
APPLICATION NO.	22/02668/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	18.10.2022
APPLICANT	Mr Chris Rees
SITE	Land adjacent to Test Valley Farm, Little Drove Road, CHILBOLTON
PROPOSAL	Demolition of existing building and erection of four residential dwellings with associated landscaping, access and parking
AMENDMENTS	Amended/additional plans and information received: <ul style="list-style-type: none">• 10.02.2023• 02.03.2023• 22.05.2023• 15.08.2023• 30.08.2023• 25.09.2023• 18.10.2023
CASE OFFICER	Emma Jones

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

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee in accordance with the Member and Officer Interests Protocol.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The site is located on the edge of the village of Chilbolton. The site comprises an area of grassed agricultural land associated with Test Valley Farm and contains a disused agricultural building and a number of mature trees, many of which are protected by a Tree Preservation Order. The site is positioned in between the existing agricultural workers dwelling at Test Valley Farm (and its associated annexe) and the residential properties along the southern end of Station Road and along Little Drove Road. The site is accessed from Little Drove Road, and the site is bounded to the north east and south by footpaths Chilbolton: 15 and 16, which are Public Rights of Way (PRoW).

3.0 PROPOSAL

3.1 The proposal seeks full planning permission for the demolition of an existing agricultural building and the erection of four detached three bedroom dwellings with associated landscaping, access and parking.

3.2 Amended/additional plans have been submitted during the consideration of the application, including revisions to the proposals consisting of;

- Revised planting strategy between Plots 1 and 2, with a widening of the entrance into the site;

- Removal of the visitor parking spaces opposite plot 2 and replacement with extended understorey planting;
- Reduction in size of Plot 1 curtilage to exclude two of the three oaks that were previously shown within;
- Repositioning of Plot 3 garage;
- Repositioning of Plot 3 and 4 to the west;
- Lowering of the ridge height of the houses located on Plot 3 and 4;
- Overall review of the Planting Strategy to provide for more trees within the application site.

The additional/amended information also includes the following;

- Information in respect of nutrient neutrality;
- Updated highway assessments (including vehicle tracking);
- Updated ecology assessments/information;
- Updated tree assessments.

4.0 **RELEVANT HISTORY**

4.1 21/02241/FULLN; Demolish building and erect seven residential dwellings with associated access, landscape, and parking – Refused - 14.10.2022, for the following reasons;

01. *The amount of development proposed, together with its layout, appearance and scale, would be cramped and intensive and would not integrate, respect or complement the character of the area, and it would have a detrimental impact on the appearance of the immediate area and the landscape character of the area. In addition, the proposed development has not been designed or located to ensure that the health and future retention of important landscape features including protected trees would not be prejudiced, there is limited scope for the provision of new landscape features to enable the proposed development to positively integrate into the landscape character of the area, and arrangements for the long term management and maintenance of the existing and proposed landscaping have not been secured. The proposed development would be contrary to Policies E1 and E2 of the Test Valley Borough Revised Local Plan 2016 and Policies EN2 and HD4 of the Chilbolton Neighbourhood Development Plan'*
02. *The proposed development would result in the loss of habitats at the site, with no satisfactory justification or suitable mitigation measures being provided. Furthermore, insufficient information has been submitted to demonstrate that the proposals would not impact adversely on roosting or foraging bats at the site, or on ecological linkages with the nearby West Down Nature Reserve. The proposed development would not conserve, restore, or enhance biodiversity, and would not satisfy the three tests required to be considered in respect of protected species and the requirements of the Conservation of Habitats and Species Regulations (as amended). The proposed development would fail to comply with Policy E5 of the Test Valley Borough Revised Local Plan (2016) and Policy HD4 of the Chilbolton Neighbourhood Development Plan;*
03. *Insufficient information has been provided with the application to*

demonstrate that the proposal can achieve nutrient neutrality. As such, it cannot be concluded that the proposal will not result in a likely harmful significant effect on the internationally designated nature conservation sites in the Solent, in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) and as advised within guidance from Natural England (updated March 2022). As such, the proposal fails to comply with Policies E5 and E8 of the Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended);

- 04. It has not been demonstrated that refuse vehicles would be able to safely and efficiently manoeuvre within the site without conflicts arising with the proposed buildings and/or landscaping. The proposed internal layout of the development would therefore not be safe, functional or accessible for all users, and the proposal would be contrary to Policy T1 of the Test Valley Borough Revised Local Plan 2016;*
- 05. The car parking provision for proposed plot 1 would not be appropriately located so as to be convenient to users, and would encourage parking in locations that could lead to impacts on highway safety, contrary to Policies T1 and T2 of the Test Valley Borough Revised Local Plan 2016 and Policy HD5 of the Chilbolton Neighbourhood Development Plan;*
- 06. The proposed development, by virtue of the potentially limited boundary treatments separating proposed plot 1 from the adjacent public right of way, would not provide for the privacy and amenity of the occupants of this plot, contrary to Policy LHW4 of the Test Valley Borough Revised Local Plan 2016 and Policy HD4 of the Chilbolton Neighbourhood Development Plan;*
- 07. In the absence of a legal agreement to secure a financial contribution towards off site new affordable housing to meet the needs of the borough, the proposal is contrary to Policy COM7 of the Test Valley Borough Revised Local Plan 2016.*

Appeal submitted and pending decision.

- 4.2 18/00577/CLEN; Application for a lawful development certificate for existing use of occupation of the property known as Test Valley Farm in breach of an occupancy condition – Not Issue Certificate - 23.06.2020.
- 4.3 11/02519/FULLN; Erection of replacement building to form annex for dependant persons accommodation and PV panels on roof (retrospective) – Permission - 26.04.2012.
- 4.4 05/00581/FULLN; Part relaxation of condition 1 of TVN.02548/6 - relating to the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in section 290 (1) of the Town and Country Planning Act, 1971, or in forestry (including any dependants of such person residing with him) or a widow or widower of such a person, to include equestrian activities - erection of agricultural workers dwelling – Permission - 06.02.2006.
- 4.5 TVN.02548/6; Erection of agricultural workers dwelling - Permission -

08.12.1988.

5.0 **CONSULTATIONS**

5.1 **Trees**; No objection subject to condition

5.2 **Landscape**; Comments (summarised);

- Within a hard and soft landscape condition, the planting and hard landscaping layout can be amended further to soften the scheme to a more village context.

5.3 **Ecology**; No objection

5.4 **Refuse/Recycling**; No objection

5.5 **Environmental Protection**; No objection to previous planning application at the site subject to conditions

5.6 **Highways**; Final response awaited. Previous comments noted that additional plans were required in respect of vehicle tracking. Plans have been submitted, and the Highways Authority has been re-consulted.

5.7 **Rights of Way**; Requested informative note

5.8 **Ramblers Association**; No objection

- Would ask that a 6' fence is not erected alongside footpath Chilbolton 15 as this will enclose the footpath and detract from the countryside walking experience.

5.9 **Environment Agency**; No response

5.10 **Natural England**; No objection subject to appropriate mitigation being secured (in respect of nutrient neutrality)

6.0 **REPRESENTATIONS** Expired 08.11.2023

6.1 **Chilbolton Parish Council**; Objection, summarised as follows;

- Site is semi woodland countryside, containing many trees with TPOs, in a rural situation that should never have been considered as a site for possible development;
- Anomalies regarding settlement boundary;
- Restrictions on Test Valley Farm;
- Direct contravention with CNDP policy HD1 – ignores requirement for mix of 1, 2 and 3 bedroom houses. Potential to create loft extensions and additional bedrooms;
- Transport assessment refers to four bedroom units;
- No dimensions on the plans;
- Houses are oversized for location and out of character with the local area – contrary to CNDP policy HD3;
- No evidence of electric vehicle charging or how light pollution will be limited – contrary to CNDP policy HD4;
- Concerned for future infilling development at the site;

- No change in conclusion of previous refusal in respect of ecology and wildlife;
- Removal of leylandii hedgerow contrary to CNDP policy EN2. Not native but they are nesting and roosting homes for birds and bats. New hedgerow will take many years to embed and provide same level of natural roosting space. No space for replacement tree planting;
- Removal of hedgerow will expose the new home to overlooking from neighbours and footpath, and to prevailing winds;
- Private gardens will reduce the natural environment;
- Query the redactions in the ecology reports;
- Cannot see how the commitment to “greater diversity of species” is evidenced;
- New planting does not mitigate the impact on bats from construction, new homes, lights, vehicle movements and impact residential gardens will have on creatures. Light pollution huge issue in an area where dark skies protect the bat population;
- No mention made of boundaries with West Down and need to ensure continued wildlife corridors;
- Proposed contrary to TVBC local plan policy E5 and CNDP policy HD4 in respect of ecology;
- Query how woodland/mitigation would be managed and looked after (and by who) in the long term;
- Ongoing dispute in respect of the site being within the settlement boundary. Parish Council will object to any development on the site until it can be removed from the settlement boundary at the next local plan unless any development is only for agricultural workers in accordance with the occupancy condition and otherwise complies with the CNDP;
- Agricultural use of the site has not ceased. Existing dwelling and annex at site are subject to agricultural occupancy conditions. Certificate of Lawfulness refused. Owner continues to occupy whole site and engage in agricultural activity, including planting of/tending to vines. Site clearly remains in area where new dwellings are not normally permitted except where there is an overriding need in the interests of agriculture, forestry or equestrian activities, which is not the case;
- Overlooking from footpath to plot 1. Also likely works to/felling of mature trees in plot 1 garden would result;
- Clarity sought on proposed sewerage connections, and impact of nitrates/phosphates on environment (Test and Itchen). Overload already occurs in village;
- Septic tanks for other properties exist on the site – no reference made to access etc;
- Errors and failings within the submitted plans and statements in respect of traffic and transport impacts. No passing places within the development site, and street layout not wide enough for two vehicles to pass. Proposed passing places on Little Drove Road would be too small and no means of parking enforcement. Trip rates are misleading and do not account for rise in home delivery traffic or rural character of site. Refuse vehicles tracking drawings are incomplete and do not show

manoeuvring, which would require larger turning head. No tracking of Station Road and Little Drove Road turn, which would over sail soft verge and strike trees and shrubs – alteration to junction required (would be detrimental to the rural character). Assertion that collision on Station Road/Little Drove Road was driver error is incorrect.

Intensification of use of junction has potential to be detrimental to highway safety. Increased vehicle use on footpath convergence at access to site would impact pedestrian safety;

- Building traffic and noise during construction a concern for local residents – query how this would be controlled – would wish to see conditions;
- In response to ecology report, Parish Council lease and manage West Down from Hampshire County Council (HCC). However, the Parish Council would not be prepared to enter into any legal agreement with any other body with regard to the management of any other area. No explanation of who other Management body might be;
- Development cannot achieve biodiversity net gain. Plan is to graze different parts at different times of year and use the same herd as is used on West Down. West Down SINC is the target conservation site for these animals. The cattle cannot be in two places at once and are needed primarily on West Down throughout the summer. The herd referred to is only between 4 and 6 animals. 30 year management plan difficult to achieve;
- The buffer zone to West Down will be compromised by the development;
- Proposed development represents urbanisation of a site which has contested status and has resulted in over 100 negative responses from members of the public and other public bodies;
- Amended plans/information fail to address concerns;
- Alarmed that the developer at no point relates to the CNDP, and has not ensured the proposals align with it. Policies continue to be contravened;
- Whilst lighting diagram would lead us to believe that disturbance to trees/bat roosts and surrounding residents would be minimal, no thought given to the future - no guarantee that this would be maintained. Residents can easily upgrade/add extra lighting;
- Arboricultural statement states that no detailed soil assessment was carried out and this is of great concern;
- This development, whatever its size, is fundamentally flawed. Huge issues of access and sewage not been addressed, and there remains the unresolved issue of the legality of the site and the contravention of policy HD1 of the CNDP. The plan is a legal document that takes precedence over the TVBC Local Plan and as such we would expect it to be supported and the policy to be upheld.

6.2 **142 x letters**; Objections from;

- Lynton; Bannuts Farm (x3); Daventry Cottage - (Village Street, Chilbolton);
- Hill View (x2); The Old Bakery (x2); Downside (x2); The Brae (x5);

Brindle Croft (x2); Pine Cottage (x5); Dolphins (x3); High Pad (x4); Cedars (x4); Ringwold (x2); Littlemead; The Hollies (x2); Mayfield; Staddlestones (x2); Beech Cottage (x3); Tree Grove (x2); Little Trees (x2); Westdown (x3); The Nest (x2); Rowan Cottage (x2); Melbury House; Woodford; Sunny Hill - (Station Road, Chilbolton);

- Numbers 9, 10, 14 (x2), 16 - (Durnford Close, Chilbolton);
- Numbers 5 (x2), 12, 15 - (Garston Mede, Chilbolton);
- Brier Lea (x3); Pathways (x3); Morningside - (Little Drove Road, Chilbolton);
- Louise Cottage (x2); number 35 - (Branksome Avenue, Chilbolton);
- Number 9 - (Branksome Close, Chilbolton);
- Number 28 - (Test Rise, Chilbolton);
- Skelbrooke; Bryony; numbers 6, 8, 10, 14, 27, 28 - (Drove Hill, Chilbolton);
- Four Winds; Upcote (x2); Lilybowers; Four Winds (x2); Drove Cottage; number 20; Woottons; Danebury (x2); 5 x unknown properties - (Drove Road, Chilbolton);
- Meadow View; Lauderdale (x2) - (Coley Lane, Chilbolton);
- Fairways (x2); Orwell House - (River View Close, Chilbolton);
- Birchgrove - (Birch Grove, Chilbolton);
- Holly House - (Paddock Field, Chilbolton);
- Orchards - (Cart Lane, Chilbolton);
- The Spinney - (Wherwell);
- 12 Firsway - (Whitchurch);
- Mount Pleasant - (Winterslow);
- 4 Seton Drove (x2) - (Hook);
- 19 Pirbright Road (x2) - (Farnborough);
- 108 Hermon Hill (x2); 15 Fitzgerald House, St Georges Grove - (London);
- 8 Kestrel Place (x2) - (Watlington);
- 17 x unknown addresses;

with comments summarised as follows;

- Character of Area – would not integrate, respect or complement the surroundings;
- Design;
- Crime and Community Safety;
- Sizes of houses;
- Ecology/biodiversity;
- Materials;
- Smell;
- National Planning Policy Framework;
- Government Advice Circulars;
- Need (eg Agricultural Workers Dwelling) – the two existing dwellings provide sufficient accommodation for the needs of the smallholding;
- Noise. Responsibility under the Human Rights Act – Article 1 and 8. Impacts on enjoyment of gardens. NPPF paragraph 185;
- Over Development – amenities already over stretched;
- Overlooking;

- Chilbolton Neighbourhood Development Plan (policies C13, HD1, HD3, HD4, HD5);
- Previous Planning Decisions;
- Scale and Bulk Results in Loss of Light;
- Supplementary Planning Documents;
- Test Valley Revised Local Plan 2016 (policies E1, E2, E5, COM7);
- Traffic Generation Parking and Safety;
- Impact on (including future pressure due to proximity of buildings/roads, and damage to roots) and loss of trees (including TPO trees). Cannot be mitigated by new planting due to lack of space. Insufficient assessment carried out (soil). Contravenes CNDP policy EN2;
- Agricultural tie on existing property and annex. Proposed development does not fulfil this need. Recent application refused to remove tie. Perverse to insist upon the occupancy condition for the existing building and yet permit unconditional development on the same piece of land. To grant planning permission on this site for any use other than the agriculture tie allows for is illegal;
- Owner continues to occupy the whole site and in 2022 there were cows on the pastures (including the application site) along with planting grape vines & being registered with DEFRA;
- Highway safety impacts on Little Drove Road and surrounding roads (including for pedestrians, horse riders etc) – too narrow/congested for increase in traffic (including during construction and for heavy goods/delivery/commercial vehicles) and blind bends (including junction with Station Road). TRICS data not appropriate for the location or representative. Three minor collisions in past 18 months between cars travelling in opposite directions in Little Drove Road, and villagers have suffered a number of near misses when walking. The Highway Code stresses the importance of pedestrian safety;
- Consequences for access for emergency service vehicles;
- Impact on public rights of way (safety/access, character and quietness);
- Quality of life and wellbeing affected (including from light emissions and noise);
- Impact on light and light pollution. Lighting strategy cannot be enforced;
- Impacts on wildlife/protected species (including through loss of trees and new lighting, and during construction) at the site and encroachment on West Down Nature Reserve – habitats destroyed regardless of mitigation. Query who will monitor adherence to Ecological Assessment and whether a European Protected Species licence has been applied for. Contrary to TVBC Local Plan Policy E5, policy HD4 of the CNDP and NPPF paragraph 180. No information on habitat linkages with West Down and the wider Mottisfont SAC. Overall net loss in habitat and biodiversity. Query who would be responsible for managing mitigation measures;
- All bat species are protected under the conservation of Habitats & Species regulations 2017 (as amended), Wildlife & Countryside Act 1981 (as amended) and Section 41 of the NERC Act 2006;

- Mitigation land already being managed by nature – no need for mitigation plan;
- Impact on/loss of countryside views;
- Issues surrounding inclusion of site in Chilbolton settlement boundary, which is disputed;
- Proposal does not accord with policy HD1(2) of CNDP. Houses could be converted to create larger homes;
- Clarity sought on proposed sewerage connection and the impact of waste water nitrates and phosphates on the environment (including Test and Solent);
- Application is out of character with the landscape and unneeded in Chilbolton;
- Road/verge damage, tree/hedgerow damage, wildlife damage and unwanted noise/pollution from vehicles (including during construction);
- No justification for proposal;
- Passing places would result in faster traffic and unnecessary destruction of hedgerow. People will park in them, regardless of signage. Query who would police this. Cost of finding the current owners and purchase of the land needs to be factored in. Double yellow lines not fitting for a small single track country lane;
- Existing house and land could be owned by someone who ran a small holding which would enhance the area and benefit the village. Existing agricultural buildings would then not be demolished but repaired and used as they should be;
- Landscape objection to previous application;
- Applications cause great distress and expense and are completely unsuitable and unwanted in the village;
- Opportunist planning application focussed on financial gain;
- Application would constitute a change of use from agricultural (not a brownfield site) to domestic dwellings;
- Chicken coops may contain asbestos and agricultural chemical contamination. Risk of contamination seepage from what used to be a rubbish dump at West Down;
- Little or no detail as to the dimensions of the rooms in the four proposed properties, their overall footprint or elevations;
- Quiet residential village would become a construction rat-run;
- Previous illegal and anti-social breaching of planning law and covenants cannot be rewarded by approval of the proposed development;
- Proposed does not comply with TVBC Local Plan;
- Test Valley Farm would no longer be viable as a smallholding/farming;
- Development would set a precedent (including on adjacent land and other farmland);
- Development inappropriate to the setting and out of character in this currently green and wooded area;
- No provision for affordable housing;
- Overloading of the clean water supply – water pressure already reduced. No element for grey water usage is evident;
- Refusal reasons for previous application for 7 homes should be

applicable to an application for 4 homes. Previous refusal has been appealed;

- As there is no large barn to convert, the creation of a large barn conversion style house from a single storey low level barn is incongruous. Out of character with the area and would be intrusive through the canopy of trees that are planned to have their crowns lifted;
- No provision for electric vehicle charging which is a requirement of CNDP – HD4;
- Internal road is single lane and will cause issues with deliveries and residents passing each other. Turning circle for refuse vehicle is tight;
- Implications for access to septic tank serving Pathways;
- There are three large houses currently under construction within the village which will put more strain on the utilities and local services which are all overstretched as it is;
- Ask Officers and TVBC Councillors to consider whether they have sufficient policies and practices in place in relation to the LGA document 'Probity in Planning' regarding planning decisions involving serving officers and Councillors;
- Query who would manage trees/woodland;
- Scope for further extensions/infill development;
- Exacerbate electricity supply issues. Application does not state how electricity and heating will be supplied to the houses. No measures to contribute towards the Government's Net Zero policy when designing new houses. Solar panels would still have a negative impact on an aging and fragile grid;
- Design does not resemble a farmstead. Development including landscaping is suburban;
- Village is the largest in the area and is suffering the consequences in terms of traffic on the roads without footpaths, water supply and sewerage systems overstretched, school oversubscribed, doctors surgery overstretched;
- Developments will price locals out of the village. People have had to move out of the village due to a lack of appropriate housing;
- Landscaping is manicured and inappropriate;
- Amended plans and additional information do not overcome concerns raised;
- No visitor parking spaces;
- TVBC's corporate objectives and priorities are to protect and enhance the environment and provide for a mix of housing including affordable homes, employment, community facilities and other land uses to meet the needs of the communities;
- Mandatory Government Top down Housing Targets gaining opposition support in Parliament for reform to restore primacy of local decision making in Planning. New Homes needed are to be the right homes in the right places. Policy intention of the Government and LPA's is that new developments should contribute positively to their surroundings rather than merely avoid doing unacceptable harm;

- Impact on tranquillity and beauty of West Down Nature Reserve which is used for leisure and relaxation;
- The applicant has never consulted the Parish Council or residents.

6.3 **5 x letters**; Objection from Stop Chilbolton Overdevelopment (SCO) Residents Group, on grounds which have been covered above.

6.4 **1 x letter**; Objection from CPRE Hampshire, on grounds which have been covered above.

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)(RLP)

- Policy SD1 – Presumption in Favour of Sustainable Development
- Policy COM2 – Settlement Hierarchy
- Policy COM7 – Affordable Housing
- Policy COM10 – Occupational Accommodation for Rural Workers in the Countryside
- COM15 - Infrastructure
- Policy E1 - High Quality Development in the Borough
- Policy E2 - Protect, Conserve and Enhance the Landscape Character of the Borough
- Policy E5 – Biodiversity
- Policy E7 - Water Management
- Policy E8 - Pollution
- Policy LHW4 – Amenity
- Policy T1 - Managing Movement
- Policy T2 – Parking Standards

7.3 Neighbourhood Plan

Chilbolton Neighbourhood Development Plan (CNDP)

- Policy EN2 – Trees and Hedgerows
- Policy EN3 – Local Green Spaces
- Policy HD1 – Housing Scale and Mix
- Policy HD4 – Design of New Development
- Policy HD5 – Parking within the Curtilage

7.4 Supplementary Planning Documents (SPD)

Village Design Statement - Chilbolton

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Character and appearance
- Amenity and pollution
- Biodiversity
- Water management
- Highway network

8.2 **The principle of development**

The application site is located within the settlement boundary for Chilbolton, as defined by the RLP inset maps. Policy COM2 of the RLP allows for development and redevelopment within the boundaries of a settlement, subject to compliance with the other policies of the RLP.

8.3 Third party representations have raised concerns regarding the inclusion of the site within the designated settlement boundary for Chilbolton and the legality of this, and they claim that this is disputed. As part of the evidence to support the RLP, the methodology for what was included in a settlement boundary was updated in 2014 to include other areas including car parks, schools, public open space, and farms. As Test Valley Farm adjoins the built-up area of Chilbolton, it was therefore included within the settlement boundary for Chilbolton. On a wider note, the RLP, including the changes to the settlement boundaries, was consulted on including with residents, parish councils, and was subject to an examination in public with a government appointed planning inspector. The inclusion of the application site within the designated settlement boundary is important and any discussion on how this was arrived at is immaterial to this application.

8.4 *Housing Scale and Mix*

In respect of housing mix and scale, policy HD1 of the Chilbolton NDP states that;

- 1) The number of homes built within Chilbolton over the 10 year plan period, should be about 20 homes, in line with the Housing Need Survey findings; and
- 2) The mix of any individual development should only be 1, 2 & 3-bedroom homes including apartments, semi-detached, terraced or bungalows.

8.5 The proposals consist of the provision of 4 x three bedroom dwellings. It is considered that this would accord with policy HD1 of the CNDP.

8.6 *Agricultural dwelling at Test Valley Farm*

Third party representations have raised concerns regarding the agricultural occupancy condition that relates to the dwelling and annex at Test Valley Farm, and that this would prevent the development of the application site. The existing dwelling at Test Valley Farm is subject of an occupancy condition, worded as follows (see paragraphs 4.4 and 4.5 of this report for the relevant planning applications);

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or in equestrian activities, or a widow or widower of such a person, and to any resident dependants.

Reason: The site is an area where new dwelling units are not normally permitted except where there is an overriding need in the interests of agriculture, forestry or equestrian activities.

A similar condition applies to the annex.

8.7 For clarification, the above condition does not relate to the land surrounding Test Valley Farm, and therefore does not restrict its use or ownership. In addition, the above condition does not require the dwelling at Test Valley Farm to be occupied by a person working or last working on agricultural land etc at/associated with Test Valley Farm – just that they are working/last working in agriculture, forestry, or equestrian activities in the locality. Therefore the development of the application site as proposed would not result in the loss of the agricultural workers dwelling at Test Valley Farm, or render the occupancy condition redundant – it would still remain a requirement for any current/future occupier to comply with.

8.8 *Conclusion on principle of development*

The proposed development would comply with RLP policy COM2, in being located within the settlement boundary for Chilbolton, as defined by the RLP inset maps, and the principle of the proposal is therefore acceptable. The proposals also consist of the provision of 4 x three bedroom dwellings, and it is considered that this would accord with policy HD1 of the CNDP. An assessment of the proposals against the other relevant policies of the RLP is provided below.

8.9 **Character and appearance**

Policies E1 and E2 of the RLP seek to protect the landscape of the Borough through the provision of high quality development that integrates with and respects/complements the character of the area, and that does not have a detrimental impact on the appearance of the immediate area or landscape character, including through the retention/provision of appropriate landscaping and landscape features. Policies EN2 and HD4 of the Chilbolton NDP also echo these requirements.

8.10 The application site is located at the south east edge of the village of Chilbolton, and is a triangular piece of land that sits in between the detached dwellings along Station Road/Little Drove Road and the existing dwelling at Test Valley Farm. The application site is predominantly grassland, and contains a dilapidated agricultural building as well as numerous mature trees which generally enclose the site, many of which are protected by Tree Preservation Orders (TPOs) – including Oak trees. The undeveloped and vegetated nature of the application site results in it having a distinctly verdant character and appearance, and reflects the transition between the more built up part of Chilbolton, the agricultural buildings and uses at Test Valley Farm,

and the more open countryside beyond. Whilst the site has no landscape designations, the existing mature trees are important landscape features which can be appreciated from the wider surrounding area, including Station Road/Little Drove Road, and the two Public Rights of Way (PRoW) that run adjacent to and within close proximity of the site (Chilbolton 15 and 16). Open views across the site from the PRoW that runs along the north east boundary of the site are possible, under the canopy of the mature trees. It is considered that the presence of the existing trees significantly reduces the developable area at the site. The existing dwellings within the surrounding area are generally single detached dwellings set within spacious plots with landscaped front gardens and private driveways, which contribute positively to the verdant character of the area and the street scenes in which they are located.

- 8.11 The proposed development has been designed to create an agricultural character with three of the buildings being of a barn style, and one of the buildings having a farmhouse character. This is considered to be appropriate in considering the context of the site, situated on the edge of the settlement, adjacent to the open countryside. In contrast to the previously refused scheme at the site for 7 dwellings (see paragraph 4.1 of the report), the proposed scheme of 4 detached dwellings allows for larger individual plots, with greater separation between the buildings, and better opportunities for a robust soft landscaping scheme (with new trees to frontages and hedgerows on plot boundaries), including the long term successful retention of the existing mature trees, due to the proximity of the built form (including the road, parking areas and gardens) to these. These factors would provide softening to the buildings, and defensible boundaries for the proposed dwellings. It is considered that the proposed development would be reflective of the characteristics found in surrounding developments, in these respects. The area in which the existing trees are located would be supplemented with additional planting, and would form a communal landscaped area. The submission indicates that a private management company would be responsible for this area. The Council's Landscape Officer considers that the proposed planting and hard landscaping layout could be amended further to soften the scheme to a more village context, and it is considered that this could be dealt with by condition. Conditions would also be appropriate in respect of the protection of existing trees during construction, as well as the future ongoing management of the communal landscaped areas.
- 8.12 In respect of the visual impacts of the proposals on the surrounding PRoWs, a post & rail fence is proposed along the boundary with footpath 15 (which runs along the north east boundary of the site), which would maintain views into and across the site from this PRoW. It is acknowledged that these views would change significantly from the current situation, however as set out above, it is considered that the proposed development would respond positively to the rural character and context of the site, the site would continue to be dominated by the existing mature trees, and views of the countryside as a backdrop would be possible.

- 8.13 Third party representations have raised concerns regarding the impacts of the proposals on the nearby West Down Nature Reserve which is designated within the Chilbolton NDP as a Green Space Designation (map 8). Local Green Space designations provide protection for green areas that are demonstrably special and hold a significance for local communities. Paragraph 5.33 of the Chilbolton NDP states that every green space lying within and adjacent to the Settlement Boundary is important, whether it is field or gardens as it gives character and enhances the open feel of the village no matter to whom it belongs. In view of the separation distance between these sites (over 90m), it is not considered that the proposal would impact visually on this green space or on the contribution the West Down Nature Reserve makes to the open character of this part of the village.
- 8.14 Overall it is considered that the proposed development would respect this edge of countryside location, and the importance of the site as a transition between the more built up areas of Station Road/Little Drove Road and the countryside beyond. It is considered that the amount of development proposed, together with its layout, appearance and scale, would integrate, respect and complement the rural character of the area, and it would not have a detrimental impact on the appearance of the immediate area and the verdant and spacious landscape character of the area. In addition, the proposed development has been designed and located to ensure that the health and future retention of important landscape features including protected trees would not be prejudiced, and provision has been made for new landscape features to enable the proposed development to positively integrate into the landscape character of the area. It is considered that the proposed development would comply with RLP policies E1 and E2, and policies EN2 and HD4 of the Chilbolton NDP.
- 8.15 **Biodiversity**
RLP policy E5 sets out that Development in the Borough that will conserve, and where possible restore and/or enhance, biodiversity will be permitted. The application is accompanied by ecological information.
- 8.16 *Loss of habitats*
The proposal would result in a loss of grassland habitat at the site, however off-site enhancement of a higher distinctiveness habitat has been proposed to off-set the biodiversity loss associated with the proposed reduction in grassland area on-site. In addition, enhancement of the existing on-site woodland has been proposed. A habitat management plan for 30+ years has been submitted in respect of the off-site mitigation land, which consists of 3 hectares of land abutting the application site, to the north west. This sets out that the off-site area would be 'rewilded' or enhanced by controlling the cattle grazing and by allowing areas of the grassland sward and woodland understorey to develop in diversity and structure. It is advised that the same herd of cattle are currently used on the development site, the off-site mitigation land and on the adjacent Nature Reserve (West Down Nature Reserve). It is considered that the proposed enhancements to the off-site land would benefit

species, and increase connectivity locally with the West Down Nature Reserve and with the wider area, enhancing wildlife corridors and habitats. A S106 legal agreement would be required to secure the proposed mitigation – whilst this has not been progressed, the applicant has confirmed their willingness to do so.

8.17 *Roosting bats - lighting*

The site has been assessed as being of county importance for foraging and commuting bats, with a noctule maternity roost identified within a tree on site, and rare barbastelle bats (a light sensitive species) recorded foraging on site. The trees within the site also support the maternity roost mentioned above as well as autumn mating roosts and day roosts. A lighting strategy has been submitted during the consideration of the application, which demonstrates that the majority of lighting would be positioned to ensure that light does not fall onto the existing trees, and it is considered that this would reduce disturbance on any local bat populations. Conditions are recommended in respect of lighting.

8.18 *Roosting bats - trees*

The submitted ecological information sets out that there are existing trees on site with suitable roosting features for bats, and that have been assessed as having high roosting potential. Additional information has been submitted during the consideration of the application following a site visit with the applicant's ecologist and arboriculturist. The submitted tree works strategy would ensure that the direct loss of the identified bat roosts and potential roost features would be avoided. The existing protected trees are also predominantly located outside of the proposed curtilages associated with the dwelling, such that any concerns regarding future pressure for tree removal/thinning are addressed, as they would be managed collectively as a woodland. Whilst the existing non-native leylandii hedge along the southern boundary of the site would be removed, this would be replaced with new trees and hedging. This landscape feature has been assessed as being relatively species poor, however it does provide some cover and acts as a windbreak enabling bats and other species to hunt when weather conditions are inclement. The submitted ecology information sets out that shelter and a dark corridor along the southern boundary would be retained in the long term by the planting of new native hedgerow and a new line of trees ensuring there is no net loss in hedgerow habitat, and that this would provide greater diversity for foraging bats and maintain the wildlife corridor function. It is also advised that in the short term there would be no loss of cover, darkness or shelter as the southern side of the Test Valley Farm access track has a similar hedge consisting of a line of cypress trees which acts as cover and shelter.

8.19 *Habitats Regulations*

As the proposed development would impact on protected species and habitats, the proposals must be considered against the three derogation tests in the Habitats Regulations. Policy E5 of the RLP also requires compliance with criteria which are consistent with these Regulations. A Natural England licence will only be issued for the development where it is considered to meet the requirements of the Regulations, which consist of the following three tests;

1. It preserves public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; and
2. There is no satisfactory alternative; and
3. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

8.20 The site is located within the settlement boundary for Chilbolton, as defined by the RLP inset maps, and therefore the principle of development is acceptable. The Council is able to demonstrate a 5 year housing land supply, however this does not necessarily preclude the development of windfall sites such as this. The proposal would contribute towards the borough's housing requirements, as well as those within the Parish as identified within the CNDP. It is therefore considered that the proposals would meet the first test of the Regulations, and the first criteria of policy E5 of the RLP.

8.21 The second test of the Regulations, and the second criteria of policy E5 of the RLP, relates to there being no satisfactory alternative to that being proposed. It has been demonstrated that the proposed internal layout for the site, which is of a lower density than previously proposed, allows for ecological enhancements to be provided within the site, as well restricting direct and indirect impacts to species and habitats, due to the proximity of buildings to important ecological features (such as trees) etc. It is considered that the proposals would meet the second test of the Regulations, and the second criteria of policy E5 of the RLP.

8.22 The third test of the Regulations, and the third criteria of policy E5 of the RLP, requires consideration to be given to mitigation measures to be implemented to avoid the injury/killing of protected species, and to address the impacts on their habitats. As set out already, appropriate mitigation is proposed in respect of the various protected species and habitats that would be affected by the proposed development, and it is considered that the proposals would meet the third test of the Regulations, and the third criteria of policy E5 of the RLP.

8.23 *Other matters in respect of biodiversity*

Third parties have made reference to sections of the submitted ecology reports that have been redacted. These sections relate to badgers, and are kept confidential to avoid ill-treatment of this species, in accordance with the NPPG. Notwithstanding this, the submitted reports conclude that badgers are unlikely to be impacted by the proposals.

8.24 *Conclusion on biodiversity impacts*

Overall, subject to conditions/obligations, it is considered that the proposed development would conserve, restore and enhance biodiversity, and would accord with RLP policy E5, policy HD4 of the Chilbolton NDP and the Conservation of Habitats and Species Regulations 2017 (as amended).

8.25 *Nutrient neutrality*

The water environment within the Solent region is one of the most important for wildlife in the United Kingdom. The Solent water environment is internationally important for its wildlife and is protected under the Water Environment Regulations and the Conservation of Habitats and Species Regulations, as well as national protection for many parts of the coastline and the sea. Advice produced by Natural England (updated in March 2022) advises that there are high levels of nitrogen and phosphorus input into this water environment with sound evidence that these nutrients are causing eutrophication at these designated sites. These nutrient inputs are currently caused mostly by wastewater from existing housing and agricultural sources. The resulting dense mats of green algae are impacting on the Solent's protected habitats and bird species. The designated sites affected are:

- Chichester and Langstone Harbours SPA/Ramsar
- Solent and Southampton Water SPA/Ramsar
- Solent Maritime SAC
- Portsmouth Harbour SPA/Ramsar

8.26 There is uncertainty as to whether new growth will further deteriorate designated sites. This issue has been subject to detailed work commissioned by local planning authorities in conjunction with Natural England, Environment Agency and water companies. Until this work is complete, the uncertainty remains and the potential for future housing development across the Solent region to exacerbate these impacts create a risk to their potential future conservation status.

8.27 As such, it is Natural England's view that there is a likely significant effect on the internationally designated sites in the Solent due to the increase in waste water from new development providing overnight accommodation. Natural England has advised that one way to address this issue is for new developments to achieve nutrient neutrality to ensure that new development does not add to existing nutrient burdens and that the scheme can be delivered in line with the Conservation of Habitats and Species Regulations 2017 (as amended).

8.28 The proposed development would result in an increase of nitrates at the site. In order to mitigate the proposals, the applicant has secured credits with the Roke Manor Farm Nitrate Mitigation scheme to offset the increase in nitrate load from the development. An allocation agreement has been submitted to demonstrate this. On this basis, the LPA has completed an Appropriate Assessment, and this has been reviewed by Natural England, with no objections being raised. In addition, a S106 legal agreement would be required to secure the proposed mitigation – whilst this has not been progressed, the applicant has confirmed their willingness to do so. As such, it can be concluded that the proposal will not result in a likely significant effect on the internationally designated nature conservation sites in the Solent, in accordance with the requirements of the Conservation of Habitats and Species Regulations. As such, the proposals comply with Policies E5 and E8 of the RLP.

8.29 Highways

Policy T1 of the RLP seeks to ensure that proposed developments are connected with existing and proposed pedestrian, cycle and public transport links to key destinations and networks, and that its impact on users of the networks is minimised. The development, in terms of layout and access, should also be safe, attractive, functional and accessible to all, and should not impact adversely on the function, safety or character of and accessibility to the highway network or public rights of way network.

8.30 *Traffic generation*

The existing site is agricultural in nature and is accessed via a private access track off Little Drove Road. Little Drove Road in this location forms a single-track lane serving three residential dwellings. Beyond the extent of the adopted highway in this location, the track continues as a private access serving the site and the existing dwelling at Test Valley Farm. Access to the proposed development for both vehicles and pedestrians would be via the existing track leading from Little Drove Road. The Highway Authority accepts that the historic use of the site is agricultural in nature, and that previously it was likely to have been visited by and generated a small and infrequent level of traffic via typical agricultural vehicles. In order to assess the likely level of traffic generation from the proposed development, the highways information submitted with the application contains an interrogation of the TRICS database (Trip Rate Information Computer System) to form a valid dataset for trip rate extrapolation purposes. The Highway Authority has confirmed that the level of traffic generation from the proposed development would be considered immaterial in highway impact terms. In addition, the information submitted with the application provides a review of the most recent accident data and confirms no existing accident trends within the vicinity of the site.

8.31 *Vehicle Passing Places on Little Drove Road*

Given the current width of Little Drove Road, and in particular at the western end, the passing of two vehicles travelling in and out of the site would be of concern. In order to mitigate this, the provision of two new passing areas on Little Drove Road are proposed, on land under the control of the Highway Authority. It is considered that these areas would facilitate the safe passing of oncoming vehicles, and are acceptable. These works would need to be constructed under a S278 Minor Works agreement with the Highway Authority, prior to the commencement of the proposed development. A condition is recommended in respect of this.

8.32 *Requirement of Traffic Regulation Orders (TRO)*

The utilisation of TROs (double yellow lines) is recommended by the Highway Authority along the access/parts of Little Drove Road to ensure that their width is not compromised by parked cars to an extent that there would be an obstruction for vehicles travelling to and from the site. The provision of TROs is particularly valid for the proposed passing areas, given that parked vehicles in these areas would compromise their function to the detriment of highway safety. The installation of TROs would need to pass through public consultation and a legal process, and a financial contribution would therefore be required in order to cover the costs of this. The requirement for a TRO in

association with the proposed highway improvement works would be secured through the processing of any S278 Minor Works agreement with the Highway Authority. This type of Agreement would be necessary for the proposed highway improvement works to be carried out prior to the commencement of the proposed development. The Agreement would include securing a developer contribution to cover the costs associated with the processing of a TRO. It is therefore not considered necessary nor appropriate to secure a financial contribution towards this as part of the planning process, given that there are other processes and mechanisms that can be used to achieve the same outcome.

8.33 *Refuse turning areas*

Updated vehicle tracking drawings have been submitted during the consideration of the application (in response to revisions to the proposed site layout) showing a refuse vehicle entering the proposed development in a forward gear, performing turning manoeuvres internally, and then exiting the site in a forward gear. Vehicle tracking drawings have also been submitted in relation to a refuse vehicle manoeuvring through the junction of Little Drove Road/Station Road, in order to access the proposed site. An updated consultation response from the Highway Authority is awaited, and this will be reported in the Update paper.

8.34 *Parking*

RLP policy T2 requires development to provide car parking in accordance with the Council's adopted standards as set out within Annexe G of the RLP (two spaces each for 2 and 3 bed dwellings). Policy HD5 of the Chilbolton NDP also requires parking provision for residential developments, however the standards are in excess of the Council's adopted standards (three spaces each for 2 and 3 bed dwellings). The proposed development would make provision for at least three on-plot car parking spaces to serve each of the proposed dwellings, including within garages which would also be sufficient in size to accommodate cycle/storage. There is no requirement for a visitor car parking space to be provided given that the proposal is for less than 5 dwellings. The proposed car parking provision, in terms of the numbers being provided, as well as their design and location (which would be appropriate so as to be convenient to users), is in accordance with the Council's adopted standards and the NDP policy requirements. The proposed internal site layout is also acceptable in regard to general manoeuvrability for vehicles to access and egress the proposed dwellings. A condition is recommended in respect of securing charging points for electric vehicles, in accordance with Policy HD4 of the Chilbolton NDP.

8.35 *Public Rights of Way*

The site is bounded to the north east and south by footpaths Chilbolton: 15 and 16, which are Public Rights of Way (PRoW). The proposals would not encroach onto, or result in the loss of these footpaths. It is therefore not considered that the proposal would have an adverse impact on the function, safety, character of (as discussed earlier in this report), or accessibility to the rights of way network, as required by RLP policy T1. An informative note is recommended to ensure that the PRoWs remain unaffected during construction.

8.36 *Conclusion on highway impacts*

Subject to conditions and an updated consultation response from the Highway Authority, it is considered that it has been demonstrated that the proposed development would benefit from safe access to and from the highway network, would benefit from safe and efficient manoeuvring space internally (including for refuse vehicles), and would be provided with an appropriate level of on-site car parking. The proposal would also not impact adversely on the existing public rights of way network. It is considered that the proposals would comply with RLP policies T1 and T2, and policy HD4 of the Chilbolton NDP.

8.37 **Amenity and pollution**

Policy LHW4 of the RLP sets out that development will be permitted provided that; it provides for the privacy and amenity of its occupants and those of neighbouring properties; 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 it does not reduce the levels of daylight and sunlight reaching new and existing properties or private open space to below acceptable levels. RLP policy E8 prevents development that would result in adverse impacts in respect of pollution such as noise, odour and light.

8.38 The proposed dwellings would be positioned to the south of the existing mature trees within the site, and it is not considered that they would cause any overbearing impacts or result in a loss of daylight or sunlight to the proposed dwellings. Each of the proposed dwellings would also be provided with a private outdoor amenity area that would be adequate for the occupants. In addition, the relationship of the proposed dwellings with each other, as well as with nearby existing residential properties would be such that there would be no adverse impacts on amenity in terms of a loss of privacy, daylight or sunlight. The proposals would comply with RLP policy LHW4 in these respects.

8.39 Conditions are recommended in respect of contamination, restricting construction hours/activities, future plant/machinery, and external lighting, so as to ensure that there is no adverse disturbance to existing and proposed occupants in terms of noise and light pollution, in particular during the construction phase of the development, in accordance with RLP policy E8.

8.40 **Water management**

RLP policy E7 sets out that development will be permitted provided that supporting criteria relating to the water environment are satisfied where relevant. The site is located in flood zone 1, which is the flood zone with the lowest risk of flooding. It is not considered that the proposed development would be at an adverse risk of flooding, or increase the risk of flooding elsewhere. It is proposed that surface water drainage would be dealt with through the provision of soakaways and permeable surfaces, which is also considered to be acceptable.

- 8.41 It is proposed that foul sewage arising from the development would be disposed of via a gravity connection to an adopted sewer, with the submitted plans showing drain runs leading out of the site to the north east, towards a nearby sewer and sewage works. This is considered an acceptable means of sewage disposal, and would accord with national guidance in this respect.
- 8.42 Policy E7 of the RLP requires new homes to achieve a water consumption standard of no more than 110 litres per person per day in order to secure increased water efficiency. A condition to this effect is recommended.
- 8.43 Overall it is considered that, subject to conditions, the proposal would have no adverse impacts on the water environment, and would comply with policy E7 of the RLP.
- 8.44 **Other matters**
Access across the site to existing septic tanks serving adjacent properties would be a civil matter between the parties involved.
- 8.45 All applications are considered on their own merits, and it is not considered that granting planning permission for this development would set any precedents for future development within the area.

9.0 CONCLUSION

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

10.0 RECOMMENDATION

Delegate to the Head of Planning and Building to grant PERMISSION subject to the completion of a legal agreement to secure obligations in respect of the following:

- Off-site biodiversity mitigation;
- Nitrate mitigation measures;

and 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;**
 - 1070-PSL-00
 - 1070-PSL-01 REV 2
 - 1070-PSL-00-B REV 2
 - 1421-0102 REV C
 - 1070-01-PL500
 - 1070-01-PL501
 - 1070-01-PL502
 - 1070-01-PL503
 - 1070-01-PL200

- 1070-01-PL201
- 1070-01-PL202
- 1070-02-PL500
- 1070-02-PL501
- 1070-02-PL502
- 1070-02-PL503
- 1070-02-PL200
- 1070-02-PL201
- 1070-02-PL202
- 1070-03-PL500 REV 2
- 1070-03-PL501 REV 2
- 1070-03-PL502 REV 2
- 1070-03-PL503 REV 2
- 1070-03-PL200 REV 2
- 1070-03-PL201 REV 2
- 1070-03-PL-202 REV 2
- 1070-04-PL500 REV 2
- 1070-04-PL501 REV 2
- 1070-04-PL502 REV 2
- 1070-04-PL503 REV 2
- 1070-04-PL200
- 1070-04-PL201
- 1070-04-PL202
- 1070-02-03G-PL500
- 1070-02-03G-PL200

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

3. **No development shall take place until full details of the off site highway works as shown on drawing NJC-006 within the submitted Highway Technical Note (prepared by Nick Culhane Highway Consultant, dated May 2023) have been submitted to and approved in writing by Local Planning Authority.**

Reason: Details are required prior to commencement in the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

4. **No development shall take place until the off site highway works as shown on drawing NJC-006 within the submitted Highway Technical Note (prepared by Nick Culhane Highway Consultant, dated May 2023) or as otherwise subsequently approved have been implemented in accordance with the approved details.**

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 (including site clearance and demolition works) until a Construction Site Management Plan has been submitted to and approved in writing by the Local Planning Authority. This should include (but not be limited to); construction traffic routes, parking and turning provision to be made on site,**

measures to prevent mud from being deposited on the highway and a programme for construction. The approved details shall be fully implemented prior to the commencement of development.

Development shall be carried out in accordance with the approved details.

Reason: Details are required prior to commencement in the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

6. No development shall take place (including site clearance and demolition works) until a survey to assess the nature and extent of any Asbestos Containing Materials (ACMs) at the site has been carried out and a report of the findings submitted to and approved in writing by the Local Planning Authority. The survey must be undertaken by a competent person, and shall assess the presence of all ACMs on the site. In the event that these materials are identified, a Method Statement setting out how the ACMs will be removed from the site and disposed of at a suitably licensed waste facility shall be provided. Development shall be carried out in accordance with the approved details.

Reason: To ensure a safe working and living environment in accordance with Test Valley Borough Revised Local Plan (2016) policy E8.

7. In the event that contamination is found at any time during 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 occupied.

Reason: To ensure a safe working and living environment in accordance with Test Valley Borough Revised Local Plan (2016) policy E8.

8. Notwithstanding the details submitted, no development shall take place above damp proof course (DPC) level of the development hereby permitted until full details of the hard and soft landscape works within the site have been submitted to and approved in writing by the Local Planning Authority. The details 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; proposed finished levels or contours; means of enclosure; and hard surfacing materials. The landscape works shall be carried out in accordance with the approved details.

Reason: To ensure that landscaping and landscape features enable the development to positively integrate into the landscape character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E2.

- 9. No development shall take place above damp proof course (DPC) level of the development hereby permitted until a schedule of landscape management and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme. The landscape implementation, management and maintenance shall be carried out in accordance with the approved details.**

Reason: To ensure that arrangements for the long term management and maintenance of proposed landscaping have been made in accordance with Test Valley Borough Revised Local Plan (2016) Policy E2.
- 10. 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.
- 11. The development hereby permitted shall be carried out in accordance with the submitted "Arboricultural Impact Appraisal and Method Statement" (prepared by Technical Arboriculture, reference AIA/AMS-KC/AH/TVFARM/001 Revision C, dated August 2023), and the associated "Tree Protection Plan" (reference TPP-KC/TVFARM/001 Revision D).**

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 (2016) policy E2.
- 12. 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 Test Valley Borough Revised Local Plan (2016) Policy E2.
- 13. 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.

- 14. The development hereby permitted shall be carried out in accordance with the submitted “Ecological Assessment” (prepared by Peach Ecology, dated 6th February 2023). The enhancement measures shall be installed prior to the first occupation of the dwellings hereby permitted and shall be permanently maintained and retained in accordance with the approved details.**

Reason: To conserve and enhance biodiversity in accordance with Test Valley Borough Revised Local Plan (2016) Policy E5.
- 15. No external lighting shall be installed at the site during the construction phase of the development hereby permitted until a detailed lighting strategy for the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, with any approved lighting strategy maintained in perpetuity.**

Note: All lighting should follow best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (Guidance note 08/18 Bats and artificial lighting in the UK). Details shall also include the location and type of luminaires as well as the levels of horizontal and vertical illuminance on the neighbouring residential properties. Any scheme should be designed for 0% Upward Light Output Ratio (ULOR).

Reason: In the interests of visual and residential amenity, and to prevent disturbance to protected species in accordance with Policies E2, E5 and E8 of the Test Valley Borough Revised Local Plan 2016.
- 16. The external lighting to be installed on the dwellings hereby permitted shall be in accordance with the submitted “Lighting Strategy” (prepared by Designs for Lighting Ltd, dated August 2023) and associated Horizontal Illuminance plan (revision P01) and maintained as such in perpetuity. No other external lighting shall be installed during the operational phase of the development hereby permitted until a detailed lighting strategy for the operational phase of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, with any approved lighting strategy maintained in perpetuity.**

Note: All lighting should follow best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (Guidance note 08/18 Bats and artificial lighting in the UK). Details shall also include the location and type of luminaires as well as the levels of horizontal and vertical illuminance on the neighbouring residential properties. Any scheme should be designed for 0% Upward Light Output Ratio (ULOR).

Reason: In the interests of visual and residential amenity, and to prevent disturbance to protected species in accordance with Policies E2, E5 and E8 of the Test Valley Borough Revised Local Plan 2016.

- 17. No fixed plant or machinery shall be installed outside of any building until details have been submitted to and approved in writing by the Local Planning Authority. Details shall demonstrate that the proposed plant or machinery will not have an unacceptable impact upon the amenity of neighbouring properties by virtue of the emission of noise. Development shall be carried out in accordance with the approved details.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.
- 18. No work relating to the construction of the development hereby permitted, including deliveries, collections or works of demolition or preparation prior to operations, shall take place before the hours of 0730 nor after 1800 on Mondays to Fridays; before the hours of 0800 nor after 1300 on Saturdays; and at all on Sundays and public holidays.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.
- 19. There shall be no burning on site during site clearance and construction.**

Reason: In the interests of amenity in accordance with Test Valley Borough Revised Local Plan 2016 policy E8.
- 20. The areas shown for the manoeuvring of refuse vehicles on drawing NJC-001 Rev 3 within the submitted Highway Technical Note Addendum (prepared by Nick Culhane Highway Consultant, dated October 2023), to the front of plots 3 and 4, shall be provided prior to the first occupation of the dwellings hereby permitted and shall remain available for this purpose at all times.**

Reason: In the interest of highway safety in accordance with the Test Valley Borough Revised Local Plan (2016) Policy T1.
- 21. No dwelling hereby permitted shall be occupied until vehicular access to the public highway to serve each dwelling has been provided in accordance with the approved plans.**

Reason: To ensure a satisfactory and safe means of access to the highway in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
- 22. No dwelling hereby permitted shall 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, including within the approved garages, 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.
- 23. No dwelling hereby permitted shall be occupied until provision for cycle storage for two bicycles for that dwelling has been made within the site. The provision for cycle storage shall be maintained for this purpose at all times.**

Reason: In the interest of providing sufficient safe parking for cyclists and in accordance Policy T2 of the Test Valley Borough Revised Local Plan 2016.

24. No dwelling hereby permitted shall be occupied until an electric vehicle charging point has been installed to serve each of the dwellings and thereafter maintained in perpetuity.
Reason: In the interests of improving sustainability in accordance with policy HD5 of the Chilbolton Neighbourhood Development Plan and Policy SD1 of the Test Valley Borough Revised Local Plan 2016.
25. 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.
26. 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 other than those expressly authorised by this permission shall be erected.
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the landscape character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.
27. 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 windows/dormer windows in the roof slopes of the development 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 landscape character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.
28. The dwellings hereby permitted shall have no more than three bedrooms at any time.
Reason: In order to meet the local housing need and to ensure appropriate on-site parking provision is provided in accordance with policies HD1 and HD5 of the emerging Chilbolton Neighbourhood Development Plan 2019-2029.

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. The site is bordered by Footpaths 15 and 16. The applicant should be aware of the following requirements: i) Nothing connected with the development or its future use should have an adverse effect on the rights of way, which must always remain available for public use; ii) There must be no surface alterations to a Public Rights of Way without the consent of Hampshire County Council as Highway Authority. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980; iii) No builders or contractor's vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the Footpaths so as to obstruct, hinder or provide a hazard to users.**
 - 3. Attention is drawn to the requirements of the Agreement dated XXXXXX under Section 106 of the Town and Country Planning Act 1990 which affects this development.**
-