wider ecological enhancements to the site as well as provide a new footpath through the site that would link up with the existing footpath to the east, Upper Clatford 1. An information board would also be provided to give information on the history of the water meadow to members of the public accessing the site.
- 3.2 The proposal would form part of a Nitrate Neutrality scheme. The proposed wetland would strip nitrates from the watercourse. The nitrate credits would be used by future residential developments to offset any increase in nitrates. It is calculated by the applicant that the wetland scheme would remove a total of 1375 kg nitrogen from the Test Valley water catchment per year.

4.0 HISTORY

- 4.1 21/01039/FULLN Conservation and ecological enhancement scheme.
Withdrawn 2.6.2021

5.0 **CONSULTATIONS**

5.1 **Landscape** – Comment

It is proposed to create a wetland with ponds/reedbeds in what is currently a fairly open unmanaged scrub/ ex agricultural piece of land. Some tree planting and land management is proposed, but overall the open aspect would be retained. There are views across and into the space from Sam Whites Hill. Low level wooden telegraph height pylons carry cables cross part of the land. The Pillhill Brook runs along the northern edge of the land parcel, where the tree line can be seen in views. The trees are dense and form part of a small copse stretching north in a parcel between the site and the tennis club.

It is agreed that the proposal would be sensitive to its landscape setting and if it is managed as semi natural in appearance it would not have a detrimental impact on views or the landscape.

5.2 **Archaeology** – No objection subject to conditions

The application has been supported by an Archaeological Clarification document which concludes that it is unlikely that the works will impact on archaeological remains. I recommend that an archaeological condition is attached to any planning permission issued to secure an appropriate level of archaeological mitigation.

5.3 **Natural England** – Objection

Further information is required in order to demonstrate that the scheme can provide effective mitigation for development requiring nutrient neutrality. Additional investigative works (as recommended by the submitted Hydrology and Hydrogeological Assessment) are required to inform the nitrogen removal calculations.

5.4 **Environment Agency** – No objection subject to conditions

5.5 **Conservation** – Objection

There is concern about the impact of the proposed development on the character and appearance of this part of this conservation area, and on the setting of the nearby listed buildings. Water meadows are characteristic of the local area, and an important part of its history. Though the systems here have fallen into disuse and are poorly maintained, and the use is not clearly legible, the open space adjacent to the Pillhill Brook does hint at the history of the site.

The proposed development is not rural in its character, the shape, size, and arrangement of the three pools, the formal path, and the proposed management of the site would create an area which would be more typical in appearance of a SUDs-type scheme associated with an urban extension (e.g. seen in the context of a new housing development). This would not be appropriate within a traditional village context.

It is considered the appearance of the proposed scheme would cause less than substantial harm to the settings of the nearby listed buildings and to the special interest of the conservation area. This harm should be weighed against any public benefits considered to arise from that scheme. It is suggested this consideration should include whether those benefits can be delivered in a manner which does not cause harm.

5.6 **Andover Ramblers – Support**

We fully support the above planning application for a Conservation and Ecological Enhancement Scheme on the Land North of Bury Hill Farm Upper Clatford Hampshire. In particular we applaud the intention to allow public access via a path from the existing PROW Upper Clatford 1 to Sam Whites Hill Road. However, we ask that the path be designated as a Public Right of Way Footpath to advertise its existence and to enhance the Public Rights of Way network. This would be in keeping with the National Planning Policy Framework July 2021; para 100 stated: *planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails*. It would also meet TVBC Local Plan E6a as: *it protects, conserves and where possible, enhances the Borough's Green Infrastructure Network*.

5.7 **Ecology – No objection subject to conditions**

6.0 **REPRESENTATIONS** Expired 05.01.2022

6.1 7 letters of objection from the occupiers of Bury Hill Farmhouse, Wressle Cottage Foundry Road, Chapel Barn, St Anne's Well, Kingfishers Balksbury Hill, Sycamore, Copthall Place for the following reasons:

- Impact from the proposed lakes on the Pillhill Brook
- Would generate high levels of traffic for walkers and dog walkers
- Development is within the Local Gap and would merge the boundaries between settlements
- Concern about the extraction of gravel required to create ponds
- Would harm the character and appearance of existing water meadow
- Conflicts with Upper Clatford Neighbourhood Plan and Policy E2
- Would harm the setting of the conservation area and adjacent listed buildings
- Adverse impact on biodiversity and protected species
- Concern about the introduction of any lighting on the site and potential light pollution

6.2 **Upper Clatford Parish Council – Objection**

The proposal would harm the landscape character of the area, contrary to policy E2 of the RLP and policies UC9 and UC12 of the UC NDP. It would harm the significance of heritage assets, as well as impact on biodiversity. The application fails to address the climate emergency implications. There are insufficient details with regards to gravel and mineral extraction as well as the proposed footpath.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

COM2: Settlement Hierarchy

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

E3: Local Gaps

E5: Biodiversity

E7: Water Management

E9: Heritage

T1: Managing Movement

7.3 Neighbourhood Plan

Upper Clatford Neighbourhood Plan

UC1: Sustainable Development

UC7: Upper Clatford Conservation Area

UC9: Landscape Character

UC12: Local Green Spaces

8.0 **PLANNING CONSIDERATIONS**

8.1 Whilst the application has been submitted with the intention to create nitrate credits as a result of the scheme, it is only the physical works to create the ponds and footpath that require planning permission. Whilst it is noted that Natural England have objected on the basis of needing further information to demonstrate that the scheme would be effective in nitrate removal, it is considered that this is not the right vehicle to consider this detail. Furthermore, any creation of nitrate credits as a result of the proposed scheme would be dealt with through a separate credit scheme or through any future planning applications for residential development that wish to utilise credits from the scheme.

8.2 The main planning considerations are therefore:

- Principle of Development
- Impact on the Character and Appearance of the Area
- Water Management
- Biodiversity
- Highways and Access
- Other Issues

8.3 **Principle of Development**

The proposed development would be located outside of any defined settlement boundary and therefore is only permitted by policy COM2 provided that:

- a) It is appropriate in the countryside as set out in Revised Local Plan policy COM8 – COM14, LE10, LE16 – LE18; or
- b) It is essential for the proposal to be located in the countryside

There are no specific policies within part a) that are relevant to this proposal and therefore the consideration is whether it is essential for it to be located in the countryside. Given that this is a scheme that relies on being located adjacent to a water body and that it is for an ecological enhancement scheme it follows that it is essential to be located in the countryside, and therefore the principle of development is acceptable.

8.4 Impact on the Character and Appearance of the Area

Policy E2 of the RLP seeks to ensure that development does not have a detrimental impact on the appearance of the immediate area and the landscape character of the area within which it is located. Similarly, policy UC9 of the Upper Clatford Neighbourhood Plan (UCNP), seeks to ensure that the landscape character is protected and highlights the Pillhill Brook and water meadows as important landscape features to be protected.

8.5 It is proposed to excavate the water meadows to create three shallow ponds: two larger ones to the north adjacent the Pillhill Brook and a smaller one to the south of the site. The ponds would have a depth of approximately 30 cm. There would be two intakes of water from the Pillhill Brook to feed into Pond 2 and an outtake from Pond 3 into the Pillhill Brook. Pond 1 would be fed from any above ground flow of water which would feed back into Pond 3.

8.6 The existing site is a historic water meadow and the proposed excavation work to create the ponds would retain the existing natural landscape, albeit with slightly deeper ponds. It is proposed that new tree planting and landscaping would be provided on the site along with land management proposed and the overall open aspect of the land would be retained. The proposal does not include any harsh or uncharacteristic built elements, and the semi natural character of the site would be retained.

8.7 *Impact on Heritage Assets*

Policy E9 seeks to ensure that development does not have an adverse impact on the significance of heritage assets. These assets, in this case, include the Upper Clatford Conservation Area and the adjacent Listed Building, Bury Hill Farm.

8.8 Whilst the proposed works would alter the landscape by creating the proposed ponds it would still appear as a water meadow and would retain the historic landscape feature. The proposal would also provide an opportunity to give public access to the site and an information board to describe the history of the water meadows which would be seen as a public benefit of the scheme.

8.9 In terms of the effect on the significance of the Upper Clatford conservation area and listed building (Bury Hill Farm), it is the case that what is being proposed is in itself a system of water management, and although the purpose of such management would be different to its historic use as a water meadow, the existing landscape character of the water meadow would be maintained. The site lies just outside of the Upper Clatford Conservation Area and therefore the proposal has the potential to impact on its setting. Due to the retention of the natural landscape and the appearance of a water meadow it is considered that the proposal would have a neutral impact on the heritage assets.

8.10 It is considered that the introduction of the proposed ponds would have a natural appearance and would not be prominent in wider views. The ponds would be shallow (with a maximum depth of 30cm) and would not have water in them all year round, and added to this they would be landscaped and planted so that they would be fairly hidden in the landscape. It is therefore considered that the proposal would have a neutral impact on the setting of the listed building and conservation area.

8.11 It is concluded that the proposal would retain its natural landscape character and would have a neutral impact on the setting of the listed buildings and conservation area, in accordance with policy E2 and E9 of the RLP and policy UC7 and UC9 of the UCNDP.

8.12 **Water Management**

The application site is located partially within Flood Zones 2 and 3. The application has been supported a Flood Risk Assessment which has been reviewed by the Environment Agency. The proposed development is permissible in Flood Zone 3 since it is classed as water compatible development. As the proposed development would be entirely composed of permeable areas, and with the addition of ponds that would act as storage features, the site would not be at an increased risk of surface water flooding.

8.13 The Environment Agency has confirmed that they have no objections subject to conditions to ensure that the ponds are kept in a good and serviceable condition and a Construction Environmental Management Plan is submitted and approved. They have also confirmed that there would be no net loss of floodplain storage as a result of the excavated material.

8.14 It is therefore considered that the proposal would not result in any increased risk to flooding, in accordance with E7 of the RLP and UC1 of the UCNP.

8.15 **Biodiversity**

The application has been supported by an Ecological Appraisal, Ecological Mitigation Plan, Reptile Survey report and Botanical Survey. These reports demonstrate that the proposal would not adversely impact protected species and sites. The report recommends a number of ecological mitigation measures to be implemented. The mitigation measures include the enhancement of the retained grassland through management of the site, installation of bat boxes, a 6 metre buffer off the Pilhill Brook and additional planting. A condition has been recommended to ensure that these mitigation measures are carried out in accordance with the details. Further conditions have been recommended that would secure the submission of a construction environmental management plan as well as a detailed planting scheme.

8.16 The proposal would result in ecological benefits such as the planting of diverse aquatic flora within the ponds, the enhancement of planting on site, and maintaining habitat connectivity through the proposed planting.

8.17 It is therefore considered that subject to the recommended conditions, the proposal would accord with policy E5 of the RLP.

8.18 Highways and Access

The proposal states that there would be no vehicular access to the site and only pedestrian access would be provided. A new public footpath would be created that would connect with the existing footpath Upper Clatford 1 to the east of the site. This would be secured through a legal agreement. It is considered that the provision of public access through the site would be a public benefit to the scheme. This is supported by the Ramblers Association.

8.19 It is considered therefore that the proposal would accord with the requirements of policy T1.

8.20 Other Issues

It is noted that the Parish Council have objected and raised concerns about gravel and mineral extraction. There is no proposal to extract minerals or gravel, and the material that would be excavated to form the ponds would be used to create the proposed footpath through the site. Further details of the creation of the footpath and use of excavated material would be sought through a condition which has been included in the recommendation.

9.0 CONCLUSION

9.1 In conclusion it is considered that the proposal would not result in harm to the character and appearance of the area, ecology, flooding and access. It would result in public benefits including the reduction in nitrogen levels, provision of a public footpath, ecological benefits and the provision of a public information board. The proposal is therefore recommended for permission subject to conditions and a legal agreement to secure the provision of the public footpath.

10.0 RECOMMENDATION

Delegate to the Head of Planning and Building that subject to the prior conclusion of legal agreement/undertaking being completed to secure the provision of a public footpath, 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 APP-01, DET-01-W5 and unnumbered sections plan dated May 2023.
Reason: For the avoidance of doubt and in the interests of proper planning.**
- 3. No development shall take place (including site clearance or removal of building fabric) within the application site/area indicated red, until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological building recording in accordance with a written brief and specification, for a scheme of investigation, which has been submitted by the developer and approved in writing by the Local Planning Authority.**

Reason: The site is potentially of archaeological significance in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.

- 4. Development shall proceed in accordance with the measures set out in Bury Hill Farm Ecological Appraisal (Tetra Tech, September 2021), Bury Hill Farm Ecological Mitigation Plan (Tetra Tech, September 2021), Bury Hill Farm Reptile Survey Report (Tetra Tech, September 2021) and Bury Hill Farm Botanical Survey (Tetra Tech, September 2021). Thereafter, mitigation and enhancement measures shall be permanently maintained and retained in accordance with the approved details, with photographic evidence provided to the Local Planning Authority within 6 months of completion.**

Reason: To ensure the favourable conservation status of protected sites, habitats and species and enhance biodiversity in accordance with Policy E5 of the Test Valley Revised Local Plan DPD.

- 5. Prior to commencement, a Construction Environmental Management Plan (CEMP) and method statement, incorporating measures to avoid impacts on the designated sites, habitats and species during the proposed works shall be submitted to and approved in writing by the Local Planning Authority. This should include, although not exclusively:**

- a) Biosecurity measures**
- b) Removal of non-native plant species**
- c) Arrangements for the routing of machinery on site**
- d) Pollution prevention measures**
- e) Mitigation for protected species, such as avoidance and protection of suitable habitat**
- f) Storage of materials**
- g) Minimising noise and vibration**
- h) Ecological supervision of works**
- i) Lighting requirements during construction phase**
- j) Details of any environmental management systems**
- k) Timing of the works, especially with regards to the construction of the inlets and outlets connecting the Pilhill Brook to the wetlands avoiding sensitive fish migration and spawning times**
- l) Necessary pollution prevention methods**
- m) Movement of materials on site including silt, soil, surface water, groundwater and sediment management**

Development shall subsequently proceed in accordance with any such approved details.

Reason: To protect designated sites, habitats and species in accordance with Policy E5 of the Revised Test Valley Local Plan DPD.

- 6. No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. A long term management plan covering a minimum of 10 years shall also be submitted. Details shall include:**

- proposed finished levels or contours;
- means of enclosure;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports.);
- retained historic landscape features and proposals for restoration, where relevant.

Soft landscape works shall include:

- planting plans;
- written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, plant sizes and proposed numbers/densities.

The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan.

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 Revised Local Plan (2016) Policy E1 and E2.

7. No external lighting shall be installed on the site.

Reason: To safeguard the amenities of the area and protected species in accordance with E5 and E8 of the Test Valley Borough Revised Local Plan 2016.

8. The development shall be carried out in accordance with the submitted flood risk assessment (ref: A117923 – *Bury Farm Andover Flood Risk & Drainage Technical Note Desk Top Study, version 2.0, June 2021, Tetra Tech Ltd.*) and the submitted planning statement (ref: 784-A117923 – *Bury Hill Farm Upper Clatford Conservation and Ecological Enhancement Scheme Planning Statement, October 2021, Tetra Tech Ltd.*) In particular:

- [3.2.1] An ongoing maintenance agreement will be put in place to make sure that the constructed ponds are kept in a good, serviceable condition in perpetuity.
- [3.2.1] No increase in flood risk will be created by the proposed development.
- [5.1] There will be no net loss of floodplain storage as a result of the development; if required the applicant should produce evidence showing the calculated change in floodplain storage as a result of the earth works.
- [3.6.2, 4.1.10, 4.2.11] At the completion of the works, all excess excavated material that has not been put to a beneficial use on site must be removed from the site.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding elsewhere by ensuring that there is no net loss of floodplain storage in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

- 9. No development shall take place until a scheme for the provision and protection, during construction and operation, of a minimum 6 metre wide buffer zone alongside the Pilhill Brook has been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme. The buffer zone shall be free from built development including lighting, the new constructed wetlands and new landscaping/planting but can include no more than 2 separate inlets from the Pilhill Brook into the proposed wetlands and one outlet from the proposed wetlands into the Pilhill Brook (as shown on drawing number DET01 W5). The scheme shall include:**

- Plans showing the extent and layout of the buffer zone**
- Details of any proposed planting scheme associated with the inlets and outlets and immediately adjacent to the buffer zone. Species must be native, of local provenance and appropriate for the location. Measures to avoid introduction of inappropriate or invasive non-native species must be included**
- Details demonstrating how the buffer zone will be protected during construction (as part of a Construction Environmental Management Plan), during operation and managed over the longer term including adequate financial provision and named body responsible for management (as part of a detailed Site Management Plan or Strategy)**
- Detailed design of the inlets and outlets connecting the Pilhill Brook to the wetlands, including levels, cross-sections and long-sections**

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

Reason: To protect the priority habitat of the Pilhill Brook and the species it supports, in accordance with policy E5 of the Test Valley Borough Revised Local Plan 2016.

- 10. Details of the public information board shall be submitted to and approved in writing by the Local Planning Authority before the site is brought into use. The board shall be implemented in accordance with the approved details.**

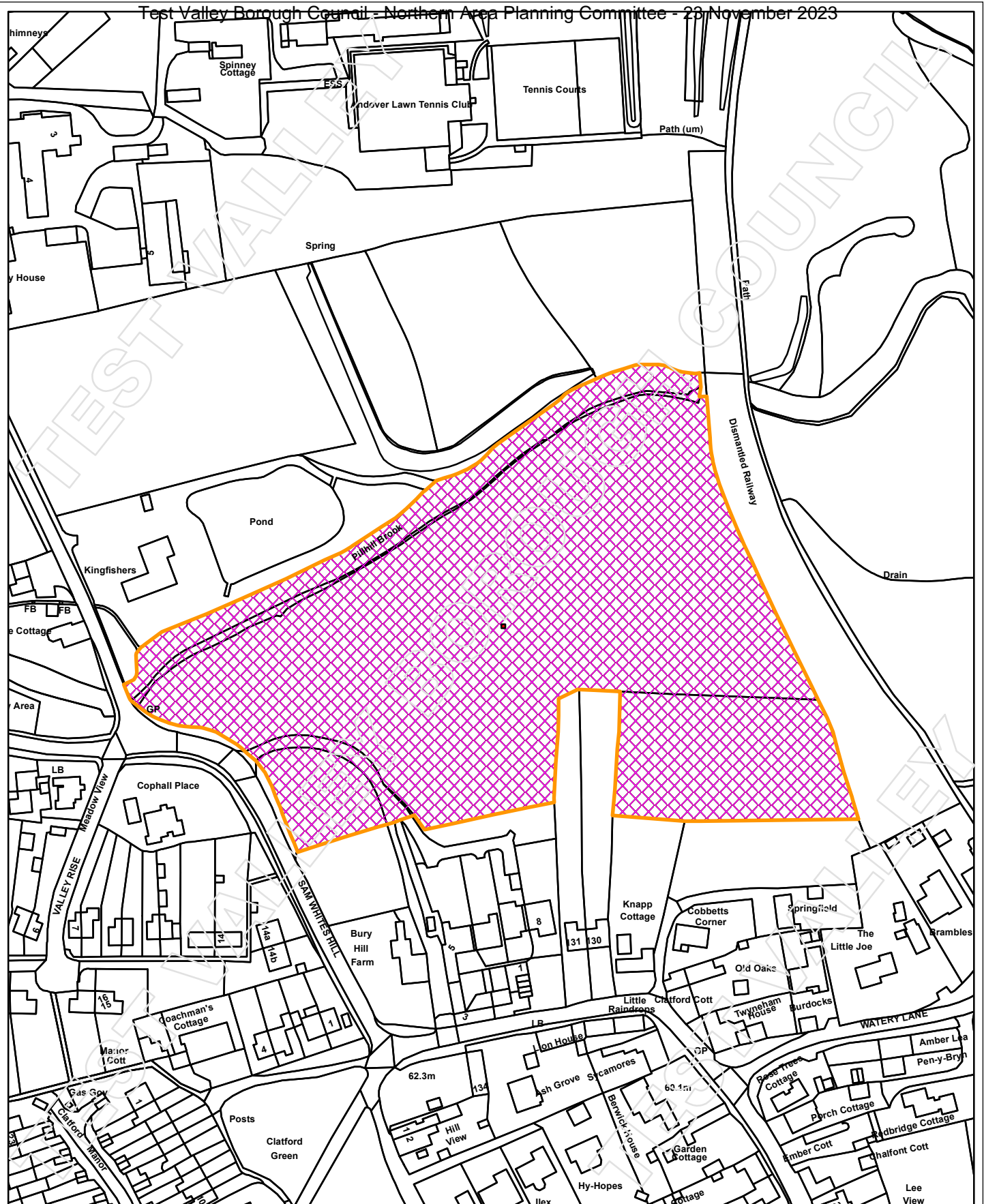
Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.

- 11. Prior to development commencing, full details of the construction of the footpath, including levels and details of the recycling and/or disposal of excavated material from forming the ponds, shall be submitted to and approved in writing by the Local Planning Authority. The footpath shall be constructed in accordance with the approved details.**

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 Revised Local Plan (2016) Policy E1 and E2.

Notes to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
 - 2. Environmental permits may be required for the wetland and should be obtained from the Environment Agency.**
-



Siteplan

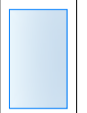
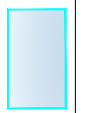

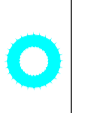
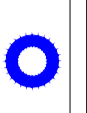
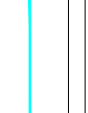
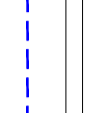



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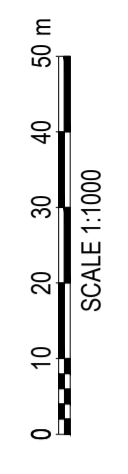
DO NOT SCALE: CONTRACTOR TO CHECK ALL DIMENSIONS AND REPORT ANY OMISSIONS OR ERRORS

KEY:

-  EXISTING WATER BODY
-  PROPOSED WATER BODY
-  PROPOSED LANDSCAPE PLANTING
-  INLET POINT
-  OUTLET POINT
-  ABOVE GROUND FLOW
-  POND LINK CHANNEL
-  OVERHEAD CABLES

NOTE:

1. WATER CONTROL FEATURES DESIGNED TO ALLOW LOW FLOW WEEP AND HIGH FLOW OVERTOP
2. ABSTRACTION POINTS SHOWN AT EXISTING LOW BANK LEVELS WHERE WATER CURRENTLY INUNDATES FIELDS



REV	DESCRIPTION	BY	CHK	APP	DATE

wyg.

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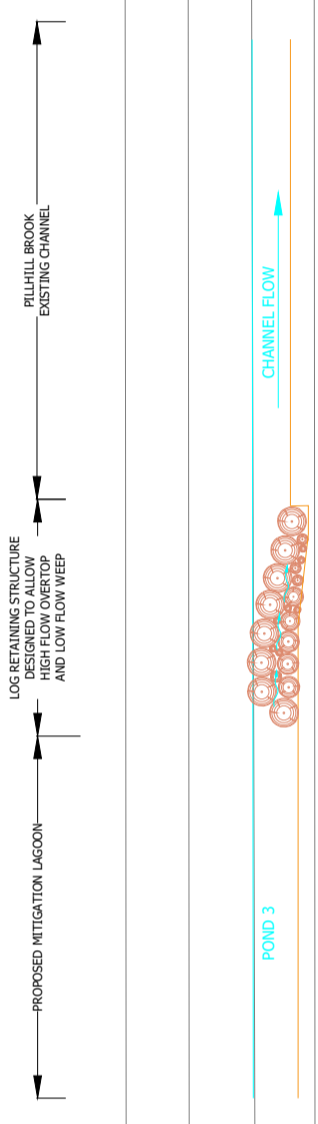
Client: **BURY HILL FARM**

Project: **NITRATE MITIGATION SCHEME**

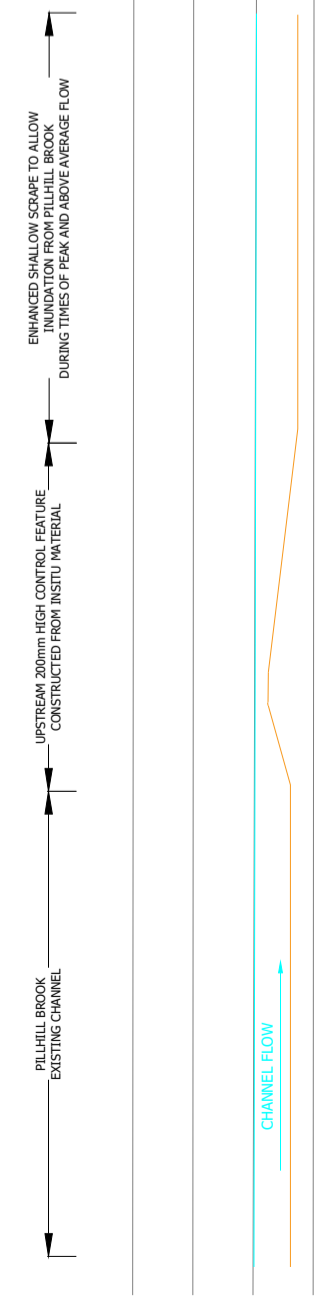
Drawing Title:

DETAILED DESIGN PLAN

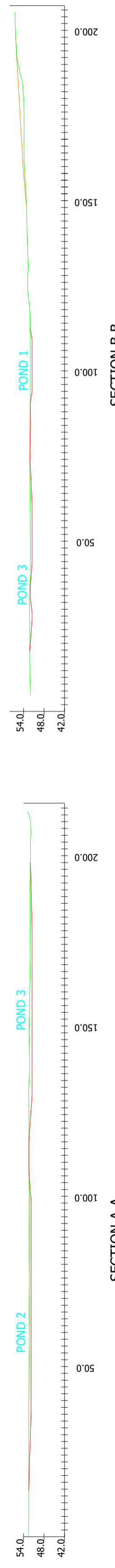
Office	Project No.	Drawing No.	Issue	Revision	Scale @
8146	DET-01	W3	1:1000		A2
Drawn	Date:	Approved	Date:		
DJE	24/11/21				© WYG Group Ltd.



PROPOSED OUTLET FEATURE



PROPOSED INLET FEATURE



Sections Plan









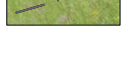
Section A1-A2









Section B1-B2

Landscape features

Existing features

-  **Trees** (provided from topological survey)
-  **Tree canopy** (young scrubby trees and offsite trees overhanging the site)
-  **Scrub** (predominately bramble with other scrubby vegetation)
-  **Grass** (to be retained)
-  **Fence**
-  **Track**
-  **Power line**

Proposed features

-  **Waterbody**
-  **Footpath** - compacted self-binding gravel over a compacted MOT type 1 base, with timber edging and cambered to allow water run off.
-  **Service vehicle parking area** - compacted self-binding gravel over a compacted MOT type 1 base, with timber edging and cambered to allow water run off.
-  **Aquatic planting**
-  **Low scrub planting**
-  **High scrub planting**



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