
APPLICATION NO.	18/02613/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	05.10.2018
APPLICANT	Mr S Jupe
SITE	Oaklands Farm, Lockerley Road, East Tytherley, SP5 1LJ, EAST TYTHERLEY
PROPOSAL	Demolition of two agricultural buildings and erection of two dwellings and garages, creation of new access and associated hard and soft landscaping.
AMENDMENTS	Additional/Amended plans received 08/11/18 & 07/12/18.
CASE OFFICER	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is presented to Southern Area Planning Committee because it is contrary to the provisions of an approved or draft Development Plan or other statement of approved planning policy, adverse third party representations have been received and the recommendation is for approval.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is comprised of two large agricultural barns situated to the north of Oaklands Farm and within the countryside area of East Tytherley Parish. The site is situated approximately 250m north of the main farm house and 590m east of the nearest vehicular highway. The site is accessed by an existing track serving Oaklands Farm. In addition a public right of way is situated approximately 35m west of the site having recently been diverted from the path of the access road.

3.0 PROPOSAL

- 3.1 The application proposes the demolition of two agricultural buildings and erection of two dwellings and garages, creation of new access and associated hard and soft landscaping.

4.0 HISTORY

- 4.1 18/01923/PDQS Notification for Prior Approval under Class Q - Conversion of agricultural building to single dwelling including necessary external alterations and creation of domestic curtilage. Prior Approval Not Required 26.09.2018.
- 4.2 18/00560/FULLS - Convert and alter agricultural barn to four bedroom residential dwelling with pool and sewage treatment plant. Permission 18.04.2018.

4.3 15/00803/FULLS - Convert and alter agricultural barn to four bedroom residential dwelling with pool and sewage treatment plant. Permission 07.08.2015.

5.0 CONSULTATIONS

5.1 Planning Policy & Transport (Policy) – Comment;

- The application site lies outside of the settlement boundary and is therefore within the countryside (see Map 3 in the Local Plan). Development outside of settlement boundaries will be permitted if: a) it is a type appropriate according to RLP policy COM8-COM14, LE10 or LE16-LE18; or b) it is essential for the proposal to be located in the countryside.
- The site comprises two agricultural barns which are currently undergoing a change of use, one having gained permission in 2018 to convert into a four-bedroom residential dwelling (18/00560/FULLS), and the other gaining permitted development under Class Q to become a residential dwelling (18/01923/PDQS), with both permissions yet to be implemented. The proposal seeks to demolish the barns and erect 2 five bedroom dwellings. Given the proposal therefore seeks the (eventual) replacement of both dwellings within the countryside; COM12 provides the most appropriate policy in assessing the suitability of the development.
- Given that the permissions for the changes of use have yet to be implemented, technically both barns are yet to be classified as dwellings and therefore should not fall under the remit of COM12.
- Therefore whilst the proposal would constitute a technical breach of COM2 (given that COM12 technically does not apply) the proposal must be weighed against the fact that the barns have permission to become dwellings and that the proposal would not result in a net increase in residential units in the countryside, nor lead to a significant expansion of the collective footprint of the site. As such, given the existing barns are not currently the subject of temporary permission (satisfying criterion a) of COM12), and subject to the proposals not being visually intrusive in the landscape (criterion b), the proposal could be considered permissible in principle.

5.2 Planning & Building (Conservation) – Comment;

- The proposal site and Oaklands Farm may be seen together from the public footpath which runs roughly east/west to the north of the site. In this view the whole of the existing barns may be seen, and the rooftops of most of the historic farm complex. They are at some distance apart, and though the farm complex can be appreciated as an historic farm grouping in this view, it is not a key view of the farm as such. Nonetheless the site does have some impact on the setting of the farm, and through this its special interest, albeit limited.
- The barns cannot be seen from Oaklands Farm and the area directly around it, or from the public footpath which currently runs directly past it north/south as there is considerable screening from various tall hedges and vegetation and by changes in land levels (though even these are hard to perceive due to the amount of vegetation).

- They are also almost completely screened from the two footpaths to the south of Oaklands Farm running approx. east/west. It is therefore considered the proposed development would not affect the setting of Rolle House (GII*) which lies to the south-west, or North Lodge (GII) which is adjacent to that.
- Lockerley Hall (GII) and its listed stable block are considered to be at sufficient distance that they settings would not be affected.

5.3 Planning & Building (Landscape) – Objection;

- At present the plot is occupied by two large modern barns. These barns are not particularly attractive, but are simple agricultural buildings in a farming landscape.
- The existing residential conversion permissions used a simple agricultural form building that sat well within the landscape causing no major integration issues.
- The proposed new dwellings would be a significant change within the local and wider landscape. As highlighted within the Visual Impact Assessment not only are the barns viewed directly from the PRoW running alongside the barns (Viewpoints E and F) but also many vantage points from the wider Public Right of Way network to the north, east and west.
- Although the existing barns are large buildings which due to the lack of surrounding development dominate the local landscape; their agricultural appearance enables them to integrate into the agricultural setting. The two modern dwellings proposed, have no agricultural influence and would appear at odds with the sites rural setting; they would struggle to integrate and fail to improve the character, function and quality of the area.

5.4 Ecology – No objection, subject to condition.

5.5 Housing & Environmental Health (Environmental Protection) – No objection, subject to condition.

5.6 HCC Rights of Way – No response received.

5.7 Test Valley Design Review Panel – Comment;

- The initial concept behind the proposals stems from the form and layout of a traditional farmstead setting, whilst attempting to respond to the existing adjacent chalk pit and the views, over farmland, to the west.
- The Panel felt that this was a sensible and strong concept given the setting of the buildings, although it was thought that the concept ought to be enhanced further within the design.
- The Panel appreciated that the proposals submitted had been carefully considered and had been through a number of iterations before reaching this stage, including a reduction in the overall bulk and form of the design.

- The Panel felt however that the design still needs to have a stronger relationship to the surrounding setting, ensuring the building is specific to its site and complements its immediate surroundings. The materials proposed were thought to be very stark and urban in their nature, particularly the grey brickwork. Whilst it was appreciated that the brickwork was intended to mimic the use of flint in the area, the Panel felt that this was not successful and a more rural approach to the materials was required for the lower walls, possibly involving raw/finished concrete panels or cast concrete. This would then retain the general visual appearance of the proposed brick wall, whilst giving the buildings a more agricultural feel. It was thought that the brickwork proposed would better suit a more urban situation, given the isolated nature of the site.
- In principle the Panel were happy with the layout of the buildings and the orientation of the plans, appreciating the relationship between the two buildings, and the alignment of the two storey sections. It was felt however that the mono-pitch roof could be enhanced by the use of an alternative material, maybe involving a corrugated steel to enhance the farmstead concept, and keep the design of the proposals more in line with agricultural barns and buildings. The Panel considered that a pitched roof, rather than a mono pitch, could work successfully for the two story elements of the proposals, imitating similar barns in the area.
- In conclusion, the Panel felt that the designs were well considered and the time involved in the design so far was appreciated. Overall though, the application of the materials within the proposal was still felt to be incomplete. It was agreed that further work is required with regard to the materials proposed for the spine walls and the overall roof finish. The Panel agreed that the buildings need to relate much more closely to their specific setting and not be an urban design located within the countryside. It was felt that for the application to be successful, the treatment of the elevations should be considered further and justified accordingly as the materials are essential to the coherence of the proposals, given its rural location.

6.0 **REPRESENTATIONS** Expired 30.10.2018

6.1 **East Tytherley Parish Council** – No objection.

6.2 **1 representation of Objection received;**

- This is a beautiful, tranquil and entirely rural location; the landscape is open and windswept with agricultural fields and buildings. The proposed dwellings are totally unsympathetic to the landscape, having an institutional or commercial appearance which would be more appropriate to an industrial park.
- Whilst the closest footpath is in the process of being relocated, the site will still be very visible from several footpaths, particularly with the stark lines and white finish proposed.
- The previously permitted developments, whilst unwelcome in the countryside, were at least more in keeping with the landscape and the appearance of the existing agricultural barns.

7.0 **POLICY**

7.1 **National Planning Policy Framework 2012** National Planning Policy Framework.

7.2 **Test Valley Borough Revised Local Plan (2016) (TVBRLP) COM2** (Settlement Hierarchy), COM12 (Replacement Dwellings in the Countryside), E1 (High Quality Development in the Borough), E2 (Protect, Conserve and Enhance the Landscape Character of the Borough), E5 (Biodiversity), E7 (Water Management), E8 (Pollution), E9 (Heritage), LHW4 (Amenity), T1 (Managing Movement), T2 (Parking Standard).

8.0 **PLANNING CONSIDERATIONS**

The main planning considerations are the principle for development, character of the area, setting of the listed building, highways, protected species & ecology and amenity.

8.1 **Principle of development**

The application site is, for the purposes of planning policy, within the countryside. The application site is not allocated for development in the currently saved policies of the Local Plan. The principle planning policy of the TVBLP therefore is policy COM2. Planning policy COM2 seeks to restrict development outside of settlement boundaries unless identified within the specified policies.

8.2 The site comprises two agricultural barns which are subject to extant permissions for conversion to residential dwellings. One having gained permission in 2018 to convert into a four-bedroom residential dwelling (18/00560/FULLS), and the other gaining permitted development under Class Q to become a residential dwelling (18/01923/PDQS), with both permissions yet to be implemented. The proposal seeks to demolish the barns and erect 2 five bedroom dwellings. Policy COM12 provides for the erection of replacement dwellings in countryside but as the permissions for the changes of use have yet to be implemented, technically both barns are yet to be classified as dwellings and therefore do not fall under the remit of COM12. Without the ability to be considered under policy COM2 the proposals would be contrary to policy COM2 and therefore a recommendation would represent a departure from local plan policy.

8.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission be determined in accordance with the development plan unless considerations indicate otherwise. This is echoed by the National Planning Policy Framework. In addition, the RLP is considered an up-to-date development plan which is not silent on development within the countryside and thus full weight must be given to it. However, it is considered that in this instance, there are other material considerations that must be taken into consideration in the determination of the application.

- 8.4 Although both barns are currently not dwellings, they have permission to become dwellings and therefore it could be considered that the barns have a realistic prospect of eventually completing their changes of use to become residential units, whereby COM12 would then apply if the proposal was submitted once the permissions were implemented. Furthermore the proposal does not seek a net increase in the number of dwellings on the site and the development would result in an overall reduction in the combined footprint of the current buildings.
- 8.5 The principle of a fall position was examined in a recent appeal (APP/C1760/W/16/3154235 – Barrow Hill Barns, Goodworth Clatford). In that case the site benefited from a notification for prior approval under Class J (now Class O) of the Town and Country Planning (General Permitted Development) Order 1995 (GPDO) for the conversion of the existing building into 5 residential units.
- 8.6 In considering the probability that the permitted scheme would be feasible and would be implemented if the appeal scheme for the replacement of the building for 5 dwellings failed at appeal the Inspector stated:
- “I have no evidence before me to doubt the appellant in respect of these matters. I therefore find that the fall-back position to convert the building into 5 dwellings is therefore more than a theoretical prospect; there is likely to be a high probability that the scheme would be constructed if the appeal proposal is dismissed.”*
- 8.7 When considering the planning balance, the Inspector recognised that the proposal would conflict with policy COM2 of the RLP, but considered the likely residential use of the site a material consideration which would justify making a decision which is not in accordance with the development plan.
- “However, the appellant’s fall-back position to change the use of the existing buildings upon the site is a very real possibility. The effects of the appeal proposal would be unlikely to be discernible over and above the permitted development scheme for the reasons given. I regard the likely residential use of the site, a material consideration which would, in this case, justify making a decision which is not in accordance with the development plan.”*
- The appeal was allowed on this basis.
- 8.8 The assessment of principle, as outlined by the Inspectors decision, has subsequently been followed in recent applications at Upper Eldon Farm (17/02335/FULLS & 17/02336/FULLS) and Marsh Court Farm (18/00569/FULLS) which were recommended for permission by Officers and subsequently approved at Southern Area Planning Committee.

- 8.9 The current application site benefits from an extant full permission for one building and permitted development Under Class Q for the other. There is no practical reason that either permission could not be implemented and the fall-back position therefore significantly in favour of the principle of permitting the proposed development contrary to the provisions of the Test Valley Borough Revised Local Plan 2016.
- 8.10 Along with considering the likelihood of the Part O scheme being implemented, the Inspector of the Barrow Hill Barns appeal also considered it necessary to assess the impact of the proposed scheme against the permitted scheme, to 'determine whether or not there would be any significant impacts over and above the permitted scheme'. In relation to this proposal, this is discussed further below.
- 8.11 **Character and Appearance**
The site is located within the rural countryside to the north (250m) of Oaklands Farm, where Oaklands Farmhouse is Grade II Listed. To the west of the site along the access road is a Public Right of Way (PROW). To the east of the site is Little Pullins Copse, a Site of Importance for Nature Conservation (SINC). To the west of the farmhouse is open countryside. The vehicular highway is situated approximately 590m west of the site limiting wider views. Views from the public right of way to the west would be apparent adjacent the development but wider views are heavily screened by mature trees and planting.
- 8.12 Both the existing barns are of a relatively modern construction and are of no particular architectural or historic merit. As is described above both benefit from either full planning permission or permitted development right for conversion to single residential dwellings.
- 8.13 The southern barn (Plot 1) has full planning permission for conversion to a four bedroom dwelling with external swimming pool and terraced areas. No extension to the existing building was permitted with works limited to the provision of fenestration, porch areas and with garaging provided within the building. Plot 1 is the larger of the existing buildings measuring approximately 30m by 25m with a ridge height of 6.2m. The resulting floor space is approximately 776 sqm. The extant permission provides for the recladding of the building and the introduction of significant areas of glazing.
- 8.14 The northern barn (Plot 2) benefits from permitted development under Class Q for conversion to a single 5 bedroom dwelling. Plot 2 measures 30m by 28m with a ridge height of 5.85m. However as the barn sits on a higher ground level than Plot 1 the overall ridge height sits approximately 1.2m higher than the southern barn. The footprint of Plot 2 is approximately 591 sqm. The barn is constructed of concrete facing block with a corrugated iron roof.

- 8.15 Both of the conversion schemes retained the scale of the existing buildings including the characteristic shallow roof pitches. Whilst the designs of the conversions were considered acceptable they were constrained by the scale and form of the existing buildings with new elements limited to the fenestration and cladding. Whilst the conversion schemes retain the overall form of the modern agricultural buildings there was limited opportunity to secure improved design and the resultant schemes are inevitably large in scale driven by the size of the existing barns. The proposed erection of replacement dwellings offers opportunities to significantly improve on the permitted designs and secure a reduction in scale.
- 8.16 The submitted design statement indicates that the proposed layout focused around two courtyards addressing the former chalk pit to the south and agricultural land to the east. The design is intended to mimic the arrangement of a historic set of outbuildings around a farm house set within its own enclosed yard. The Landscape Officer has commented that the two modern dwellings proposed, have no agricultural influence and would appear at odds with the sites rural setting. However it is clear from the submitted design documentation that the concept of an agricultural courtyard, albeit with modern design elements, was the starting point for the proposed layout. The Design Review Panel (DRP) were happy with the layout of the buildings and the orientation of the plans, appreciating the relationship between the two buildings, and the alignment of the two storey sections agreeing that “this was a sensible and strong concept given the setting of the buildings, although it was thought that the concept ought to be enhanced further within the design.”
- 8.17 The DRP stated that the proposals had been carefully considered and had been through a number of iterations before reaching this stage, including a reduction in the overall bulk and form of the design. The Panel felt however that the design needs to have a stronger relationship to the surrounding setting, ensuring the building is specific to its site and complements its immediate surroundings. The DRP considered that materials proposed were stark and urban in their nature, particularly the grey brickwork. Whilst it was appreciated that the brickwork was intended to mimic the use of flint in the area, the Panel felt that this was not successful and a more rural approach to the materials was required for the lower walls, possibly involving raw/finished concrete panels or cast concrete. The comments regarding the ground floor wall materials were also echoed by the Conservation Officer in their comments.
- 8.18 In response to the comments regarding the ground floor materials the applicants have proposed a fair faced linear format block, sand-blasted so to appear as similar to a typical example of a farm building material. Specifically this is identified as being preferable to a standard format block to identify the buildings as a contemporary building with fine crisp detailing. The applicants were concerned that a standard format concrete block could appear unfinished and unsympathetic to the quality of the proposals nor the domestic nature of the building type. The initial proposals also included a particularly light grey colour, intended to reflect local flint structures, which was felt to be

unsuccessful in the DRP and Conservation comments. The revised submission also includes a darker colour far closer to the existing agricultural structures which is considered to markedly reduce the prominence of the structure particularly in the longer view from the footpath to the west.

- 8.19 The revised design is considered to have addressed the concerns raised and would reduce the prominence of the ground floor wall and improve its character in an agricultural setting. Whilst the wall will face onto the nearest public views there is a substantial area to the west of the property to establish suitable native landscape planting which will further break up the longest sections.
- 8.20 In relation to the roof form and materials the DRP commented that “the mono-pitch roof could be enhanced by the use of an alternative material, maybe involving a corrugated steel to enhance the farmstead concept, and keep the design of the proposals more in line with agricultural barns and buildings. The Panel considered that a pitched roof, rather than a mono pitch, could work successfully for the two story elements of the proposals, imitating similar barns in the area.”
- 8.21 The applicant’s architects have commented that a pitched gable ended roof as suggested was considered but resulted in the buildings addressing each other as a consequence of increased massing and a higher ridge line, this was contrary to the intention and concept which aims to focus the occupants view away from the adjacent property. In this case it is accepted that the use of a traditional pitched roof would result in a significant increase in the height, and by extension the prominence, of the buildings. In addition, whilst the existing buildings have pitched roofs, they are notably shallow and from public views appear as a single shallow pitched mass rather than a traditional pitch. The shallow mono-pitch is considered to reflect the form of the existing buildings whilst keeping additional massing to a minimum.
- 8.22 With regard to the roof materials the applicants architect has agreed that zinc with a traditionally a metallic silver finish would be inappropriate as it tends to shimmer in the summer sun due to its high reflectivity. A dark zinc roof is now proposed to ensure that the roof and first floor elements are visually separated from the ground floor and flank walls. Whilst it is acknowledged that a corrugated roof would allude to the proposals being an agricultural building within the immediate setting it is not going to be evident from public views. Furthermore the linear jointing of the roof will appear similar in appearance to a corrugated metal roof reflecting the wider agricultural character whilst retaining the individual design of the dwellings which are seeking to reflect rather than mimic the existing agricultural buildings.
- 8.23 The amendments to the west facing elevation and roof materials have sought to address the comments of the DRP. The proposals have a clearly articulated overarching design concept inspired in form and detail from the agricultural and historic buildings locally with a regard for the context of the site. The resultant appearance would suitably reflect the street scene and wider rural character of the area.

8.24 As a result it is considered that the proposed development, by virtue of its layout and design, makes a positive contribution to the character, appearance and setting of the site in its own right. In addition the proposals must be assessed against the fall-back position of the extant conversion permissions. The modern buildings are of no particular architectural or historic merit. Whilst acceptable as conversions the permitted designs are inherently constrained by the limits of the existing buildings including their significant scale resulting in a compromised design rather than the holistic approach offered by their replacement. Overall the proposed development is considered to comply with policies E1 and E2 and of the TVBLP 2016.

8.25 **Setting of Heritage Assets**

The main farm house is Grade II listed. However it is situated approximately 250 south of the application site to be converted. As a result of the distance and the existing landscaping views of the two buildings in conjunction are limited to those from the public footpath to the northwest at a distance of 240m to the application site and 460m to the listed building. In this view the whole of the existing barns may be seen, and the rooftops of most of the historic farm complex. The Conservation Officer has identified that whilst the farm complex can be appreciated as an historic farm grouping in this view, it is not a key view of the farm. As a result it is considered that the site does have some relevance to the setting of the farm and its special interest, it is limited.

8.26 The application site cannot be viewed from within the Oaklands Farm site, or from the public footpath which currently runs directly past it north/south as there is considerable screening from various tall hedges and vegetation and by changes in land levels. Similarly the site is screened from the two footpaths to the south of Oaklands Farm and other listed buildings beyond. It is therefore considered the proposed development would not affect the setting of Rolle House (GII*) or North Lodge (GII) which are situated further south. Lockerley Hall (GII) and its listed stable block are considered to be at sufficient distance that they settings would not be affected.

8.27 **Amenities of neighbouring properties**

The application site is situated in a relatively isolated location on the edge of the village of East Tytherley the nearest neighbouring dwelling situated approximately 250m south of the barn. In addition the two sites have been specifically designed to avoid any adverse impact on each other. Given the distance from the neighbouring property, the boundary treatment and intervening features it is not considered that the proposed development will result in any significant detrimental increase in overshadowing or have any significant overbearing impact. It is not considered that the proposed dwellings would have any significant detrimental impact on the amenities of the neighbouring properties and therefore accords with the relevant amenity policies of the TVBRLP 2016.

8.28 Highways

The proposed dwellings would not generate any additional traffic over and above the permitted residential uses. In addition the extensive local right of way network would be more likely to be used by the occupiers of a residential property. Subject to a condition to ensure the proposed parking is retained the proposed development is considered to have no significant adverse impact on highways or pedestrian safety and complies with the relevant T policies of the TVBRLP.

8.29 Rights of Way

Policy T1 of the RLP only allows development where measures are in place to minimise its impact on the highway and rights of way network(b) and where it does not have an adverse impact on the function, safety and character of an accessibility to the local or strategic highway network or rights of way network (d). Previously the public footpath ran along the private road serving Oaklands Farm and the application site beyond. However its route has recently been diverted further west within the neighbouring fields. What minimal potential conflict that previously could have resulted from the shared use of the access track and footpath has been further reduced as a result.

8.30 Protected Species

The Ecology Officer raised no objection. The application is supported by a phase 1 and 2 ecology report (David Leach Ecology), which includes thorough survey work for bats and a mitigation strategy. The Ecology Officer has confirmed that the survey work and proposed mitigation is acceptable and should be secured by condition.

8.31 Bats are protected 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 (as amended) (commonly referred to as the Habitats Regulations). Local Planning Authorities are required to engage with the Regulations – planning permission should be granted (other concerns notwithstanding) unless:

- a) the development is likely to result in a breach of the EU Directive, and
- b) is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

8.32 The survey work identified that the existing building provides numerous points that can be used by bats for roosting and / or access to roosts, although no direct evidence of bat use was seen. Subsequent emergence and re-entry surveys identified a fair number of roost areas used by non-breeding common and soprano Pipistrelle bats (peak counts of 11 and 3 bats of each species, respectively). The development will result in the loss of or damage to roosts used by relatively small numbers of individual non-breeding bats. If avoidance measures are not taken then the work has the potential to kill / injure individual bats. The development will therefore result in a breach of the EU Directive.

- 8.33 A derogation from the law that would allow destruction of a bat roost can only be allowed if certain tests are met as outlined in the Habitats Regulations. The local planning authority as a Competent Authority under the Regulations has a duty to pay due regard to those Regulations. Whilst the content of the survey report was acknowledged and supported additional detailed information was required in order to meet the three derogation tests, set out in the Habitats Regulations. Additional mitigation information has been submitted detailing the provision of alternative roosting accommodation.
- 8.34 It is believed that in this instance, sufficient information has been provided for the LPA to be assured that the three derogation tests set out in the Regulations have been met. Subject to the required mitigation measures as provided in the submitted ecological report, which are to be secured by condition the development is not considered to have any adverse impact on protected species and complies with policy E5.
- 8.35 New Forest SPA
The development will result in a net increase in residential dwellings within 13.6km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit the New Forest. The New Forest SPA supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the Forest that result from new housing development. While clearly one new house on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England that any net increase (even single or small numbers of dwellings) would have a likely significant effect on the SPA when considered in combination with other plans and projects.
- 8.36 To address this issue, Test Valley Borough Council 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.
- 8.37 Therefore it is considered necessary and reasonable to secure the appropriate contributions. However in this case payments have been received in relation to the previous applications and as a result no further contribution is required.
- 8.38 **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. In the event that planning permission was to be recommended a condition would be applied in order to address this. Subject to such a condition the proposal would comply with policy E7.

8.39 **Planning Balance**

The proposals would be contrary to the development plan in that the conversion of the building would result in a new residential dwelling on a site designated as countryside in the Test Valley Borough Revised Local Plan 2016 (RLP). The proposed development does not comply with policy COM12 as whilst extant permissions existing they have not yet been implemented. As a result the proposals for two new dwellings in the countryside are technically contrary to policy COM2.

8.40 Notwithstanding the above, there are other material planning considerations that must be taken into account when determining this application and these must be weighed against the conflict with the development plan.

8.41 The report details the fall-back position of the applicant who has demonstrated that the residential conversion of the buildings under the full planning permission and the PDQS application is more than a theoretical prospect. The fall-back position that the building can be converted to a residential use under extant permissions is a consideration that weighs significantly in favour of the proposals now submitted.

8.42 In addition to the above the replacement of the existing structures has resulted in a scheme of enhanced design compared to the conversion works and the proposals would have no other additional adverse impacts over and above the extant permissions.

9.0 **CONCLUSION**

9.1 The proposed development is a departure from the Test Valley Borough Revised Local Plan 2016 in that it is contrary to policy COM2. However, the conversion of the buildings on the site has been permitted and is clearly more than a theoretical prospect. The likely residential use of the site is a significant factor in determining this application and weighs significantly in favour of granting permission. Considering this, coupled with the proposals not resulting in any adverse impacts on the character and appearance of the surrounding area, amenity, highways, ecology or heritage, permission is recommended subject to conditions, contrary to the provisions of the Development Plan.

10.0 **RECOMMENDATION**

PERMISSION subject to:

- 1. The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
- 2. 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. Development shall proceed in accordance with the measures set out in the Mitigation and Enhancement section 5 of the Bat Surveys and Mitigation Plan - Barns at Oaklands Farm, East Tytherley, Salisbury Hampshire, SP5 1LJ report (Emma Pollard, September 2018) unless varied by a European Protected Species (EPS) license issued by Natural England. Thereafter, the replacement bat roost features and any enhancements shall be permanently maintained and retained in accordance with the approved details.**

Reason: To ensure the favourable conservation status of bats in accordance with Policy E5 of the Test Valley Revised Local Plan 2016.

- 4. 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. Details shall include-where appropriate: proposed finished levels or contours; means of enclosure; car parking layouts; 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.

- 5. In the event that contamination is found at any time during demolition and/or 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 brought in to use.**

Reason: To ensure a safe living/working environment in accordance with Test Valley Borough Local Plan 2006 policy HAZ04.

6. **Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the development is first occupied, or in the event that the lighting is required post occupation then any details should be submitted to and approved in writing by the Local Planning Authority prior to installation. Development shall be carried out in accordance with the approved details.**

Reason: To safeguard the amenities of the area and in the interests of road safety in accordance with Test Valley Borough Revised Local Plan 2016 policies LHW4, E2 and TRA01.

7. **The development shall not be occupied until space has been laid out for the parking and manoeuvring of vehicles to enable them to enter and leave the site in forward gear in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved plan and this space shall be reserved for such purpose at all times.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 policy T2.

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

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

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

232-D-00

232-D-00 A

232-D-01

232-D-02

232-D-03

232-D-04

232-D-05

232-D-06

232-D-07

232-D-08

232-D-09

232-D-10

232-D-11

232-D-12

232-D-13

232-D-17

232-D-18

232-D-19

232-D-20

P17-069-02-91-001

P17-069-02-91-002

P17-069-02-91-004

P17-069-02-91-005

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

Notes to applicant:

- 1. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
 - 2. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
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