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| APPLICATION NO. | 23/01649/FULLS |
| APPLICATION TYPE | FULL APPLICATION - SOUTH |
| REGISTERED | 30.06.2023 |
| APPLICANT | Mr M Blackledge |
| SITE | Erlcombe, Butts Green, Lockerley, SO51 0JG, LOCKERLEY |
| PROPOSAL | Erection of a 4 bedroom dwelling with sewage treatment plant, construction of vehicular access including widening dropped kerb and associated soft and hard landscaping |
| AMENDMENTS | Received on 19.10.2023: <ul style="list-style-type: none">• Amended arboricultural information. Received on 13.09.2023: <ul style="list-style-type: none">• Amended Proposed Site Plan (clarifying boundary treatments) Received on 26.07.2023: <ul style="list-style-type: none">• Additional information regarding proposed package treatment plant |
| CASE OFFICER | Mr Graham Melton |

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

1.0 INTRODUCTION

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

2.0 SITE LOCATION AND DESCRIPTION

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

3.0 PROPOSAL

3.1 The proposal is for the erection of a single storey dwelling, measuring approximately 18.2m by 13.9m by 3.15m to be located to the rear (north) of the existing dwelling, on land currently in use as a residential garden area.

3.2 The proposed dwelling features an 'L' shape layout with external materials comprising red clay bricks combined with vertical cedar cladding. In addition, the application includes the installation of a package treatment plant to serve the proposed dwelling located adjacent to the eastern boundary of the application site in the centre of the plot.

- 3.3 Vehicular access will be provided by the existing access located in the south-west corner of the plot, with the entranceway widened through the partial demolition of the existing boundary wall. An internal access track will be installed at the western boundary of the application site adjacent to the side elevation of the existing dwelling.
- 3.4 An analysis of the dimensions and layout of the current proposal compared to previous schemes is set out in paragraph 8.4 below.

4.0 HISTORY

4.1 **22/02814/FULLS** - Erection of 4 bedroom dwelling, installation of sewage treatment plant, and construction of vehicular access. *Application refused for the following reasons (subsequent to Southern Area Planning Committee meeting on the 31st January 2022, decision issued on the 2nd February 2023):*

1. Notwithstanding the amendments undertaken, including the reduction in height, repositioning of the proposed dwelling and the alterations to red clay tiles and a hipped roof form, the proposed development would, by virtue of the proximity of the blank, two storey hipped roof end of the proposed dwelling in relation to the relatively short rear garden of "Bowmans", result in an unacceptable feeling of enclosure that would have an overbearing impact to occupiers of that property. The proposal would therefore result in an adverse effect on the living conditions of the occupiers of "Bowmans" contrary to Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).
2. The proposed development by means of its nature, location and scale could have likely significant effects upon the nearby Solent and Southampton Water European Designated Site which is designated for its conservation importance. In the absence of information relating to the development achieving nutrient neutrality or onsite/off site mitigation, the applicant has failed to satisfy the Council that the proposal would not adversely affect the special interest of the Solent and Southampton Water European Designated Site, therefore the application is contrary to Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).
3. The site lies within close proximity to the New Forest SPA which is designated for its conservation importance. In the absence of a legal agreement, the application has failed to secure the required mitigation measures, in accordance with the Council's adopted 'New Forest SPA Mitigation - Interim Framework'. As such, it is not possible to conclude that the development would not have an in-combination likely significant effect on the interest features of this designated site, as a result of increased recreational pressure. The proposed development is therefore contrary to the Council's adopted 'New Forest SPA Mitigation - Interim Framework', Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).

Case officer note: An appeal against this refusal decision has been submitted to the Planning Inspectorate and is currently awaiting determination. The elevation plan for this scheme is annotated as 'Previous Scheme' within the appended drawings.

- 4.2 **APP/C1760/W/22/3308899** – Planning appeal against the refusal of application reference 22/01682/FULLS (listed at paragraph 4.3). *Appeal dismissed, decision issued on 18th May 2023.*

*Case officer note: This appeal decision is attached to this decision as **Appendix A**. The site plan and elevation drawing are annotated as 'Appeal Scheme' within the appended drawings.*

- 4.3 **22/01682/FULLS** - Erection of a 4 bedroom dwelling with sewage treatment plant and associated soft and hard landscaping. *Application refused for the following reasons (subsequent to Southern Area Planning Committee meeting on the 20th September, decision issued on the 23rd September 2022):*

1. Notwithstanding the amendments undertaken, including the repositioning of the proposed dwelling and the alterations to red clay tiles and a hipped roof form, the proposed development would still, by virtue of the proximity of the blank, two storey gable end of the proposed dwelling in relation to the relatively short rear garden of "Bowmans", result in an unacceptable feeling of enclosure that would have an overbearing impact to occupiers of that property. The proposal would therefore result in an adverse effect on the living conditions of the occupiers of "Bowmans" contrary to Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).
2. The proposed development by means of its nature, location and scale could have likely significant effects upon the nearby Solent and Southampton Water European Designated Site which is designated for its conservation importance. In the absence of information relating to the development achieving nutrient neutrality or onsite/off site mitigation, the applicant has failed to satisfy the Council that the proposal would not adversely affect the special interest of the Solent and Southampton Water European Designated Site, therefore the application is contrary to Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).
3. The site lies within close proximity to the New Forest SPA which is designated for its conservation importance. In the absence of a legal agreement, the application has failed to secure the required mitigation measures, in accordance with the Council's adopted 'New Forest SPA Mitigation - Interim Framework'. As such, it is not possible to conclude that the development would not have an in-combination likely significant effect on the interest features of this designated site, as a result of increased recreational pressure. The proposed development is therefore contrary to the Council's adopted 'New Forest SPA Mitigation - Interim Framework', Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).

4.4 **21/02071/FULLS** - Erection of a 4 bedroom dwelling with sewage treatment plant and associated soft and hard landscaping. *Application refused for the following reasons (subsequent to Southern Area Planning Committee meeting on the 22nd February, decision issued on the 2nd March 2022):*

1. The proposed development would, by virtue of the proximity of the blank, two storey gable end of the proposed dwelling in relation to the relatively short rear garden of "Bowmans" result in an unacceptable feeling of enclosure that would have an overbearing impact to occupiers of that property. The proposal would therefore result in an adverse effect on the living conditions of the occupiers of "Bowmans" contrary to Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).
2. The proposed development would give rise to an adverse effect on the living conditions of future occupiers of the proposed dwelling - compromising the levels of privacy to a significant area of private garden i.e. the patio area to the rear of the property, as viewed from the first floor windows of the property known as "Crispins". The proposal would fail to provide suitable private open space to serve the needs of likely occupants contrary to policy LHW4 of the Test Valley Borough Revised Local Plan (2016).
3. The proposed development by means of its nature, location and scale could have likely significant effects upon the nearby Solent and Southampton Water European Designated Site which is designated for its conservation importance. In the absence of information relating to the development achieving nutrient neutrality or onsite/off site mitigation, the applicant has failed to satisfy the Council that the proposal would not adversely affect the special interest of the Solent and Southampton Water European Designated Site, therefore the application is contrary to Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).
4. The site lies within close proximity to the New Forest SPA which is designated for its conservation importance. In the absence of a legal agreement, the application has failed to secure the required mitigation measures, in accordance with the Council's adopted 'New Forest SPA Mitigation - Interim Framework'. As such, it is not possible to conclude that the development would not have an in-combination likely significant effect on the interest features of this designated site, as a result of increased recreational pressure. The proposed development is therefore contrary to the Council's adopted 'New Forest SPA Mitigation - Interim Framework', Policies COM2 and E5 of the adopted Test Valley Borough Revised Local Plan (2016) and the Conservation of Habitats and Species Regulations 2017 (as amended).

4.5 **APP/C1760/W/21/3274523** – Planning appeal against the refusal of application reference 20/02071/FULLS (listed at paragraph 4.6). *Appeal dismissed, decision issued on 19th October 2021.*

4.6 **20/01723/FULLS** - Erection of two, three bedroom detached dwellings with detached garages and associated hard and soft landscaping, and installation of package treatment plant. *Application refused on the 29th January 2021 for the following reasons:*

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

4.7 **19/02418/FULLS** - Erection of two, three bedroom detached dwellings with detached double garages, associated landscaping and sewage treatment plants. *Application withdrawn on 7th November 2019.*

5.0 **CONSULTATIONS**

5.1 **Archaeology** – No comment.

5.2 **Environmental Health** – No objection subject to condition.

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

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

- Consider without appropriate mitigation the application would have an adverse effect on designated sites in the Solent and New Forest.
- To mitigate these adverse effects the following measures should be secured:

- Installation of a replacement package treatment plant (PTP) to treat the wastewater effluent from the proposed dwelling and existing dwelling more effectively than the septic tank, secure the long-term management of the PTP in line with an approved PTP monitoring and management plan.
- Appropriate contributions towards Council's New Forest Recreational disturbance strategy

5.5 **Trees** – No objection subject to conditions (following receipt of amended information, response summarised below).

- The trees and hedges identified for removal to facilitate the implementation of this proposal are modest in size and the loss of these trees will not have an adverse effect on the area's character.
- Cedar tree annotated as T1 is prominent in the street scene and provides a good level of public amenity.
- Construction of the proposed front boundary wall within the root protection area (RPA) of this tree has the potential to adversely affect its health and safe retention.
- However, should the wall be constructed as detailed in section 1.5 of the submitted tree report, root damage should be minimised and T1 will be safely retained.
- Detailed construction drawings of the boundary wall, showing existing and proposed ground levels, will need to be submitted to and agreed by the LPA prior to the commencement of development.
- Similarly, where no-dig hard surfacing is proposed within the RPA of T1, the product specification and installation methodology, will need to be submitted to and agreed by the LPA prior to commencement of work.
- Construction of the proposed dwelling occupies the RPA of an offsite Norway maple T13.
- This appears to be a modest incursion, likely to be tolerated by the tree.
- However, the percentage incursion has not been calculated/included in the submitted tree report for easy reference.
- Similarly, the impact and methodology for the removal of existing structures and installation of services is not referred to in the submitted tree report.
- The removal of a greenhouse and shed from within the RPA of T13 provides an opportunity to mitigate for construction activity within the tree's RPA by undertaking ground amelioration.
As crown spreads are not provided in the submitted tree report it is not possible to assess whether access facilitation pruning of T13 would be required and whether there is a reasonable separation between the tree's crown and fabric of the building.

6.0 **REPRESENTATIONS** Expired 27.09.2023

6.1 **Lockerley Parish Council** – No comment.

- If passed, LPC would appreciate notification if the plans are altered in any way, after permission is granted.

6.2 **10 letters in total from various addresses** – Objection (summarised).

- TVBRLP, NPPF.

Planning History

- Previous planning decisions, proposal is contrary to previous appeal decisions.

Impact on the amenity of residential property

Overbearing

- The proposed side wall next to the boundary with neighbouring properties is the longest of any the walls of the proposal.
- The proposed side wall will be some 1.2m higher than the existing boundary fence and would extend across half of the boundary with Bowmans and also half of the boundary with Crispins.
- Proposal is too close to the boundary with Bowmans and Crispins, current proposal is closer than previous applications.
- The footprint of the proposed dwelling is approaching 10% more than previous applications.
- Monotonous design of the proposed side wall as a continuous blank, brick wall will result in harm to the outlook from the adjoining neighbouring properties.
- Unacceptable feeling of enclosure to the occupants of Bowmans and reduce the amenity value of the private garden area.
- Proposal will overwhelm the garden and current feeling of light and openness.
- The view of a long flat roof above a tall boundary fence is more like a warehouse development leaving the nearby properties with a prison-yard like atmosphere.
- Negative impact on the outlook from School House, Bowmans and Crispins.
- Understand that most Councils require at least 20m between dwellings and consider this to be highly relevant to the current proposal which would result in a separation distance of just 10.9m to Bowmans and 9.2m to Crispins.
- Additional concern from the potential for additional development possible under Permitted Development, not reassured by the imposition of a condition.

Privacy

- The amendments undertaken make very little difference to properties adjoining the site, there will still be a huge loss of privacy to neighbouring properties.
- Overlooking, particularly from vehicles accessing the proposed dwelling.

Loss of daylight and sunlight

- Proposal will result in the loss of light for occupants of neighbouring properties.
- Additional impact from the proposed landscaping and trees to be located on the boundary of the plot.
- This impact is similar to one of the reasons for dismissal of the appeal against the refusal of previous application reference 20/01723/FULLS.

Noise and smell

- Additional noise and smell disturbance from vehicle movements and the movement of bins.

Pollution

- The route of the proposed drive is very close to Erlcombe, fear fumes from vehicles will be harmful to occupants.

Boundary fence

- Proposal to erect 2.1m fence along the western boundary of the application site is completely unacceptable and presumably requires a separate grant of planning permission.
- Increased height of boundary fence would result in an unacceptable overbearing impact.
- Proposed amendment to reduce height to 2m for the fence does not resolve concerns.
- Note the proposed wall to enclose the retained garden area serving Erlcombe is only 1.8m high, so the only justification for the boundary fence is to shield neighbours from the unattractive design of the proposed dwelling.
- Request that Permitted Development rights for boundary fences is removed by the imposition of a specific condition.

Impact on the character and appearance of the area

- Overdevelopment, against the character of the village green.
- Believe the application site is not suitable for backland/backfill development because of its tapering shape.
- Backfill development does not respect the character of the surrounding area.
- Footprint of proposed dwelling is too large and does not respect the character of the surrounding area.
- Proposed block-shaped modern design is totally unsuited to Lockerley's rural village character and is highly unattractive.
- Proposed development will result in the loss of a large area of green space.
- The proposed design is not in keeping with the character of Lockerley and the surrounding domestic buildings.
- Question the ability of a flat roof planted with wild flower mix to be appropriately maintained.

Ecology

- Proposal will damage the area's protected habitats.
- Proposed tree and hedgerow removal will result in loss of onsite biodiversity including bats and many species of birds.
- Nitrate and phosphate pollution.

Water Management

- With no mains drainage, the proposal will result in additional discharge into the ground with the proposed hardstanding increasing flood risk.

Impact on the general amenity of the area

- There will also be non-stop 24-hour background noise from two package treatment plants heard from the gardens of neighbouring properties.
- Adverse light pollution and negative impact on dark skies, particularly from the proposed light wells and headlights from vehicles accessing the proposed dwelling.

Highways

- Traffic generation, parking and safety.
- The access to Butts Green is still through a narrow driveway close to a dangerous junction (there has been another accident on this junction since the last planning appeal).
- The village primary school is at Butts Green and the road is very busy at certain times of the day.
- Extra vehicles needing to gain access to the highway or turn into a drive very close to the road junction will put extra pressure on an already hazardous piece of road.
- The pavements surrounding the application site are regularly blocked by parked cars in connection with the adjoining garage.
- Insufficient onsite parking that will result in additional parking on Butts Green with a negative impact on this historic green.

6.3 **Romsey & District Society Planning Committee** – Support (summarised).

- The Romsey & District Society Planning Committee has viewed the earlier iterations for the development of a dwelling on this site.
- Although we did not formerly comment upon the previous applications, we agreed with their refusal.
- This current application is a breath of fresh air, the design approach to lessen the impact of a dwelling on this backland site is to be embraced.
- Support this elegantly straight-forward uncomplicated design solution with minimal impact on adjacent properties.
- The simple pallet of materials seem appropriate for the location.
- Landscaping combined with the green roof of wild grasses will successfully ensure the proposed dwelling blends into the locality.

7.0 **POLICY**

7.1 Government Guidance

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

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

Policy SD1: Presumption in Favour of Sustainable Development

Policy COM2: Settlement Hierarchy

Policy E1: High Quality Development in the Borough

Policy E2: Protect, Conserve and Enhance the Landscape Character of the Borough

Policy E5: Biodiversity

Policy E7: Water Management

Policy E8: Pollution

Policy E9: Heritage

Policy LHW4: Amenity

Policy T1: Managing Movement

Policy T2: Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Planning History
- Principle of development
- Impact on the amenity of residential property
- Impact on the character and appearance of the area
- Highways
- Ecology
- Water Management
- Impact on the general amenity of the area
- Heritage

8.2 **Planning History**

The application site is subject of a number of unsuccessful previous planning applications as set out in section 4 of the report. Of particular relevance to the current proposal is the scheme refused under application reference 22/01682/FULLS (paragraph 4.3) and dismissed at appeal under appeal reference APP/C1760/W/22/3308899 (paragraph 4.2).

8.3 A subsequent, alternative scheme was also previously refused under application reference 22/02814/FULLS (paragraph 4.1). An appeal against this refusal is currently pending consideration at the time of writing.

8.4 A comparison between the current proposal and the two most recent previous schemes is set out below:

| | Ridge Height | Eaves Height | Distance from shared boundary with neighbouring properties |
|---|---------------------|---------------------|---|
| Current Proposal | 3.15m | 3.15m | 4m |
| Previously refused application reference 22/02814/FULLS (paragraph 4.1) | 6.5m | 4m | 6m |
| Previously refused and appeal dismissed application reference 22/01682/FULLS (paragraphs 4.2 and 4.3). | 7.8m | 5.3m | 6m |

8.5 An assessment of the current against the material planning considerations, including the planning history of the application site, is undertaken below.

8.6 Principle of development

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

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

8.8 Impact on the amenity of residential property

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

Development will be permitted provided that:

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

8.9 Previous reason for refusal no.1 – Overbearing impact

For ease of reference, the previous reason for refusal of the most recent application reference 22/02814/FULLS (paragraph 4.1) in relation to the impact on outlook and living conditions of the neighbouring known as Bowmans is set out below:

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

- 8.10 This reason is very similar to the refusal reason for the preceding application reference 22/01682/FULLS (paragraph 4.3), which was subsequently dismissed at appeal (paragraph 4.2). In dismissing the appeal, the Inspector formed the following judgement with respect to the impact of the previous scheme on the relationship with neighbouring properties:

5. While Bowmans has some garden space to the front, that space fronts the main road, includes a driveway, and is relatively open. Therefore, the garden to the rear of Bowmans provides the principal outside space where the occupants of that dwelling can sit and relax. Although this rear garden space roughly matches the width of the detached dwelling at Bowmans', this space is relatively shallow in depth. As such, the existing largely undeveloped space above the rear boundary fence of this property is significant in so much as it provides a sense of spaciousness for the occupants of Bowmans when they are in their rear garden space.

7. Even though the proposed dwelling would be set away from Bowmans' rear boundary, the proposed dwelling would project above and dominate the space above the fence. The proposed dwelling would align with a significant portion of the rear garden of Bowmans, and given the short depth of this space, would appear as a dominating and overbearing feature to the occupants of Bowmans when using their rear garden. In turn this would make their garden space considerably less pleasant to use.

8. Furthermore, the dwelling at Bowmans is slightly angled such that the outlook from the three rear first floor windows is out over the appeal site, and the relatively undeveloped and verdant space beyond. All three windows serve habitable rooms.

9. With the proposed hipped roof, the side roof plane of the proposed dwelling would slope away from the shared boundary with Bowmans. However, this would only be a gentle slope. Moreover, while noting that the external cladding would be different from previous proposals at the appeal site, the development would still result in a two storey, largely plain brick and tile clad wall near to this relatively undeveloped shared boundary. Consequently, even with the degree of separation proposed, the proposed built form would dominate the outlook from within the house and would harmfully erode the existing sense of space that the occupants of Bowmans currently experience at the rear of their property.

10. The ridge height of the proposed dwelling would be lower than that of a previous proposal refused permission by the Council. However, the reduction in height is modest, and would not prevent the looming presence of this development when viewed from the rear garden or the first floor rear windows of Bowmans. Nor would the proposed landscaping, that could be secured by condition, mitigate the harmful dominance of the upper floor of the proposed dwelling. Consequently, even with the revisions presented in this case, I find that the proposal before me would harmfully impact the living conditions of the occupants of Bowmans as a result of an overbearing impact on outlook.

The full appeal decision is attached to this report as **Appendix A**.

- 8.11 In response to this matter, the scale of the proposed dwelling has been amended to comprise a single storey only as a reduction on the previous part single storey, part two storey designs. Consequently, the appearance of the proposed development from neighbouring property such as Bowmans will be significantly reduced by comparison.
- 8.12 The applicant's intent to replace the existing boundary fence with a fence 2m in height on the western border of the plot as development qualifying as Permitted Development is noted. However, replacement boundary treatment does not form part of the current application and therefore, an assessment on the impact of the proposal is on the basis of the existing boundary treatment which was observed from previous site visits to be fencing of approximately 1.8m in height.
- 8.13 The reduction to the scale of the proposed dwelling results in the omission of two storey plain brick and tile clad wall identified within paragraph 9 of the previous appeal decision (set out in paragraph 8.5 above). Although the proposed dwelling would remain taller than the existing boundary fence, the difference in height will be approximately 1.35m compared to the previous appeal scheme that would have resulted in a 4.7m difference. Consequently, the potential impact of the proposed dwelling on the conditions of the adjoining garden areas serving the neighbouring properties of Bowmans and Crispins in particular will be significantly reduced and not trigger a materially significant overbearing impact.

- 8.14 It is acknowledged the proposal dwelling will be located in closer proximity to the shared boundary with the adjoining neighbouring properties than the previous appeal scheme. However, given the substantial reduction in height it is considered, on balance, the proposed location in closer proximity to the boundary will not trigger an unacceptable impact on living conditions for the adjoining neighbouring properties.
- 8.15 With regard to the potential impact on outlook and the living conditions of the within the neighbouring dwellings, the reduction to a single storey scale for the current proposal will enable views across the application site towards the mature tree belt on the opposite boundary of the plot when viewed from first floor fenestration of neighbouring property. As such, it is considered the previous dominating effect on the outlook and living conditions of neighbouring dwellings is acceptable.
- 8.16 The assessment of the acceptability of the current proposal as set out above is on the basis of the single storey scale and design. Given the sensitivity of the application site in relation to the adjoining neighbouring properties as evidenced from the appeal commentary by Inspectors assessing previous schemes, it is considered necessary to impose a restriction on Permitted Development rights to prevent a subsequent first floor addition without the submission of a formal planning application. This limitation has been imposed as condition no. 17 on the officer recommendation below.
- 8.17 Third party representations have also requested the removal of Permitted Development rights for fences and other means of enclosure on the basis of the Inspector's conclusions set out in the previous appeal decision referred to above. However, Permitted Development rights only extend to the erection of means of enclosure up to 2m in height and it was observed onsite that the existing boundary treatment currently comprises an approximately 1.8m high fence. As such, given the modest scope for any potential increase in height to the existing boundary treatment it is not considered necessary to impose a condition removing Permitted Development rights for the means of enclosure.
- 8.18 Other amenity issues
Privacy
As noted above, the design of the proposed dwelling now only comprises a single storey and as such, there is no first-floor fenestration. Consequently, it is considered the existing boundary treatment enclosing the application site is sufficient to avoid any materially significant level of overlooking of neighbouring property.
- 8.19 *Sunlight provision*
As the proposed development is single storey in height (3.15m) and will be positioned a minimum of 4m away with the boundary with neighbouring properties. Consequently, it is considered the proposal will avoid generating any materially significant level of overshadowing beyond the existing level of shadow created by the existing boundary fence. As a result, it is considered the proposed dwelling will avoid any material harm to the existing sunlight provision for neighbouring property.

- 8.20 Concern has also been raised in relation to the potential impact from the proposed landscape planting on the western boundary, in the event that it is allowed to grow substantially higher than the existing fence. However, this would be a private civil matter and is covered by other legislation.
- 8.21 *Daylight provision*
Whilst the concerns raised by third party representations are noted, given the proposed dwelling now only comprises a single storey with a height of 3.15m, it is considered sufficient separation distance will be retained with neighbouring property to ensure an adverse impact on existing daylight provision is avoided.
- 8.22 *Noise and disturbance*
Third party representations have also raised concern in relation to the location of the proposed internal access track adjacent to the western boundary of the application site and the potential for disturbance to the adjoining properties arising from vehicle movements. Although it is acknowledged that the internal access track is adjacent to the boundary with neighbouring properties, the proposed site plan demonstrates that this will be finished with a block paving treatment throughout and the existing boundary fencing will either be retained or replaced with a higher fence qualifying as Permitted Development. Given this surfacing material and the low number of vehicle movements anticipated from the occupation of a single residential dwelling, it is not considered that the potential noise impact will significantly affect the existing level of amenity afforded to the adjoining residential properties.
- 8.23 *Provision of private outdoor amenity space*
The submitted proposed site plan demonstrates the proposed dwelling will benefit from a primary amenity area positioned adjacent to the eastern boundary with the adjoining school.
- 8.24 In relation to the area located adjacent to the eastern boundary of the plot, the entirety of this area measures approximately 130sqm and due to its positioning away from the neighbouring properties on the western border will not be subject to a high degree of overlooking. It is acknowledged that the mature trees located on the eastern boundary and the proposed dwelling will serve to overshadow parts of this garden area. However, a sufficient amount of the garden area will remain free from overshadowing during the middle of the day ensure that the living conditions for potential future occupants are acceptable. Consequently, it is considered that this private garden space will be of significant amenity value to potential future occupants of the proposed dwelling.
- 8.25 In addition, the proposed scheme also includes the allocation of a retained private garden area measuring approximately 260sqm for the existing dwelling Erlcombe. Due to the depth of the retained garden space, although a section will be impacted by the shadow generated by the existing dwellinghouse, sufficient space will receive a significant amount of sunlight throughout the day. Furthermore, the 1.8m boundary wall demarcating this space will ensure the retained garden area is not overlooked by either the proposed dwelling or adjoining properties. Therefore, it is considered that the proposed scheme will provide sufficient outdoor amenity space for both existing and potential future residents.

8.26 Conclusion on Policy LHW4

It is considered the amendments undertaken to the design of the current proposal, have resulted in a materially different relationship with neighbouring properties when compared with the previously refused applications. As a result, it is considered that the proposed scheme sufficiently provides for the amenity of existing residential property and also potential future occupants of the proposed dwelling. Therefore, the application is in accordance with Policy LHW4 of the TVBRLP.

8.27 **Impact on the character and appearance of the area**

Design

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

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

8.29 As noted above, the design of the proposed dwelling has been amended to a single storey flat roof form. Whilst it is acknowledged the proposed flat roof design is not replicated on neighbouring property, the proposed dwelling will not be visible from the public realm and this element of the proposal has been designed in response to the concerns previously raised in relation to the impact on neighbouring amenity. Given the lack of visibility within the public realm, it is not considered the appearance of the proposed flat roof design will result in any visual detriment to the settlement character of the area.

8.30 The proposed dwelling will be finished predominantly in red brick with the use of vertical cedar cladding for certain sections on the front and rear elevations. It is considered the predominant use of red brick will respect and complement the traditional building style that characterises the settlement area. Although the western elevation facing the adjoining neighbouring properties will be limited to the appearance of red brick, this will be largely obscured by the boundary fence when viewed from neighbouring property unlike the previous part two storey, part single storey designs. As a result, it is not considered the use of multiple materials and architectural features is necessary to avoid an oppressive or monotonous appearance when viewed from the adjoining residential properties.

- 8.31 It is noted third party representations have raised concern in relation to the proposed green roof and the potential for an untidy appearance in the absence of regular and effective maintenance. However, this potential concern could also apply to the existing use of the application site as a residential garden and is not considered to form a reasonable basis for refusing the planning application.
- 8.32 With regard to the size of the available plot space, the submitted site plan demonstrates an area of approximately 740sqm will be allocated for the proposed dwelling and this is similar to the plots of Bowmans and Tyndale to the west. Although it is acknowledged that there is a tapering of the plot when progressing towards the rear (north) boundary, the proposed development has been designed to fit with the characteristics of the application site, with the positioning of the rear projection at the narrower end of the plot.
- 8.33 Following the assessment undertaken above, it is considered that the proposed dwelling will respect, integrate and complement the settlement character of the area and as such, the application is in accordance with Policy E1 of the TVBRLP.
- 8.34 Trees
In support of the proposed development an arboricultural impact assessment (Barrell Tree Consultancy, October 2023) was submitted. This information demonstrates that the proposed scheme can be implemented without the loss of any of the existing mature trees onsite that provide a degree of public amenity value. The report also confirms that the Cedar tree located on the front (south) boundary of the application site will be retained.
- 8.35 With regard to the mature trees located offsite but in close proximity to the boundaries of the plot, sufficient distance has been retained between the trees and the proposed development to ensure that their future retention is not unduly prejudiced. This conclusion is subject to the implementation of the proposed construction methods set out within the submitted arboricultural information and the subsequent addendum letter clarifying the method of construction within the Norway Maple tree within the rear garden area. These measures are secured by the imposition of condition no. 4 of the officer recommendation. It is also noted that the Tree Officer has commented on the lack of information in relation to the potential relationship between the proposed dwelling and the crown of the offsite Norway Maple tree but given the single storey scale of the proposed dwelling it is not considered there will be potential for pressure to undertake significant pruning works.
- 8.36 To prevent the potential for any accidental damage to arise during the associated construction phase, the implementation of the recommended protection measures have been secured through the imposition of condition no. 5. Therefore, it is considered that the proposal would have protected key landscape features and as such, the application is in accordance with Policy E2 of the TVBRLP.

8.37 **Highways**

Access

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

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

8.39 With regard to the internal access arrangement, the Highways officer has not raised any concern that the path and layout of the internal access road is unsafe or unsuitable for use by private vehicles accessing either existing dwelling or the proposed development. The proposed site plan demonstrates the provision of a passing place to in the south-west corner of the plot to enable the passing of vehicles associated with the occupation of the proposed dwelling. The location of the proposed passing bay enables visibility of the access track leading to the rear of the application site and the vehicular access point itself, thereby ensuring its use during times of where one or more vehicles are travelling onsite and subsequently avoiding the stopping of vehicles on the public highway.

8.40 In relation to the existing dwelling, the location of the driveway serving this property is a short distance from the vehicular access point, with the section of access road leading to the driveway fully visible from the public highway, ensuring that movement at times when the access is already in use can be avoided. Consequently, in conjunction with the vehicle turning area serving the proposed dwelling as highlighted in the parking section below, it is considered that the design of the proposed scheme ensures the safe and efficient manoeuvring of vehicles onsite.

8.41 Traffic generation

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

8.42 Parking

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

- 8.43 Third party representations have queried whether an increased parking provision for Erlcombe should be sought on the basis of the number of vehicles currently onsite and in recognition of the rural location of Lockerley and the resulting likely higher average of vehicle ownership. However, it is not considered that anecdotal evidence of greater vehicles onsite represents a reasonable basis for concluding that the proposed parking provision is inadequate, given the compliance with planning policy. In addition, it is noted that the parking standards set out in planning policy are formulated from an evidence base accounting for the characteristics of the Borough.
- 8.44 With regard to the proposed dwelling, the submitted site plan demonstrates the provision of a driveway area sufficient to accommodate the parking of 2 vehicles onsite in addition to an allocated area for turning and manoeuvring. Third party representations have raised concern that the parking provision provided is insufficient and does not account for vehicles relating to visitors, but the additional manoeuvring space onsite allows for the management of vehicles by future occupants on occasions that visitors are anticipated or during receipt of deliveries. Therefore, it is not considered that additional parking provision is reasonable or appropriate to ensure that the proposed development is acceptable in planning terms.
- 8.45 Refuse
The proposed scheme includes the provision of a refuse storage area adjacent to the vehicular access point that will allow for the safe and efficient collection of refuse.
- 8.46 Conclusion on highway matters
Following the assessment undertaken above, it is considered that the proposed development will avoid any adverse highway safety impact and therefore, the application is in accordance with Policies T1 and T2 of the TVBRLP.
- 8.47 **Ecology**
Onsite biodiversity
The application site predominantly comprises of an existing residential garden area and as noted above, the proposed development will avoid the loss of any protected trees located offsite. It is acknowledged that the proposal will result in the loss of existing and previous ornamental trees and hedgerows within the application site. However, the proposed site plan demonstrates the provision of replacement planting to be located along the boundaries of the application site. This replacement planting will ensure that the proposed scheme includes provision for onsite planting suitable for supporting nesting birds and other protected species alongside the installation of features such as specialist bird nesting bricks or bat boxes.
- 8.48 To ensure that the replacement planting is established a condition has been imposed securing the submission and subsequent implementation of a planting maintenance plan. In addition a condition securing the submission of final specification details of the associated biodiversity features to be installed has also been imposed.

- 8.49 With regard to the concerns raised that the proposed development will adversely impact on bats and their flight paths due to light spill and pollution, a condition has been imposed requiring the submission of details for any external lighting to be installed. Accordingly, it is considered that the proposal will avoid any adverse impact or disruption to bats.
- 8.50 Following the securing of the measures outlined above through the imposition of conditions, it is considered that the proposed scheme will avoid any harm to protected species or habitats onsite.
- 8.51 Offsite biodiversity: Solent and Southampton Water SPA
Nutrient Neutrality
Natural England advises that there are high levels of nitrogen and phosphorus input to the water environment of the Solent region caused by wastewater from existing housing and from agricultural sources and that these nutrients are causing eutrophication at the designated nature conservation sites which includes the Solent Water SPA. This results in dense mats of green algae that are impacting on the Solent's protected habitats and bird species.
- 8.52 Natural England further advises that there is uncertainty as to whether new housing growth will further deteriorate designated sites. Work on this issue is on-going with the local planning authorities, the Environment Agency and the water companies. That may lead to identified mitigation measures in the future. However, no mitigation strategy has yet been developed and no interim approach has yet been set up by Test Valley Borough Council. In the meantime, Natural England advises that one way to address the uncertainty is to achieve nutrient neutrality whereby an individual scheme would not add to nutrient burdens.
- 8.53 To assess the potential impact of the proposed development, a calculation was undertaken in accordance with the standard methodology issued by Natural England to identify the existing level of nitrates generated by the occupation of the existing dwelling Erlcombe. This calculation identified a figure of 11.9 kg/TN/yr and was based on historic water usage data and recognition that the existing dwelling is served by a septic tank of considerable age.
- 8.54 In order to deliver a reduction in the level of nitrates currently generated onsite, mitigation measures comprising the installation of a specific type of package treatment plant, the onetoclean Graf treatment system, to replace the existing package treatment plant serving Erlcombe. This same specification of package treatment plant will also be installed for the proposed dwelling and achieves a 7.9mg/l output in comparison to the existing rate of 94.3mg/l for the existing septic tank, as evidenced by the supporting certificate and performance data. As a result, the combined nitrate loading for both the existing and proposed dwelling following the installation of the new package treatment plants is 1.5 Kg/TN/yr in comparison to the current loading of 11.9 Kg/TN/yr. As a result, the calculation undertaken demonstrates that the proposed upgrading of foul drainage infrastructure results in an overall reduction of 10.4 Kg/TN/yr in nitrate loading.

- 8.55 To deliver the level of certainty required by the Habitats Regulations, it is considered necessary to secure the implementation and ongoing maintenance of the package treatment plants to serve both the existing and proposed dwelling by the completion of a legal agreement. This legal agreement will include a restriction on the occupation of the proposed development prior to the installation of both package treatment plants. The completion of the legal agreement is included as part of the officer recommendation outlined below.
- 8.56 On the basis of the proposed mitigation strategy outlined above, an appropriate assessment has been completed concluding that the proposal would achieve nutrient neutrality. Natural England have responded raising an objection subject to the securing of the proposed mitigation measures prior to the issuing of planning permission. It is therefore considered that the proposed development would not result in adverse effects on the Solent designated sites through water quality impacts arising from nitrate generation.
- 8.57 *Recreational pressure*
The application site is located outside of the 5.6km buffer zone of the Solent and Southampton Water SPA and therefore, it is not considered that there will be any additional impact arising from recreational pressure.
- 8.58 *Phosphates*
A third party representation has raised concern that the proposed development will result in additional phosphate loading, however, phosphate loading for this particular drainage area has not been raised by Natural England as a concern to justify the achievement of neutrality. Consequently, it is not considered that there will be any adverse impact arising from phosphate loading.
- 8.59 Offsite biodiversity: New Forest SPA
Recreational Pressure
The proposed development will result in a net increase in residential dwellings within 15km of the New Forest SPA. This distance defines the zone identified by recent research where new residents would be considered likely to visit the New Forest. The New Forest SPA supports a range of bird species that are vulnerable to impacts arising from increases in recreational use of the Forest that result from new housing development. While clearly one new house on its own would not result in any significant effects, it has been demonstrated through research, and agreed by Natural England that any net increase (even single or small numbers of dwellings) would have a likely significant effect on the SPA when considered in combination with other plans and projects.
- 8.60 To address this issue, Test Valley Borough Council has adopted an interim mitigation strategy has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. Therefore, it is considered necessary and reasonable to secure the appropriate contribution of £1,300. This contribution has previously been secured as part of the planning appeal listed in paragraph 4.2 and therefore does not need to be secured again for the current planning application.

8.61 Conclusion on ecology matters

Following the assessment undertaken above, it is considered the proposal will avoid any materially significant harm to onsite biodiversity and an adverse impact on internationally designated sites. This conclusion is dependent on the receipt of a satisfactory response from Natural England to the Appropriate Assessment undertaken and a completion of a legal agreement securing the implementation and ongoing maintenance of the proposed nutrient neutrality mitigation scheme. As such, these requirements form part of the officer recommendation set out in section 10 below.

8.62 **Water Management**

The application site is located within Flood Zone 1 and therefore, it is considered that the position of the proposed development is appropriate. The concern raised regarding the proximity of the plot to higher risk Flood Zones 2 and 3 is noted. However, proximity to high risk flood zones does not serve to make the proposal unacceptable in planning terms and the impact of a single additional dwelling is not significant in relation to the flood zone classification of land. Therefore, these concerns cannot form the basis for a reason for refusal.

8.63 With regard to onsite drainage, the submitted site plan demonstrates the provision of a soakaway serving the proposed dwelling to be located adjacent to the rear (north) boundary of the application site, with the existing soakaway serving Erlcombe repositioned away from the proposed internal access track. As a result, it is considered that the proposal includes sufficient onsite drainage provision. In addition, to ensure that the proposed dwelling achieves the required rate of water efficiency a condition has been imposed on the officer recommendation.

8.64 Consequently, it is considered that the proposed development will avoid any material harm to water quality assets and flood risk whilst providing sufficient drainage and water usage performance measures. Therefore, the application is in accordance with Policy E7 of the TVBRLP.

8.65 **Impact on the general amenity of the area**

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

8.66 Following the initial comments from the Environmental Protection officer, further information regarding the specification of the package treatment plant and the associated acoustic performance has been provided. This information demonstrates that the anticipated noise level will be a maximum of 38 db from a position of 1m away from the package treatment plants. After reviewing this additional information, the Environmental Protection officer has confirmed that this is acceptable and will avoid any adverse noise polluting impact on the residential amenity of both existing properties and the proposed dwelling.

Condition no.14 ensures that further acoustic mitigation is provided in the event that the noise level set out in the specification information is not achieved. Concern has also been raised in relation to the potential for smell pollution arising from the operation of the package treatment plant. However, it is considered that the provision of a package treatment each for both Erlcombe and the proposed dwelling will be sufficient infrastructure to avoid any materially significant smell pollution.

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

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

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

8.70 **Heritage**

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

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

9.0 **CONCLUSION**

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

9.2 The recommendation is subject to the completion of a legal agreement to secure the management of the proposed nutrient neutrality mitigation in perpetuity. Securing these mitigation measures will ensure that the proposed development does not adversely impact the Solent and Southampton Water SPA.

10.0 **RECOMMENDATION**

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

- **Completion of a legal agreement to secure the proposed mitigation measures ensuring the development achieves nutrient neutrality.**

then PERMISSION subject to:

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

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

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

Block Plan (19-006-AMD-XX-XX-DR-A-0601-01)

Amended Proposed Site Plan (19-006-AMD-XX-XX-DR-A-0102-03)

Proposed Floor Plan (19-006-AMD-XX-XX-DR-A-0200-01)

Proposed Elevations (19-006-AMD-XX-XX-DR-A-0300-01)

Proposed Sections (19-006-AMD-XX-XX-DR-A-0400-01)

Proposed Site Entrance Layout (19-006-AMD-XX-XX-RD-A-0600-01)

Amended Tree Protection Plan (19263-5)

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

3. **The development hereby permitted shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.**

Reason: In the interests of improving water usage efficiency in accordance with Policy E7 of the Test Valley Borough Revised Local Plan (2016).

4. **The development hereby approved shall be undertaken in full accordance with the provisions set out within the Barrell Treecare Arboricultural assessment and Method Statement 19263-AA4-JB dated 11th October 2023, supplementary letter dated 17th November 2023 and the associated tree protection plan reference (19263-5).**

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).

5. **Tree protective measures installed (in accordance with the tree protection condition) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.**

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Policy E2 of the Test Valley Borough Revised Local Plan (2016).

- 6. No development shall commence on site (including any works of demolition), until a Construction and Demolition Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include the following:**
- i) the parking of vehicles of site operatives and visitors;**
 - ii) loading and unloading of plant and materials;**
 - iii) storage of plant and materials used in constructing the development;**
 - iv) hours of construction, including deliveries;**
 - v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
 - vi) wheel washing facilities;**
 - vii) measures to control the emission of dust and dirt during demolition and construction;**
 - viii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and**
 - ix) measures for the protection of the natural environment**

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

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

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

Reason: To ensure the development would integrate, respect and complement the character of the area in accordance with Policy E1 of the Test Valley Borough Revised Local Plan (2016).

- 8. No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include:**
- (i) planting plans;**
 - (ii) written specifications (including cultivation and other**

- operations associated with plant and grass establishment);
- (iii) schedules of plants, noting species, plant sizes and proposed numbers/densities;
- (iv) hard surfacing materials.

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

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

9. No development shall take place above DPC level of the development hereby permitted until a schedule of landscape implementation and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for the phasing of the implementation and ongoing maintenance during that period in accordance with appropriate British Standards or other recognised codes of practice. Development shall be carried out in accordance with the approved schedule. Any trees or planting that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced before the end of the current or first available planting season following the failure, removal or damage of the planting.

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

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

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

11. No development above DPC level of the development hereby permitted shall take place until, details of the measures to be taken to physically and permanently close the existing access located in the south-west corner of the application site have been submitted to and approved in writing by the Local Planning Authority. This approved scheme shall be completed prior to the first use of the development hereby approved and, notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no access other than that shown on the approved plan shall be formed thereafter.

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

- 12. The development hereby approved shall not be occupied until manoeuvring space, including the widening of the existing vehicular access, has been provided within the site in accordance with the approved Amended Proposed Site Plan (19-006-AMD-XX-XX-DR-A-0102-03) drawing to enable vehicles using the site to enter and leave in a forward gear. This area shall be retained and made available for such purposes at all times.**

Reason: In the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).
- 13. The development hereby approved shall not be occupied until 2 car and 2 cycle parking spaces and the associated driveway area, have been provided in accordance with the approved plans. The areas of land so provided shall be retained at all times for this purpose.**

Reason: To ensure sufficient off-street parking has been provided in accordance with Policy T2 of the Test Valley Borough Revised Local Plan (2016) and in the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Revised Local Plan (2016).
- 14. The package treatment plants hereby approved shall be installed in accordance with the specification set out in the email dated 3rd November 2021. In the event that additional acoustic mitigation measures are required to achieve this threshold, details of the proposed additional measures shall be submitted to and approved by the Local Planning Authority prior to the first use of the package treatment plants. The approved acoustic measures and the boundary wall shown on the Amended Proposed Site Plan (19-006-AMD-XX-XX-DR-A-0102-03) shall be retained thereafter.**

Reason: To protect the amenity of the adjoining occupiers in accordance with Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).
- 15. No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The details shall include plans and details sufficient to show the location, type, specification, luminance and angle of illumination of all lights/luminaires. The external lighting shall be installed in accordance with the approved details.**

Reason: To ensure the favourable conservation status of bats in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).
- 16. In the event that contamination is found at any time during the construction of the development hereby approved, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been submitted to and approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being brought in to use.**

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

- 17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no first floor or two storey extension of any kind, shall be erected without the prior written consent of the Local Planning Authority.**

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

Note to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
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