
APPLICATION NO.	21/00662/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	08.04.2021
APPLICANT	Mr and Mrs M Horscroft
SITE	Hillview, Romsey Road, King's Somborne, SO20 6PR, KING'S SOMBORNE
PROPOSAL	Erection of dwelling with parking, access, garage, and terrace
AMENDMENTS	8 th April 2021 - Heritage statement received 5 th May 2021 – preliminary ecological appraisal received 10 th May 2021 – nitrate neutrality calculations received 14 th May 2021 – Highways visibility splays received 12 th July 2021 – amended plans received 11 th August 2021 - Additional ecology information received 17 th November 2021 – amended ecology details received 27 th May 2022 – amended plans received 1 st July 2022 – amended landscape strategy and planting plan received
CASE OFFICER	Kate Levey

Background paper [Local Government Act 1972 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

1.0 INTRODUCTION

1.1 The application was discussed at Southern Area Planning Committee on 26th April 2022 and was deferred for the following reasons:

1. To allow discussion between officers and the applicant to agree a detailed and comprehensive landscaping scheme. The landscaping scheme shall adequately demonstrate that the development, if granted planning permission, would integrate into the landscape setting of the area without resulting in harm
2. To allow discussion between officers and the applicant to agree revisions to the proposed development to ensure that the proposal is truly high quality and to ensure that it integrates with the character and appearance of the area.

1.2 Amended plans have been received which alter the design of the dwelling and propose additional landscaping.

2.0 **SITE LOCATION AND DESCRIPTION**

2.1 The application site is located within the settlement boundary of Kings Somborne. It is an undeveloped plot which has recently been cleared of trees. Romsey Road abuts the site to the south and to the rear (north) of the site is an open meadow. Kings Somborne Water Meadow SINC lies 112 metres to the north of the site. There is existing ribbon development along Romsey Road and existing residential dwellings are present to the eastern and western sides of the site.

2.2 The development area is located partly within John of Gaunt's Deer Park Pale scheduled monument (list entry no 1003787). This monument is an extensive embankment that encloses a large area to the west of Kings Somborne. The site is bounded on its southern side by a surviving stretch of the park pale that has been recognised as being of national importance.

2.3 There are some rights of way in the vicinity, listed below:

- Kings Somborne footpath 8 – located immediately adjacent to the north boundary of the site
- Kings Somborne footpath 7 – located 87 metres to the north of the site
- Kings Somborne 505 Byway – located 24 metres to the south, on the opposite side of Romsey Road

3.0 **PROPOSAL**

3.1 This proposal is for the erection of a single dwelling with parking, access, garage, and terrace. The proposal involves dividing the plot and the new dwelling would be located to the west of the site, within a piece of land which is triangular shaped. The dimensions of the proposed dwelling are 8.8 metres by 13 metres. The maximum ridge height is 7.4 metres, and the footprint is 94 square metres. A single garage would be provided to the side (north east) of the proposed dwelling, and further parking space at the front of the property. The private amenity space is located to the rear and side (south west) of the dwelling.

4.0 **RELEVANT HISTORY**

4.1 21/01643/FULLS Erection of outbuilding comprising garage, cycle store, annexe and provision of terrace. Permission subject to conditions and notes 04.02.2022

5.0 **CONSULTATIONS**

5.1 Trees: no objection subject to conditions

5.2 Ecology: comment (summarised)

The landscape plan now includes areas of native species grassland and tree planting in addition to the provision of reptile refuges. The only element that requires modification is the proposed bluebell planting. The landscape plan currently states that the Spanish bluebell will be planted. This must be changed to our native bluebell *Hyacinthoides non-scripta*. Notwithstanding this, I am happy that this addresses the concerns raised and would suggest that the landscape plan and the recommendations made within the ecological report for avoiding impacts to protected species are secured by a suitably worded condition.

5.3 Case Officer note: A revised landscape plan has been received which stipulates that the native species of bluebell will be planted. It is considered that this comment has been adequately addressed.

5.4 HCC Highways: no objection subject to condition

5.5 HCC Archaeology: no objection

5.6 Historic England: no objection

5.7 Natural England: no objection

6.0 **REPRESENTATIONS** Expired 18.02.2022

6.1 Kings Somborne Parish Council: x2 letters of objection, summarised as follows:

- Concerns about safety of the vehicle access to and from the site and visibility
- Should agreement be given, mitigating measures should be considered with respect to highway safety whilst the dwelling is under construction and in the future
- No landscaping plan has been submitted
- No service information has been submitted which shows that new services, drains and soakaways will be outside of root protection areas and not conflict with new tree planting
- The submitted arboricultural report needs to be updated to reflect the new layout
- A number of trees on the site were identified as having low bat roost potential and so further mitigation measures would be required if these trees are to be felled. The submitted bat roost assessment does not recommend any further surveys
- Due to the sensitivity of this application these details should be received prior to determination rather than being secured by condition. The Tree and Environment teams at TVBC should confirm that their concerns are mitigated and agreement to the proposed way forward

6.2 Further to receipt of the amended plans and landscaping information in May and July 2022, Kings Somborne Parish Council have made comments neither objecting to or supporting the planning application.

6.3 X3 letters of objection, summarised as follows:

Highways concerns

- Vehicles are regularly recorded travelling at speeds in excess of the 30mph speed limit along this stretch of road
- Traffic calming measures are required to slow traffic entering the village
- Visibility at the site entrance is poor
- Concerns about lack of space for parking and turning on site for deliveries of building materials and parking for contractors vans and equipment
- The two bedroom annex is being planned for Hillview as this will exacerbate the problems

Landscaping and trees

- Whilst it is disappointing to see all the existing trees on the site felled they are of little ecological value and a native hedgerow would mitigate any habitat loss

Character and appearance of the area

- Originally a garage was approved for this site, a four bedroom house is considered overdevelopment
- The trees within the site add to the rural nature of the village and provide visual screening and privacy
- The design of the property is not in keeping with the houses in the area and is against the Neighbourhood Development Plan in that new houses should be constructed of traditional materials

Biodiversity

- The trees within the site provide a roost for bats
- How will this development demonstrate nitrate neutrality

Amenity

- If the trees within the site are felled then windows from the upstairs bedrooms would overlook the bedrooms at Park Bank

Other matters

- The site plan indicates a pedestrian gateway into the meadow but direct access into this meadow will not be permitted
- Hillview's sewage is discharged into a junction in our garden (Yew Bank, Romsey Road), and it does not have capacity for the more sewage from the new house
- There is an outflow from a culvert under the A3057 to alleviate surface flooding, the landscaping on site should take account of the need for a soakaway on site
- The existing trees on the site provide noise reduction from the A3057

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

COM2: Settlement hierarchy

E1: High quality development in the Borough

E2: Protect, Conserve and Enhance the landscape character of the Borough

E5: Biodiversity

E7: Water management

E9: Heritage

LHW4: Amenity

T1: Managing movement

T2: Parking provision

7.3 Neighbourhood Plan

Kings Somborne Neighbourhood Development Plan (draft, not adopted)

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Character and appearance of the area
- Arboriculture
- Biodiversity
- Heritage
- Water management
- Neighbouring amenity
- Highways
- Parking provision

8.2 **Principle of development**

The site lies within the settlement boundary as defined on the Inset Maps of the TVBRLP. In accordance with Policy COM2 of the TVBRLP development is permitted provided the proposal is appropriate to other policies of the Revised Local Plan. The proposal is assessed against relevant policies below.

8.3 **Character and appearance of the area**

There is existing ribbon development along the northern side of Romsey Road and the prevailing character of the properties within this development area is detached, two storey dwellings within generous plots. The properties are set back from Romsey Road and there is generous spacing between properties. The ribbon form of development continues to the west, along Horsebridge Road, where the properties are generally on smaller plots, and the dwellings are set back from the road.

8.4 There is a right of way (Kings Somborne footpath 8) which runs in an east – west orientation immediately to the north of the application site, through the meadow to the north of the site. Views into the site are possible from here. The site is also highly visible from Romsey Road.

8.5 The immediate surrounding area consists of detached dwellings. To the east the dwellings are two storey and to the west the dwellings are a mix of bungalows and two storey dwellings. The surrounding dwellings are traditional in their design, but there is a mix of designs in the area in terms of detailing, and layout. There is no particular consistency in design and the dwellings are generally individually designed. Materials used in the construction of the external surfaces of surrounding dwellings include red brick under tiled roofs.

8.6 The proposal involves dividing the plot and the new dwelling would be located to the west of the site. In terms of its design, the proposed dwelling would be traditional in its form with gable ends and a pitched roof. The design would utilise materials that are seen in the immediate vicinity, including red brick and clay tiles. It is considered that the building is not of an excessive height (7.4 metres to the ridge).

- 8.7 Third party comments received state that the design of the dwelling is against the Kings Somborne Neighbourhood Development Plan. The Neighbourhood Development Plan is still being developed and is yet to be adopted, so at present limited weight can be afforded to the plan. In any case, since these comments were received the design of the dwelling has been amended – the black timber cladding has been removed from the design and replaced with traditional materials of red brick and clay roof.
- 8.8 With regards to the layout of the proposed dwelling within the site, the front of the property would face south east. The proposed dwelling would have similar orientation as the dwellings along Horsebridge Road, namely Park Bank and Hawthorn Hedges, and others further to the west along this road. As such, it is not considered that the orientation of the dwelling within the plot would be incongruous in the street scene.
- 8.9 The proposed dwelling is set back from Romsey Road, in keeping with other properties in the vicinity. With regards to plot size, these vary in the surrounding area. Whilst there are concerns about overdevelopment, it is considered that it would be comparable to the plot sizes of the properties along Horsebridge Road – specifically Sunnymede, Carmel House, Beechcroft and Cloverfield. As a result, it is not considered that the proposed resultant plot size would result in an adverse impact on the character and appearance of the surrounding area.
- 8.10 Due to the proposed dwelling being detached, individually designed and using materials which are in keeping with other properties in the area, it is considered to be in keeping with the general design approach in the surrounding area.
- 8.11 As a result of the above, it is considered that the proposed development would integrate, respect and complement the character of the area. Furthermore, it is not considered that the proposal would have an adverse impact on the amenity value of the right of way. It is considered that the proposal does not conflict with policy E1 of the RLP.
- 8.12 **Arboriculture**
The application site is an undeveloped plot and contained several mature trees. TPO.TVBC.1218 was served to protect trees which would have needed to be felled to facilitate the proposal. The TPO was served in October 2020 and since this date the site was revisited, and it was decided that although the trees were visually prominent, the form and quality of the trees was not good enough to move forward and confirm the order. The order went out of date in March 2021 and the trees were subsequently felled against the advice of officers. It is important to note that the felled trees were not protected by any TPO due to the trees no longer being protected or deemed worthy of a TPO. No objection to the removal of the trees has been raised by the Tree Officer.

- 8.13 The application is supported by an arboricultural development statement (CBA Trees, March 2021). A total of 14 trees were scheduled to be removed to facilitate the development, these included sycamore, common hazel and field maple. These trees are to be replaced and additional hedge planting is also proposed along the boundary aligning Romsey Road. Given the form and quality of the trees on the site there was no objection to their removal and replacement.
- 8.14 Due to the visual impact of the removal of trees, a substantial landscape plan has been submitted, in line with section 19 of the arboricultural report. The landscape strategy plan (reference L165/B01) demonstrates that a native boundary hedge and trees will be planted aligning Romsey Road (south east boundary) and also adjacent to the public footpath (north west boundary). The proposed planting is a simple mix of native trees, some of which are evergreen. There is ample space within the site to facilitate this additional planting and it would screen the development and allow privacy for the occupants of the dwelling, as well as preserving the character of the area. A condition has been added to this recommendation relating to maintenance of the planting.
- 8.15 As a result of the above, it is considered that the proposed development, subject to conditions, would preserve the landscape character. The proposals are therefore considered to comply with policy E2 in this regard.
- 8.16 **Biodiversity**
The application site is a relatively small area of land which has recently been cleared and prior to its clearance it was unmanaged. The application is supported by a preliminary ecological appraisal and a landscape strategy (Middlemarch Environmental). Third party concerns about trees within the site providing a roost for bats are acknowledged. Some of the trees within the site had been assessed as having a low bat roosting potential however the Ecologist has reviewed the proposal and the submitted ecological reports and has commented that the concerns about roosting bats have been addressed.
- 8.17 The latest ecology comments state that the submitted landscaping plan must incorporate the planting of the native bluebell, rather than the spanish bluebell. In light of these comments the applicant has submitted a revised landscape plan which stipulates that the native species of bluebell will be planted and so it is considered that the Ecologist's comment about bluebell planting has been addressed.
- 8.18 Conditions are recommended to ensure the implementation of the landscape plan and that the recommendations made within the ecological report for avoiding impacts to protected species are adhered to. Subject to these conditions, and given that native bluebell species will be planted, it is considered that the proposal complies with policy E5.

8.19 Mottisfont bat SAC

With respect to Mottisfont Bats SAC and the LPA's engagement with the Conservation of Habitats and Species Regulations 2018 that provides the legal protection for this, potential impacts on the SAC have been considered during the consideration of the application. The application site is not within the SAC. The SAC is confined to the extensive woodland / Ancient Woodland near Mottisfont. Therefore, it is clear that the development will not directly affect the SAC habitats themselves, nor directly affect any bat roosts within the SAC.

8.20 However, barbastelle bats disperse widely from their roosts; studies have identified that areas of higher-value barbastelle bat foraging and commuting habitat (such as wooded river corridors, riparian habitats, and deciduous woodland) within 7.5km of the SAC boundary may potentially be important for the Mottisfont population and therefore development that would result in impacts to such habitats may potentially have a likely significant effect on the SAC by virtue of reducing or causing a deterioration in quality of important areas of barbastelle habitat outside the SAC.

8.21 The affected area of the site is residential curtilage and there is an existing dwelling and driveway on the site. The area of the proposed building is of limited value as a foraging resource for bats in general as it does not provide a high-quality environment for supporting an abundance of suitable invertebrate prey. Barbastelle bats are highly associated with water, riparian vegetation and deciduous woodland (particularly along or linked to river corridors). This development will not affect such habitats and therefore, given the poor quality of the affected habitats and the high dependency of barbastelle bats in particular on other habitat types not affected by the development, the development would not have a likely significant effect on the SAC through direct loss of habitat.

8.22 Given that there is deciduous woodland outside of and surrounding the application site it is unlikely to be an important local bat foraging resource. It is also possible that the woodland is used by barbastelle bats; given their wide overnight range, barbastelle bats – despite their rarity – are frequently encountered on bat surveys across southern Hampshire. However, the works would not result in a likely significant effect on the SAC through loss or deterioration of foraging habitat.

8.23 The nature of the existing habitat across the site is of limited value to bats in general, and in particular are unlikely to be used by barbastelle bats, which have considerably more exacting habitat requirements. Given the distance between the building and the nearest areas of higher-quality bat foraging habitat, and given that the building location is in an area of low-quality habitat, there therefore seems no reasonable likelihood that this would result in any significant adverse impacts to bat foraging activity. Therefore, the proposals will not result have any likely significant effect on the SAC.

8.24 Off-site biodiversity: New Forest SPA

In line with Policy E5 and Section 11 of the NPPF, consideration should be given to potential implications on international designations. The development would result in a net increase in residential dwellings within 15km 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 (the governments statutory nature conservation advisors, who have provided comments on this proposal) that any net increase (even single dwellings) would have a likely significant effect on the SPA when considered in combination with other plans and projects.

8.25 To address this issue, Test Valley Borough Council has adopted an interim mitigation strategy whereby a scale of developer contributions of £1,300 per new dwelling has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. Therefore it is considered necessary and reasonable to secure the appropriate contributions. The applicant has made the required contributions by direct payment. The application has secured the required mitigation measures, in accordance with the Council's adopted 'New Forest SPA Mitigation - Interim Framework'.

8.26 Off site biodiversity: 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.

8.27 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.

8.28 With respect to the current application, the applicant has submitted a nutrient budget calculation in accordance with Natural England's standard methodology and calculator spreadsheet. As part of undertaking this calculation it has been identified that the proposed development will utilise a mains sewer connection. The calculation identifies that the proposed development will generate 2.9kg/TN/yr. As such, in order to lawfully be permitted, the proposed development will need to include a package of avoidance and mitigation measures to offset the nitrogen load from the development.

- 8.29 On 16th March 2022 Natural England issued updated guidance in respect of achieving nutrient neutrality in the Solent region and the applicant has been invited to provide an updated nitrate neutrality assessment. The revised nitrate neutrality assessment will be reviewed and Natural England will be re-consulted. This requirement to re-consult with Natural England and update the legal agreement is reflected in the Officer recommendation.
- 8.30 Test Valley Borough Council has implemented a strategic nitrate offsetting mitigation scheme whereby a scale of developer contributions has been agreed that would fund its ongoing delivery of a nitrate offsetting scheme. This strategic scheme comprises the offsetting of agricultural land previously utilised for the purposes of pig farming, located at Roke, Awbridge. The land will be restored and maintained for the purposes of enabling nitrate neutrality.
- 8.31 Subject to the required nitrate offsetting and legal agreement the development will not result in adverse effects on the Solent designated site through water quality impacts arising from nitrate generation. The recommendation reflects the need to secure the requisite legal agreement.

8.32 **Heritage**

The development area is located partly within John of Gaunt's Deer Park Pale scheduled monument (list entry no 1003787). This monument is an extensive embankment that encloses a large area to the west of Kings Somborne. The application site is bounded on its south side by a surviving stretch of the park pale, which has been recognised as being of national importance. Originally the land within the deer park would have been enclosed and stocked with deer. Various parts of the pale survive around and within the village of Kings Somborne, including five sections of the southern side of the pale which are located alongside Romsey road. The surviving parts of the park pale appear as embankment. The monument within the boundary of the application site is particularly significant because it is an unusually well-preserved example of a medieval deer park pale.

- 8.33 An important planning consideration is whether the proposed development would harm to the park pale as a heritage asset, in terms of its setting or appearance. Paragraph 189 of the National Planning Policy Framework (NPPF) states as follows:-

'Heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'.

Therefore, there is a statutory duty upon decision makers to have special regard to the desirability of preserving the heritage asset or its setting. The NPPF advised that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater weight there should be.

- 8.34 The two potential key issues of direct physical impact on the scheduled monument and impact to the setting of the Scheduled Monument have been considered and are informed by an archaeological desk based assessment (PCA, June 2021). Elements of the John of Gaunt's Deer Park enclosure are still present in the form of a park pale and a Scheduled section of the park pale is present within the site, to the east of the development area that is the subject of this application. The historic line of the park pale would have covered a significant area as linear earthwork (likely consisting of an earthen bank and internal ditch). Certain sections of the earthwork have been designated as a scheduled monument by Historic England, based upon the condition and the extent of the surviving earthworks. However, remains of the park pale are still present outside of the scheduled monument areas as either more subtle earthworks or as buried archaeological remains. LiDAR images for the site indicate that some elements of the park pale are still present within the site.
- 8.35 Although now not a prominent above ground feature the proposed location of the development, will overlies a section of the park pale that was present until the mid-20th century. This highlights the possibility that the proposed development has the potential to negatively impact buried archaeological remains related to the park pale, including the possible internal ditch, which might contain evidence relating to the creation, dating and use of John of Gaunt's Deer Park. Furthermore, the presence of a section of earthwork within the footprint of the proposed development raises further uncertainty regarding the historical use of the site. As such, in keeping with NPPF and TVBC planning policy, a programme of archaeological investigation and recording should be undertaken prior to commencement. Two archaeological conditions are recommended, to secure the implementation of an approved Written Scheme of Investigation (WSI) for archaeological evaluation (comprising landscape survey and trial trenching) and the second, securing the implementation of an approved WSI for subsequent mitigation and reporting. With the implementation of these conditions, it is considered that any direct impact to the scheduled monument is adequately mitigated.
- 8.36 In terms of the setting of the scheduled monument. The proposed development would introduce a modern building in the western part of the site to replace some of the garden area of Hillview. The scheduled monument in the south east part of the site is screened from Romsey Road by a hedge. This section of the scheduled monument therefore does not have the open setting that is characteristic of other surviving sections of the park pale. Whilst the section of park pale within the site will add some contribution to the significance, however this contribution is likely to be lower than for other sections of the monument. As such, it is not considered that the proposal to add another building within the site would be harmful to the setting of the scheduled monument.
- 8.37 Subject to the matters outlined above, it is not considered that the development would give rise to any detrimental impact to the Scheduled Monument and would not detract from its setting. It is considered that the proposal would have a neutral impact to the identified heritage assets and the proposal is in accordance with policy E9.

8.38 Water management

Policy E7 of the Revised Local Plan includes a requirement to achieve a water consumption standard of no more than 110 litres per person per day and this reflects the requirements of part G2 of the 2015 Building Regulations. Subject to a condition to restrict the use of water at this site the proposal would be in accordance with Policy E7.

8.39 Neighbouring amenity

Due to the positioning of the proposed property relative to neighbouring sites, any impact to neighbouring amenity is largely limited to the occupants of Park Bank to the west of the site, and the existing dwelling at Hillview.

8.40 Yew Bank is the closest neighbouring property outside of the application site to the east, however it is located 80 metres from the proposed dwelling and the existing property at Hillview would block most of the views of the new dwelling. Therefore it is not anticipated that there would be any adverse amenity impact to this neighbour.

8.41 Impact to Park Bank

This neighbour is located to the north west of the proposed dwelling. The north western side wall of the proposed dwelling would be located 40 metres away from the garden boundary of Park Bank. The proposed dwelling may be visible from the garden of Park Bank. However, as a result of the separation distance between the proposed dwelling and this neighbouring property's garden, it is not considered that the proposal would result in any adverse impacts on the occupiers of this dwelling in terms of loss of daylight or sunlight, or have an overbearing impact.

8.42 With regards to overlooking, the proposed dwelling would have 5 large ground floor windows, which would serve the open plan kitchen / dining / living space. Additionally, there would be 3 first floor windows proposed on this same elevation, these would serve bedrooms. Views out of the ground floor windows would mainly be over the terrace and garden area, and over the rear boundary treatment. The bedrooms at first floor level are secondary accommodation, where occupants are unlikely to spend significant amounts of time in during the day. As a result, and also due to the separation distance, it is not considered that the proposed dwelling would result in any adverse overlooking impact to Park Bank.

8.43 Impact to existing dwelling at Hillview

Hillview is the existing dwelling which is occupied, and sits within the existing plot. The south west wall of Hillview is located 20 metres away from the north east wall of Hillview. 2 ground floor windows are proposed which would serve the utility and kitchen spaces. These windows would allow views out over the proposed garage and boundary treatment. One first floor window is proposed on the east elevation and this would serve a bedroom. Additionally, as a result of the separation between the proposed dwelling and Hillview, it is not considered that the proposal would result in any adverse impacts on the occupiers of this dwelling in terms of loss of privacy, loss of daylight / sunlight or overbearing impact.

8.44 For the reasons above, it is not considered that the proposal would give rise to an adverse impact on the living conditions of neighbouring properties by virtue of loss of daylight, sun light, or privacy. The proposal is in accordance with Policy LHW4 of the RLP.

8.45 Highways and parking provision

The application proposes 2 off street parking space, and an additional space within the garage, which meets the internal dimensions as set out within policy T2. As such, the parking provision is considered to accord with the parking standards set out in annex G of the RLP. A condition is recommended such that the garage is retained solely for the use of car parking to ensure it is not converted. The application includes a proposed site plan to confirm that there is adequate space for these parking spaces, on the driveway to the side of the property. It is recommended that conditions be added to any permission requiring the provision for the retention of the parking spaces along with the provision of a non-migratory surface for the first 6 metres of the access. Additionally, a condition is recommended such that details of the layout of parking and manoeuvring of contractor's and delivery vehicles on site during the construction period are submitted to the LPA prior to commencement of development.

8.46 The proposal provides ample parking on the site and within the proposed garage, and there is enough space for the manoeuvring of vehicles within the parking area and it would be possible to exit the parking area in a forward gear. The provision of an additional four bedroom dwelling is expected to result in a modest increase in the number of vehicles entering and existing the site. A new highway access point is proposed onto Romsey Road, and no vehicle gates are proposed which could potentially hinder access or sight lines to and from the highway. There is a speed limit of 30mph at the point where the new proposed access meets Romsey Road. The applicant has submitted a visibility splay diagram which demonstrates a visibility splay of 43 metres by x 2.4 metres. This is considered to be acceptable. A condition is recommended that the visibility splays remain clear of any obstruction above 600 mm in height.

8.47 For the reasons discussed above it is not anticipated that the scheme proposes a significant risk to highway safety of the local road network. The application is in accordance with Policies T1, T2 and annex G.

8.48 Comments have been received that traffic calming measures are required to slow traffic entering the village. However, this work would fall outside of the scope of this permission.

9.0 CONCLUSION

9.1 The proposal is not considered to give rise to adverse impacts to the character and appearance of the area, or result in a loss of amenity or privacy to neighbouring residents. Mitigation has been provided with regard to potential impacts to protected species and trees. The proposal therefore accords with the Test Valley Borough Revised Local Plan (2016) and the National Planning Policy Framework (2021) and is acceptable.

10.0 RECOMMENDATION

Delegate to Head of Planning & Building for completion of a legal agreement to secure;

**Removal of nitrate mitigation land from agricultural production, and
Future management of the nitrate mitigation land**

Then PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers
PL100B, PL 101B, PL 102B, PL 103B, PL 104B, PL 110B, PL 120B, PL 121B, PL 122B, PL 123B, L165/BC01 A, L165/BC02 B
Reason: For the avoidance of doubt and in the interests of proper planning.**
3. **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.**
4. **No development shall take place within the application site until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation and mitigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The submitted brief and specification shall include details of how the park pale embankment will be protected for the duration of the development period.
Reason: The site is of archaeological significance and further investigation and mitigation works are required in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.**
5. **No development shall take place within the application site until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority.
Reason: The site is of archaeological significance and further investigation and mitigation works are required in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.**

- 6. Development shall proceed in accordance with the measures set out in Section 7 'Recommendations' of the Hillview, Romsey Road, Kings Somborne, Preliminary Bat Roost Assessment (Middlemarch Environmental, April 2021), and the submitted landscape survey (submitted 17th November 2021). Thereafter, mitigation features 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.
- 7. Lighting will 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). Prior to installation of any external lighting, a detailed lighting strategy for the construction and operation phase of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details, with the approved lighting strategy maintained in perpetuity.**

Reason: To prevent disturbance to protected species in accordance with the National Planning Policy Framework and the Revised Test Valley Local Plan 2016.
- 8. The development hereby permitted shall not be carried out except in complete accordance with the landscaping details shown on the approved plans L165/BC01 A and L165/BC02 B. Notwithstanding these details, no development shall take place above DPC level of the development hereby permitted until a schedule of landscape implementation and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for the phasing of the implementation and ongoing maintenance during that period in accordance with appropriate British Standards or other recognised codes of practise.**

Development shall be carried out in accordance with the approved schedule. Any trees or planting that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced before the end of the current or first available planting season following the failure, removal or damage of the planting.

Reason: To enable the development to respect, complement and positively integrate into the character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.
- 9. Prior to the commencement of development the access shall be constructed with the visibility splays of 43 metres x 2.4 metres to the east and west and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 600mm above the level of the existing carriageway at any time.**

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

- 10. At least the first 6 metres of the access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.**

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

- 11. Prior to the first occupation of the development hereby permitted, space shall be 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 PL-101B 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) Policies T1 and T2.

- 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. Prior to the commencement of development full details of the layout for the parking and manoeuvring on site 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 Revised Local Plan (2016) Policy T1.

- 14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no building, structure, walls or fences of any kind shall be erected without the prior written consent of the Local Planning Authority.**

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) Policies E1 and T2.

- 15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), the garage hereby approved shall at all times be available for the parking of vehicles.**
Reason: In order to maintain the approved on site parking provision and to reduce highway congestion in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

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. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**
 - 3. The proposed development may require scheduled monument consent and it is advised that Historic England are contacted about this.**
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