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<b>APPLICATION NO.</b>	19/01563/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	20.06.2019
<b>APPLICANT</b>	Mr R English
<b>SITE</b>	Kents Oak Rest Home , Kents Oak, Awbridge, SO51 0HH, <b>AWBRIDGE</b>
<b>PROPOSAL</b>	Partial demolition and conversion of existing care home to detached house with attached car port and erection of two further detached residential units with attached/detached car ports
<b>AMENDMENTS</b>	<ul style="list-style-type: none"><li>• Amended tree survey and assessment – 17.07.2020</li><li>• Amended house 1 removing two first floor windows – 03.04.2020</li><li>• Drainage Technical Note – 30/03/2020</li><li>• Site Plan as proposed with garden depths - 28.01.2020</li><li>• Letter from previous owners – 12.04.2019</li><li>• Nitrate information – 14.01.2020</li></ul>
<b>CASE OFFICER</b>	Miss Sarah Barter
	Background paper (Local Government Act 1972 Section 100D)

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## 1.0 INTRODUCTION

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

## 2.0 SITE LOCATION AND DESCRIPTION

2.1 The site comprises the buildings and land formerly used as a Care Home which recently ceased trading. The land has access to Lockerley Road and to the Public Right of Way (PROW) which runs to the south-east of the property.

## 3.0 PROPOSAL

3.1 Partial demolition and conversion of existing care home to detached house with attached car port and erection of two further detached residential units with attached/detached car ports.

## 4.0 HISTORY

4.1 10/01658/OUTS - Outline application for proposed alterations and extension to existing residential care home to extend the number of residents from 13 to 23 together with new vehicular access from Lockerley Road – Refuse – 20.01.2011.

4.2 09/00689/OUTS - Outline application for proposed alterations and extension to existing residential care home to extend the number of residents to 27 together with new vehicular access to Lockerley Road – Refuse – 04.08.2009.

- 4.3 08/02100/FULLS - Erection of conservatory on rear of care home – Permission – 16.10.2008.
- 4.4 TVS.00332/6 - Relaxation of condition 4 on TVS.332/4 to use staff accommodation for residential use associated with the rest home – Permission – 04.02.1994.
- 4.5 TVS.04810/1 - Outline : Erection of detached bungalow at -Refuse – 20.01.1987.
- 4.6 TVS.00332/4 Extensions incorporating warden's accommodation - Permission subject to conditions – 03.03.1988.
- 4.7 TVS.332/3 Extensions incorporating warden's flat - Refuse – 12.10.1987.

## 5.0 **CONSULTATIONS**

- 5.1 Ecology – No Concerns subject to condition.
- 5.2 Highways – No objection (following receipt of clarification from highways consultant).
- 5.3 Trees – No Objection subject to conditions (following receipt of updated tree survey).
- 5.4 Landscape – No objection subject to conditions.
- 5.5 Natural England – No objection subject to securing mitigation.

## 6.0 **REPRESENTATIONS** Expired 25.03.2020

- 6.1 Awbridge PC – Objection
- Over development - the proposed houses being too large for the size of the plots, and not being in keeping with equivalent properties in the village.
  - Overlooking - overlooking on to the existing neighbouring bungalows.
  - Overlooking - of the proposed properties on to each other within the new development, creating a poor environment.
  - Style and design - not in-keeping with the local area. (Parishioners also commented at the Parish Council meeting that Kents Oak has its own character, separate from that of Awbridge, consisting of bungalows.).
  - A new access point is proposed on to the main road in an area with limited visibility and known to be an area of speeding traffic (the Council have recently installed a radar speed sign in this location to slow down traffic). Awbridge Parish Council would like a separate highways survey of this exit.
  - The existing historical hedge forming the boundary line to the track is thought to be over 100years old. The development proposes modification to / removal of a section of this historic hedge line, with implications on wildlife fauna and flora.

- A residential development on the site of this Care Home raises concern about the loss of employment amenity to the village. The Councillors were not aware of any evidence of the viability of the business and or of the owners actively attempting to sell the business.
- It is noted that trees and vegetation were felled / removed on the site prior to the survey being undertaken.
- A new Access (in respect of plot 3) is proposed on to the existing unmaintained track. The existing track is used as the working access route for the adjacent farm. The track also forms a section of footpath used by pedestrians. There is no known ownership of the track, however, the farmer currently makes repair to the track, but is not obliged to do so.

6.2 Little Kents Oak x2, Butlers Wood Farm, Forest View, Green Pastures, Oaklands – Objection

Overlooking

- One of the proposed houses plot one on south west with large windows that directly overlooks my bedroom and landing so when I move from my bathroom to the bedroom I will have complete loss of privacy. I will also have complete view of the activities within downstairs living space and two bedrooms ( see picture submitted on insert )
- The upstairs windows of plot 3 would look straight down the front of the lane into the front of our bungalow giving lack of privacy to our bedrooms.

Overdevelopment

- The houses are too large for their plots leaving a small garden which will back onto my property creating a significant raise in noise level and noise pollution on my door step.
- Any new properties should not tower over its neighbours.
- Taking into account the new development at Crofton this will create a very high density, large dwelling area not in keeping with the surrounding area and the village as a whole.
- Whilst we are not adverse to the proposed works we do however have reservations in so far as the density of the proposed scheme overall.
- It is fair to suggest that three substantial properties on a site of a relatively small domestic garden is excessive, in particular plot 1 when considering its close proximity to green pastures curtilage, there is also the matter of privacy, or lack of it, that this plot evokes.

Surface Water Drainage

- The increased building plot will affect ability to absorb the rainfall causing greater surface water flow leading to potential localised flooding. If the new houses decide to pave their gardens this will cause significant issues the development needs to ensure that my property does not suffer the consequences or additional cost for rectifying this drainage. I will hold the council liable if no suitable arrangements are in place particular with the effects of weather changes due to global warming.

- Any water run off needs to ensure that drainage does not impact on surrounding properties.
- Please prevent winter flooding, puncturing deep foundations cause's natural springs which causes flooding.

### Trees

- The building works will cause significant damage to mature trees on my property aged circa 65 -70 years that have been assessed as high amenity trees by test valley the properties will be close to my boundary. Prior to the application in May 2019 new owners cut a 10 inch limb from my ash tree to give the appearance of a reduced crown size . One tree is 50 inches in diameter with an estimated crown size of 25-30 feet. please ensure that a no dig is preserved around these trees

### Ecology

- A variety of wildlife make their homes in the trees and hedging at kents oak the removal will have an effect on their quality of life.
- The proposed New entrances onto Lockerley Road and the Track leading to Butlers Wood Farm both will destroy existing Hedgerows causing damage to habitat of Wildlife & to the Flora.

### Waste disposal and potential pollution

- Concerns over any changes to the waste disposal / sewage works that could be placed in the gardens the back onto my property or my leg of the lane. Any attempt to relocate these to the areas that will impact on my trees health or infringe my property will have a significant detrimental effect on the trees and my property

### Highways

- There were significant flaws in the survey in data collection parameters use of Crofton's development (18/01904/FULLS application for traffic survey even though in the planning objections outlined the significant flaws in the data collection.
- The proposed application is adjoining the Crofton site which has already been passed for 6 large dwellings, with this increased traffic plus the original dwelling traffic the access to the public right of way and track cannot cope with the amount of traffic this development will generate.
- Sight lines out of the lane onto Lockerley lane are not good and with proposed plot 1 having its own entrance only a few metres to the left of the exit this would not aid safe exiting from the lane.
- With the review of Highways objection, the visibility line of sight from both direction for the existing entrance and the proposed new entrance onto Lockerley Road are extremely limited.
- The proposed new entrance onto the Track leading to the Farm and existing Dwellings is on a blind corner which could be a risk to incident when residents vehicles and pedestrians are travelling toward the Lockerley road junction.

### Previous use

- Before the application was submitted we have seen no evidence of any advertisement to sell this business as an ongoing concern or to suggest that the care home was not viable to run. The home was fully occupied by residents and staff and there was no evidence of the home not continuing to be viable in the future with the need for the aging population and local employment.

### Current owners – English developments

- They have not sorted the drainage issues at Crofton. They have used the care home as a substation for soil dumping and debris. They have also demolished buildings without planning permission and punctured a hole in the hedge for no reason.

## 7.0 **POLICY**

### 7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

COM2, E1, E2, E5, E7, E8, E9, LHW4, T1, T2

## 8.0 **PLANNING CONSIDERATIONS**

### 8.1 The main planning considerations are:

- The principle of development
- Impact on the character and appearance of the surrounding area
- Impact on residential amenities
- Highways and Rights of Way
- Trees
- Ecology
- Nitrate Neutrality
- Drainage
- Water Management

### 8.2 **The principle of development**

*Test Valley Borough Local Plan 2016*

The site is situated within the Awbridge settlement boundary as defined in the Test Valley Borough Revised Local Plan 2016 (RLP). As a result, provided the proposed development complies with the other relevant policies of the RLP, it would be acceptable in principle.

### 8.3 There are no policies within the adopted Local Plan that seek to retain or protect this type of accommodation but paragraphs 5.31 and 5.33 of the Local Plan recognise that specific household groups may have particular housing needs.

The submission is accompanied by a statement regarding the loss of the care home. It is indicated that there were difficulties in maintaining adequate staffing levels and as a result the necessary levels of care. The care home was advertised for sale (no details provided) but did not attract a buyer, in part it was indicated that the setup of the building (including changing levels internally and sizes of some of the accommodation) was a factor. A further letter from the financial controller for Kents Oak Care Homes confirms that the capacity of the home and its location with poor public transport links resulted in a struggle to turn a profit and in more recent years with the increased pressures of wage costs and lack of social funding turning a profit became harder. The letter states that it was with great sadness that the home was closed but in the circumstances the home was given no option but to close as it was no longer viable.

**8.4 Impact on the character and appearance of the surrounding area**

The site is situated in Kent's Oak, a small group of houses on the south western edge of Awbridge. The site is currently vacant, until last year it was used as a care home for 12 residents and its staff. The site is located in an area where buildings are clustered around the Public Right of Way (PROW) and consist of both single and two storey dwellings of differing designs, set in varying plot sizes. The area has a verdant character, boundary treatments are mainly vegetative and there are a number of mature trees in the vicinity of the site.

8.5 There are other detached houses to the west and north west of the site and in close proximity to the south west is Crofton for which planning approval has recently been granted for six detached dwellings within the garden area of the original dwelling house, this development is currently being built. To the north, on the other side of the main road, is designated countryside and to the south-east is Awbridge primary school and its associated playing field. The settlement boundary for the village follows the existing pattern of development in the village and includes the whole site of Kents Oak.

8.6 The proposed site contains the existing care home and a number of outbuildings together with hardstanding for parking. The remainder of the site is used as a garden. There are a number of substantial trees around the site (but no important trees actually within the site), together with a soft landscaped perimeter. The site is largely flat and level and is visible from the main road and from the right of way adjacent to the site.

8.7 The proposed dwellings would be of a traditional design and scale and would utilise traditional, vernacular materials. Each dwelling would be two storey and would have its own driveway and double car port. Plot 1, a 5 bedroom property, would be accessed directly from Lockerley Lane with the front elevation sited approx. 12m at the closest point from the Lane, This dwelling is proposed to be a mixture of brick, tile hanging at first floor and timber cladding under the cat slide roof element. Plot 2 forms part of the existing care home building and would create a four bedroom property. This property would be accessed from the track to the south of the application site it is proposed to be rendered at ground floor and tile hung at second floor. Plot 3 is five bedroom

property accessed from the existing access track to the south. Similarly to the other plots there is an overriding theme of oak timber and red brick throughout the development creating a cohesive appearance when viewed from the public realm. Considering the mix of dwelling types and sizes in the immediate vicinity and in Awbridge as a whole, it is considered that the design of the dwellings would be appropriate.

8.8 With regards to plot sizes, a comparable table has been provided as follows (all measurements approximate):

Site	Plot Number	Plot Area (m2)	House Floor Area (m2)
Crofton (19/00660/VARS)	Crofton	1497.99	
	1	764.68	206
	2	711.35	231
	3	596.53	240
	4	783.06	231
	5	690.53	240
	6	1179.07	352
Kents Oak (19/01563/FULLS)	1	732.39	226
	2	572.62	211
	3	654.00	230

The proposed plot sizes and resultant dwelling sizes are considered to be comparable in size to those at Crofton. Green Pastures and Little Kents Oak immediately adjacent have larger plot sizes but it is not considered that as a result the proposed development should follow a similar theme. The application site is visible from the public realm both on the Lane and PROW. Plot 2 represents a similar presence in the street scene to that is already given by the existing care home building. The differences represented by this scheme is in the additional two storey development at plots 1 and 3 both on the track and Lane.

8.9 It is not unusual to see two storey dwellings on the Lane indeed approaching from Awbridge crossroads direction to the south two storey dwellings are a common occurrence within the street scene. Approaching from the direction of Lockerley, Green Pastures is present and is a bungalow. However, it should be noted that Green Pastures has planning permission (ref: 19/00382/FULLS) to create a two storey four bedroom house. The additional built form at two storey would be seen, but given the distances the development is set back from the public realm and the design of the dwellings which ensures the breaking up of massing through the roof forms it is not considered that there would be any significant harm to the character and appearance of the area as a result. It is considered that the layout, scale and design of the proposed

dwellings would integrate, respect and complement the character of the surrounding area in accordance with policy E1 of the RLP.

- 8.10 Subject to conditions ensuring appropriate landscape schemes are secured and appropriate method statements are approved and implemented in relation to the existing trees it is considered that the additional development can be provided in accordance with policies E1 and E2 of the RLP.

8.11 **Impact on neighbouring properties and future occupants**

Green Pastures

This neighbour is located to the north of the application site. The boundary treatment is made up of fencing, hedging and the rear wall of an outbuilding at Green Pastures. The dwelling at plot 1 is approx. 3.8m from the boundary with this neighbour at the closest point and approx. 20m from the dwelling at Green Pastures. Some overshadowing would fall towards this neighbour through the day as a result of the development at plot 1. However, given the separation distances described above and the presence of other outbuildings at Green Pastures between the application site and the dwelling at Green Pastures it is not considered that the shadow would create a significant impact on the amenities of this neighbouring property in relation to overshadowing.

- 8.12 Plot 1 introduces a new two storey dwelling at closer proximity to this neighbour than the existing care home building. On the elevation facing this neighbour are 2 windows at first floor. Amended plans have been received removing two of the windows facing this neighbour at first floor resulting in the remaining two serving bathrooms which are recommended to be obscurely glazed via condition. Furthermore it is considered reasonable to apply a condition controlling the insertion of any further windows in the north western elevation which faces this neighbour.

8.13 Little Kents Oak

This neighbour is located to the west of the application site and is accessed from the track/PROW to the south. The boundary is made up of close board fencing, trees and shrubbery. The rear elevation of the dwelling at plot 1 is approx. 15m at the closest point, away from the boundary with Little Kents Oak. The windows at Little Kents Oak facing the application site are between approx. 16m and 24m away from the rear wall of the proposed dwellings at plot 1. Given this distance it is not considered that there would be any significant impacts at this neighbouring property in terms of overshadowing or loss of light.

- 8.14 At ground floor the development would be largely screened from this neighbour by the existing boundary treatment. Comments have been received in relation to overlooking from the proposed development at plot 1 towards this neighbouring property and in particular a first floor side window at Little Kents Oak. The introduction of first floor windows facing this neighbouring property would offer elevated views towards this neighbour. However, the direct views given would be of the side elevation of Little Kents Oak only. Inter-visibility between the existing first floor side windows at Little Kents Oak and Plot 1 would be created but it is understood that the windows at Little Kents Oak are

secondary use windows and not serving rooms in primary use such as a kitchen or living room. Furthermore the views given would be at a distance of approx. 15m. As such it is not considered that a reason for refusal could not be substantiated on grounds of overlooking and it is not considered that a significant impact in terms of overlooking would be created.

8.15 Plot 3 would also be located adjacent to a boundary with Little Kents Oak. The boundary of close board fencing, shrubbery and trees is present here. The area immediately adjacent this plot at Little Kents oak is a driveway. The dwelling at plot 3 would be located between 9.5m and 10.7m from this boundary ensuring no impacts in terms of overshadowing or loss of light. The existing windows at Little Kents Oak to the nearest proposed windows would be approx. 21m. Any overlooking towards this neighbour from proposed windows would be towards the driveway and not any private amenity area at Little Kents Oak.

8.16 Future Occupiers

The submitted layout shows that the relationships between the proposed properties including proposed separation distances would be adequate such that the dwellings would not have any adverse impacts on terms of overlooking, overbearing, overshadowing or loss of light. It is considered reasonable to apply a condition ensuring that no further windows are inserted on the north western side of plot 3 which could give rise to overlooking towards plot 1s rear garden.

8.17 Residential amenity summary

As a result of the above, it is not considered that the proposed development would result in any significant adverse impacts on neighbour amenity in terms of overlooking, overbearing, overshadowing or loss of light. Subject to the conditions stated above in relation to future window placement the proposals are therefore considered to comply with policy LHW4 of the RLP.

8.18 **Highways and Rights of Way**

Parking and manoeuvrability

Parking for each dwelling would be provided in accordance with the parking standards set out at Annex G to the RLP. With regards to manoeuvrability, within the site, there is adequate space for both cars and refuse vehicles to enter and leave the site in a forward gear.

8.19 As a result of the above, it is considered that the proposals would accord with policies T1 and T2 in relation to parking and manoeuvrability.

8.20 Access

The highway officer is satisfied that visibility provided from the site access and from the access off Romsey Road are adequate and would accommodate the proposed development without there being any adverse impacts on highway safety. As a result, in relation to the access subject to appropriate conditions, it is considered that the proposals would comply with policy T1 of the RLP.

8.21 Impact on the Public Right of Way

With regards to the impact the proposals would have on the amenity value of the route, as this part of the PROW is currently used to access a number of properties within Kents Oak, it is not considered that the use of the PROW for access to the proposed residential dwellings at plots 2 and 3 would result in a material change to the character of this part of the PROW. It is therefore not considered that the proposals would have any adverse impacts on the character of the PROW. The proposals are considered to comply with policy T1 in this regard.

8.22 Parking provision

Plot one has space for at least three cars to park on plot. The double car port would be a minimum of 6m x 6m internally, also providing cycle parking for this plot, A double car port is proposed for Plot 2 and there is also space for at least one car on a large driveway, providing three car parking spaces for Plot 2. A shed will be provided for this plot for cycle parking Plot three has space for at least three cars to park on plot. Again, the double garage will be a minimum of 6m x 6m internally, also providing cycle parking for this plot. Subject to an appropriate condition ensuring the parking areas are available at all times for parking the parking standards set out within the Revised Borough Local plan 2016 are considered to be met.

8.23 **Trees**

There are two off site TPO on the access track to the south. There are also Ash trees in the south western corner which whilst not subject to TPO are mature and contribute to the character of the ROW and access track. Clarification was initially sought from the Tree Officer regarding the tree constraints information within the submitted report and plans and potential impacts on the Ash trees. Further information was received and the Tree Officer has now confirmed that the revised arboricultural information addresses previous concerns in relation to tree protection areas and no dig zones.

8.24 Subject to appropriate conditions securing the method statement and arboricultural information are approved and implemented it is considered that the development can be provided in accordance with policy E2 of the Revised Borough Local Plan 2016.

8.25 **Ecology**

On site ecology

The application is supported by Ecological Assessment (Peach Ecology June 2019). The County Ecologist is satisfied that this represents the current conditions at the application site. No evidence of bats was found during the visual inspection. The main building was assessed as presenting high roost potential and the garages presented negligible roosting potential. Therefore three roost characterisation surveys were carried out to give confidence in the negative visual finding. This is appropriate and in line with the Bat Conservation Trusts good practice survey guidelines.

- 8.26 No bats were seen to emerge from or return to the house during these surveys. During the survey work a number of bat species were recorded foraging and passing the site, and the main building to be partially demolished and converted has high potential to support bats. Bats are highly mobile and can roost at any time where they have not previously been recorded, therefore bats cannot be ruled out completely. As such, any works to the main building (roof/hanging tiles) must be undertaken under ecological supervision. In addition the ecological enhancements and precautionary measures relating to nesting birds, reptiles should be implemented.
- 8.27 Bats receive protection under UK law via the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Habitats Directive, which is transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (commonly referred to as the Habitats Regulations). Developments that affect legally protected species are also likely to be contrary to policy E5 of the Test Valley Revised Local Plan DPD. Developments that affect bats will need a European Protected Species (EPS) licence from Natural England before any work that affects bats could commence.
- 8.28 Local Planning Authorities are required to engage with the Regulations planning permission should be granted (other concerns notwithstanding) unless the development is likely to result in a breach of the EU Directive and, if a breach is considered likely, that the development is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law. The County Ecologist has suggested an appropriately word condition ensuring development is carried out in accordance with the submitted survey and recommendations. It should also be noted that the small section of hedge being removed is not considered to be of concern in ecological terms particularly as replacement and re-inforced hedge planting is secured elsewhere on the site. Subject to the condition the ecologist suggests it is considered that the development can be carried out in accordance with policy E5 of the Borough Local plan which concerns biodiversity.
- 8.29 International sites  
The proposed development would result in a net increase in residential dwellings within 13.06km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit these sites. This SPA supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the sites that result from new housing development. It has been demonstrated through research, and agreed by Natural England that any net increase would have a likely significant effect on the SPA when considered in combination with other plans and projects.

8.30 To address the above issue, the Local Planning Authority has adopted a strategy whereby a scale of developer contributions has been agreed that would fund the delivery of measures to address these issues. With respect to the New Forest, a new strategic area of alternative recreational open space is being delivered that would offer the same sort of recreational opportunities as those offered by the New Forest. Payment is awaited.

8.31 **Nitrate Neutrality**

The River Test and its major tributaries flow into the Solent. The Solent region is one of the most important for wildlife in the United Kingdom. There are currently high levels of nitrogen and phosphorus input into this water environment and there is evidence to suggest that this is having a detrimental impact on the biodiversity of this area. Housing and other certain types of development are currently contributing negatively towards this issue and there is evidence that further development, without mitigation, would exacerbate this impact.

The Solent region consists of the following Special Areas of Conservation (SAC) and Special Protection Areas (SPA):

- Chichester and Langstone Harbours SPA
- Portsmouth Harbour SPA
- Solent and Southampton Water SPA
- Isle of Wight Lagoons SPA
- Solent Maritime SAC
- Solent and Dorset Coast SPA (Proposed)

8.32 These sites are protected by National and European Law which requires the Council to undertake a formal assessment of the implications of any new plans or projects that may be capable of affecting the designated interest features of European Sites before deciding whether to grant planning permission for new residential development. This formal assessment is known as an Appropriate Assessment and considers the potential adverse effects of a plan or project (in combination with other plans or projects) on Special Areas of Conservation and Special Protection Areas. The European Court of Justice recently determined a case related to considering water quality in Appropriate Assessments. The impact of the case law is that any development which could result in a decrease in water quality would cause a likely significant effect on the Solent's European sites.

8.33 In the context of planning, the impact comes from population increase and the resultant increase in effluent. Proposed developments for new housing, hotels and care homes (as well as other forms of overnight accommodation) are being affected by the issue as a result. The applicant is proposing a package treatment plant to process waste water from the proposed development. Natural England point out that PTP should not be used where there is a mains sewer but it is understood from LPA records that there is not mains in this part of Awbridge.

8.34 Considering this application on its own Natural England (NE) can concur with the findings of the Habitats Regulations Assessment as the development will result in a reduction of permanent residents from the current 12 within the existing care home to 7.2 (2.4 multiplied by the proposed three dwellings) within the proposed development and agree this would equate to a reduction in nutrients from this site. The fact that there is an existing nitrate budget at this site results in a nitrate neutral development being proposed. A legal agreement has been completed removing the care home use permanently to ensure the budget used for this development cannot be used repeatedly on any further applications. It should be noted that the development does offer a remaining budget which is not needed for this application. In principle NE agree that this can be used on another site.

8.35 **Drainage**

Concern has been raised with regards to the adequacy of the proposed drainage of the site (each dwelling would have its own sewage treatment plant). This part of the village does not have mains foul drainage and as such, non mains drainage has to be used. Package sewage treatment plants are generally an appropriate system to be used in residential developments and their installation will be overseen by Building Control Regulations. In respect of surface water the outline drainage strategy comprises of a gravity drainage system, SuDS component as geocellular crate systems, and flow control unit to ensure adequate management of surface water on site.

8.36 It is noted that the site is in flood zone 1 with the nearest significant Watercourse located at Awbridge Danes Lake which is approximately 1km to the south and the River Test 2km to the east of the proposed development site. The applicant has provided a drainage technical note which confirms that it is deemed to be an appropriate development for Flood Zone 1 under the NPPF Table 3: Flood Risk Vulnerability and Flood Zone Compatibility. Given the development is not a major development and is located in flood zone 1 there is no requirement to consult further with the Environment Agency or the Lead local Flood Authority.

8.37 **Water Management**

The 2016 Local Plan includes a requirement in policy E7 to achieve a water consumption standard of no more than 100 litres per person today. This reflects the requirements of part G2 of the 2015 Building Regulations. A condition would be applied in order to address this. Subject to such a condition the proposal would comply with policy E7.

### 8.38 **Other matters**

Loss of employment was raised by objectors as a result of the closing of the care home. Care home use of C2 is not required in planning policy terms to demonstrate that they are/are not viable. In any event the agent has provided some evidence on this point, see paragraph 8.3. This confirms that the capacity of the home and its location with poor public transport links resulted in a struggle to turn a profit and in more recent years with the increased pressures of wage costs and lack of social funding turning a profit became harder and harder. The home was given no option but to close as it was no longer viable.

8.39 Comments were received in respect of the applicants handling of matters at Crofton and how the care home site has been used whilst this application is under consideration. The care home site at the time of report writing has been cleared with the exception of the care home building which has in itself been stripped as far as practicable. The comments are noted but are not material planning considerations when considering this site for development.

### 9.0 **CONCLUSION**

9.1 The proposals are considered acceptable in principle and are not considered to have any adverse impact on the character and appearance of the surrounding area, residential amenities, highways/rights of way, trees or ecology. The proposals are therefore considered to comply with the relevant policies contained within the Test Valley Borough Revised Local Plan 2016.

### 10.0 **RECOMMENDATION**

**Delegate to Head of Planning and Building for receipt of New Forest SPA Payment and then PERMISSION subject to conditions and notes:**

1. **The development hereby permitted shall be begun within three years from the date of this permission.**  
**Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
2. **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.**
3. **No development shall take place above DPC level of the development hereby permitted until a planting plan detailing species, plant numbers, sizes and percentage mix has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall also include an implementation strategy. The landscape works shall be carried out in accordance with the implementation strategy.**

**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.**

- 4. No development shall take place above DPC level of the development hereby permitted until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. Details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports). Implementation and maintenance details shall also be included. The landscape works shall be carried out 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.**

- 5. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Tree Survey, dated 17<sup>th</sup> July 2020.**

**Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**

- 6. Tree protective measures installed (in accordance with the tree protection condition) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.**

**Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**

- 7. 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.**

- 8. Prior to commencement of development a full arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

**Reason: To ensure 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.**

9. Development shall proceed in accordance with the measures set out in Section 5 of the Peach Ecology Ecological Assessment Report (June 2019)  
Reason: In order to avoid impacts to protected species and to provide ecological enhancements in accordance with the Test Valley Borough Revised Local Plan 2016 policy E5.
10. 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.
11. Details of any external lighting proposed shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of such lighting. The lighting shall be installed in accordance with the approved details.  
Reason: To avoid impacts to bat commuting and foraging activity and 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) policies E1, E2 and E5.
12. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:  
00A – Site Survey  
D111A – Site Plan  
D210 – Existing Floor Plans  
D100- Location plan  
D220A – Plot 1 proposed floor plans and elevations  
D211 – Plot 2 proposed floor plans and elevations  
D221 – Plot 3 proposed floor plans and elevations  
D112 – Proposed roof plan  
Reason: For the avoidance of doubt and in the interests of proper planning.
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows/roof lights in the northern elevations of the dwellings hereby permitted on plots 1 and 3 [other than those expressly authorised by this permission] shall be constructed.  
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.

14. The first floor windows in the northern elevation of plot 1 of the development hereby permitted shall be fitted with obscured glazing and shall be top hung opening only, and thereafter retained as such, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LWH4.
15. 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.

16. Any gates shall be set back at least 4.5metres from the edge of the carriageway of the adjoining highway and the access shall be splayed at an angle of 45 degrees from this point to the edge of the highway.  
Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
17. At least the first 4.5 metres of the access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.  
Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
18. Prior to first occupation the access point at the existing access point and at the proposed plot 1 access point shall be constructed with the visibility splays of 2m x 37m to the left and 2m x 38m to the right and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1metres above the level of the existing carriageway at any time.  
Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), the car ports hereby approved shall at all times be available for the parking of vehicles.  
Reason: In order to maintain the approved onsite parking provision and to reduce highway congestion in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1 and T2.

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 vehicle shall leave the site unless its wheels have been sufficiently cleaned as to minimise mud and other material being deposited on the highway. Appropriate measures, including drainage disposal, should be taken and shall be retained for the construction period. (Non-compliance may breach the Highway Act 1980.)**