
APPLICATION NO.	22/02853/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	07.11.2022
APPLICANT	Director Dereck Harris
SITE	Garages Adjacent to Adcock Court, Horns Drove, NURSLING AND ROWNHAMS
PROPOSAL	Demolition of 4 garages and construction of 4- bedroom detached house with a detached garage, garden office and associated parking
AMENDMENTS	28.11.2022 – amended arboricultural impact assessment received 16.01.2023 – nitrate neutrality assessment calculator received
CASE OFFICER	Kate Levey

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application has been called to Southern Area Planning Committee at the request of a member.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The site is located in an established residential area in Rownhams and has previously been used for parking and garaging. There are 4 flat-roofed garages located to the rear of the site. The site includes an existing, direct access off Horns Drove. Mature trees are located adjacent to the site.

3.0 PROPOSAL

3.1 This proposal is for demolition of 4 garages and construction of 4-bedroom detached house with a detached garage, garden office and associated parking.

4.0 HISTORY

4.1 None relevant

5.0 CONSULTATIONS

5.1 Trees: no objection

5.2 Natural England: no objection

6.0 **REPRESENTATIONS** Expired 14.02.2023

6.1 Nursling and Rownhams Parish Council: object to this application on the grounds that the area will be overdeveloped and lead to parking congestion in the surrounding area.

6.2 X2 letters of objection from the occupiers of 3 and 4 Adcock Court summarised below:

- Concerns about parking for residents of Adcock Court
- Parking survey was undertaken at times of light traffic
- The Land registry TP1 states the following restrictive covenant '12.5.1 not to use the property for any purpose other than for single private garages and parking spaces and not to carry on any trade or business at the Property' however a garden office is proposed
- The back alleyway for Adcock Court will be blocked off
- Reduced security for the gardens of Adcock Court, no communication over who is paying for the fence / putting up a new fence to secure the garden of 4 Adcock Court.
- (3 Adcock Court) was purchased from TVBC with communal parking - concern about loss of property value
- Concern that Aster caused criminal damage to the garages
- A four bedroom house is not required
- Residents of Adcock Court should have had first refusal of the land and garages
- There is Japanese knotweed in the car park and a well
- Previous objections under 22/01452FULLS (withdrawn application)

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Conservation of Habitats and Species Regulations 2017 (as amended).

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

E8: Pollution

LHW4: Amenity

T1: Managing movement

T2: Parking provision

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Character and appearance of the area
- Arboriculture
- Biodiversity

- Neighbouring amenity
- Highways
- Parking provision
- Other matters

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**

The site is located within an established residential area which includes a variety of dwelling types and designs. The proposed dwelling would be traditional in its design and is considered to be appropriate in scale when compared to surrounding properties. The dwelling would include design features that are similar to the immediate neighbouring property and these would help it to integrate with the existing character of this part of Horns Drove. In relation to plot size, the area includes a variety of plot sizes. The plot proposed for the dwelling in this instance would be similar in size to that of the neighbouring property to the north and to that of properties to the south.

8.4 As a result of the above, it is considered that the proposed development would integrate, respect and complement the character of the surrounding area in accordance with policy E1 of the TVBRLP.

8.5 **Arboriculture**

The site includes or is immediately adjacent to two Norway Maple trees to the front and an ash to the rear of the site, off site. There is also a Monterey Cypress tree off site, to the front. These trees are large and are highly visible within the public domain. It is considered that they make a positive contribution to the character of the area. In light of the initial Tree Officer's comments, the ash tree has been upgraded from a U category to C and as such, no objection is raised from the tree Officer. The arboricultural information includes a tree protection plan and an arboricultural method statement and it is secured by condition that the recommendations within this document are adhered to during development. Subject to this condition, the proposal accords with policy E2 of the RLP.

8.6 **Biodiversity**

On-site ecology

The application is supported by a Preliminary Ecological Appraisal (PEA) (Middlemarch Environmental, May 2022). The PEA confirms that both the buildings and trees on the site have negligible bat roost potential. No further surveys are therefore recommended. The report recommends that the findings of the study are valid for a period of 24 months from the date of survey, which in this case was June 2021, so the survey is in date at the time of writing this report.

- 8.7 As a result of the findings of the PEA, it is not considered that the proposal would have a likely significant impact on bats. Subject to a condition requiring the development to be undertaken in accordance with the recommendations set out in the PEA and subject to an informative being added to any permission the proposals are considered to accord with policy E5 of the TVBRLP.
- 8.8 Informative notes have been added to this recommendation regarding bird nests, reptiles and bats which receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017.
- 8.9 **Neighbouring amenity**
Proposed dwelling
At its nearest, the proposed dwelling would be located approximately 6.4 metres from the boundary of the neighbouring properties to the south (5-8 Adcock Court) and approximately 19 metres from their rear elevation. As a result of this separation distance and given that these neighbouring dwellings are due south of the site, it is not considered that the proposals would result in any adverse overbearing, overshadowing or loss of light.
- 8.10 In relation to overlooking, the south elevation of the proposed dwelling would include one window at first floor level. This window would serve a bathroom. Provided conditions are added to any permission requiring the obscure glazing of this window and to ensure that no further windows are provided at first floor level on this elevation, given the separation distances mentioned above, it is not considered that the proposed dwelling would result in any adverse overlooking into either the gardens or dwellings at 5-8 Adcock Court.
- 8.11 The proposed dwelling would be located immediately adjacent to Woodview to the north, there would be approximately 3 metres of separation between Woodview and the new dwelling. On its south elevation facing the application site, Woodview includes a window at first floor level which serves a bedroom along with a window serving a lounge and there is also a door. The bedroom is secondary accommodation which is unlikely to be used for lengthy periods during the day and additionally, the existing window at Woodview and the proposed first floor bathroom window at the application site are staggered and as such overlooking is reduced. Furthermore, a condition is recommended such that this first floor bathroom window is fitted with obscure glazing. At ground floor level, there is a second window facing west onto the rear garden of Woodview which also serves the lounge. For these reasons it is not considered that there would be any significant adverse impact in terms of loss of light or daylight, or overbearing impact to this neighbour. Notwithstanding this, the separation distance of 3 metres is a similar relationship to other properties within this development area. The separation distance between the proposed dwelling and the neighbour at Woodview is similar to that between Woodview and The Old Post Office to the north.

- 8.12 In relation to impact the proposals would have on the privacy of Woodview's rear garden, the proposed master bedroom window of the new dwelling would have some oblique views into the rear garden of Woodview, These views would not extend to the patio area situated immediately adjacent to the rear elevation of the neighbouring dwelling due to the juxtaposition of the proposal with the siting of Woodview. As a result of the oblique nature of views and as the most sensitive part of the garden (patio area) would not be overlooked, it is not considered that the proposals would result in any adverse overlooking.
- 8.13 Proposed garage/office
As the proposed garage/office building would be located on a similar footprint and would be of a similar height to the existing garages, it is not considered that this part of the proposals would result in any additional impact to surrounding residential amenities over and above that caused by the existing garages.
- 8.14 Amenity summary
As a result of the above, it is not considered that the proposals would have any adverse impacts on surrounding residential amenity. The development would therefore be in accordance with policy LHW4 of the TVBRLP.
- 8.15 **Highways and parking provision**
The application site currently contains four single flat roof garages and opposite these garages is an existing area of hardstanding which can accommodate parking for 4 cars. The existing garages measure 2.7 metres by 5 metres and are therefore too small to constitute parking spaces under policy T2 of the RLP. The up and over doors at the front of the garages have been knocked in and the garages have a dilapidated appearance. At the time of the case officer's site visit, the inside of two of the garages were visible, as the doors were damaged. At this time, the two garages were empty.
- 8.16 The submitted highways technical note includes photographs of cars parked adjacent to the existing garages and on the hardstanding area opposite. In light of the third party representations, it is understood that cars belonging to residents of Adcock Court park within this area, and these vehicles are not owned by the applicant. However, the garages, along with the hardstanding opposite, are within the red edge on the site location plan and are under the sole ownership of the applicant. There are no prescriptive rights for any third party to park within the site.
- 8.17 The site is served by an existing access onto Horns Drove, which is a residential cul de sac where vehicle speeds are considered to be low. The hardstanding area opposite the existing garages is proposed for retention and this would allow sufficient space for vehicles to turn within the site, so that vehicles can leave the site in a forward gear. The existing garages are proposed for demolition and replacement with a single garage and home office. The application proposes 3 off-street parking spaces, and one of these spaces is within the proposed garage. The other two spaces are in tandem to the side of the proposed house. Tandem parking is not unusual in built up residential areas. The minimum parking requirements have been met, and this

on-site provision reduces the impact upon the highway network. As such, the on site parking provision is considered to accord with the parking standards set out in Annex G of the RLP. It is recommended that conditions be added to any permission requiring the retention of the parking spaces along with the provision of a non-migratory surface for the first 6 metres of the access. Subject to these conditions, it is considered that the proposal would comply with policy T2 of the RLP.

- 8.18 Third party comments about the loss of parking within the site are noted. However, as mentioned above, the site including the existing garages and hardstanding area to the rear are owned by the applicant, and there are no prescriptive rights for any third party to park within the site. The displacement of parking is therefore not a matter which can be afforded any weight in the planning balance.
- 8.19 Notwithstanding this, the application is supported by a highways technical note which includes a parking survey using Lambeth Methodology. The first parking survey was conducted on a weekday late at night (11:45pm). The second survey was also conducted on a weekday, early in the morning (04:45). The available parking spaces at these times were recorded as part of the survey, and the parking results from the survey are stated below:

Results from initial survey, undertaken on 18th October 2022 at 11:45pm identified 9 unoccupied parking spaces:

Lambeth Methodology Parking Survey 18 th October 2022				
Road	Capacity	Spaces Occupied	Spaces Available	Stress
Horns Drove (Cul de Sac)	12	7	5	59%
Routs Way	3	1	2	33%
Horns Drove (south)	5	3	2	60%

Results from the second survey, undertaken on 20th October 2022 at 04:45am identified 11 unoccupied parking spaces:

Lambeth Methodology Parking Survey 20 th October 2022				
Road	Capacity	Spaces Occupied	Spaces Available	Stress
Horns Drove (Cul de Sac)	12	5	7	41%
Routs Way	3	1	2	33%
Horns Drove (south)	5	3	2	60%

- 8.20 Spread over two days, the results of the surveys have identified an average parking stress level of 50% across Horns Drove and Routs Way. Whilst third parties do not have rights to park within the application site, the parking survey identifies that there would be adequate space for cars to park elsewhere along Horns Drove and Routs Way once the proposed development commences and the proposed house is occupied.

8.21 Third party comments state that the parking survey was undertaken at times of light traffic. However, the two parking surveys were both undertaken on weekdays, late at night and early in the morning - 11.45pm and 04:45am respectively. These are considered to be times where occupants of properties within the area are likely to be at home and consequently high numbers of parked vehicles can be anticipated. It is considered that due to the timings of the surveys, the results demonstrate the worst case scenario, whereby reduced available parking space can be anticipated as people are more likely to be at home during those times. Overall, it is considered that the results of the survey are representative and can be relied upon to demonstrate that the proposal would not result in unacceptable or severe parking or highways impacts.

8.22 Subject to the conditions outlined above, the proposal is considered to be in accordance with policies T1 and T2 of the Revised Local Plan.

8.23 **Off site-biodiversity**

International sites – Nitrate Neutrality (Solent region)

The River Test and its major tributaries flow into the Solent. The Solent and Southampton Water SPA region is one of the most important for wildlife in the United Kingdom and is protected by UK and European law. There are currently high levels of nitrogen and phosphorus input into this water environment and there is evidence to suggest that this is having a detrimental impact on the biodiversity of this area. Housing and other certain types of development are currently contributing negatively towards this issue and there is evidence that further development, without mitigation, would exacerbate this impact.

8.24 The application proposals new dwellings. To prevent harm to the Solent region, the applicant is required to demonstrate that the proposals would be nitrate neutral and appropriate mitigation secured.

8.25 To identify the amount of nitrate loading generated by the proposed development, a nutrient budget calculation has been undertaken 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 to Milbrook Waste water treatment plant and the permit limit is 8 mg /TN/litre. This calculation is shown in Appendix A and identifies that the proposed development will generate 0.91kg TN/year. 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.

8.26 To address this issue, the applicant has agreed to purchase credits to offset agricultural land previously utilised for the purposes of pig farming, located at Roke, Awbridge. The agent has agreed to purchase these credits directly with Roke. Following the implementation of this offsetting scheme at Roke, a substantial net reduction in nitrate loading within the Solent catchment area has been achieved. The payment of credits direct with Roke will be secured by Test Valley Borough Council through the submission of a completed section 106 agreement prior to permission being granted.

8.27 On this basis, an appropriate assessment has been completed concluding that the proposal will achieve nutrient neutrality, with no objection being raised by Natural England to the conclusions reached. As a result, the proposed development will not result in adverse effects on the Solent designated sites through water quality impacts arising from nitrate generation. The application is therefore considered to be in accordance with both the Habitats Regulations and policy E5 of the RLP in this respect.

8.28 International sites – New Forest SPA

The 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.

8.29 To address this issue, Test Valley Borough Council has adopted a strategy whereby a scale of developer contributions has been agreed that would fund the delivery of measures to address these issues. With respect to the New Forest, a new strategic area of alternative recreational open space is being delivered that would offer the same sort of recreational opportunities as those offered by the New Forest. Therefore it is considered necessary and reasonable to secure the appropriate contributions. The applicant has made the required contributions by direct payment. The application is therefore considered to be in accordance with both the Habitats Regulations and policy E5 of the RLP in this respect.

8.30 Bird Aware

In this instance, the application site is located within the 5.6km buffer zone for the Solent and Southampton Water SPA. Although the developer has the legal duty to provide the mitigation, the local authorities and conservation groups have devised a strategic approach to the provision of the mitigation for recreational impacts in order to facilitate delivery and ensure a consistent approach. The strategy enables a house builder to make a monetary 'developer contribution' for the strategic mitigation of recreational pressures that would otherwise occur over a wide area, instead of needing to provide bespoke mitigation themselves. A developer can still provide their own mitigation, if they have the ability to do so, but for the vast majority it will be simpler, quicker and less costly to make a contribution towards the Strategy. This approach provides clarity and certainty for both developers and local authorities. It helps to deliver coordinated and effective mitigation, whilst simultaneously speeding up the development approval process and reducing the costs for all parties. It also provides a means for mitigating the impact of small developments for which it would not be practical to provide bespoke mitigation for.

8.31 A developer contribution needs to be paid for every additional net dwelling. The Bird Aware Solent Strategy was endorsed in December 2017 and introduced a sliding scale of developer contributions based upon bedroom size. The contributions from 1st April 2022 are as follows:

- 1 bedroom property £390
- 2 bedroom property £563
- 3 bedroom property £735
- 4 bedroom property £864
- 5 bedroom property £1014
- Flat rate £652

These new charges came into effect from 1st April 2022.

8.32 The level of developer contribution to the Bird Aware Partnership is reviewed each February in line with the Retail Price Index (RPI) and rounded up to the nearest pound.

The latest RPI figure has been published and is 13.4%, so from the 1st April 2023 the developer contribution levels will need to be:

- 1 bedroom property £443
- 2 bedroom property £639
- 3 bedroom property £834
- 4 bedroom property £980
- 5 bedroom property £1150
- Flat Rate £740 (usually used in cases of caravans, tents or gypsy and traveller sites)

This change will take effect from 1st April 2023, and if any decision for permission is not issued by this date, then the new charges will need to be applied.

8.33 In this instance, the development is for a 4 bedroom property and the applicant has made a payment of £864 to TVBC by direct payment. However, as mentioned above, if any decision for permission is not issued by this date, then a charge of £980 will apply. The applicant has already paid £864 and so the difference in contribution amounts would apply, this can be paid by direct payment, or included in a legal agreement. Consequently, the development will not result in adverse effects on the Solent and Southampton Water SPA due to Recreational Pressure. The application is therefore considered to be in accordance with both the Habitats Regulations and policy E5 of the RLP in this respect.

8.34 **Water management**

The 2016 Local Plan includes a requirement in policy E7 to achieve a water consumption standard of no more than 100 litres per person today. This reflects the requirements of part G2 of the 2015 Building Regulations. A condition has been recommended in order to address this and the proposal is in accordance with policy E7.

8.35 **Other matters**

Covenant

Third party representations about there being a covenant on the land are acknowledged. However, whether a covenant on the land exists, or not, is not a material planning consideration and therefore it cannot be part of the considerations of the merits of the proposed development. If the proposed development is permitted, the covenant would remain on the land. The applicant would need to address this as a separate, civil matter which is between the parties involved. Third party representations about lack of communication about installing a fence along the boundary with 4 Adcock Court are also acknowledged. Details of landscaping are secured by condition of this recommendation, and would include details of the treatment of the boundary with 4 Adcock Court. The landscaping will be installed by the applicant.

8.36 Third party concern about reduced property value, criminal damage to the existing garages and the presence of a well are acknowledged, however these are not material planning considerations and can not be afforded weight in the planning balance.

8.37 Japanese knotweed

Third party comments about the presence of Japanese Knotweed are acknowledged. Japanese knotweed is an invasive species which can, in some cases, cause structural damage if left unchecked. A condition is recommended such that details of a method statement to control the environmental effects of the construction work shall be submitted to the Planning Authority. This condition includes a requirement for a Japanese Knotweed survey, and any relevant details of its eradication and / or control. Subject to this condition, the proposal is in accordance with policies E5 and E8.

8.38 Alley to the rear of Adcock Court

Third party comments about the alleyway to the rear of Adcock Court being blocked off are acknowledged. However, this path leads to land which is privately owned by the applicant at the northern end of the footpath. Properties 1 – 4 Adcock Court still have access to the rear alleyway which leads south and then east to allow pedestrian access to Horns Drove. Notwithstanding this, any third party rights to cross the land owned by the applicant is not a material planning consideration, and any rights would need to be dealt with under separate legislation to extinguish the rights of access. This is a matter outside of the scope of planning control and so can not be dealt with under this application.

9.0 **CONCLUSION**

9.1 This proposal seeks a dwelling with a detached garage, garden office and associated parking which can be provided on the site without significant harm to the appearance and character of the area, trees, highways, amenity or ecology.

9.2 Having considered all material considerations, the proposal is in accordance with the relevant policies of the TVBRLP (2016) and is therefore acceptable.

10.0 RECOMMENDATION

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

- **Removal of nitrate mitigation land from agricultural production; and**
- **Future management of the nitrate mitigation land and**
- **Secure the monitoring fee**

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**
1910-LP-103, 1910-SP-102, 1910-SP-103 01, 1910-PP-112, 1910-PP-113 01, 1910-PP-114, 1910-PP-115, 1910-PP-116, 1910-PP-117 01, 1910-PP-117, Q1164-02-01 D.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **The external materials to be used in the construction of external surfaces of the development hereby permitted shall be in complete accordance with the details specified on the submitted application form.**
Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.
4. **No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include: any means of enclosure, hard surfacing materials, planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. The landscape works shall be carried out in accordance with the approved details and all planting shall be completed before the end of the next available planting season following first occupation.**
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.
5. **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.

6. The development hereby approved shall be undertaken in full accordance with the provisions set out within the submitted arboricultural report (Christopher Hoare Tree Services Ltd, November 2022). Additionally, the tree protective fencing detailed on the associated tree protection plan (dated 16/05/2022) shall be installed prior to any site works or site clearance, and 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 enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.

7. The development shall not be occupied until space has been laid out and provided for the parking of vehicles in accordance with the approved plan (1910-PP-113 01) and this space shall thereafter be reserved and maintained for such purposes at all times.

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

8. 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

9. 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.

10. 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.

- 11. 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 or walls 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 T2 and LHW4.

- 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows/rooflights in the north and south elevations of the dwelling hereby permitted [other than those expressly authorised by this permission] shall be constructed.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.

- 13. The proposed first floor bathroom windows on the north and south elevations of the dwelling hereby permitted shall be top hung and fitted with privacy level 4 (pilkington scale) glazing. This glazing shall be installed prior to the first use of the dwelling hereby permitted and thereafter retained as such in perpetuity.**

Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LWH4.

- 14. 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.

- 15. Prior to the commencement of development details of a method statement to control the environmental effects of the construction work shall be submitted to and approved in writing by the Local Planning Authority. The site must be surveyed for the presence of Japanese Knotweed and a copy of this survey sent to the Local Planning Authority. Please note that Japanese Knotweed can be far more extensive than the visible parts on the surface and that the underground parts of the plant may extend laterally up to 7 metres beyond this. Therefore, this survey must also note any knotweed adjoining the site. If Japanese Knotweed is confirmed, full details of a scheme for its eradication and/or control, in accordance with the Environment Agency Code of Practice for managing Japanese Knotweed on Development Sites, shall be submitted to and approved by the Local Planning Authority prior to the**

commencement of work on site, and the approved scheme shall be implemented prior to the first occupation of the dwellings hereby permitted.

Reason: To deal with contamination of the site and preserve and enhance biodiversity in accordance with policies E5 and E8 of the Test Valley Borough Revised Local Plan 2016.

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. Bird nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedge, scrub, trees, suitable outbuildings etc.) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work during this period, then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present, work must stop in that area with a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.**
 - 3. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 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.**
-