
APPLICATION NO.	20/02997/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	14.02.2022
APPLICANT	Mr Henry Ayres
SITE	The Firs, Sarson Lane, Weyhill, SP11 8DY, AMPORT
PROPOSAL	Use of land for 6 Gypsy Traveller Pitches (from 1 Gypsy Traveller Pitch with 3 caravans)
AMENDMENTS	Additional/amended plans and information submitted; <ul style="list-style-type: none">• 02.02.2021• 11.02.2021• 19.03.2021• 30.03.2021• 16.04.2021• 09.06.2021
CASE OFFICER	Emma Jones

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee at the request of a member.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The site lies in the countryside, between the villages of Weyhill and Amport. The site is positioned adjacent to the A303 highway, which runs along the northern boundary. There are residential properties to the south of the site, separated by fields and a currently disused railway line.

3.0 PROPOSAL

3.1 Use of land for 6 Gypsy Traveller Pitches (from 1 Gypsy Traveller Pitch with 3 caravans).

3.2 The proposal is for the siting of 3 additional caravans on the site to be occupied by gypsies who are related to those that already occupy the site, adding to the three caravans that currently have planning permission to be located on the site to accommodate one gypsy family (see paragraph 4.4 below).

3.3 Additional and amended plans and information have been submitted during the consideration of the application, in respect of the need for the proposed development, as well as in respect of highways, noise and tree impacts.

3.4 A revised ownership certificate has been submitted during the consideration of the application to acknowledge that the applicant is not the sole owner of the site. The application has been re-advertised accordingly, with notice being served on the other relevant owner/s.

4.0 **HISTORY**

4.1 19/00810/FULLN; Use of land as 6 no. gypsy pitches – Withdrawn - 04.06.2019

4.2 18/01142/FULLN; Demolition/removal of existing caravans and stable block, erection of 3 dwellings with associated garaging, stopping up of existing and construction of access – Withdrawn - 19.07.2018

4.3 09/02081/FULLN; Retrospective application for front access gates and pillars – Permission - 08.12.2009

4.4 05/00705/FULLN; Long stay caravan site for one gypsy family (three caravans) with ancillary utility block and sewage treatment plant and ancillary hardstandings – Permission - 12.12.2005

4.5 TVN.09402; Long stay caravan site for one gypsy family (three caravans) with ancillary utility block and sewage treatment plant and ancillary hardstandings – Refused - 03.08.2005

5.0 **CONSULTATIONS**

5.1 **Planning Policy;** Comments;

- These comments provide an update to aspects of the Policy consultation response dated 18 December 2020 as a result of additional evidence being submitted. The original Policy consultation response raised an objection on the basis of policy COM13, and thus COM2, of the adopted Local Plan. The additional evidence provided does not overcome the policy objection in itself. However, the consultation response by the Gypsy Liaison Officer includes additional information that may aid the Case Officer in assessing whether all the criteria of policy COM13 are satisfied.

5.2 **Landscape;** Comments. Suggested conditions

5.3 **Trees;** No objection, subject to condition

5.4 **Environmental Protection;** Comments. Suggested conditions

5.5 **Ecology;** No objection, subject to conditions and note

5.6 **Refuse/Recycling;** No objection

5.7 **Highways;** No objection

5.8 **Highways England;** No objection, subject to conditions

- 5.9 **Gypsy Liaison Officer**; Comments (summarised);
- The question of Romany Gypsy ethnicity is without question with regards to Mr Ayres and his family;
 - I am of the considered view that the land would more than accommodate the increase of pitches on the site to facilitate accommodate for direct family members and any question of Gypsy and Traveller ethnicity would be satisfied by the direct family connection and could also be a condition included in any future planning permission.

5.10 **Natural England**; No objection subject to appropriate mitigation being secured

6.0 **REPRESENTATIONS** Expired 07.07.2022

6.1 **Amport Parish Council**; Objection, raising;

- Concerns about the density of the mobile homes on the site which the Parish Council feels is over-development;
- There are added concerns re car parking, outside the site is very close to the west bound A303 and it would be dangerous if parking spilled over from the site.

Additional comments received following the re-advertisement of the application, as follows;

- Layout and density of building- this is a small and already crowded site the introduction of further pitches will constitute overdevelopment of the site;
- Scale and dominance - if allowed this application would double the size of the building over dominating the plot;
- Adequacy of parking/loading/turning and traffic generation– the site already sees many vehicles parking on the roadside causing hazards to other vehicles, introducing more homes will undoubtedly increase the volume of vehicles on site increasing the hazards to other road users. The site is also used as a business premises and business vehicles loading and turning will only exacerbate the problem;
- Highway safety - the site is situated on the corner of Sarsons Lane alongside the main trunk road A303, to access the site vehicles must leave the A303 where there is a very short slip road. The presence of parked vehicles makes this extremely dangerous and road signs in the area are regularly destroyed and, on some occasions, vehicles have crashed into the banks;
- Impact on community and other services - the doubling of people living on the site will double the volume of waste created which will directly impact on the waste removal systems;
- Nature conservation - Further building will impact on the rural nature of the site and could harm the local wildlife and plant life.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Planning Policy for Traveller Sites (PPTS)

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

Policy COM2: Settlement Hierarchy

Policy COM13: Gypsies, Travellers and Travelling Showpeople

Policy E1: High Quality Development in the Borough

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

Policy E5: Biodiversity

Policy E7: Water Management

Policy E8: Pollution

Policy LHW4: Amenity

Policy T1: Managing Movement

Policy T2: Parking Standards

7.3 Supplementary Planning Documents (SPD)

Gypsy Traveller Accommodation Assessment 2017

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Character and appearance
- Amenity and pollution
- Highways
- Biodiversity

8.2 **The principle of development**

The site lies within the countryside, outside of any settlement boundaries as defined by the RLP inset maps. Policy COM2 of the RLP sets out that development outside the boundaries of settlements will only be permitted if:

- a) it is appropriate in the countryside as set out in other RLP policies; or
- b) it is essential for the proposal to be located in the countryside.

8.3 RLP policy COM13 is one such policy listed by criterion a) of policy COM2, and allows for development to accommodate gypsies, provided that;

- a) it is located where services and facilities are accessible; and
- b) the potential occupants are recognised as gypsies, travellers or travelling showpeople; and
- c) the proposal helps meet the identified need; and
- d) evidence is provided to justify the reason for the proposal to be located in the Borough; and
- e) the site is of sufficient size to provide for accommodation; parking; turning and, where relevant, the servicing and storage of vehicles and equipment.

These criteria are discussed in turn, below.

8.4 *a) it is located where services and facilities are accessible;*

The site is an existing gypsy site, and therefore it is considered to be acceptable in respect of accessing facilities and services, in compliance with criterion a) of RLP policy COM13.

8.5 *b) the potential occupants are recognised as gypsies, travellers or travelling showpeople;*

The submitted Planning Statement sets out that the current occupants of the site are recognized as gypsies, and that the proposal is to divide the existing site so that younger Gypsy Travellers from within the applicant's extended family group can own or rent their own pitches. It is advised that the applicant has discussed the opportunities offered by this site with various members of his extended family living in Test Valley all of whom are Gypsy Travellers, and across the family there are a number of young adults who are keen to establish homes of their own.

8.6 The Hampshire County Council Gypsy Liaison Officer (GLO) was instructed by the Council to assess whether the applicant and the other proposed occupiers of the site would comply with this requirement of RLP policy COM13. The GLO met with the applicant at the application site, and discussed the planning application and the applicant's family history, movements, and cultural heritage. The GLO was advised that the applicant and his partner currently reside in the central mobile home of the three existing mobile homes at the site, with his daughter (and family) on one side and his brother (and family) on the other. The applicant informed the GLO that whilst there is planning permission for the current mobile home accommodation on site, there is now a family need to expand the accommodation on site to facilitate residence for children getting older, and a family member who currently lives off site.

8.7 The GLO has advised that due to the lack of Local Authority alternative suitable accommodation provision, the applicant is keen to establish a more settled permanent home for himself and his immediate family. This is to facilitate a home base from where they can travel for economic purpose conversant with their lifestyle and recognised ethnicity as Romany Gypsies, whilst partners will have the opportunity to establish a more settled and family lifestyle for the children and partners. The GLO ascertained that the applicant's family roots were originally in the west country, and he was born and brought up in the Andover area working predominantly in the local area as a groundworker, but does on occasions travel for economic purpose and stays away for work during the summer months always staying with family members on private land.

8.8 The GLO has advised that they are aware that the Ayres family has strong and traceable Gypsy and Traveller family roots in Hampshire. The GLO established that the applicant and his partner have an aversion to living in bricks and mortar and have resided in touring caravans and mobile homes all their lives. The applicant also informed the GLO that children resident on site attend local schools to obtain an education and tutors also visit to attend to older children

on site. The GLO has advised that since commencing employment with Hampshire County Council in 2005, they have known the Ayres family in general, including various members of the Gypsy and Traveller community who have been related to the Ayres family either directly or by marriage living on permanent residential council sites. Therefore the GLO has confirmed that the question of Romany Gypsy ethnicity is without question with regards to the applicant and his family.

- 8.9 The GLO discussed with the applicant the proposed future plans for the site with regards to the requirement for a further three pitches on the site, and established that they are required to support their family.
- 8.10 The GLO has confirmed that having visited the site, they are of the considered view that the land would more than accommodate the increase of pitches on the site to facilitate accommodation for direct family members, and any question of Gypsy and Traveller ethnicity would be satisfied by the direct family connection and could also be a condition included in any future planning permission.
- 8.11 The proposal is therefore considered to comply with criterion b) of RLP policy COM13. If planning permission were to be granted, then it would be appropriate to impose a condition to ensure that the site is not occupied by any persons other than gypsies and travellers as defined by the PPTS.
- 8.12 *c) the proposal helps meet the identified need;*

The submitted Planning Statement sets out that the proposal is to divide an existing single gypsy traveller site to create 6 pitches with one caravan on each pitch. It is advised that at present the site has consent for one family with 3 caravans, and the proposal is to divide the site into 6 separate pitches to accommodate households of the extended family of the applicant, thereby creating 5 additional pitches limited to 6 caravans in total. The application notes that Test Valley has an identified “need” for Gypsy Traveller pitches through the county based assessment, which identifies fifteen authorised Gypsy sites comprising of fifteen pitches benefitting from permanent planning permission. There was also a temporary permission for a Gypsy site which expired in 2021. The submitted Planning Statement therefore sets out that it is clear that there is a future accommodation need for pitches and plots for gypsies and travelling showpeople, and that there is a high young population of Gypsies or Irish Travellers within the Borough who will need accommodation when they are adult age and starting a family. It is also advised that the bi-annual caravan count shows that there are caravans on unauthorised sites reinforcing the need for provision of transit sites and emergency stopping places. Finally, the application sets out that the Council’s Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA) (2017) identifies a need for 3 additional gypsy or traveller pitches for the period 2016-2036, however there is an issue with 14 households where it was not possible to determine their travelling status, and the report also notes that there is further unknown need from those individuals who did not participate in the survey and the need could therefore increase by at least a further 11 pitches.

The submitted Planning Statement concludes that it is therefore clear that there is a need for additional pitches based on the assessment of need in Test Valley and a failure to deliver a five year supply of pitches.

8.13 The GTAA was completed in 2017, with a base date of September 2016. It covers the period 2016-2036. This replaces the GTAA referred to in paragraphs 5.132, 5.133 and 5.135 of the RLP. Based on the findings of the GTAA (2017), and taking account of more recent planning applications within the Borough, there remains a need for pitches for gypsies and travellers. At present, however, it is not possible to determine whether those intended to occupy the application site have been considered through the assessment of need within the GTAA and therefore whether this site would go towards meeting an 'identified' need. Assuming that the intended occupants were not considered within this assessment, it would be anticipated that the addition of a further 5 pitches would result in a neutral impact on the identified need for the Borough but nevertheless would still contribute towards meeting a need for gypsy pitches. Therefore, the proposal is not considered to conflict with policy COM13 of the RLP.

8.14 *d) evidence is provided to justify the reason for the proposal to be located in the Borough;*

The submitted Planning Statement sets out the application is to sub divide an existing Gypsy Traveller site, which is established within the Borough and currently houses an extended Gypsy Traveller family. The submitted Planning Statement concludes that the proposal will help meet an unmet need for pitches in the Borough and in doing so will avoid the need to create new sites in other parts of the Borough.

8.15 Paragraphs 5.136 and 5.137 in the supporting text to RLP policy COM13 provide clarification as to what factors could be considered to justify the reason for such a proposal to be located in the Borough. This includes both in terms of a need and that there is a reason for wanting to live within the Borough. It is set out that this could include the lack of availability of alternative accommodation, a local connection, or their employment requires them to be at that location.

8.16 As set out at paragraphs 8.6 - 8.10 of this report in respect of criteria b) of RLP policy COM13, the GLO has ascertained that the intended occupants of the proposed additional pitches at the site would be extended family members of the applicant, some of whom currently already reside at the site, and one of whom lives elsewhere in Test Valley but due to personal circumstances needs to move from that location with their children. The GLO has also advised of the local connection that the applicant and his extended family have with the Andover area. Furthermore, the GLO has confirmed that Hampshire County Council now has responsibility for only one council site in the north of the county and currently there are no pitches available with four applicants on the waiting list. On the basis of the above, it is considered that the proposals complies with criteria d) of RLP policy COM13.

- 8.17 *e) the site is of sufficient size to provide for accommodation; parking; turning and, where relevant, the servicing and storage of vehicles and equipment;*

The submitted Planning Statement sets out that the applicant has worked closely with the design team to assess the layout of the site in relation to the requirements of the Gypsy Travellers who will occupy the site, and that the layout also has to meet the requirements of the Caravan Sites Act 1968 (as amended) in respect of distances between units and from the boundaries. It is advised that the layout has additional amenity space having noted that the occupants prefer shared amenity space for play and facilities such as washing lines, and parking and turning is indicated on the site layout, but servicing and storage of vehicles is not relevant to this site since it is for Gypsy Travellers not Travelling Showpeople.

- 8.18 It is considered that the site would be of sufficient size to provide for accommodation, parking and turning and would comply with the policy in this respect. The Highways Authority has raised no objections to the proposals in this respect, as discussed in more detail later in this report.

- 8.19 It is considered that it has been sufficiently demonstrated that the proposal complies with the requirements of RLP policy COM13, and the principle of the development is acceptable.

8.20 **Character and appearance**

The site has no landscape designations but is located within the countryside. The A303 highway runs along the northern boundary of the site, and a railway line runs along the south western boundary. The site is screened on all sides by a mature evergreen hedge, which is an important landscape feature and is proposed to be retained, and the main public view into the site is from the existing access onto Sarson Lane. The site is therefore visually well contained, and is considered to be capable of accommodating further development and indeed would be an efficient use of land that is already in use by a gypsy family. An arboricultural method statement has been submitted with the application detailing how the installation of the proposed acoustic boundary fence would be carried out to avoid impacts to the existing boundary vegetation, which is acceptable and a condition is recommended in respect of this. Due to the retained vegetation, only glimpsed views of the proposed fence would be appreciated from the surrounding highways. Adequate bin provision for waste and recycling is also proposed, which would be screened by the proposed acoustic fence and existing retained vegetation. It is considered that the provision of 3 additional mobile homes and associated infrastructure at the site would not have any adverse impacts on the character and appearance of the area or the landscape, and would accord with RLP policies E1 and E2.

8.21 **Amenity and pollution**

A noise report has been submitted with the application, which includes a review of acoustic standards for living accommodation, a survey of existing noise conditions at the location, a proposed fence to mitigate against noise from road traffic on the A303, and the resulting likely noise levels at the site internally and externally. The proposed 4m high acoustic fence would

significantly reduce noise levels to the site. Noise levels from the A303 highway are such, however, that the recommended internal ambient noise levels would be breached when windows are opened. As such, mechanical ventilation would be required to ensure that future residents can provide themselves with ventilation without having to expose themselves to significant levels of noise by opening windows. It has been confirmed through the submission of additional information that this would be compatible with a mobile home, as well as the proposed specification for double glazing.

8.22 The submitted information indicates that the noise levels within the proposed external amenity spaces would be 2 dB above the recommended upper limit for external amenity spaces. British Standard 8233:2014 (section 7.7.3.2) sets out that *“it is recognised that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited”*.

8.23 In taking into account the demonstrable need for the proposed development in this location, that additional pitches on this site would be an efficient use of land already in use by a gypsy family, and that the site has been occupied for residential purposes for a number of years by the applicant and his family without the benefit of an acoustic fence, it is considered that this exceedance of the recommended noise limit can be accepted.

8.24 Overall it is considered that, subject to conditions, the proposal would be acceptable with regards to noise impacts to occupants of the site, in compliance with RLP policy E8.

8.25 The submitted indicative site layout/block plans show that the proposed mobile homes could be arranged so as to provide outdoor amenity space for each of the plots, and restrict privacy between windows within each of the mobile homes, and the proposals would accord with RLP policy LHW4.

8.26 **Highways**

The Highways Officer has raised no objection in respect of highway safety. The vehicular access to the site from Sarson Lane would remain unchanged, and as such the proposal is considered acceptable in this regard. It is considered that the proposed site layout is sufficient for the safe and efficient manoeuvring of vehicles and no concerns have been raised by the Highways Officer or TVBC Waste and Recycling team in respect of utilising the existing bin collection arrangements for the site. As such, the use of the existing site access to accommodate the proposal and the resultant trip generation is considered to not represent such a level so as to result in any material detrimental impact upon the safety or efficiency of the public highway network.

In addition, there is a traffic regulation order (TRO) in place restricting the width (and by default the size of vehicles) that can pass the site on Sarson Lane. There are also no specific recorded accidents in the location save for a single vehicle accident in 2017. The proposed car parking provision within the site would accord with the Council's adopted standards, as set out at Annex G of the RLP, to serve up to 6 caravans.

8.27 With regards to the impacts of the proposals on the A303, Highways England were consulted on the proposed 4m high acoustic fence to ensure that it would not impact on the safe and efficient operation of this highway due to its size, scale and proximity. Following the submission of additional information clarifying the position of the proposed fence relative to the A303, Highways England has raised no objection to the proposals, subject to conditions in respect of the construction methods for the proposed fence.

8.28 Overall it is considered that the proposal would not impact adversely on the highway network and would comply with RLP policies T1 and T2.

8.29 **Biodiversity**

It is noted that any potential habitats on site are to be retained, however it is possible that hedgerow maintenance would be required, and an informative note is recommended in respect of avoiding disturbance to nesting birds and reptiles. The provision of external lighting at the site has the potential to impact on protected species, in particular bats, and a condition is therefore recommended to require details of any external lighting prior to installation. There would also be opportunities at the site for biodiversity enhancements, and a condition in respect of this is also recommended. Subject to conditions, the proposal is considered to comply with RLP policy E8.

8.30 *Nutrient neutrality*

Natural England advises that there are high levels of nitrogen and phosphorus input to the water environment of the Solent region caused by wastewater from existing housing and from agricultural sources and that these nutrients are causing eutrophication at the designated nature conservation sites which includes the Solent Water SPA. This results in dense mats of green algae that are impacting on the Solent's protected habitats and bird species.

8.31 Natural England advises that one way to address the uncertainty is to achieve nutrient neutrality whereby an individual scheme would not add to nutrient burdens. In this instance, a nutrient budget calculation was undertaken identifying that the proposed scheme comprising the siting of three additional caravans at the site, in the absence of any mitigation generated, will generate a total additional nitrate output of 9.47kg/N/yr (rounded to 9.5kg/TN/yr).

8.32 To address this issue, Test Valley Borough Council has implemented a strategic nitrate offsetting mitigation scheme. This strategic scheme comprises the offsetting of agricultural land previously utilised for the purposes of pig farming, located at Roke Manor Farm, Awbridge.

8.33 Evidence of this historic land use at Roke has been provided to Natural England and no objection has been raised to this classification. Following the completion of a legal agreement with the landowner, this land is now being removed from agricultural use in accordance with a set timetable set out in the associated management plan. The management plan also includes a schedule of ongoing maintenance, preventing any future agricultural use onsite with Natural England raising no objection to the timetable and ongoing maintenance measures set out in the management plan.

8.34 Following the implementation of this strategic offsetting scheme at Roke, a substantial net reduction in nitrate loading within the Solent catchment area would be achieved. This overall net reduction is utilised as nitrate 'credits', whereby a tariff of financial contributions is calculated based on the cost of implementing and maintaining the strategic offsetting scheme per kg/TN/yr saved. Currently, the financial contribution is £3,000 per kilogram total nitrogen (and this comprises a "credit") to be offset, with the methodology of calculating the financial cost monitored and kept under review as well as subject to indexation. In addition, an administration fee of £100, which is also kept under review, is incurred from the monitoring of s106 agreements.

8.35 To monitor the purchasing of nitrate credits and to prevent any possibility of credits for the same land being bought twice, Test Valley Borough Council maintains a record of credits purchased such that credits are only made available to applicants where that credit exists. In this instance, sufficient capacity exists to offset the nitrate loading generated by the proposed development subject to the securing of the financial contribution calculated as follows:

$$9.5 \text{ Kg/TN/yr} \times \text{£}3,000 \text{ per kg} = \text{£}28,500$$

8.36 This financial contribution has been secured through the completion of a legal agreement (dated 22 March 2022). The land at Roke that would mitigate this proposal has ceased to be under agricultural use, and it is therefore not considered that a Grampian condition is necessary in addition to the completed legal agreement, which in itself would be sufficient in respect of securing mitigation to ensure that the proposals do not adversely affect the special interest of the Solent and Southampton Water Special Protection Area.

8.37 On this basis, an appropriate assessment has been completed concluding that the proposal would achieve nutrient neutrality. Natural England has raised no objections to this, subject to securing the mitigation. As a result, the proposed development would not result in adverse effects on the Solent designated sites through water quality impacts arising from nitrate generation and the application is in accordance with policy E5 of the RLP.

8.38 **Other matters**

In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, notice has been given to the applicant of the Local Planning Authority's intention to impose pre-commencement conditions in the form of conditions 3 and 4 below.

9.0 **CONCLUSION**

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

10.0 **RECOMMENDATION**

PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.**

Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- TMA/881/P16
- TMA/881/P15 REV D
- TMA/881/P50
- TMA/881/P21 A
- TMA/881/B30
- TMA/881/B40
- TMA/881/B10

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

3. **No development shall take place until geotechnical submissions (in accordance with DMRB Standard CD622) relevant to the construction of the proposed 4m high acoustic fence, which shall be positioned as shown on drawing number TMA/881/P21 Revision A, 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: Details are required prior to the commencement of development in the interests of highway safety in accordance with Test Valley Borough Revised Local Plan policy T1.

4. **No development shall take place until a detailed Construction Method Statement in relation to the proposed acoustic fence has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

5. **The development hereby permitted shall be carried out in accordance with the provisions set out within the submitted Arboricultural Tree Protection and Method Statement (prepared by Andrew Day Arboricultural Consultancy, reference ad3721, dated 29th March 2021) and the associated fence location 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.

- 6. No more than three caravans in total shall be brought onto the site until a detailed scheme of biodiversity enhancements to be incorporated into the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, and any enhancements measures shall be permanently maintained and retained.**

Reason: To enhance biodiversity in accordance with Test Valley Borough Revised Local Plan 2016 policy E5.

- 7. No more than three caravans shall be occupied at the site until the proposed acoustic fence has been installed in accordance with the approved plans, the document entitled "How to Install Jakoustic Highway Fencing" (prepared by Jacksons Fencing, issue 04), and as a minimum to the standard given in sections 4.1 and 4.2 of the submitted noise assessment report (entitled "Assessment of a proposal for a development of 'Park Homes' residential properties on land at The Firs, Sarson Lane, Amport, Andover, SP11 8DY", prepared by Sharps Acoustics, dated 29th October 2020). The acoustic fence shall thereafter be retained and maintained for the lifetime of the development.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.

- 8. The development hereby permitted 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.

- 9. 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.

- 10. No external lighting shall be installed at the site until full details, including a detailed lighting strategy, have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operated in accordance with the approved details.**

Note: Any external lighting shall follow best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (Guidance note 08/18 Bats and artificial lighting in the UK).

Reason: To prevent disturbance to protected species in accordance with Test Valley Borough Revised Local Plan 2016 policy E5.

- 11. Only caravans built to the standard of ‘BS 3632:2015 Residential Park Homes – Specification’ shall be occupied at the site, in the configuration and orientation as detailed on approved drawing TMW/881/P16.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.
- 12. No caravan shall be occupied at the site unless it is installed with double glazing that meets as a minimum the acoustic standards as detailed on pages 10 - 12 of the submitted document entitled “Responses to questions and comments raised by the Environmental Health Officer” (prepared by Sharps Acoustic, dated 10th February 2021).**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.
- 13. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites (or any subsequent definition that supersedes that document).**

Reason: It is necessary to keep the site available to meet that need in accordance with Test Valley Borough Revised Local Plan (2016) Policy COM13.
- 14. No more than six caravans (one on each pitch), as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Site Act 1968 as amended, shall be stationed on the site at any one time.**

Reason: To accord with the terms of the application and to ensure satisfactory planning of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policy COM13.
- 15. No commercial, industrial or business activities shall take place on any part of the site, including the storage of materials and goods.**

Reason: To ensure the protection of this countryside location in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.
- 16. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.**

Reason: To accord with the terms of the permission and in the interests of protection of this countryside location in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.

Notes to applicant:

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

- 2. Birds' nests, when occupied or being built, and the widespread species of reptile 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. Reptile habitat such as compost heaps should be carefully cleared by hand during warmer months as if hibernating reptiles are disturbed they will die. Any reptiles revealed should be moved to adjacent retained rougher / boundary habitat or allowed to move off of their own accord.**
 - 3. Attention is drawn to the requirements of the Agreement dated 22 March 2022 under Section 106 of the Town and Country Planning Act 1990 which affects this development.**
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