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| APPLICATION NO. | 22/02814/FULLS |
| APPLICATION TYPE | FULL APPLICATION - SOUTH |
| REGISTERED | 31.10.2022 |
| APPLICANT | Mr M Blackledge |
| SITE | Erlcombe , Butts Green, Lockerley, SO51 0JG, LOCKERLEY |
| PROPOSAL | Erection of 4 bedroom dwelling, installation of sewage treatment plant, and construction of vehicular access |
| AMENDMENTS | Received on 20.12.2022: <ul style="list-style-type: none">• Amended site and floor plans reflecting revised positioning of dwelling an additional 0.5m away from western boundary. |
| CASE OFFICER | Graham Melton |

Background paper (Local Government Act 1972 Section 100D)
[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee at the request of a Local Ward Member as there is significant local interest.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site comprises the residential property known as Erlcombe, a two storey detached dwelling located on the north side of Butts Green in the settlement area of Lockerley.

3.0 PROPOSAL

3.1 The proposal is for the erection of a 4 bedroom dwelling measuring approximately 12m by 16.3m by 6.5m, to be located to the rear (north) of the existing dwelling, on land currently in use as a residential garden area.

3.2 The proposed dwelling features an 'L' shape layout with a flat roof single storey projection off the main two storey gable end section. External materials comprise red clay bricks combined with hanging tiles and clay roof tiles. In addition, the application includes the installation of a package treatment plant to serve the proposed dwelling located adjacent to the eastern boundary of the application site in the centre of the plot.

3.3 Vehicular access will be provided by the existing access located in the south-west corner of the plot, with the entranceway widened through the partial demolition of the existing boundary wall. An internal access track will be installed at the western boundary of the application site adjacent to the side elevation of the existing dwelling.

3.4 Comparison with planning history

The application site has been subject to a number of recent planning applications and appeals, with full details listed in section 4 below. The current proposal follows the previous refusal of application reference 22/01682/FULLS (paragraph 4.1), with the following amendments made to the design of the proposed dwelling:

- Reduction of ridge height and eaves height by approximately 1.3m.
- Reduction from three to two first floor windows on the front (south) and rear (north) elevations.

A comparison between the two applications in relation to the two storey element of the proposed dwelling is set out below:

| | Ridge Height | Eaves Height | Distance from shared boundary with neighbouring properties |
|--|--------------|--------------|--|
| Previous application (22/01682/FULLS) | 7.8m | 5.3m | 6m |
| Current Proposal | 6.5m | 4m | 6m |

4.0 **HISTORY**

4.1 **22/01682/FULLS** - Erection of a 4 bedroom dwelling with sewage treatment plant and associated soft and hard landscaping. *Application refused for the following reasons (subsequent to Southern Area Planning Committee meeting on the 20th September, decision issued on the 23rd September 2022):*

1. Notwithstanding the amendments undertaken, including the repositioning of the proposed dwelling and the alterations to red clay tiles and a hipped roof form, the proposed development would still, by virtue of the proximity of the blank, two storey gable end of the proposed dwelling in relation to the relatively short rear garden of "Bowmans", result in an unacceptable feeling of enclosure that would have an overbearing impact to occupiers of that property. The proposal would therefore result in an adverse effect on the living conditions of the occupiers of "Bowmans" contrary to Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).
2. The proposed development by means of its nature, location and scale could have likely significant effects upon the nearby Solent and Southampton Water European Designated Site which is designated for its conservation importance. In the absence of information relating to the development achieving nutrient neutrality or onsite/off site mitigation, the applicant has failed to satisfy the Council that the proposal would not adversely affect the special interest of the Solent and Southampton

Water European Designated Site, therefore the application is contrary to Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).

3. The site lies within close proximity to the New Forest SPA which is designated for its conservation importance. In the absence of a legal agreement, the application has failed to secure the required mitigation measures, in accordance with the Council's adopted 'New Forest SPA Mitigation - Interim Framework'. As such, it is not possible to conclude that the development would not have an in-combination likely significant effect on the interest features of this designated site, as a result of increased recreational pressure. The proposed development is therefore contrary to the Council's adopted 'New Forest SPA Mitigation - Interim Framework', Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).

Case officer note: An appeal against this refusal decision has been submitted to the Planning Inspectorate and currently awaiting a start date and allocation to an Inspector.

4.2 **21/02071/FULLS** - Erection of a 4 bedroom dwelling with sewage treatment plant and associated soft and hard landscaping. *Application refused for the following reasons (subsequent to Southern Area Planning Committee meeting on the 22nd February, decision issued on the 2nd March 2022):*

1. The proposed development would, by virtue of the proximity of the blank, two storey gable end of the proposed dwelling in relation to the relatively short rear garden of "Bowmans" result in an unacceptable feeling of enclosure that would have an overbearing impact to occupiers of that property. The proposal would therefore result in an adverse effect on the living conditions of the occupiers of "Bowmans" contrary to Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).
2. The proposed development would give rise to an adverse effect on the living conditions of future occupiers of the proposed dwelling - compromising the levels of privacy to a significant area of private garden i.e. the patio area to the rear of the property, as viewed from the first floor windows of the property known as "Crispins". The proposal would fail to provide suitable private open space to serve the needs of likely occupants contrary to policy LHW4 of the Test Valley Borough Revised Local Plan (2016).
3. The proposed development by means of its nature, location and scale could have likely significant effects upon the nearby Solent and Southampton Water European Designated Site which is designated for its conservation importance. In the absence of information relating to the development achieving nutrient neutrality or onsite/off site mitigation, the applicant has failed to satisfy the Council that the proposal would not

adversely affect the special interest of the Solent and Southampton Water European Designated Site, therefore the application is contrary to Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).

4. The site lies within close proximity to the New Forest SPA which is designated for its conservation importance. In the absence of a legal agreement, the application has failed to secure the required mitigation measures, in accordance with the Council's adopted 'New Forest SPA Mitigation - Interim Framework'. As such, it is not possible to conclude that the development would not have an in-combination likely significant effect on the interest features of this designated site, as a result of increased recreational pressure. The proposed development is therefore contrary to the Council's adopted 'New Forest SPA Mitigation - Interim Framework', Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).

4.3 **APP/C1760/W/21/3274523** – Planning appeal against the refusal of application reference 20/02071/FULLS (listed at paragraph 4.2). *Appeal dismissed, decision issued on 19th October 2021.*

4.4 **20/02071/FULLS** - Erection of two, three bedroom detached dwellings with detached garages and associated hard and soft landscaping, and installation of package treatment plant. *Application refused on the 29th January 2021 for the following reasons:*

1. *The proposed development would not deliver adequate living conditions with regard to privacy, daylight and sunlight provision for the proposed dwellings. Consequently, the proposed scheme does not sufficiently provide for the amenity of potential future occupants and therefore, the application is contrary to Policies COM2 and LHW4 of the Test Valley Borough Revised Local Plan (2016).*
2. *In the absence of a legal agreement to secure and monitor the proposed mitigation measures enabling the achievement of nitrate neutrality, the proposed development by means of its nature, location and scale could have likely significant effects upon the nearby Solent and Southampton Water European Designated Site which is designated for its conservation importance. Consequently, the application has failed to satisfy the Council that the proposal would not adversely affect the special interest of the Solent and Southampton Water European Designated Site, therefore the application is contrary to Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).*

4.5 **19/02418/FULLS** - Erection of two, three bedroom detached dwellings with detached double garages, associated landscaping and sewage treatment plants. *Application withdrawn on 7th November 2019.*

5.0 **CONSULTATIONS**

5.1 **Archaeology** – No comment (summarised).

- Would not raise any archaeological issues.

5.2 **Environmental Protection** – No objection subject to conditions.

5.3 **Highways** – No objection subject to conditions.

5.4 **Natural England** – No objection subject to appropriate mitigation being secured.

5.5 **Trees** – No objection subject to conditions.

6.0 **REPRESENTATIONS** Expired 28.11.2022

6.1 **Lockerley Parish Council** – Objection (summarised).

- Lockerley Parish Council object to the application.
- The site is not suitable for backfill development.

6.2 **8 letters from local residents** – Objection (summarised).

Principle of development

- Consider that the back garden of Erlcombe is not suitable for backland/infill development because of its tapering shape and the position and footprint of the existing dwelling.

Impact on the character and appearance of the area

- Over development, character of the area.
- Proposed dwelling will destroy the current mature garden, out of keeping with the area.
- Consider that the proposal constitutes considerable overdevelopment when compared to the immediate area, backfill of this nature does not respect the character of the area.
- Proposed dwelling is located too close to the neighbouring properties on the western boundary and does not maintain adequate space to echo local character.
- Combination of backfill development with a large footprint dwelling so close to the rear boundaries of neighbouring properties, with a private access drive with turning and parking spaces so close to rear boundaries, is completely at odds with the local landscape character, character of the area.
- High proportion of hard landscaping.
- Proposal will trigger the loss of trees onsite in addition to those previously felled prior to the submission of previous planning applications.

Ecology

- Currently, the application site provides a habitat for bats, at least two species of woodpecker, mayfly dances and many other birds.

- The proposed development will require ten trees to be felled, this is in addition to several trees that were felled onsite prior to the submission of previous applications.
- The trees and shrubs are suggested to be of low value but include a mature apple tree and stretch of laurel hedge that provides a valuable nesting site and refuge for birds.
- Given the large amount of proposed hardstanding and small area of green space retained within the proposed development, consider proposal will be detrimental to local wildlife and reduce biodiversity.

Water Management

- The proposed development is not in a flood risk zone, but is on the boundary of a flood zone.
- Large amount of hardstanding will further exacerbate flood risk.
- With no mains drainage, the development will mean an additional source of wastewater discharge from treatment plants into the ground, making the position even more fragile.
- The proposed tight access may prohibit access for sullage tankers for maintenance of the proposed treatment systems.
- Additional phosphate levels are a concern.

Impact on the general amenity of the area

- The two treatment plants will have associated background noise and if situated close to neighbouring dwellings will provide constant background noise.
- Noise and disturbance from vehicle movements and from the manoeuvring of bins.
- The location of additional rubbish collection bins adjacent to our property with the resultant smells is also not welcome.
- Consider that the relatively dark skies currently enjoyed will be diminished by light from the proposed dwelling, particularly the light wells in the proposed single storey rear projection.

Impact on the amenity of residential property

- Proposal will still provide an unacceptable feeling of enclosure to neighbouring properties to the west namely Bowmans.
- All the windows serving Bowmans face either east or west and therefore, the proposal will have a disproportionately negative impact on living conditions.
- The height of the current proposal is only 1.2m lower than the previously refused application, the side wall of the proposed dwelling is 16m long.
- Proposal will result in the single storey extension just 2m or so from the rear garden boundary with Bowmans and Crispins, extending approximately 7m along the boundary with Bowmans and 9m along the boundary with Crispins.

- Single storey extension will be 1.2m above the boundary fence, completely overshadowing and dominating the gardens serving Bowmans and Crispins, as a result the proposal will be extremely overbearing.
- Loss of privacy to Bowmans, Tyndale and other neighbouring properties.
- Amendments make very little difference to the residential properties on Romsey Road, in particular Bowmans, which will continue to have their privacy overlooked.
- Proposal will have a negative impact on the privacy of Crispins, which has 10 windows that face the application site.
- Negative impact on outlook from School House, Bowmans and Crispins.
- The proposal will still overshadow and dominate Bowman's and Crispin's back garden.
- Whatever the shade diagrams do or do not demonstrate the scale and proximity of the proposed dwelling to rear gardens of adjoining properties would inevitably lead to the loss of the feeling of light, space and privacy that School House currently enjoys.
- Proposed dwelling is positioned far too near to the boundaries of Crispins and Bowmans, it means that private conversations can be overheard, negatively impacting residential amenity of these properties.
- Noise and disturbance due to the positioning of the proposed access track adjacent to neighbouring properties including light from headlights.
- Loss of peace and tranquillity for the occupants of Crispins, Bowmans, Tyndale and School House.
- Additional concern that once the footprint of the proposed dwelling has been established, future occupants of the proposed dwelling may seek to build a second storey over the single storey rear projection using Permitted Development rights.
- Not assured at all by the imposition of a condition to remove Permitted Development rights.
- Loss of amenity to the occupants of Erlcombe
- Proposed tree planting will overshadow the allocated garden area serving the proposed dwelling, which previously formed a reason for refusal in the dismissed appeal scheme.

Highways

- Traffic Generation Parking and Safety.
- The entrance to Erlcombe is very close to a very busy junction due to Lockerley Garage vehicles being parked along the green and opposite pavement, obscuring the view of vehicles leaving the application site.
- Added to this, the school traffic and pedestrians navigating their way along this precarious route, often with young children in a very dangerous, overcrowded area.
- Dismayed that the Highways officer has not object to the current proposal or previous applications.
- Loss of parking spaces for Erlcombe, resulting in more parking on Butts Green, parking on Butts Green is not intended for long-term or overnight parking.

- New development does not allow for sufficient onsite manoeuvring space to provide for safe access to and from the site and does not take into account the added complications of visitors and delivery drivers.
- Situation is not helped by the lack of action by the highway authority or the police who do nothing to stop vehicles from Lockerley Motors parking on the pavement and white line.

Community Safety

- The proposed development is far too close to the school playground, resulting in a safeguarding concern.

Other matters

- Crispins and Bowmans have no control over the how high the proposed trees will be allowed to grow, which is not appropriate so close to a shared boundary.

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)

Policy SD1: Presumption in Favour of Sustainable Development

Policy COM2: Settlement Hierarchy

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 E9: Heritage

Policy LHW4: Amenity

Policy T1: Managing Movement

Policy T2: Parking Standards

Policy CS1: Community Safety

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on the amenity of residential property
- Highways
- Ecology
- Water Management
- Impact on the general amenity of the area
- Heritage
- Community Safety
- Other Matters

8.2 Principle of development

The application site lies within the settlement boundary of Lockerley as designated by the Inset Maps of the TVBRLP and therefore, the principle of development for an additional dwelling is acceptable in this location. However, this provision is subject to compliance with the other relevant policies of the TVBRLP and this assessment is set out below.

8.3 Third party representations have raised concern that although the application site is located within the settlement boundary of Lockerley, the characteristics of the application site make its development unacceptable. However, this is not an issue relating to the principle of development but the impact of the proposal on the character and appearance of the area. An assessment of this material consideration is undertaken below.

8.4 Impact on the character and appearance of the area

Design

Butts Green is located to the south of the application site and provides the main public vantage point of the plot, although views are limited to the frontage of the existing property Erlcombe, with the rear residential garden area where the proposed dwelling will be located predominantly screened by the host property itself.

8.5 The proposed scheme will result in the widening of the existing vehicular access and thereby enabling a wider view of the existing dwelling which comprises a traditionally designed property, similar to the character of other neighbouring dwellings in form and materials. With regard to the proposed extension of the existing driveway area, this will be set back from the public highway and partially obscured by the front (south) boundary wall. Therefore, it is not considered that the proposed alterations to the existing property frontage will result in any materially significant visual detriment to the existing street scene.

8.6 In relation to the appearance of the proposed dwelling itself, as set out in paragraph 3.4, the height of the proposal has been amended since the previously refused application reference (22/01682/FULLS, paragraph 4.1). The design of the dwelling however remains of traditional form and materials, with the amended lower eaves and roof height for the two storey section. It is acknowledged that the proposed design also includes a single storey rear (north) projection of substantial length but this element nor the dwelling as a whole, will be visible from any public vantage point. Therefore, it is considered that the proposed design is acceptable and will not serve to result in any visual detriment to the existing street scene or character of the settlement area. To ensure that the final specification of materials is of an appropriate quality, a condition has been imposed securing the submission of material samples for approval (condition no. 7).

8.7 With regard to the size of the available plot space, the submitted site plan demonstrates an area of approximately 740sqm will be allocated for the proposed dwelling and this is similar to the plots of Bowmans and Tyndale to the west. Although it is acknowledged that there is a tapering of the plot when progressing towards the rear (north) boundary, the proposed development has been designed to fit with the characteristics of the application site, with the main

two storey section of the proposed dwelling positioned in the centre of the plot rather towards the rear (north) section. As a result, it is not considered that the proposal represents overdevelopment or is uncharacteristic of the wider settlement area.

8.8 It is noted that third party representations have raised concern that the applicant's submitted density analysis has not included the neighbouring property known as Crispins and therefore the analysis is flawed. However, the officer's assessment of the proposed development has been undertaken on the basis of the previous site visits undertaken rather the applicant's site density information.

8.9 Following the assessment undertaken above, it is considered that the proposed dwelling will respect, integrate and complement the settlement character of the area and as such, the application is in accordance with Policy E1 of the TVBRLP.

8.10 Arboriculture

In support of the proposed development an arboricultural impact assessment (Barrell Tree Consultancy, June 2021) was submitted. This information demonstrates that the proposed scheme can be implemented without the loss of any of the existing mature trees onsite that provide a degree of public amenity value. The report also confirms that the Cedar tree located on the front (south) boundary of the application site will be retained.

8.11 With regard to the mature trees located offsite but in close proximity to the boundaries of the plot, sufficient distance has been retained between the trees and the proposed development to ensure that their future retention is not unduly prejudiced. To prevent the potential for any accidental damage to arise during the associated construction phase, the implementation of the recommended protection measures have been secured through the imposition of conditions (condition no's. 3 and 4). Therefore, it is considered that the proposal would have protected key landscape features and as such, the application is in accordance with Policy E2 of the TVBRLP.

8.12 **Impact on the amenity of residential property**

Planning history

The application site is subject of a number of unsuccessful previous planning applications as set out in section 4 of the report. This includes the refused application and subsequent dismissed appeal for two dwellings onsite (listed at paragraphs 4.3 and 4.4). Following the dismissal of this appeal, subsequent planning applications have been submitted for a single additional dwelling. The most recent scheme (application reference 22/01682/FULLS) was refused for the reasons sets out in paragraph 4.1, with the refusal reason listed as number 1 relating to the impact on amenity of residential property. An appeal against the refusal decision has been lodged with the Planning Inspectorate and is currently pending consideration.

8.13 Current Proposal

Following the refusal of the previous application reference 22/01682/FULLS (paragraph 4.1) the design of the proposed dwelling has been amended, as set out in paragraph 3.4, to respond to the previous reason for refusal listed as no.1. Consequently, it is necessary to undertake a new assessment of the current proposal against the criteria of Policy LHW4 and this is undertaken below.

8.14 Policy LHW4 seeks to ensure that any development provides for the amenity of existing and proposed dwellings stating:

Development will be permitted provided that:

- a) it provides for the privacy and amenity of its occupants and those of neighbouring properties;*
- b) in the case of residential developments it provides for private open space in the form of gardens or communal open space which are appropriate for the needs of residents; and*
- c) it does not reduce the levels of daylight and sunlight reaching new and existing properties or private open space to below acceptable levels*

8.15 Previous reason for refusal no.1 – Overbearing impact on Bowmans

For ease of reference, the previous reason for refusal in relation to the impact on outlook and living conditions of the neighbouring known as Bowmans is set out below:

Notwithstanding the amendments undertaken, including the repositioning of the proposed dwelling and the alterations to red clay tiles and a hipped roof form, the proposed development would still, by virtue of the proximity of the blank, two storey gable end of the proposed dwelling in relation to the relatively short rear garden of "Bowmans", result in an unacceptable feeling of enclosure that would have an overbearing impact to occupiers of that property. The proposal would therefore result in an adverse effect on the living conditions of the occupiers of "Bowmans" contrary to Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).

8.16 In response to this issue the design of the proposed dwelling has been amended in the following manner:

- Reduction of ridge height and eaves height by approximately 1.3m.

8.17 Following the concerns raised by third party representations, the positioning of the current proposal has been amended to ensure that the proposed dwelling is in the same position as the previously refused application. Therefore, it is necessary to assess whether a proposed dwelling in the same location as the previously refused application, but of lower dimensions, overcomes the reason for refusal listed in paragraph 8.15. The latest set of amendments follow a series of revisions over several applications and these are summarised in the following table:

| | Ridge Height | Eaves Height | Roof form | Distance from shared boundary with neighbouring properties |
|--|---------------------|---------------------|------------------|---|
| 21/02071/FULLS | 7.8m | 5.4m | Gable end | 5.5m |
| Previous application (22/01682/FULLS) | 7.8m | 5.3m | Hipped | 6m |
| Current Proposal | 6.5m | 4m | Hipped | 6m |

8.18 The amendments undertaken since the previously refused application result in an eaves height of approximately 4m and a ridge height of approximately 6.5m. Due to the design of the hipped roof form, the proposed roof ridge at its highest point will be positioned approximately 9m from the boundary with Bowmans and approximately 17m from the rear elevation of this neighbouring dwelling. As a result, the combination of lowering the height of the proposed dwelling and the retention of the hipped roof design ensure that the largest part of the proposed dwelling is positioned a significant distance away from the neighbouring property known as Bowmans.

8.19 It is acknowledged that the flank (west) elevation itself at an eaves height of approximately 4m will be in closer proximity to Bowmans, with intervening distances of approximately 6m to the shared boundary and 14m to the rear elevation of the neighbouring dwelling. However, given the current status of the application site as a residential garden serving Erlcombe, it is considered that appearance of the proposed dwelling at this point is not dissimilar to an outbuilding that could be constructed under Permitted Development rights legislation. Permitted Development legislation allows for the construction of an outbuilding up to 4m in height when positioned further than 2m away from a shared boundary. As a result, it is considered that the design amendments undertaken serve to overcome the overbearing impact on Bowmans identified with the previously refused applications.

8.20 Other amenity issues

Privacy

The front (south) elevation of the proposed dwelling will face the corresponding rear (north) elevation of the existing property Erlcombe. The intervening distance between the fenestration in the front (south) elevation and the boundary wall demarcating the retained garden area serving Erlcombe will be in excess of 14m, with a separation distance in excess of 25m to the nearest part of the existing dwellinghouse. As a result of these separation distances and in conjunction with the screening to be provided by the boundary treatment, it is

not considered that there will be any adverse overlooking of Erlcombe. The neighbouring property known as the School House adjoins Erlcombe to the east, but given a similar separation distance to the proposed development and the additional oblique angle, it is not considered that there will be any materially significant loss of privacy for this neighbouring property.

- 8.21 With regard to the potential impact on the neighbouring properties adjacent to the western boundary of the application site, an oblique angle will be required to obtain views in this direction from the windows on the front (south) elevation of the proposed dwelling. Furthermore, the submitted plans and elevations demonstrate that the first floor window at the western end of front (south) elevation will be obscurely glazed and this detail has been secured by the imposition of condition no.17. As such, it is not considered that there will be any direct overlooking of the neighbouring properties resulting in a significant loss of privacy.
- 8.22 In addition, the corresponding side (west) elevation only contains an external door and ground level windows with potential views screened by the retention of the existing boundary fence and as such, there will be no direct overlooking of the adjoining dwellings aligning the western boundary of the application site.
- 8.23 In relation to the rear (north) elevation of the proposed dwelling, the first floor windows in this elevation will be positioned approximately 15m away with the shared boundary with the neighbouring dwelling Crispins. Consequently, it is considered that the separation distance is sufficient to avoid a materially significant loss of privacy for this neighbouring property with the retained boundary treatment screening any views from ground floor fenestration.
- 8.24 With respect to the ground floor windows in the side (east) elevation looking out towards the adjoining school, it is considered that the retained boundary fence and vegetation will provide sufficient screening to prevent a significant loss of privacy for the school or neighbouring properties in the locality.
- 8.25 In addition, third party representations have also raised concern that a loss of privacy will be incurred from vehicle users approach the proposed dwelling along the internal access track, but given the boundary fencing to be retained it is not considered that clear views of neighbouring properties will be possible from users of the access track. In any event, any possible glimpses by vehicle users are likely to be momentarily in nature and not serve to trigger a materially significant loss of privacy.
- 8.26 *Sunlight provision*
Due to the orientation of the proposed dwelling within the plot, the majority of shadow created will fall on the single storey rear projection and the garden area serving the proposal at the northern end of the plot. Following the revision to the site layout as set out in paragraph 3.4, the two storey section of the proposed dwelling now comprises an eaves height of approximately 4m and a ridge height of approximately 6.5m.

- 8.27 As indicated by the shadow diagrams previously submitted by the applicant, the retained separation distance to the shared boundary limits any overshadowing of neighbouring gardens to a short period in the early morning hours, and does not represent a significant increase on the shadow currently generated by the existing boundary fence. Since the production of the previously submitted shadow diagrams, subsequent revisions to the design and height of the proposed dwelling have been undertaken. Specifically, these amendments include the reduction of the roof massing from gable end to a hipped roof form, the repositioning of the dwelling an approximately additional 0.5m further away from the shared boundary and the aforementioned reductions to the ridge and eaves height. Consequently, it is considered that the previously submitted shadow diagrams serve to overestimate the potential shading impact of the current proposal on neighbouring properties. As a worst case scenario, it is considered that the shadow diagrams demonstrate the proposed dwelling will not unacceptably impact the existing level of sunlight provision for any neighbouring dwelling.
- 8.28 With regard to the single storey rear projection, due to the flat roof design and total height of approximately 3.2m in conjunction with the separation distance between the boundaries of the plot, it is not considered that this element of the proposed dwelling will trigger a materially significant loss of sunlight for neighbouring properties.
- 8.29 Concern has also been raised in relation to the potential impact from the proposed landscape planting on the western boundary, in the event that it is allowed to grow substantially higher than the existing fence. However, this would be a private civil matter and is covered by other legislation.
- 8.30 *Daylight provision/outlook*
Given the separation distance between the proposed dwelling and the existing dwellinghouse Erlcombe, at a minimum of approximately 25.5m, it is not considered that the presence of the proposed development will adversely impact the outlook or daylight provision for the existing property. In addition, given the absence of any neighbouring property directly adjacent to the proposed dwelling on the side (eastern) boundary, it is not considered that there will be any impact for neighbouring dwellings located in this direction.
- 8.31 Concern has been raised through third party representations in relation to the potential impact on the living conditions for the neighbouring dwellings positioned adjacent to the side (western) and rear (north) boundaries. The arrangement on this boundary comprises the properties known as Tyndale, Bowmans and Crispins when progressing from south to north. In addition, the section of plot directly adjacent to Tyndale will solely be occupied by the internal access track and therefore, in the absence of any significant built form directly opposite from the rear elevation of this neighbouring dwelling, it is not considered that there will be any material overbearing impact.
- 8.32 As assessed above in paragraphs, 8.15 to 8.19, the design amendments undertaken are considered sufficient to prevent an overbearing impact on Bowmans.

- 8.33 In relation to the potential impact with Crispins, this neighbouring property adjoins the north-west corner of the application site. As demonstrated by the submitted site plan, the two storey section of the proposed dwelling does not extend to this part of the western boundary and therefore, will not directly occupy the outlook from this neighbouring dwelling but be viewed from an offset angle. The single storey rear (north) projection of the proposed dwelling will be located directly opposite the rear elevation of Crispins but given the single storey scale and separation distance of approximately 6.2m to the side (west) boundary and approximately 5.4m to the rear (north) boundary, it is not considered that the appearance of the proposed dwelling will trigger a materially significant loss of daylight or harm to the outlook for this neighbouring dwelling.
- 8.34 *Noise and disturbance*
Third party representations have also raised concern in relation to the location of the proposed internal access track adjacent to the western boundary of the application site and the potential for disturbance to the adjoining properties arising from vehicle movements. Although it is acknowledged that the internal access track is adjacent to the boundary with neighbouring properties, the proposed site plan demonstrates that this will be finished with a block paving treatment throughout and the existing boundary fencing will be retained. Given this surfacing material and the low number of vehicle movements anticipated from the occupation of a single residential dwelling, it is not considered that the potential noise impact will significantly affect the existing level of amenity afforded to the adjoining residential properties.
- 8.35 *Provision of private outdoor amenity space*
The submitted site plan demonstrates that the proposed dwelling will benefit from a primary amenity area positioned adjacent to the eastern boundary with the adjoining school. A second private garden space will also be available in the north-west corner.
- 8.36 In relation to the area located adjacent to the eastern boundary of the plot, the entirety of this area measures approximately 180sqm and due to its positioning away from the neighbouring properties on the western border will not be subject to a high degree of overlooking. It is acknowledged that the mature trees located on the eastern boundary and the proposed dwelling will serve to overshadow parts of this garden area. However, a sufficient amount of the garden area will remain free from overshadowing during the middle of the day ensure that the living conditions for potential future occupants are acceptable. Consequently, it is considered that this private garden space will be of significant amenity value to potential future occupants of the proposed dwelling.
- 8.37 In addition, the proposed scheme also includes the allocation of a retained private garden area measuring approximately 260sqm for the existing dwelling Erlcombe. Due to the depth of the retained garden space, although a section will be impacted by the shadow generated by the existing dwellinghouse, sufficient space will receive a significant amount of sunlight throughout the day. Furthermore, the 1.8m boundary wall demarcating this space will ensure the retained garden area is not overlooked by either the proposed dwelling or adjoining properties. Therefore, it is considered that the proposed scheme will provide sufficient outdoor amenity space for both existing and potential future residents.

8.38 Conclusion on Policy LHW4

It is considered that the amendments undertaken to the design of the current proposal, as set out in paragraph 3.4 and assessed above, have resulted in a materially different relationship with neighbouring properties when compared with the previously refused application reference 22/01682/FULLS (paragraph 4.1). As a result, it is considered that the proposed scheme sufficiently provides for the amenity of existing residential property and also potential future occupants of the proposed dwelling. Therefore, the application is in accordance with Policy LHW4 of the TVBRLP.

8.39 **Highways**

Access

Following feedback undertaken during previous planning applications, the proposed site plan demonstrates that vehicular access will be provided by the existing access point located in the south-east corner of the application site. To ensure adequate visibility is achieved from this access point, the proposal includes the partial demolition of the existing boundary wall and enlargement of the access point itself. It is therefore considered that the proposed visibility represents an improvement on the existing arrangement that serves the existing dwelling Erlcombe and that the visibility achieved is acceptable.

8.40 In order to prevent the vehicle access point being undermined by the other existing access located in the south-west corner of the application site, a condition has been imposed for the stopping of this access point prior to occupation of the proposed development (condition no. 11).

8.41 With regard to the internal access arrangement, the Highways officer has not raised any concern that the path and layout of the internal access road is unsafe or unsuitable for use by private vehicles accessing either existing dwelling or the proposed development. The proposed site plan demonstrates the provision of a passing place to in the south-west corner of the plot to enable the passing of vehicles associated with the occupation of the proposed dwelling. The location of the proposed passing bay enables visibility of the access track leading to the rear of the application site and the vehicular access point itself, thereby ensuring its use during times of where one or more vehicles are travelling onsite and subsequently avoiding the stopping of vehicles on the public highway. In relation to the existing dwelling, the location of the driveway serving this property is a short distance from the vehicular access point, with the section of access road leading to the driveway fully visible from the public highway, ensuring that movement at times when the access is already in use can be avoided. Consequently, in conjunction with the vehicle turning area serving the proposed dwelling as highlighted in the parking section below, it is considered that the design of the proposed scheme ensures the safe and efficient manoeuvring of vehicles onsite.

8.42 Traffic generation

The proposal comprises the erection of a single additional dwelling and as such, it is not considered that the associated vehicle movements on the local road network will be materially significant or trigger an adverse impact on the highway safety of the local road network.

8.43 **Parking**

Notwithstanding the reconfiguration of the application site frontage to accommodate the internal access track, the proposed development will retain the existing driveway and integral garage serving Erlcombe, which provides sufficient capacity for the parking of 3 vehicles onsite. Annexe G of the TVBRLP sets out the minimum parking standards for residential properties and the provision of 3 parking spaces is in accordance with the appropriate policy standard in this instance.

8.44 Third party representations have queried whether an increased parking provision for Erlcombe should be sought on the basis of the number of vehicles currently onsite and in recognition of the rural location of Lockerley and the resulting likely higher average of vehicle ownership. However, it is not considered that anecdotal evidence of greater vehicles onsite represents a reasonable basis for concluding that the proposed parking provision is inadequate, given the compliance with planning policy. In addition, it is noted that the parking standards set out in planning policy are formulated from an evidence base that accounts for the characteristics of the Borough.

8.45 With regard to the proposed dwelling, the submitted site plan demonstrates the provision of a driveway area sufficient to accommodate the parking of 2 vehicles onsite in addition to an allocated area for turning and manoeuvring. Third party representations have raised concern that the parking provision provided is insufficient and does not account for vehicles relating to visitors, but the additional manoeuvring space onsite allows for the management of vehicles by future occupants on occasions that visitors are anticipated or during receipt of deliveries. Therefore, it is not considered that additional parking provision is reasonable or appropriate to ensure that the proposed development is acceptable in planning terms.

8.46 **Refuse**

The proposed scheme includes the provision of a refuse storage area adjacent to the vehicular access point that will allow for the safe and efficient collection of refuse.

8.47 Following the assessment undertaken above, it is considered that the proposed development will avoid any adverse highway safety impact and therefore, the application is in accordance with Policies T1 and T2 of the TVBRLP.

8.48 **Ecology**

Onsite biodiversity

The application site predominantly comprises of an existing residential garden area and as noted above, the proposed development will avoid the loss of any protected trees located offsite. It is acknowledged that the proposal will result in the loss of existing and previous ornamental trees and hedgerows within the application site. However, the proposed site plan demonstrates the provision of replacement planting to be located along the boundaries of the application site. This replacement planting will ensure that the proposed scheme includes provision for onsite planting suitable for supporting nesting birds and other protected species alongside the installation of features such as specialist bird nesting bricks or bat boxes.

- 8.49 To ensure that the replacement planting is established a condition has been imposed securing the submission and subsequent implementation of a planting maintenance plan. In addition a condition securing the submission of final specification details of the associated biodiversity features to be installed has also been imposed (condition no. 10).
- 8.50 With regard to the concerns raised that the proposed development will adversely impact on bats and their flight paths due to light spill and pollution, a condition has been imposed requiring the submission of details for any external lighting to be installed. Accordingly, it is considered that the proposal will avoid any adverse impact or disruption to bats.
- 8.51 Following the securing of the measures outlined above through the imposition of conditions, it is considered that the proposed scheme will avoid any harm to protected species or habitats onsite.
- 8.52 Offsite biodiversity: Solent and Southampton Water SPA
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.
- 8.53 Natural England further advises that there is uncertainty as to whether new housing growth will further deteriorate designated sites. Work on this issue is on-going with the local planning authorities, the Environment Agency and the water companies. That may lead to identified mitigation measures in the future. However, no mitigation strategy has yet been developed and no interim approach has yet been set up by Test Valley Borough Council. In the meantime, 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.
- 8.54 To assess the potential impact of the proposed development, a calculation was undertaken in accordance with the standard methodology issued by Natural England to identify the existing level of nitrates generated by the occupation of the existing dwelling Erlcombe. This calculation identified a figure of 11.9 kg/TN/yr and was based on historic water usage data and recognition that the existing dwelling is served by a septic tank of considerable age.
- 8.55 In order to deliver a reduction in the level of nitrates currently generated onsite, mitigation measures comprising the installation of a specific type of package treatment plant, the onetoclean Graf treatment system, to replace the existing package treatment plant serving Erlcombe. This same specification of package treatment plant will also be installed for the proposed dwelling and achieves a 7.3mg/l output in comparison to the existing rate of 96.3mg/l for the existing septic tank, as evidenced by the supporting certificate and performance data. As a result, the combined nitrate loading for both the existing and proposed

dwelling following the installation of the new package treatment plants is 1.5 Kg/TN/yr in comparison to the current loading of 11.9 Kg/TN/yr. Therefore, the calculation undertaken demonstrates that the proposed upgrading of foul drainage infrastructure results in an overall reduction of 10.4 Kg/TN/yr in nitrate loading.

- 8.56 To deliver the level of certainty required by the Habitats Regulations, it is considered necessary to secure the implementation and ongoing maintenance of the package treatments plants to serve both the existing and proposed dwelling by the completion of a legal agreement. This legal agreement will include a restriction on the occupation of the proposed development prior to the installation of both package treatment plants. The completion of the legal agreement is included as part of the officer recommendation outlined below.
- 8.57 On the basis of the proposed mitigation strategy outlined above, an appropriate assessment has been completed concluding that the proposal would achieve nutrient neutrality. Natural England have responded to the appropriate assessment raised no objection to the conclusions reached, subject to the securing of the proposed mitigation measures prior to the issuing of planning permission. Therefore, the officer recommendation is subject to the completion of the legal agreement prior to the issuing of planning permission. With the proposed mitigation measures secured, it is considered that the proposed development would not result in adverse effects on the Solent designated sites through water quality impacts arising from nitrate generation. The securing of the proposed mitigation scheme and avoidance of additional nitrate loading serves to overcome the reason for refusal listed as no.2 on previous application reference 22/01682/FULLS (paragraph 4.1).
- 8.58 *Recreational pressure*
The application site is located outside of the 5.6km buffer zone of the Solent and Southampton Water SPA and therefore, it is not considered that there will be any additional impact arising from recreational pressure.
- 8.59 *Phosphates*
A third party representation has raised concern that the proposed development will result in additional phosphate loading, however, phosphate loading for this particular drainage area has not been raised by Natural England as a concern to justify the achievement of neutrality. Consequently, it is not considered that there will be any adverse impact arising from phosphate loading.
- 8.60 Offsite biodiversity: New Forest SPA
Recreational Pressure
The proposed development will 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 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.

- 8.61 To address this issue, Test Valley Borough Council has adopted an interim mitigation strategy 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 contribution of £1,300. This contribution will be secured prior to the issuing of planning permission and forms part of the officer recommendation outlined below.
- 8.62 On the basis of the proposed mitigation strategy outlined above, an appropriate assessment has been completed concluding that the proposal would achieve nutrient neutrality. Natural England have responded to the appropriate assessment raised no objection to the conclusions reached, subject to the securing of the proposed mitigation measures prior to the issuing of planning permission. Therefore, the officer recommendation is subject to the completion of the legal agreement prior to the issuing of planning permission. With the proposed mitigation measures secured, it is considered that the proposed development would not result in adverse effects on the New Forest SPA through additional recreational pressure. The securing of the proposed mitigation scheme and avoidance of additional recreational pressure serves to overcome the reason for refusal listed as no.3 on previous application reference 22/01682/FULLS (paragraph 4.1).
- 8.63 **Water Management**
The application site is located within Flood Zone 1 and therefore, it is considered that the position of the proposed development is appropriate. The concern raised regarding the proximity of the plot to higher risk Flood Zones 2 and 3 is noted. However, proximity to high risk flood zones does not serve to make the proposal unacceptable in planning terms and the impact of a single additional dwelling is not significant in relation to the flood zone classification of land. Therefore, these concerns cannot form the basis for a reason for refusal.
- 8.64 With regard to onsite drainage, the submitted site plan demonstrates the provision of a soakaway serving the proposed dwelling to be located adjacent to the rear (north) boundary of the application site, with the existing soakaway serving Erlcombe repositioned away from the proposed internal access track. As a result, it is considered that the proposal includes sufficient onsite drainage provision. In addition, to ensure that the proposed dwelling achieves the required rate of water efficiency a condition has been imposed on the officer recommendation (condition no. 5).
- 8.65 Consequently, it is considered that the proposed development will avoid any material harm to water quality assets and flood risk whilst providing sufficient drainage and water usage performance measures. Therefore, the application is in accordance with Policy E7 of the TVBRLP.

8.66 Impact on the general amenity of the area

In the absence of any available connection to mains drainage, the proposed development will be served by a package treatment plant located adjacent to the eastern boundary of the application site and as noted in the Ecology section above, the current septic tank serving the existing dwelling Erlcombe will be replaced with a package treatment plant positioned within the retained garden area.

8.67 Following the comments from the Environmental Protection officer on previous applications, further information regarding the specification of the package treatment plant and the associated acoustic performance has been provided. This information demonstrates that the anticipated noise level will be a maximum of 38 db from a position of 1m away from the package treatment plants. After reviewing this additional information, the Environmental Protection officer has confirmed that this is acceptable and will avoid any adverse noise polluting impact on the residential amenity of both existing properties and the proposed dwelling. Condition no.14 ensures that further acoustic mitigation is provided in the event that the noise level set out in the specification information is not achieved.

8.68 Concern has also been raised in relation to the potential for smell pollution arising from the operation of the package treatment plant. However, it is considered that the provision of a package treatment each for both Erlcombe and the proposed dwelling will be sufficient infrastructure to avoid any materially significant smell pollution.

8.69 Third party representations have raised concern that the package treatment plants will not be suitably maintained and that the internal access arrangement is not adequate to enable the servicing of package treatment plants by tanker type vehicles. However, the legal agreement to be completed prior to the issuing of formal planning permission includes an obligation to maintain the package treatment plants to ensure their function for the lifetime of the development. In addition, it is noted that the package treatment is not of the size and type to require emptying via large tankers and therefore, it is not considered that the proposed internal access arrangement will compromise its maintenance.

8.70 Representations have also referred to the potential adverse smell impact from additional bin storage serving the proposed dwelling, but given that these will be located in an existing residential area and are proportionate to a single dwelling, it is not considered that there will be any materially significant harm to neighbouring property.

8.71 Previous responses from Environmental Protection officers have also advised the imposition of a series of conditions securing the submission of a remediation strategy in the event that contamination is discovered during construction, as well as limits on construction working hours and a restriction on the burning of materials onsite.

8.72 Given the location of the application site in close proximity to the car garage and repair workshop, it is considered that the imposition of a condition requiring a remediation strategy in the event that contamination is found is reasonable and necessary (condition no.16). A condition has also been imposed to secure the submission and implementation of a construction environment management plan to ensure the provision of onsite contractor parking (condition no. 6). However, the burning of materials onsite is considered unlikely given that the proposed development comprises the erection of a single dwelling and any potential disturbance can be controlled through other legislation.

8.73 Following the assessment undertaken above, it is not considered that the proposed development will adversely impact the general amenity of the area and consequently, the application is in accordance with Policy E8 of the TVBRLP.

8.74 **Heritage**

The County Archaeologist has previously noted that the application site is potentially located in the historic core of the village, but that additional historical records indicate that this likely is to be to the west of the plot. As a result and in conjunction with the limited excavation to facilitate the proposed development, it is not considered that there will be any material harm to the archaeological assets located within the surrounding area.

8.75 Following the previous assessment undertaken by the County Archaeologist and given the intervening distance between the application site and any designated or non-designated heritage asset, it is not considered that the proposed development will adversely impact the historical significance or special interest of the historic environment. Therefore, the application is in accordance with Policy E9 of the TVBRLP.

8.76 **Community Safety**

Third party representations have raised concern with regard to the potential relationship of the proposed dwelling and the adjoining school playground to the east. However, it is not considered that the positioning of residential properties adjacent to a school in itself will be a cause of detriment to community safety. As a result, the application is in accordance with Policy CS1 of the TVBRLP.

8.77 **Other matters**

Third party representations have raised concern about the potential for the proposed planting on the boundary with neighbouring properties to result in a significant loss of amenity but there are controls under other legislation that would apply in this instance. As a result, it is not considered that this matter is material to the assessment of the planning application.

9.0 **CONCLUSION**

9.1 The proposal is considered acceptable and in accordance with the policies of the TVBRLP, therefore the recommendation is for permission.

9.2 The recommendation is subject to the return of a satisfactory consultation response from Natural England in relation to the assessment of the impact on offsite designated Ecology sites. On receipt of a satisfactory response, then a legal agreement will be completed to secure the management of the proposed nutrient neutrality mitigation in perpetuity and furthermore, receipt of the necessary contribution towards the recreational pressure mitigation measures. Securing these mitigation measures will ensure that the proposed development does not adversely impact the Solent and Southampton Water SPA in addition to the New Forest SPA.

10.0 RECOMMENDATION

Delegate to the Head of Planning and Building for the following:

- **the completion of a legal agreement to secure mitigation measures that enable the development to achieve nutrient neutrality**
- **the completion of an agreement to secure a financial contribution towards the New Forest SPA recreational pressure mitigation scheme**

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:
Site Location and Block Plans (19-006-D-00 Rev A)
Proposed Site Plan (19-006-D-02 Rev A)
Proposed Floor Plans (19-006-D-03 Rev A)
Proposed Roof Plan (19-006-D-04 Rev A)
Proposed Elevations (19-006-D-05 Rev A)
Proposed Site Sections (19-006-D-07 Rev A)
Proposed Site Access (19-006-D-08)
Reason: For the avoidance of doubt and in the interests of proper planning.**
3. **The development hereby approved shall be undertaken in full accordance with the provisions set out within the Barrell Treecare Arboricultural Impact Appraisal and Method Statement 19263-AA4-JB dated 12th June 2021 and the associated tree protection plan reference (19263-4).
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).**
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 Policy E2 of the Test Valley Borough Revised Local Plan (2016).

- 5. The development hereby permitted 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).

- 6 No development shall commence on site (including any works of demolition), until a Construction and Demolition Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include the following:**

- i) the parking of vehicles of site operatives and visitors;**
- ii) loading and unloading of plant and materials;**
- iii) storage of plant and materials used in constructing the development;**
- iv) hours of construction, including deliveries;**
- v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- vi) wheel washing facilities;**
- vii) measures to control the emission of dust and dirt during demolition and construction;**
- viii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and**
- ix) measures for the protection of the natural environment**

The approved statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

Reason: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase having regard to Policy E8 of the Test Valley Borough Revised Local Plan (2016).

- 7. 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 would integrate, respect and complement the character of the area in accordance with Policy E1 of the Test Valley Borough Revised Local Plan (2016).

8. No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include:
- (i) planting plans;
 - (ii) written specifications (including cultivation and other operations associated with plant and grass establishment);
 - (iii) schedules of plants, noting species, plant sizes and proposed numbers/densities;
 - (iv) hard surfacing materials.

The landscape works shall be carried out in accordance with the approved details.

Reason: To enable the development to respect, complement and positively integrate into the character of the area in accordance with Policies E1 and E2 of the Test Valley Borough Revised Local Plan (2016).

9. 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 practice. 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 Policies E1 and E2 of the Test Valley Borough Revised Local Plan (2016).

10. No development shall take place above DPC level of the development hereby permitted, until details of a scheme of ecological enhancement measures to be incorporated within the proposed is submitted and approved by the Local Planning Authority. All enhancement measures should be permanently maintained and retained in accordance with the approved details.

Reason: To enhance the biodiversity of the site in accordance with requirements under the National Planning Policy Framework and Policy E5 the Test Valley Borough Revised Local Plan (2016).

11. No development above DPC level of the development hereby permitted shall take place until, details of the measures to be taken to physically and permanently close the existing access located in the north-west corner of the application site have been submitted to and approved in writing by the Local Planning Authority. This approved scheme shall be completed prior to the first use of the development hereby approved and, notwithstanding the provisions of the Town &

Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no access other than that shown on the approved plan shall be formed thereafter.

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

- 12. The development hereby approved shall not be occupied until manoeuvring space, including the widening of the existing vehicular access, has been provided within the site in accordance with the approved Proposed Site Plan (19-006-D-02 Rev A) drawing to enable vehicles using the site to enter and leave in a forward gear. This area shall be retained and made available for such purposes at all times. Reason: In the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).**
- 13. The development hereby approved shall not be occupied until 2 car and 2 cycle parking spaces and the associated driveway area, have been provided in accordance with the approved plans. The areas of land so provided shall be retained at all times for this purpose. Reason: To ensure sufficient off-street parking has been provided in accordance with Policy T2 of the Test Valley Borough Revised Local Plan (2016) and in the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).**
- 14. The package treatment plants hereby approved shall be installed in accordance with the specification set out in the email dated 9th August 2022. In the event that additional acoustic mitigation measures are required to achieve this threshold, details of the proposed additional measures shall be submitted to and approved by the Local Planning Authority prior to the first use of the package treatment plants. The approved acoustic measures and the boundary wall shown on the proposed site plan reference (19-006-D-02 Rev A) shall be retained thereafter. Reason: To protect the amenity of the adjoining occupiers in accordance with Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).**
- 15. No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The details shall include plans and details sufficient to show the location, type, specification, luminance and angle of illumination of all lights/luminaires. The external lighting shall be installed in accordance with the approved details. Reason: To ensure the favourable conservation status of bats in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).**
- 16. In the event that contamination is found at any time during the construction of the development hereby approved, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been submitted to and approved by the Local Planning Authority. The approved remediation scheme shall be**

implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being brought in to use.

Reason: To ensure a safe living environment in accordance with Policy E8 of the Test Valley Borough Revised Local Plan (2016).

17. The first floor window at the western end of the front (north) elevation of the development hereby permitted shall be fitted with obscured glazing and shall be top hung opening only, as shown on the approved drawing Proposed Elevations reference 19-006-D-05 Rev A, and thereafter retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).

18. 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 first floor or two storey extension of any kind adjoining the rear elevation of the dwelling hereby permitted, shall be erected without the prior written consent of the Local Planning Authority.

Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).

Note 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.
-