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<b>APPLICATION NO.</b>	22/03317/FULLS
<b>APPLICATION TYPE</b>	FULL APPLICATION - SOUTH
<b>REGISTERED</b>	03.01.2023
<b>APPLICANT</b>	Osman Homes
<b>SITE</b>	Barns at Glebe Farm , Salisbury Road, Sherfield English, SO51 6FL, <b>SHERFIELD ENGLISH</b>
<b>PROPOSAL</b>	Demolish agricultural buildings and associated structures, erect 3 dwellings with associated garages, parking, hard and soft landscaping and associated works
<b>AMENDMENTS</b>	Nitrate information Ecology impact assessment Ecology report Site layout Roof material alteration on plot 3
<b>CASE OFFICER</b>	Sarah Barter

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

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## 1.0 INTRODUCTION

- 1.1 The application is presented to Southern Area Planning Committee as it represents a departure from the Local Plan and Objections have been received within the specified time.

## 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site forms part of a vacant farm yard with barns and hard standing which is accessed from an existing access point on the A27, Salisbury Road. The farm yard is located next to a grade 2 listed farm house and wider agricultural fields.

## 3.0 PROPOSAL

- 3.1 Demolish agricultural buildings and associated structures, erect 3 dwellings with associated garages, parking, hard and soft landscaping and associated works

## 4.0 HISTORY

- 4.1 21/00526/PDQS - Application to determine if prior approval is required for proposed change of use of agricultural buildings to 5 dwellinghouses (Class C3), and for building operations reasonably necessary for the conversion reasonably necessary for the conversion – Prior approval required and granted – 16.04.2021
- 4.2 TVS.AG.00014/1 - Steel framed hay/straw store – No Objection 23.03.94

- 4.3 TVS.AG.00014 - One metal bulk feed bin for animal feed and continuation of hard core road – Prior approval not required - 02.11.93
- 4.4 TVS.3465/1 Erection of agricultural dwelling - Approved subject to conditions - 16/08/84.
- 4.5 TVS.3465 Erection of agricultural dwelling Outline Permission subject to conditions - 23/04/82.

5.0 **CONSULTATIONS**

- 5.1 **Landscape** – No Objection subject to conditions
- 5.2 **Environment Protection** – No Objection subject to conditions
- 5.3 **Trees** – No objection subject to condition
- 5.4 **Conservation** – No Objection subject to conditions
- 5.5 **Ecology** – No Objection subject to conditions
- 5.6 **Natural England** – No Objection
- 5.7 **Highways** – No Objection subject to conditions

6.0 **REPRESENTATIONS** Expired 31.03.2023

- 6.1 **Sherfield English Parish Council** – Objection
1. The Parish Council feel the proposed dwellings are too large for the location.
  2. The height of the proposed dwellings are such that windows will overlook the existing properties.
  3. The Parish Council have highway concerns, due to single traffic in and out of the location.
  4. Further highway concerns due to the sight line onto the busy A27.

6.2 **Springfields Glebe Farm, The Old Rectory Salisbury Road, Hillside Doctors Hill** – Objection (summarised)

Design

- The smaller units are more in keeping with the wishes of the village.
- Larger dwellings now proposed will impact on the landscape.
- Ridge heights

Affordable Housing

- No provision for smaller affordable dwellings as identified in housing need.

Traffic, parking provision, highway safety

- Problems exiting from my parking area

Landscape

- Rural style native hedgerow / tree screening needed
- Urbanisation of the landscape should be avoided

#### Principle

- This site wouldn't have qualified if it wasn't for the class Q

#### Ecology

- Active bat community light spill must be considered

#### Noise

- Extra traffic

#### Dust

- From driving over the access track

#### Overlooking

- Loss of privacy
- Clarification on windows on the North West elevation of Plot 1 are dormers or rooflights (in the line of the roof). Rooflight windows are less controversial than dormers.

### 7.0 **POLICY**

#### 7.1 Government Guidance

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

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

COM2, E1, E2, E5, E8, E9, LHW4, T1, T2

#### 7.3 Neighbourhood Plan

Sherfield Neighbourhood Plan – Not Made

Sherfield English Parish Council submitted an application for the designation of a Neighbourhood Area covering the parish of Sherfield English. This was subject to public consultation running from 2<sup>nd</sup> June to 14<sup>th</sup> July 2017. The Council has considered the application and the responses received during the consultation and has approved the designation.

The designation of a Neighbourhood Area would enable a Neighbourhood Plan to be prepared for the designated area. Please note that this consultation only considered whether a Neighbourhood Area should be designated and upon its proposed boundary.

The plan is at such an early stage that no weight is attributed to it.

#### 7.4 Supplementary Planning Documents (SPD)

Sherfield Village Design Statement

## 8.0 **PLANNING CONSIDERATIONS**

### 8.1 The main planning considerations are:

- Principle of development
- Impact on the surrounding area
- Trees
- Impact on adjacent Listed Buildings
- Design
- Impact on neighbouring properties
- Highway safety and parking provision
- Ecology
- Impact on European designated sites e.g. Special Protection Areas
- Water management
- Planning balance

### 8.2 **Principle of development**

The application site is located in the countryside outside the boundary of any settlement. Policy COM2 sets out that development outside the boundaries of settlements will only be permitted if:

- a) It is appropriate in the countryside as set out in the Revised Local Plan policy COM8-COM14, LE10, LE16-LE18; or
- b) It is essential for the proposal to be located in the countryside.

8.3 The permission granted by Class Q of the GPDO has not been implemented and therefore the buildings cannot be considered as dwellings under policy COM12 (replacement dwellings in the countryside) of the TVBRLP. There are no other policies within the development plan that would support development such as this.

8.4 It is acknowledged that the proposed dwellings are within the existing farmyard area and extend further into the countryside than the existing agricultural buildings. It is considered that the dwellings and large residential curtilages do not meet any of the exception policies within COM2 a) to be located in the countryside. The proposal would conflict with policy COM2(a) of the TVBRLP.

8.5 The Test Valley Revised Local Plan DPD is up to date. As a result, the presumption in favour of sustainable development paragraph 14 of the NPPF does not apply. Nevertheless, due regard must be had to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 11 of the NPPF. These set out that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

8.6 The planning history of the site is a material consideration, and in particular the permission granted by Class Q of the GPDO (ref. 21/00526/PDQS) remains extant, although it is yet to be implemented.

8.7 It is considered that there is a reasonable likelihood that the five buildings which were permitted under class Q to be used as dwellings would be converted and occupied. The relevant case law that establishes the principle of understanding what could reasonably be described as a fall-back position, are set out in *Samuel Smith Old Brewery (Tadcaster) v SSCLG* [2009] J.P.L. 1326. In this context in order for the prospect of a fall-back to be real, it does not have to be probable or likely: a possibility will suffice. Given the planning history of the site it is considered that there is a real prospect that the Class Q scheme would be implemented and the applicant has confirmed this possibility. In other words, regardless of the outcome of this application, there is a possibility that approved scheme would be progressed. As a result, and in this case, the fall back position of implementing the Class Q scheme can be given significant weight in favour of the grant of planning permission, in determining the acceptability of the current proposal.

8.8 The principle of the 'fallback position' was also considered in a Test Valley appeal decision at Barrow Hill Barns (APP/C1760/W/16/3154235) the Inspector considered it necessary to assess the impact of the proposed scheme against the permitted scheme, to determine whether or not there would be any significant impacts over and above the permitted scheme. It is considered that, for consistency, this approach can be taken with this application.

8.9 **Landscape and the character of the area**

Policy E1 sets out that development will be permitted if it is of a high quality design and local distinctiveness. To achieve this development:

- a) Should integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles;
- b) Should not detract from the dominance of, or interrupt important views of, key landmark buildings or features
- c) Should be laid out to provide connectivity between spaces and a positive relationship between public and private spaces; and
- d) Makes efficient use of land whilst respecting the character of the surrounding area and neighbouring uses.

Development will not be permitted if it is of poor design and fails to improve the character, function and quality of the area.

8.10 Policy E2 sets out that development will be permitted provided that:

- a) It does not have a detrimental impact on the appearance of the immediate area and the landscape character of the area within which it is located;
- b) It is designed and located to ensure that the health and future retention of important landscape features is not likely to be prejudiced;
- c) The existing and proposed landscaping and landscape features enable it to positively integrate into the landscape character of the area;
- d) Arrangements for the long term management and maintenance of any existing and proposed landscaping have been made; and

- e) It conserves the landscape and scenic beauty of the New Forest National park or the North Wessex Downs Area of Outstanding Natural Beauty where applicable; and
- f) Does not result in the loss of important local features such as trees, walls, hedges or water courses.

- 8.11 The site itself has no local or statutory landscape designations. It is noted that there are a number of rights of way in close proximity to the site, these include: Sherfield:41 which runs 105m to the west of the site, Sherfield:36 which runs 100m to the south of the site and Sherfield:37 which runs 275m to the east of the site. Due to the mature vegetation, landform and neighbouring properties the views of the site (and vica-versa) from these public rights of way are well screened.
- 8.12 The existing buildings, which benefit from class Q conversions, are located on the northern boundary and towards the eastern side of the application site. Other agricultural paraphernalia exists in the vicinity of the site and these elements would be removed. It is considered that the existing buildings have a form, scale and appearance (e.g. materials) that mean that they appear as a functional agricultural complex wholly appropriate to it's rural character and setting at Glebe Farm.
- 8.13 The Class Q scheme would retain the buildings with the existing boundaries of the farm yard and the site would be seen as one parcel of land albeit with five dwellings within the converted barns. The conversions under the Class Q scheme would see the insertion of domestic features such as windows, and front and back doors within the existing shapes of the barns.
- 8.14 Any views from the public realm of the proposed development would be seen in context with the neighbouring properties which are set back from the road. When travelling along the A27 (Salisbury Road) the majority of residential properties in close proximity to the site are set back from or screened from the road by soft landscaping; the application site is set back from the road by approx. 75m with the existing agricultural structures visible -albeit at a distance. As agricultural barns these do not look out of context, it is considered that the proposed dwellings would provide a different view with windows, lighting and the associated residential paraphernalia in the gardens. An indicative landscape strategy has been submitted within the application which gives a good indication of how the dwellings would integrate within the immediate and wider landscape. Whilst trees have been dotted around the southern perimeter, further mitigation is required by the form of a native hedgerow around the southern perimeter of all properties and additional tree planting. The recommendation includes scope to secure that additional landscaping through condition. Conditions also suggested by the Landscape Officer include a detailed landscape plan for hard and soft landscaping and a detailed landscape management plan to ensure the successful establishment of all new planting. Any external lighting proposed should be incorporated within the hard landscape plan.

- 8.15 The existing barns sizes and heights vary as follows: (All measurements are approximate)

<b>EXISTING</b>	Height	Floor space	<b>PROPOSED</b>	Height	Floor space
<b>Barn A on the eastern side of the site</b>	6.2m	165m <sup>2</sup>	<b>Plot 1</b>	5.6m / 6.7m (highest point at ridge)	252m <sup>2</sup>
<b>Barn B on the north eastern corner of the site</b>	5.7m	180 m <sup>2</sup>	<b>Plot 2</b>	6m / 7.7m (highest point at ridge)	270m <sup>2</sup> (50m <sup>2</sup> for the garage and 220m <sup>2</sup> for the dwelling)
<b>Barn D on the northern boundary (PD Class Q 2 dwellings)</b>	5.4m	207m <sup>2</sup> (each dwelling 103.5 m <sup>2</sup> )	<b>Plot 3</b>	5.4m / 7.7m (highest point at ridge)	318m <sup>2</sup> (52m <sup>2</sup> for the garage and 266m <sup>2</sup> for the dwelling)
<b>Barn G on the western boundary</b>	3.8m	100m <sup>2</sup>			

Whilst at points the proposed dwellings are higher than the existing barns the proposed design offers a variation of building heights through the elevations with gable features introduced to ensure the massing of the dwellings are not significant. The increased height is considered appropriate as it provides a design solution – across two stories which are considered to be more in keeping with the existing Listed Building and other surrounding properties, that that of the original barn buildings. It is acknowledged that there are material differences between the proposed dwellings and those approved under the Class Q scheme however, it is considered that the proposed scheme would not change the overall perception of the landscape in which it sits and that the proposed development by virtue of it's siting and design are more representative of the character of the area. The amount of dwellings on site is also reduced. It is considered that the proposed scheme is of a higher standard of design than the Class Q scheme and that the proposed landscaping would enable the proposed scheme to positively integrate into the landscape character of the area. This can be given significant weight in the planning balance.

8.16 Conditions can secure samples and details of materials, and the implementation and management of landscaping to ensure that the proposed scheme respects and complements the character of the area and positively integrates into the landscape character of the area. The submission also ensures that the settlement pattern is maintained through reducing the overall number of dwellings being provided on the site and not significantly degrading the spacing between hamlets in accordance with the Village Design Statement. Subject to conditions, the proposed scheme would be in accordance with policies E1 and E2 of the TVBRLP.

8.17 **Trees**

The Tree Officer advises that there are no trees of high public amenity on the site. The submitted arboricultural information sets out impact, tree loss, tree protection during development and new tree planting. It is noted that no information has been submitted regarding services and service routes. Subject to securing that detail via a condition it is considered that the development can be provided in accordance with policy E2 of the TVBRLP.

8.18 **Impact on adjacent Listed Building**

Glebe Farmhouse is a Grade II listed building. Under Class Q (21/00526/PDQS) there is a fallback position to convert the existing barns into dwellings. Due to the constraints placed on the design by Class Q i.e. the need to retain the existing barns, which are of no architectural value and not especially attractive, the resultant dwellings would give rise to a utilitarian appearance. It is not considered they would have made a positive contribution to the setting of Glebe Farmhouse.

8.19 The existing farmyard seems to have no historic relationship with the farmhouse (i.e. it does not appear to have been the location of the historic farmyard range). The land appears to have been an open field until the current buildings were added in the mid 20thC. Therefore the present complex makes little contribution to understanding the historic context and setting of Glebe Farmhouse. The proposed scheme reduces the number of dwellings on the site from the permitted five to three. The new buildings would be built on the footprints of existing barns, but the overall cumulative footprint would be reduced from 1,362m<sup>2</sup> to 840m<sup>2</sup>. There are some sections of the proposed buildings which would be taller than the existing barns, but there are also single-storey ranges. Reduction in the height of the building on plot 3 (especially when viewing the south west and north east elevations) would be welcomed, though this is the plot furthest from Glebe Farmhouse and these elevations are angled away from views from the access to the Old Rectory (see below). The general design of the proposed buildings and the use of materials means they would be more attractive than the designs submitted for 21/00526/PDQS.



8.20 The heritage statement concludes that the site does not form part of the setting of The Old Rectory (Summerhill) (Grade 2 listed). Whilst there is limited direct intervisibility between the existing barns and the buildings at the Old Rectory, they are set parallel to one of the main historic approaches to that property and may be seen across the field, particularly in winter time. Given that the proposed replacement buildings would be on the same farmyard and similar in size, it is reasonable to suppose they would also be visible. However, as above, it is considered the proposed design of the new dwellings is more attractive than the dilapidated modern barns and the buildings which Class Q would have permitted, and therefore they would have a lesser impact on the significance of the Old Rectory (through its setting). The Conservation Officer considers that the proposed scheme would be preferable in terms of the settings of the listed buildings than the scheme which Class Q has permitted.

8.21 It is considered the development would make a positive contribution to sustaining and enhancing the significance of the heritage asset and would offer significant improvement upon the current Class Q permitted scheme. It is considered that this development does create less than substantial harm but that the public benefit would be significant creating a far more appropriate development at this site where heritage asset is present than the Class Q extant permission. It is considered that the development can be provided in accordance with policy E9 of the TVBRLP.

#### 8.22 **Design**

The units will be constructed in timber cladding, brickwork and clay tile roofing which are sympathetic to the site's rural setting. The proposal has been designed to reflect a farmyard, with units clustered together to appear as a 'farmhouse', stable conversion, and a threshing barn. As existing agricultural buildings on site have a cumulative built footprint of 1,362sq.m. By contrast, the proposed cumulative footprint of the units and their associated garaging equates to 840 sq.m, resulting in a 38% decrease in the overall built footprint on site. The proposal has also ensured that the height of the proposed dwellings are not significantly higher than the existing buildings. Whilst parts of the dwellings are taller than the height of the existing built form, all three units have been designed to encompass extensive single-storey elements, reducing the height and mass of the built form. The Village Design Statement states that new dwellings should be consistent with both apparent bulk, and external materials of adjacent neighbours but not necessarily any specific details of form. It is considered that the development can be provided in accordance with policy E1 of the Revised Local Plan which concerns high quality development and the requirements of the Village Design Statement.

#### 8.23 **Impact on neighbouring properties**

Policy LHW4 sets out that 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

Paragraph 8.19 of the supporting text to policy LHW4 sets out that the public should not experience an overbearing impact on their living conditions.

8.24 Glebe Farmhouse

Glebe Farmhouse is located to the north west of the application site approx. 30m from the closest plot 1 dwelling. This dwelling is a 'T' shape design with the projection closest this neighbour single storey in design with two windows facing towards the access into Glebe Farmhouse. The two storey element which includes a room over the car port / garage is set further back from this neighbour by an additional 13m. An elevated window would also offer views across the access but given the distances involved and the type of views given towards the access and driveway only it is not considered that there would be any significant impacts created on this neighbouring property.

8.25 Springfields

This neighbour is located to the south west of the application site adjacent the access track. This dwelling is a bungalow with mature hedgerow and tree cover across the eastern boundary. On the northern boundary is a detached garage. The closest proposed dwelling is also plot 1. At nearest point the dwelling would be approximately 11m from the detached garage at Springfield and 21m from the dwelling house. Whilst some oblique views would be given from windows which face a southerly direction towards this neighbour given these distances it is not considered that any overlooking would be significant enough to result in a reason for refusal.

- 8.26 This neighbour has also raised objections in relation to noise and dust from the additional traffic, building and demolition noise. A condition can be added to the recommendation ensuring that a construction management plan is submitted with details of proposed hours of working and construction routes. Once new residents are at the dwellings it isn't considered that 3 new dwellings would create an unreasonable amount of noise associated with domestic use which isn't already heard in the surroundings at other residential properties.

8.27 The Old Rectory (Summerhill)

This neighbour is located to the north of the application site over approx. 100m from the boundary with the application site. This boundary is a mixture of trees and hedgerow which provide sporadic screening across its length. At the closest points plot 1 is approx. 7.5m from this boundary, plot 2 approx. 12m and plot 3 approx. 8m. Any views of the dwellings would be at a greater distance than the existing farm buildings some of which are located directly on this boundary.

- 8.28 This neighbour has raised concern in respect of overlooking from proposed windows. The two storey element of plot 1 does not have any windows facing towards this neighbour. The roof lights proposed on the single storey projection are in the roof slope and would not offer any opportunity for views given they are approx. 3.5m above the floor level of the room they serve. Plot 2 again has no windows in the 2 storey element facing this neighbour which provides a car port and living space over at the front of the plot. There are 4 windows proposed at ground floor, glazing over the front door and a larger window at first floor in the two storey element. This first floor window would serve a bedroom. This window would be located approx. 20m from the application site boundary. When considering the distance The Old Rectory building is from the boundary with the site (in excess of approx. 100m) in addition to the 20m already stated it is not considered that any significant overlooking would arise from the presence of this first floor window.
- 8.29 Plot 3 has first floor windows on the closest elevation to this neighbour at approx. 6.8m from the boundary. The north eastern elevation, due to its orientation, then widens the separation distance to approx. 18m, as the dwelling is on an angle. There are 3 small dormer windows and 3 roof lights on this elevation. There are also first floor windows on the southern two storey element of this plot at approx. 20m from the boundary together with an inverted balcony. When considering the intervening boundary treatment and the distances involved between this plot and the neighbour to the north it is not considered that there would be any significant impacts in terms of significant overlooking.
- 8.30 Farmside  
This neighbour is located to the west of the application site by approx. 168m. Plot 3 would be located closest to this neighbour with the north eastern elevation facing towards this neighbour. There are 3 small dormer windows and 3 roof lights on this elevation but given the separation distance involved it is not considered that there would be any significant impacts in terms of overlooking.
- 8.31 It is considered that the development can be provided in accordance with policy LHW4 which concerns amenity.
- 8.32 **Highway Safety and Parking provision**  
There is sufficient space on site for parking and turning which would enable vehicular traffic to access the A27 in a forward gear. The Highway Authority is satisfied that the proposal would not lead to any material detrimental impact upon the safety and efficiency of the public highway network. As such, it is considered that the development would not have an adverse impact on the function, safety and character of the Right of Way or the local highway network. It is considered that the proposal would be in accordance with policy T1 of the TVBRP.

- 8.33 The proposed scheme provides 3no. three and five bedroom properties requiring 3 on site car parking spaces for each dwelling under the standards of Annex G. The garages provide 2 spaces per garage and together with an ample driveway space the required spaces are provided on each plot. Subject to a condition to secure parking before the dwellings are occupied, the proposal would be in accordance with policy T2 of the TVBRLP.
- 8.34 In respect of refuse the applicant has advised that a private management company will collect refuse. As existing the Council workers come up the drive to collect the refuse and it is anticipated a similar operation will be provided with the private operation.
- 8.35 **Ecology**  
Policy E5 sets out that development in the Borough that will conserve, and where possible restore and/or enhance biodiversity will be permitted.
- 8.36 This application is supported by an Ecological Impact Assessment (Eclipse Ecology, November 2022), which the Council Ecologist is satisfied represents the current nature of the site.
- 8.37 Bats  
Buildings on site have all been assessed as having negligible potential for roosting bats, and no further surveys or mitigation has been recommended. In view of the survey findings the Council Ecologist would advise that the development is unlikely to result in a breach of the law protecting bats and would raise no concerns. An advisory note is suggested.
- 8.38 Lighting  
The extent of proposed lighting and likely impacts on suitable foraging and commuting habitats for bats are required to ensure that significant adverse impacts are unlikely to occur. It is understood that lighting may be restricted to security lighting on the dwellings, with no lighting proposed for the access. A condition is recommended for details of external lighting.
- 8.39 Dormice  
Dormice have been recorded within 1km of the site boundary, and the ecologist asked for further information in this respect. I would therefore advise the assessment in relation to dormice is revised to reflect this. The applicant has confirmed - We provided a dormouse nest check of all the relevant habitat on-site (hedge – which is outside the red-line boundary and isolated areas of scrub on-site). No evidence of dormice was found during this nest check. The survey method is appropriate for the vegetation clearance proposed and is in accordance with Natural England's standing advice. The scrub is isolated and not suitable for dormice and only a small number of young/sapling trees are proposed for removal. Despite this, all hedge and scrub habitat was checked – this was detailed in the report.
- 8.40 The Council Ecologist has reviewed the above and accepts the applicant's justification subject to ensuring a species rich native hedgerow is provided on the northern boundary.

8.41 Amphibians

Section 4.3.3 of the report has indicated that there are “no water bodies within 250m” of the site. Having reviewed local maps, a number of water bodies have been identified within 250m to the north and west of the site, with more located within 500m of the proposed development site. The Council Ecologist would have therefore advised that further assessment and surveys are required regarding amphibian species (i.e. GCN). The applicant has responded advising - The waterbodies to the west are 272m away from the application site boundary and are not within 250m (A map was provided). We measure the two ponds to the north of the site are 251m away from the site. Even if these two ponds are included within the 250m zone there is still no requirement for surveys according to Natural England’s GCN rapid risk assessment calculation. Ponds between 250m and 500m of the site were scoped out of the assessment for reasons/criteria given in Section 3.4.3 of the EcIA – which is taken from Natural England’s mitigation licensing form. There is no reason to assess ponds between 250-500m. There is also no reason to assess/survey the above ponds any further for reasons given above. The Councils Ecologist is content to accept this justification.

8.42 Reptiles

A habitat manipulation strategy during the construction phase has been proposed to reduce the risk of harm to reptiles, with replacement suitable habitat provided within the ecology mitigation planting. The Council Ecologist asked for further details regarding the location of replacement reptile habitat during the construction and operational phase. It is understood that two hibernacula will be situated on site following the works, however the location does not appear to have been included on the ecology mitigation plan. I would ask that this is rectified. The applicant has updated the Ecology Mitigation & Enhancement Plan to show an area of long grassland and two hibernacula suitable for reptiles to be maintained throughout construction and operation of the development.

8.43 It is considered that the development can be provided in accordance with policy E5 of the TVBRLP subject to appropriate conditions.

8.44 **Special Protection Areas**

New Forest SPA

In line with Policy E5 and Section 11 of the NPPF, consideration should be given to potential implications on international designations. The development would result in a net increase in residential dwellings within 13.6km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit the New Forest. The New Forest SPA supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the Forest that result from new housing development. While clearly one new house on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England (the government’s statutory nature conservation advisors, who have provided comments on this proposal) that any net increase (even single dwellings) would have a likely significant effect on the SPA when considered in combination with other plans and projects.

8.45 To address this issue, Test Valley Borough Council has adopted an interim mitigation strategy whereby a scale of developer contributions of £1300 per new dwelling has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. The applicant paid this direct to the Council on the 7<sup>th</sup> June 2023.

8.46 Nitrate Neutrality

The River Test and its major tributaries flow into the Solent. The Solent region is one of the most important for wildlife in the United Kingdom. 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.

The Solent region consists of the following Special Areas of Conservation (SAC) and Special Protection Areas (SPA):

- Chichester and Langstone Harbours SPA
- Portsmouth Harbour SPA
- Solent and Southampton Water SPA
- Isle of Wight Lagoons SPA
- Solent Maritime SAC
- Solent and Dorset Coast SPA (Proposed)

8.47 These sites are protected by National and European Law which requires the Council to undertake a formal assessment of the implications of any new plans or projects that may be capable of affecting the designated interest features of European Sites before deciding whether to grant planning permission for new residential development. This formal assessment is known as an Appropriate Assessment and considers the potential adverse effects of a plan or project (in combination with other plans or projects) on Special Areas of Conservation and Special Protection Areas. The European Court of Justice recently determined a case related to considering water quality in Appropriate Assessments. The impact of the case law is that any development which could result in a decrease in water quality would cause a likely significant effect on the Solent's European sites.

8.48 In the context of planning, the impact comes from population increase and the resultant increase in effluent. Proposed developments for new housing, hotels and care homes (as well as other forms of overnight accommodation) are being affected by the issue as a result. A nitrate budget calculation has been submitted and an Appropriate Assessment submitted to Natural England. Natural England raise no objection to the proposal. To offset the output, the applicant proposes to use the budget provided by the previous use of the site as a dairy farm together with the use of a PTP. Attached to the planning file is

a declaration from the previous farmer confirming the farms use. The proposed development does not conflict with the Habitats Regulations and accords with Policy E5 of the TVBRLP.

**8.49 Water Management**

Water consumption

The Revised Local Plan includes a requirement under policy E7 for all new residential dwellings to achieve a water consumption standard of no more than 110 litres per person per day. This reflects the requirements of part G2 of the 2015 Building Regulations. It is recommended that a condition be added in order to address this. Subject to such a condition the proposal would comply with policy E7 of the TVBRLP.

**8.50 Drainage – Foul**

It is proposed to connect to Package Treatment Plants at each plot.

**8.51 Drainage – surface water**

Surface water drainage is proposed to be controlled through soakaways.

**8.52 Planning balance**

The proposed scheme would represent a departure from the Development plan with respect to development in the countryside. It is however considered that the fallback position to implement the Class Q scheme is a real prospect that carries significant weight in favour of the current proposal. Additionally, the proposed scheme would not have any significant or detrimental impacts over and above the effect of complying with the extant Class Q scheme. Additionally, the proposal is considered to represent an improvement to the setting of the Listed Building, improvements in design and the landscape improvements to be secured via condition, and would assist in delivering against the Council's housing requirement. It is considered that the proposal justifies the departure from the Development Plan in this instance.

**9.0 CONCLUSION**

9.1 It is considered that the material considerations of the proposed scheme outweigh the conflict with the Development Plan.

**10.0 RECOMMENDATION**

**PERMISSION subject to:**

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

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

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

**20220-01 P1 - Location plan**

**20220-03 P1 - Existing site plan**

**20220-04 P1 - Existing site layout**

**20220-05 P1 - Proposed site plan**

20220-06 P1 - Proposed site layout  
 20220-20 P1 - Proposed elevations plot 1  
 20220-21 P1 - Proposed elevations plot 2  
 20220-30 P1 - Proposed elevations plot 3  
 20220-10 P1 - Proposed ground floor - Plot 1 and 2  
 20220-11 P1 - Proposed first Floor - Plot 1 and 2  
 20220-25 P1 - Proposed floor - Plot 3  
 20220-35 P1 - Proposed garage plot 2  
 20220-31 P1 - Proposed section - Plot 3  
 TPP-KC/GLEBEFARM/001 - Tree Protection  
 045-MP-01 - Landscape details  
 20220-07 P1 - Ecology mitigation and enhancement

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

3. No development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

4. The development shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.

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

5. 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-where appropriate: proposed finished levels or contours, means of enclosure and car parking layouts where relevant.

Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities.

The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan.

**Reason:** To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.



- 6. 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 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.**

**Reason: To ensure the provision, establishment and maintenance to a suitable standard of the approved landscape designs to create and maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and to contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.**
- 7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no building, structure, walls or fences of any kind shall be erected without the prior written consent of the Local Planning Authority.**

**Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**
- 8. Details of the siting and design of any proposed external meter boxes/metal ducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The installation of the meter boxes/metal ducting/flues shall be in accordance with the approved details.**

**Reason: To protect the setting of the listed building and the wider landscape in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E2 and E9**
- 9. Prior to the commencement of demolition and construction activity including site clearance or ground-works, a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The CEMP shall detail the significant risks posed to amenity from the emission of noise, dust and light and set out the mitigation measures to be employed to control such emissions and mitigate the effects of such emissions on sensitive land uses. Unless otherwise agreed by the Local Planning Authority, construction activity shall only take place in accordance with the approved CEMP.**

**Reason: To minimise the risks of pollution and to ensure the site is satisfactorily developed in accordance with policy E8 of the Revised Borough Local Plan**

- 10. No work relating to the construction of the development hereby approved, including site clearance, deliveries, collections or works of demolition or preparation prior to operations, shall take place before the hours of 07.30 nor after 18.00 on Mondays to Fridays; before the hours of 08.00 nor after 13.00 on Saturdays; and at all on Sundays and Bank/Public Holidays, unless otherwise agreed with the Local Planning Authority.**  
**Reason: To protect the amenities of nearby dwellings in accordance with policy LHW4 of the Revised Borough Local Plan 2016.**
- 11. In the event that contamination is found at any time during demolition and/or construction works, 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 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 minimise the risks of pollution and to ensure the site is satisfactorily de-contaminated in accordance with policy E8 of the Revised Borough Local Plan**
- 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 [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) Policies E1, E2, LHW4**
- 13. Development shall be provided in accordance with Section 7 'Precautionary Measures, Avoidance & Mitigation' of the Ecological Impact Assessment by Eclipse Ecology Ltd (February 2023) and the 'Proposed Ecology Mitigation and Enhancement Plan' drawing no. 20220-07 by LDArchitecture Ltd dated 10.02.23.**  
**Reason: To ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Revised Local Plan**
- 14. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Technical Arboriculture Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/GLEBEFARM/001 dated November 2022.**  
**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.**

- 15. All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.**  
**Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**
- 16. 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.**
- 17. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.**  
**Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1**
- 18. No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include plans and details sufficient to demonstrate the location, type, specification and luminance level. External lighting shall be undertaken in accordance with the approved details and retained thereafter.**  
**Reason: To ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).**
- 19. At least the first 4.5 metres of both access tracks 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**
- 20. The proposed Rewatec Solido Smart package treatment plants shall be installed to serve the dwellings hereby permitted prior to occupation. The treatment plants shall be retained and maintained in accordance with the foul drainage management plan (Rewatec Solido Smart package treatment plant user guide), unless otherwise agreed in writing by the Local Planning Authority.**  
**Reason: In order to avoid adverse impact on the Solent and Southampton Water SPA by way of additional nitrates emanating from the development in accordance with the Conservation of Habitats and Species Regulations 2017 and Policy E5 of the Test Valley Borough Revised Local Plan (2016).**

21. In the event that any of the approved Rewaterc Solido Smart package treatment plants are replaced, the replacement package treatment plant/s shall achieve a performance output of 10mg/l nitrogen or less, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to avoid adverse impact on the Solent and Southampton Water SPA by way of additional nitrates emanating from the development in accordance with the Conservation of Habitats and Species Regulations 2017 and Policy E5 of the Test Valley Borough Revised Local Plan (2016).

**Notes to applicant:**

1. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
2. There is potential at this location for asbestos containing material. If this is found at any time during implementation of the development please be aware that removal and disposal must be undertaken in accordance with all legal requirements, whether they be enforced by the Local Authority or other government agencies. Any such removal and disposal must be completed prior to the site being brought in to use.
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.