
APPLICATION NO.	19/02596/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	11.11.2019
APPLICANT	Mr Samuel Doswell
SITE	East View , Saunders Lane, Awbridge, SO51 0GP, AWBRIDGE
PROPOSAL	Erection of 5 dwellings
AMENDMENTS	Amended plans received 06/02/20, 06/05/20, 18/06/20, 01/07/20, 08/02/21 & 04/03/21.
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 at the request of a Member.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site is within the settlement area of Awbridge and situated to the eastern side of Saunders Lane. The site is formed from an existing detached dwelling, driveway and notably wooded front garden.

3.0 PROPOSAL

- 3.1 The application proposes the demolition of the existing property and the erection of 5 detached dwellings on the site.

4.0 HISTORY

- 4.1 TVS.00692/7 - Extension of time for erection of dwelling previously approved under TVS.0692/5 and TVS.0692/6. Permission 03.04.2000.
- 4.2 TVS.00692/6 - Erection of dwelling and garage (Renewal of TVS.692/4 and TVS.692/5). Permission 01.08.1995.
- 4.3 TVS.00692/5 - Erection of dwelling and garage. Approved 20.07.1990.
- 4.4 TVS.00692/4 - Outline : Erection of bungalow with garage. Outline Permission 22.03.1990.
- 4.5 TVS.692/3 Erection of dwelling - land adjoining Long Acre, Saunders Lane, Awbridge. Outline Permission subject to conditions - 19/02/87.
- 4.6 TVS.692/2 Garage - adjoining new house, East View, Saunders Lane, Awbridge, Romsey. Permission subject to conditions - 19/12/77.
- 4.7 TVS.692/1 Details of dwelling - adj. East View, Saunders Lane, Awbridge, Sheffield English. Approved subject to conditions - 05/08/75.

4.8 TVS.692 Dwelling house - adj. East View, Saunders Lane, Awbridge, Sheffield English. Outline Permission subject to conditions - 19/05/75.

5.0 CONSULTATIONS

5.1 **Planning & Building (Trees)** – No objection, following the submission of revised arboricultural information.

5.2 **Planning & Building (Landscape)** – Comment;

- Further detail required regarding entrance and impact upon TPO trees
- Landscape plan and strategy to be submitted.

5.3 **Planning & Building (Ecology)** – Comments awaited on revised information.

5.4 **Housing & Environmental Health (Environmental Protection)** – No objection, subject to conditions.

5.5 **HCC Highways** – No objection, subject to condition.

5.6 **Natural England** – No objection, subject to s106 to secure nitrate mitigation.

5.7 **HCC LLFA** – No comment

6.0 REPRESENTATIONS Expired 18.03.2021

6.1 **Awbridge Parish Council** – Objection;

- Nothing in the amended and additional plans alters the position of Awbridge Parish Council which is to object for the following reasons;
- Policies E1a, E1c, E1d, LHW4a, LHW4b.

6.2 Representations received in response to original submission

3 representations of Objection received;

- A smaller development with fewer houses and bigger gardens for children to play, grow and stay would be welcomed
- However, the current proposal would have 3 of the 5 houses severely overlooking us; the plan design and density proposed would be out of keeping with the character of the surrounding area, particularly Butteridge Rise.
- Loss of natural habitat on site and resultant impact on biodiversity.
- The plans (for example, E01, D01, D02 section B-B) show minimal or no existence of Longcroft or indeed close proximity to the Site and effectively ignore any relationship between the proposed buildings and our home.
- Lack of consultation from the developers.
- Loss of protected trees and lack of detail regarding new planting.
- Overdevelopment of the site.
- Proposed gardens are too small and would not encourage occupation by families.

- Impact of outfall from proposed sewage treatment plants and surface water drainage.
- Overshadowing between properties within development and neighbouring dwellings.
- Highways safety. Underestimation of vehicle movements and safety of the existing access for the development and construction traffic.
- The site is located on the periphery of Awbridge where the rural village setting transitions into open countryside;
- The proposed infill development subdivides the site into five smaller, shallower plots. The cumulative impact of the proposal with the recent modern houses at Butteridge Rise would result in a character, density and layout that is more suburban and therefore harmful to the existing character;
- Neighbouring properties currently benefit from little overlooking at present, the level of overlooking arising from the proposal would also be akin to that of a suburban area;
- The screen is dependent on new planting to off-set the loss of existing habitats and to mitigate the impact of privacy to neighbouring properties;
- The gardens of Plots 3 to 5 are of insufficient size to accommodate a meaningful level of screening to Longcroft Cottage, the property with the greatest extent of overlooking;
- The Arboricultural Assessment does not provide details of the impact of the proposal on the trees and hedges on the boundary with Plougholm or on the Site of Importance for Nature Conservation;
- The Preliminary Ecological Assessment found evidence of bats and reptiles on site – both of which are European Protected Species.
- There is an outstanding requirement for three further bat emergence surveys and the full impact of the proposal on bats is therefore unknown;
- It would seem unlikely that the proposal meets Natural England's requirement for nitrate neutrality as it increase in the number of residential properties on site and there appears to be no nitrogen budget calculations or mitigation measures;
- Test Valley Borough Council has land in excess of its five year housing land supply requirement and has delivered 265% of its housing requirement. New windfall development must therefore accord wholly with policy.

6.3 **6 representations of Support received;**

- Re-development of this site will give excellent opportunities for families wishing to live in a village environment.
- The application will enhance the look of the lane and will attract new families to the area. This will be beneficial to the whole community.
- The planning application. Because the more family homes brought to the village, will increase the village community and spirit.
- This will enable future generations and families to stay in Awbridge and to support a growing community.

- Having consulted with the builders and seen the quality of the intended build, with care taken to ensure the development blends in to the location. I support the application as it is a low density option for the site and planned with consideration of the locality.

Representations received in response to amended plans

6.4 **3 representations of Objection received;**

- The revised plans now impact 4 Butteridge Rise to a far greater degree than previously.
- The dwelling on plot 2 has rotated 90 degrees; is no longer side facing, is wider with an integrated garage; is further up the hill; and all the rear and east facing side is visible
- The revised plan outflow is now into an open ditch next to Saunders Lane. This is generally a dry ditch but is liable to blockage and flooding before entering the road drains which are similarly liable to blockage and flooding. Responsibility of this ditch has been unclear but has been duly maintained by the existing residents
- Continued concern with regard to the safety of pedestrians looking to access the school from the site.
- The two trees highlighted on the plan to the South East boundary of the site are both dead or dying Ash trees and due to be felled shortly.
- The Nitrogen mitigation calculation appears to be incorrectly based on assumptions regarding the number of existing occupants and the performance of the treatment plant.
- Bat survey reports have not been provided.
- Concern that surface water will drain onto neighbouring properties and Saunders Lane increasing existing problems.

6.5 **6 representations of Comment received;**

- Drawing 187.5001-501 indicates that outflow from the proposed Water Treatment plant is into the rain water ditch which is a continuation of one starting at Ploughholm, crossing East View, Oakwood House and Butteridge Rise before entering the road drainage.
- This ditch is generally dry but in cases of reasonable rainfall will become blocked particularly where it feeds into the road drains (leaves etc). In fact the road drains in Saunders Lane often block for similar reasons. As it stands this is an unsuitable way of disposing of (treated) effluent from five houses and would lead to both flooding and smells.
- Additionally as the ditch does not contain flowing water throughout the year I do not believe this would fall within the Environment Agency rules.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Local Plan 2016

COM2 (Settlement Hierarchy), COM9 (Community Led Development), 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), LHW1 (Public Open Space), LHW4 (Amenity), T1 (Managing Movement), T2 (Parking Standard).

7.3 Supplementary Planning Documents (SPD)

New Forest SPA Interim Framework

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are the principle for development, housing land supply, character of the area, highways, trees, protected species & ecology, amenity, and drainage.

8.2 **Principle of Development**

The site lies within the settlement area of Wellow and therefore the principle of development and re-development for housing is accepted in accordance with policy COM2, subject to adherence with the other policies of the TVBRLP.

8.3 With regard to development in garden areas the NPPF states that “Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.” The Test Valley Borough Council Revised Local Plan 2016 does not contain any policies specific to the development of gardens and each are judged on their own merits.

8.4 The NPPF states that local planning authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. However the attached glossary clarifies that residential gardens are excluded from the definition of previously developed land.

8.5 **Housing Land Supply**

Section 5 of the NPPF relates to housing. Paragraph 73 of the NPPF requires the Council to demonstrate a minimum of 5 years housing land supply (HLS) with a 5% buffer. An assessment of the HLS position as at 30 November 2020 has been undertaken. This uses the housing requirement established in policy COM1 and has regard to the conclusions of the Inspector’s Report on the Examination of the Local Plan. The HLS position for Southern Test Valley, as at 1 April 2019 is 5.26 years of supply. This is reported against a target of 5.00 years. The existence of a five year HLS enables the Council to give weight to the policies of the adopted plan (in the context of footnote 7). The demonstration of a five year HLS does not in itself cap development and any application must be assessed on its merits.

8.6 **Character and appearance**

The existing form of development gives a defined character to the immediate area and therefore for a scheme to accord with policy E1 the proposed development must reflect the character of the area.

- 8.7 The character of this part of Saunders Lane consists of predominantly detached properties of a variety of different designs. In the immediate vicinity of the application site development is limited to the eastern side of the highway and predominantly comprised of larger detached properties fronting but set back from the highway. However there are also notable exceptions in the form of Butteridge Rise to the north which forms a small close of dwellings on the northern edge of the settlement boundary and Longcroft Cottage which is situated the east of the application site and set back from the highway.
- 8.8 Representations have raised concern that the proposals represent an overdevelopment of the application site which would be out of character with the neighbouring properties which from Saunders Lane and more generally the edge of the rural village. Policy E1(d) does require the efficient use of land but also whilst respecting the character of the surrounding area. In this case the developable area is restricted to the eastern side of the site with the western edge fronting the highway extensively covered in protected trees with a presumption expressed in the TVBRLP that they be retained.
- 8.9 As a result of the required setback to accommodate the protected trees the proposed Plot 1 is set back a comparable distance from the highway compared to the neighbouring properties, and has been designed to front Saunders Lane. The remaining dwellings are situated further east within the site and the resultant arrangement is similar to Butteridge Rise and the recent development at Banksia (17/01956/VARS) albeit that development is located more centrally within the village. In addition recent permissions at Kents Oak (17/01956/VARS) and Crofton (19/00660/VARS) have resulted in similar arrangements with dwellings facing the street scene in line with neighbouring properties with additional dwellings accommodated in a tandem position.
- 8.10 The proposed dwellings are of a traditional 2-storey scale and design. The proposed materials are a mixture of facing brick and hanging tiles. Pitched roofs are of a mixture of clay tiles and natural slate. Whilst of a unified overall character there are variations within the design of each individual dwelling. The proposed designs are not considered to be out of keeping with the nearby development, most of which was constructed in individual styles or small groups of unified character and materials reflecting the time of their development. In addition any impact from the design is softened by the set back from the road and the extensive mature tree planting within the western part of the site.
- 8.11 The proposals suitably reflect the surrounding development and are considered to have no significant adverse impact on the character of the area. The application is therefore considered to comply with policy E1 of the Test Valley Borough Revised Local Plan 2016.
- 8.12 **Arboriculture & Landscape Character**
The western part of the application site is covered by a group TPO (TVBC.0116); there are no other landscape designations. There are no public rights of way in close proximity however the site is visible from Saunders Lane. The proposals are for five large detached houses, these will be set back within the site to the rear of the mature trees to the frontage.

- 8.13 The Arboricultural Officer raised no objection in principle but did raise some concerns in relation to the original submission. Specifically that the originally submitted report did not include an assessment of the boundary trees/shrubs along the north boundary (on and off site) and did not give details of large off site trees to the south west of the site. Further detail was also required regarding management of the on-site northern boundary. Further concern was raised in relation to usable garden space to plot 5 due to shading from the offsite trees to the south west of the site. Many of these issues were reflected in the submitted representations.
- 8.14 Following the Arboricultural Officers concerns a revised arboricultural method statement and tree protection plan has been submitted. The revised methodology confirms that construction works will remain outside the protected tree's required root protection areas and that adequate space is available to protect the tree and to undertake the development subject to appropriate care, precautions and working practices as identified in the submitted method statement. In addition revisions have been undertaken to the layout of the houses as part of the wider amended plans. Subject to a condition requiring protection measures to be set out and retained in accordance with the submitted details the development would have no adverse impact on protected trees or landscape character and complies with Policy E2 of the TVBRLP.
- 8.15 **Amenities of neighbouring properties**
Policy LHW4 of the RLP sets a number of criteria against which development proposals will be assessed in order to safeguard the amenity of existing and future residents, particularly in terms of overlooking, loss of privacy and any adverse impact in terms of loss of daylight/sunlight.
- 8.16 There are two elements to the consideration of amenity. Firstly is the amenity of the future residents of the development site and secondly the impact of the proposal upon the amenity of existing neighbouring properties.
- 8.17 Impact on existing dwellings
The site is bordered to the south by the neighbouring property known as Ploughholm and to the north by Oakwood House, both fronting Saunders Lane. In addition the site is bordered to the east by the property known as Longcroft Cottage. Representations have raised concern with regard to overlooking impact to those properties.
- 8.18 Specific concern was raised in relation to the orientation of Plot 2 which was rotated as part of the amended plans resulting in its rear elevation facing north towards the rear garden of Oakwood House and the properties in Butteridge Rise beyond. Whilst Plot 2 has been re-orientated it was also substantially redesigned and the first floor rear facing windows are restricted to those serving a bathroom and en-suite. Both of these openings are proposed to be obscure glazed. Subject to a condition to ensure the obscure glazing is provided and retained, and limiting the opening of windows to 1.7m above internal finished floor levels, the proposed arrangement is not considered to result in a significant level of overlooking that would warrant refusal of the application.

- 8.19 A similar amendment has been undertaken to the design and layout of Plot 5 which is closest to the neighbouring property of Longcroft Cottage. As a result the restrictions on rear facing opening have also been applied to Plot 5. Further concern has been raised in relation to overlooking from Plots 3 and 4 which have not been amended in the same way and propose rear facing first floor openings which are not obscured. However those plots are situated farther from the neighbouring property. Plot 4 is situated approximately 11m from the boundary of the site and 33m from the neighbouring dwelling. Plot 3 is situated approximately 14m from the boundary of the site and 43m from the neighbouring dwelling. Longcroft Cottage benefits from a large garden area with the area nearest the rear elevations of Plots 3 and 4 occupied by an existing tennis court with the more formal garden areas to the east. Whilst there is currently very little overlooking of any part of the garden area from neighbouring properties the distances proposed would not be unusual in the area and, subject to the restrictions to Plot 5, it is not considered that a reason for refusal on the basis of overlooking to Longcroft Cottage could be substantiated.
- 8.20 Overshadowing
The proposed dwellings, whilst substantial, are significantly separated from neighbouring properties and sensitive garden areas. In addition any additional shadow would be mitigated but that cast by the significant mature trees to the west and on the boundary between the sites further mitigating any impact. For the majority of the day any additional shadow would be contained within the application site. As such the proposals are not considered to have any adverse impact by way of overshadowing.
- 8.21 The proposed scheme would retain appropriate separation distances and intervening vegetation on the boundaries. As a result it is considered that there will not be an adverse impact on the residential amenities of the off-site neighbouring properties. Noise impacts are suitably controlled during construction works and the position of the access in relation to the neighbouring properties given detailed consent on appeal. The resultant development is considered to comply with policies LHW4 and E8 of the TVBLP.
- 8.22 Impact during construction works
Whilst some degree of disturbance is inevitable during construction work conditions can be applied to limit the hours of construction and to require an environmental management plan to limit amenity impacts. Subject to the required conditions the proposed development is considered to have no significant adverse impact on amenity and complies with TVBRLP Policies LHW4 and E8.
- 8.23 **Highways**
The proposed dwellings will be served by and upgraded existing access to the site. Representations have raised concerns with regard to the safety of the proposed access and the impact of additional traffic movement. The application is supported by a Transport Statement (Nick Culhane – October 2019).

- 8.24 The submitted Transport Statement contains an interrogation of the TRICS database to inform likely trip rates. The Highways Officer has advised that the development would not lead to any material detrimental increase in traffic generation or resultant impact in this location. The proposal is therefore considered acceptable in this regard.
- 8.25 As is identified by the Highways Officer in his advice, in order to assess vehicular visibility requirements at the access junction onto Saunders Lane, the applicant has undertaken a speed survey in April/May 2019. The results of the survey demonstrated 85th percentile wet weather speeds of 32.3mph southbound and 31.6mph northbound. In line with the recorded speed survey results, the access achieves vehicular visibility splays of 2.4m x 46m to the north and 2.4m x 48m to the south. The Highways Officer has confirmed that this is acceptable.
- 8.26 The Highways Officer has further confirmed that there are no existing accident trends in the vicinity of the site that this proposal would likely exacerbate and that the submitted swept path analysis vehicle tracking drawings as part of the Transport Statement that demonstrate that an 11.2m refuse vehicle can access, egress and turn within the confines of the site in a safe and efficient manner.
- 8.27 The proposed parking arrangement would meet the required standard and, subject to further conditions requiring the retention of parking and restricting the location of any gates, the proposed scheme is considered to have no significant detrimental impact on highways or pedestrian safety and accords with the relevant T policies of the TVBRLP 2016.
- 8.28 **Biodiversity & Protected Species**
As is indicated in the submitted representations the initial submission was not supported by full ecological information and this concern was echoed by the Ecology Officer. Following initial concern raised by the Ecology Officer the application has been supported by revised and additional ecological survey work and biodiversity enhancement measures. Whilst most of these issues have been resolved further details have been submitted and are being considered by the Ecology Officer. Members will be updated on the outstanding matters at SAPC.
- 8.29 New Forest SPA
The development will result in a net increase in residential dwellings within 13.6km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit the New Forest. The New Forest SPA supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the Forest that result from new housing development. While clearly one new house on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England 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.

- 8.30 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. Whilst agreed with the applicant the required contributions have not been secured at the time of reporting as a result it is recommended to delegate the decision to the Head of Planning & Building to be issued once the contributions have been secured.
- 8.31 Solent and Southampton Water SPA – Solent Neutrality
There is existing evidence of high levels of nitrogen and phosphorus in the water environment across the Solent, with evidence of eutrophication at some designated sites. An Integrated Water Management Study for South Hampshire was commissioned by the Partnership for Urban South Hampshire (PUSH) Authorities to examine the delivery of development growth in relation to legislative and government policy requirements for designated sites and wider biodiversity. This work has identified that there is uncertainty regarding whether any new housing development does not contribute to net increases in nutrients entering these designated sites.
- 8.32 As such, the advice from Natural England is that the applicants for development proposals resulting in a net increase in dwellings are required to submit the nitrogen budget for the development to demonstrate no likely significant effect on the European designated sites due to the increase in waste water from the new housing.
- 8.33 The applicant has submitted information that quantifies the nutrient budget for the proposal, and a proposed mitigation strategy. The proposed strategy comprises the use of a 'Bio-Bubble' treatment plant to serve the proposed dwellings. In summary the use of the treatment plant in place of the inferior arrangements for the existing dwelling currently in place would balance the nitrates resulting from the proposed dwelling.
- 8.34 The existing dwelling is currently served by a septic tank. The calculation of the existing waste treatment has used an efficiency figure of 50% for the existing system. A traditional septic tank Septic tank unit is not effective in removing N and P, meaning that total nitrogen (TN) and total phosphorus (TP) likely remain unchanged. As a result the 50% reduction figure is considered suitably precautionary for assessing the nitrate output of the existing use. TVBC, as the competent authority is satisfied that this figure is sufficiently evidenced and precautionary.
- 8.35 To secure the use of the specifically agreed treatment plant and an obligation is included in the s106 legal agreement. In addition a maintenance plan for the treatment plant has been submitted and is to be secured. Based on previous NE advice and the testing details submitted the Council is satisfied that the stated performance of 88.5% nitrate is credible and can be secured in the long term by the proposed maintenance. Natural England have reviewed the proposals and raised no objection.

8.36 Through securing the implementation of this off-site mitigation the applicant has the projected nutrient budget will be negative. Subject to the required legal agreement the development will therefore not result in adverse effects on the Solent designated site through water quality impacts arising from nitrate generation.

8.37 Bats

The buildings on site were assessed for their suitability to support roosting bats, with further emergence and re-entry surveys conducted. During the initial phase 1 surveys conducted in 2019, droppings of three species were confirmed in the main dwelling (serotine, pipistrelle, long-eared species). Further phase 1 surveys, and eDNA analysis of droppings, confirmed the presence of serotine, common pipistrelle and bechsteins within the attic of the main building, as well as a brown long eared roost within the garage. Phase 2 surveys confirmed soprano pipistrelles and serotines emerging from the house, with possible brown long ears emerging/re-entering the garage.

8.38 A rare bat species (Bechsteins bat) was been identified as roosting within the roof void of the property. This resulted in a requirement for further hibernation survey work to be undertaken during early 2021. Following the completion of bat emergence/re-entry and hibernation surveys, it was concluded that the following bat roost are confirmed to be present on site:

- Hibernation and day roost for brown long-eared bats within the main dwelling, and a feeding/summer day roost within the garage
- Soprano pipistrelle day roost within main dwelling
- Serotine day roost within main dwelling
- Bechstein day/transition roost within main dwelling

8.39 The development will result in the loss and/or disturbance of the aforementioned bat roosts. If avoidance measures are not taken then the work has the potential to kill / injure individual bats and the development will therefore result in a breach of the EU Directive. A European Protected Species (EPS) licence will therefore need to be obtained from Natural England prior to the commencement of works. Mitigation measures proposed include the provision of a bat roost loft void, with roof access tiles, gaps between the gable wall and the rafter, hibernation boxes built into the attic and on a retained tree on site, flat style and hollow/crevice style boxes, and eight integrated bat boxes will be incorporated within dwellings on site (4 of which will be hibernation boxes).

8.40 The Ecology Officer has advised that a commitment to a minimum of 2 years monitoring will be required within the mitigation strategy. Due to the number of species, and the presence of rarer species within the proposed development, a 3 year monitoring programme is required, with results of these monitoring visits to be submitted to the Local Planning Authority. A revised ecological report has been submitted in response to these requirements and the comments of the Ecology Officer are awaited.

8.41 In addition the revised ecological information includes further clarification of the lighting strategy, great crested newts (HSI assessment and rapid risk assessment/eDNA analysis required) and bamboo removal strategy. As is indicated above the Ecology Officers response to the revised information should be available by the time of SAPC. In the meantime the recommendation includes deferral to the Head of Planning to resolve those matters.

8.42 **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.

8.43 **Drainage**

The application is supported by a Foul Water Management Plan (Paul Basham Associates). Representations have raised concern with regard to the provision and maintenance of the associated drainage. The report clarifies that management and maintenance of the waste water system would be the responsibility of the estate management company set up by the developer and then owned by the purchasers of the new houses. Compliance with the submitted Foul Water Management Plan is to be secured by s106 legal agreement.

8.44 **Social Benefits**

In terms of social benefits the proposal would provide additional housing, albeit not affordable, to meet a local need. It would be sited close to the facilities and services provided by its proximity to Awbridge. The Council can demonstrate a five year housing land supply, a matter that was considered at the Abbotsford Inquiry. Even so the Inspector, mindful of the national imperative set out in paragraph 47 of the Framework, to boost significantly the supply of housing, attached substantial weight in favour of the appeal.

8.45 **Economic Benefits**

In line with residential development of this scale there would be economic benefits from the proposed development through employment and additional spending power resulting from the construction phase and from future occupiers of the proposed development. The benefits here are more generic than site specific but nonetheless provide weight to the grant of planning permission.

9.0 **CONCLUSION**

9.1 The proposal is acceptable in principle and is considered to have no significant adverse effect on the character and appearance of the application site, the street scene, and amenities of neighbouring properties, trees, highways safety or protected species. The proposal therefore complies with the relevant policies of the TVBRLP 2016 and the National Planning Policy Framework.

10.0 RECOMMENDATION

10.1 Delegate to Head of Planning & Building for completion of satisfactory consultation with the Ecology Officer, including the addition or amendment of relevant ecology conditions, and s106 legal agreement to secure;

- **Secure contribution in the amount of £5,200 (£1300 x 4) towards New Forest SPA**
- **Secure us of Bio-Bubble Waste Water Treatment Plant and Maintenance in accordance with Paul Basham Associates Foul Water Management Plan Ref 187.5001/FWMP/1.**

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. 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. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Arbor Eco Consultancy Ref MB191009-01 (June 2020) and its accompanying Tree Protection Plan.
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.**
- 4. 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.**
- 5. 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.**

- 6. No development shall take place above DPC level 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 soft landscape proposals shall include details of soft boundary treatments to the outside edges of the site. 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. 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.**
- 8. Any gates shall be set back at least 4.5 metres from the edge of the carriageway of the adjoining highway. Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.**
- 9. Prior to the commencement of development full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of development and retained for the duration of the construction period. Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2016 policy T1.**
- 10. There shall be no construction or demolition works, no machinery shall be operated, no processes carried out and no deliveries received or dispatched outside the following times: 07:30 to 18:00 hours Monday to Friday and 08:00 to 13:00 hours on Saturday. In addition, no such activities shall take place on Sundays, Bank or Public holidays.**

Reason: In the interests of the amenities of neighbouring properties in accordance with Test Valley Borough Local Plan policies E8 and LWH4.

- 11. No development shall take place (other than any approved demolition and site clearance works) 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. 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 a safe living/working environment in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

- 12. 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.

- 13. The drainage system shall be constructed in accordance with the Paul Basham Associates Foul Water Management Plan Ref 187.5001/FWMP/1. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.**
- Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;**
- a. Maintenance schedules for each drainage feature type and ownership.**
 - b. Details of protection measures.**
- Maintenance and protection measures shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Revised Local Plan 2016 policy E7.

- 14. Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Preliminary Ecology Appraisal Report Number: 0314, Issue Number: 06 (4th March 2021) unless otherwise agreed in writing by the Local Planning Authority. Ecological mitigation, compensation and enhancement features shall be created/installed as per ecologists instructions and retained in perpetuity in a condition suited for their intended purpose.**

Reason: to protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and with Policy E5 of the Test Valley Borough Council Adopted Local Plan 2011-2029.

- 15. No development shall take place unless or until an Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Environmental Management Plan shall cover the control of noise, dust and spoil during the demolition, site preparation and construction phases of development. The Environmental Management Plan shall include the provision of wheel washing, and any other suitable facility, to avoid the deposit of spoil onto the highway network. Work shall be undertaken in accordance with the approved Environmental Management Plan.**

Reason: In the interests of the amenities of neighbouring properties in accordance with Test Valley Borough Local Plan policies E8 and LWH4.

- 16. Details of any 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.

- 17. The first floor windows in the rear elevations of Plots 2 and 5 of the development hereby permitted shall be fitted with obscured glazing and non-opening below a height of 1.7m above the internal finished floor level. The windows shall thereafter be 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

- 18. 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 above ground floor level of the proposal hereby permitted [other than those expressly authorised by this permission] shall be constructed.**

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

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

7628_D01 E
7628_D04 D
7628_D06 C
7628_D08 C
7628_D11 A
7628_D15 A
7628_D03 B
7628_D05 C
7628_D07 B
7628_D09
7628_D10
7628_D14
187.5001-501

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

20. No development shall take place until a detailed scheme for the drainage of surface water has been submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details. Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority. Details submitted for approval must include a technical summary, detailed drainage drawings and detailed drainage calculations. Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;
- a. Maintenance schedules for each drainage feature type and ownership.
 - b. Details of protection measures.
- Maintenance and protection measures shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Test Valley Borough Revised Local Plan 2016 policy E7.

Notes to Applicant:

- 1. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
 - 2. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
 - 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 2010 (as amended). 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.**
 - 4. Birds' nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.**
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