
APPLICATION NO.	23/02087/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	24.08.2023
APPLICANT	Mr and Mrs Pocock
SITE	Pococks Roses, Jermyns Lane, Ampfield, SO51 0QA, AMPFIELD
PROPOSAL	Erection of dwelling with package treatment plant and solar panels
AMENDMENTS	<ul style="list-style-type: none">• Nitrate detail• Tree report
CASE OFFICER	Sarah Barter

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 as it represents a departure from the Local Plan and an objection has been received within the specified time.

2.0 SITE LOCATION AND DESCRIPTION

2.1 Pococks Roses, a well-established horticultural operation, is located on the north side of Jermyns Lane, to the west of the village of Ampfield. There are no listed buildings on the site, or in the vicinity, and the site is not within a conservation area. The site is located to the north and east of the Sir Harold Hillier Gardens and Arboretum, a Grade II listed Registered Park and Garden, first listed in 1997. Access to the site is from Jermyns Lane, at the south-east corner of the site. The site is bounded by the Hilliers plant nursery at the north, a historic entrance to the Hillier gardens at the west, Ampfield Wood at the east, Jermyns Road at the south, and plots of the neighbouring properties Kwanti and Little Croft at the south east. The site has a number of single-storey buildings in the north-east corner of the site, one of which is a bungalow, others are buildings used in association with the horticultural business. A eucalyptus tree and two beech trees are subject to Tree Preservation Order TPO TVBC 1243 and are all located in the north-east area of the site.

3.0 PROPOSAL

3.1 Erection of dwelling with package treatment plant and solar panels

4.0 HISTORY

4.1 23/01986/FULLS - Erection of replacement agricultural dwelling, provision of package treatment plant and installation of solar panels – Permission – 27.03.2024

Officer note: This dwelling would be located adjacent the proposed additional dwelling.

4.2 21/03047/PDQS - Application to determine if prior approval is required for proposed change of use of agricultural building to 2 dwellinghouses (Class C3), and for building operations reasonably necessary for the conversion – Approval – 9.12.2021

4.3 RSR.11709 - Erection of dwelling – 30.11.1972

5.0 **CONSULTATIONS**

5.1 Landscape – No Objection

5.2 Tree – No Objection

5.3 Conservation – No Objection

5.4 Highways – No Objection

5.5 Ecology – No Objection

5.6 Natural England – No Objection

6.0 **REPRESENTATIONS** Expired 11.04.2024

6.1 Ampfield Parish – Objection

- This is not a class Q replacement dwelling because it is for a new building in a different position to the existing barn. Therefore this application is for a new dwelling in the Countryside and (in compliance with the Local Plan) permission should only be granted if there is evidence for there being a need for an additional dwelling in the Countryside. Such a need has not been demonstrated in the application.
- Should permission be granted it should be restricted to agricultural workers.
- The biodiversity checklist has not been completed and no biodiversity information has been provided (Officer note: Survey since provided)

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)

COM2: Settlement Hierarchy

E1: High Quality Development in the Countryside

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

E5: Biodiversity

E7: Water Management

E9: Heritage

LHW4: Amenity

T1: Managing Movement
T2: Parking Standards

7.3 Supplementary Planning Documents (SPD)
Ampfield Village Design Statement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the surrounding area
- Impact on adjacent registered park and garden
- Trees
- Design
- Impact on neighbouring properties
- Highway Safety and Parking provision
- Ecology
- Special Protection areas
- Water Management
- Planning balance

8.2 **Principle of development**

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

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

8.3 The permission granted by Class Q of the GPDO has not been implemented or substantially completed and can therefore not be considered as a replacement dwelling under policy COM12. There are no other policies within the development plan that would support development such as this. The proposal is therefore contrary to Policy COM2 of the local development plan and is not considered to be an acceptable form of development in principle. The proposals are a departure from the local development plan.

8.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require applications for planning permission to be determined in accordance with the development plan unless considerations indicate otherwise. This is also seen in the National Planning Policy Framework. In addition, the local development plan is considered to be an up-to-date development plan which is not silent on development within the countryside, and thus full weight must be given to it.

8.5 However, it is considered that in this instance, there are other material considerations that must be taken into consideration in the determination of this planning application.

8.6 Fallback position

The planning history of the site is a material consideration; in particular the permission granted by Class Q of the GPDO is extant, although it is yet to be implemented. The principle of a fall-back position was examined in an appeal (APP/C1760/W/16/3154235 – Barrow Hill Barns, Goodworth Clatford). In that case, the site benefited from a notification for Prior Approval under Class J (now Class O) of the Town and Country Planning (General Permitted Development) Order 1995 for the conversion of the existing building into 5 residential units.

- 8.7 In considering the probability that the permitted scheme would be feasible and would be implemented if the appeal scheme for the replacement of the building for 5 dwellings failed at appeal, the Inspector stated:

“I have no evidence before me to doubt the appellant in respect of these matters. I therefore find that the fall-back position to convert the building into 5 dwellings is therefore more than a theoretical prospect; there is likely to be a high probability that the scheme would be constructed if the appeal proposed is dismissed.”

- 8.8 When considering the planning balance, the Inspector recognised that the proposal would conflict with Policy COM2 of the local development plan, but considered the likely residential use of the site a material consideration which would justify making a decision which is not in accordance with the development plan.

“However, the appellant’s fall-back position to change the use of the existing buildings upon the site is a very real possibility. The effects of the appeal proposal would be unlikely to be discernible over and above the permitted development scheme for the reasons given. I regard the likely residential use of the site, a material consideration which would, in this case, justify making a decision which is not in accordance with the development plan.”

The appeal was allowed on this basis.

- 8.9 The site which is the subject of this application benefits from Prior Approval for the conversion of an existing building on the site into 2 residential units. There is no practical reason that the conversion of the buildings could not be implemented. It is considered that this fall-back position be given significant weight in the determination of the planning application, contrary to the provisions of the local development plan.

- 8.10 Along with considering the likelihood of the Class O scheme being implemented, the Inspector of the Barrow Hill Barns appeal also considered it necessary to assess the impact of the proposed scheme against the permitted scheme, to ‘determine whether or not there would be any significant impacts over and above the permitted scheme’. Those matters are assessed below.

8.11 **Landscape and the character of the area**

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

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

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

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

- a) It does not have a detrimental impact on the appearance of the immediate area and the landscape character of the area within which it is located;
- b) It is designed and located to ensure that the health and future retention of important landscape features is not likely to be prejudiced;
- c) The existing and proposed landscaping and landscape features enable it to positively integrate into the landscape character of the area;
- d) Arrangements for the long term management and maintenance of any existing and proposed landscaping have been made; and
- e) It conserves the landscape and scenic beauty of the New Forest National park or the North Wessex Downs Area of Outstanding Natural Beauty where applicable; and
- f) Does not result in the loss of important local features such as trees, walls, hedges or water courses.

8.13 The application site currently has an existing horticultural worker dwelling located on the land which has recently had permission (ref: 23/01986/FULLS) to be demolished and replaced with a new bungalow on land adjacent. The wider site is used by the existing, established Pockocks Nursery business with horticultural buildings (including that associated with the Class Q conversion) and growing areas, together with a car park and garden sales. The site itself has no landscape designations on site. It is noted that the Hillier Registered Park and Garden is located to the south of the site on the opposite side of Jermyns Lane and also over 100m to the east with intervening features and neighbours separating this from the application site. Ancient Woodland and a SINC together with the right of way: Ampfield 14 is located to the northeast of the application site. Due to the mature vegetation, landform, existing nursery business and neighbouring properties the views from the public rights of way and Jermyns Lane are well screened.

8.14 Any views from the access point into the site are seen in context with the Horticultural business. The location of the proposed dwelling would be over 60m from the public realm on Jermyns Lane and with the existing intervening boundary treatment it is not considered that the proposal would be highly visible. The existing horticultural barn is a similar distance from the Lane and also well screened on the western boundary of the site. It is considered that the existing building has a form, scale, use and materials that mean that it appears as an horticultural yard and as such is not out of character with the Horticultural nature of the location or the general setting at Pockocks Roses. The Class Q scheme would retain the building within the existing boundaries of the yard. The conversion under the Class Q scheme would see the insertion of domestic features such as windows, and front and back doors within the existing shape of the building together with the associated residential paraphernalia in the gardens. However, it is considered that the proposed dwelling (two dwellings were proposed in the Class Q and one detached dwelling is now proposed) could equally integrate within the immediate and wider landscape without significant harm. A condition is recommended ensuring a detailed landscape plan for hard and soft landscaping and a detailed landscape management plan to ensure the successful establishment of all new planting. Any external lighting proposed should be incorporated within the hard landscape plan.

8.15 The reason for proposing an alternate location for a replacement of the Class Q is because of the presence of a mature Coastal Redwood immediately adjacent the building. This is a significant specimen of great height providing a well-established tree. The below extract is taken from the submitted Tree Survey demonstrating it has a 30m height with 40 years plus estimated remaining contribution and a good psychological condition.

Tree Number and Species	Height (m)	DBH (mm)	Branch Spread (m)				Existing Height Above Ground Level of Canopy and 1 st Significant Branch (m)	Age Class	Estimated Remaining Contribution (Years) & Physiological Condition	Comments
			N	S	E	W				
T19 Coastal Redwood <i>Sequoia sempervirens</i>	30	1600	10	10	10	9	1.5 4 E	M 40 + Good	Form and vigour typical of species.	

It is considered that in undertaking conversion works on the existing building within the RPA and at such close proximity would be detrimental to both the stability and longevity of the tree. Whilst the proposed dwelling would be sited across a different area of the site, this would be on land where a horticultural workers dwelling is already sited and as discussed above the development would not be highly visible in the wider public realm. The alternate location would ensure the retention of the tree which would continue to contribute to the landscape of the area.

- 8.16 The existing barn and proposed dwelling sizes and height are as follows: (All measurements are approximate)

Horticultural barn subject to Class Q consent for 2 dwellings

Height – 3.9m

Height to eaves – 2.6m

Floor area – 192.9m²

Proposed dwelling

Height to ridge - 5.4m

Height to eaves - 2.4m

Floor area – 182.5m²

Whilst at points the proposed dwelling is higher than the existing barn the proposed design offers a bungalow design all on one level to ensure the massing of the dwellings is not significant. The increased height is considered appropriate as it provides a well-proportioned single storey dwelling. It is acknowledged that there are material differences between the proposed and Class Q schemes, however, it is considered that the proposed scheme would not alter the overall perception of the landscape and that the proposed developments siting and design are representative of the character of the area whilst ensuring the tree close to the Class Q conversion is retained and not harmed by any conversion or other work in this location. It is considered that the proposed scheme is of a higher standard of design than the Class Q scheme and that the proposed landscaping would enable the proposed scheme to positively integrate into the landscape character of the area in accordance with policies E1 and E2 of the Revised Borough Local Plan. This can be given significant weight in the planning balance.

8.17 **Impact on adjacent registered park and garden**

Hilliers registered park and garden is located to the south on the opposite side of Jermyns Lane and a significant distance away to the west. Given the intervening hedging, trees, neighbouring properties and highway it is not considered that the development would create any significant impacts on the adjacent registered park and garden.

8.18 **Trees**

The quality of the coastal Redwood is discussed above at paragraph 8.13. Across the wider site to facilitate implementation of this proposal a number of modest sized trees are identified for removal. The Council Tree Officer states that the removal of these trees would not have an adverse effect on the character of the area. To ensure that the retained trees are not adversely affected as a result of development a project specific arboricultural impact assessment, method statement and tree protection plan will need to be submitted to and agreed by the LPA prior to commencement of work.

- 8.19 A further notable tree on site is the Eucalyptus. This is subject to TPO. Secondary investigation using Picus tomography shows that at 70cm above ground level the stem of Eucalyptus (T1) exhibits characteristics of decay that occupy 34% of the section. Given that this decay results from infection with a root decay pathogen it is reasonably foreseeable that there will be a greater percentage of the stem affected by decay below this point. The applicant's argument that the tree is not considered safe to retain is considered to be reasonable by the Tree Officer. Details of suitable replacement planting will need to be submitted to and agreed by the LPA prior to commencement of work this is subject to a condition in the recommendation. Subject to these conditions it is considered that the development can be provided in accordance with policy E2 of the Revised Borough Local Plan 2016.
- 8.20 **Design**
The proposal is for a single storey dwelling with a Low Roof pitch of 20 degrees to suit slate. The units will be constructed in timber cladding which are sympathetic to the site's rural setting. The proposal has also ensured that the height of the proposed dwelling is not significantly higher than the existing buildings. Whilst the dwelling is taller than the height of the existing built form, the unit has been designed to encompass a single-storey dwelling, providing an interesting proposal and variation in housing stock with a bungalow. It is considered that the development can be provided in accordance with policy E1 of the Revised Local Plan which concerns high quality development.
- 8.21 **Highway Safety and Parking provision**
There is sufficient space on site for parking and turning which would enable vehicular traffic to access the A27 in a forward gear. The Highway Authority is satisfied that the proposal would not lead to any material detrimental impact upon the safety and efficiency of the public highway network. As such, it is considered that the development would not have an adverse impact on the function, safety and character of the Right of Way or the local highway network. It is considered that the proposal would be in accordance with policy T1.
- 8.22 The proposed scheme provides a 3 bed property requiring 2 on site car parking spaces under the standards of Annex G. The land at the front provides 2 parking spaces. Subject to a condition to secure parking before the proposed dwelling is occupied, the proposal would be in accordance with policy T2.
- 8.23 **Ecology**
Policy E5 sets out that development in the Borough that will conserve, and where possible restore and/or enhance biodiversity will be permitted.
- 8.24 The bat surveys found that bat roosts are likely to be absent from the Site at present. The Site has limited potential to support low numbers of common and widespread species of reptile. Recommendations within the report are made to undertake any vegetation clearance work under a Precautionary Working Method Statement to ensure any reptiles are protected from harm in compliance with the relevant legislation. Due to the small area of suitable

habitat that may be affected and the sub-optimal quality of this habitat, it is not considered necessary to undertake further survey work for these species' groups. The bungalow and woody vegetation within the Site boundary has potential to be used by nesting birds. It is recommended that clearance works take place outside of the nesting bird season. Subject to a condition ensuring the ecology information is complied with it is considered that the development can be provided in accordance with policy E5 of the Revised Borough Local Plan 2016.

8.25 **Special Protection Areas**

New Forest SPA

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

- 8.26 To address this issue, Test Valley Borough Council has adopted an interim mitigation strategy whereby a scale of developer contributions of £1300 per new dwelling has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. The applicant has agreed to make this payment direct to the Council and the recommendation is partly made on the basis that this payment is received.

8.27 Nitrate Neutrality

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

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

- Chichester and Langstone Harbours SPA
- Portsmouth Harbour SPA
- Solent and Southampton Water SPA

- Isle of Wight Lagoons SPA
- Solent Maritime SAC
- Solent and Dorset Coast SPA (Proposed)

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

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

8.30 **Water Management**

Water consumption

The Revised Local Plan includes a requirement under policy E7 for all new residential dwellings to achieve a water consumption standard of no more than 100 litres per person per day. This reflects the requirements of part G2 of the 2015 Building Regulations. It is recommended that a condition be added in order to address this. Subject to such a condition the proposal would comply with policy E7 of the Revised Local Plan 2016.

8.31 Drainage – Foul

It is proposed to connect to a Package Treatment Plant.

8.32 Drainage – surface water

Surface water drainage is proposed to be controlled through soakaways.

8.33 **Other matters**

Given the proposed dwelling is located on a different part of the site to the Class Q conversion building it is considered reasonable and necessary to ensure that this building, which is no longer required for horticultural purposes, is removed from the site preventing it from being also used as a dwelling. The demolition and clearance process needs to be strictly controlled and a condition is recommended to secure this.

8.34 **Planning balance**

The proposed scheme would conflict with the settlement hierarchy established by policy COM2. It is considered that the fallback position to implement the Class Q scheme is a real prospect that carries significant weight. Additionally, the proposed scheme would not have any detrimental impacts over and above the Class Q scheme, including the improvements to the harm on a significant, established on site tree, improvements in design and the landscape improvements to be secured via condition, and the delivery of housing to boost the 5 year housing land supply. It is considered that the likely residential use of the site is a material consideration that justifies the departure from the Development Plan in this instance.

9.0 **CONCLUSION**

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

10.0 **RECOMMENDATION**

Delegate to Head of Planning to:

- **Secure the contribution of £1300 towards New Forest Special Protection Area**

Then PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.**
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers**
Roof plan 8015/P16A
Elevation 8015/P11
Floor plan 8015/P08
Site Plan 8015/P15
Elevation 8015/P10
Site location 8015/OSA-House 1
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **No development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 4. The development shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.**
Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.
- 5. No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include-where appropriate: proposed finished levels or contours, means of enclosure and car parking layouts where relevant. Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan.**
Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.
- 6. No development shall take place above DPC level of the development hereby permitted until a schedule of landscape implementation and maintenance for a minimum period of 5years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for the phasing of the implementation and ongoing maintenance during that period in accordance with appropriate British Standards or other recognised codes of practise. Development shall be carried out in accordance with the approved schedule.**
Reason: To ensure the provision, establishment and maintenance to a suitable standard of the approved landscape designs to create and maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and to contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.
- 7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no building, structure, walls or fences of any kind shall be erected without the prior written consent of the Local Planning Authority.**
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 8. Prior to the commencement of demolition and construction activity including site clearance or ground-works, a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for approval. The CEMP shall detail the significant risks posed to amenity from the emission of noise, dust and light and set out the mitigation measures to be employed to control such emissions and mitigate the effects of such emissions on sensitive land uses. Unless otherwise agreed by the Local Planning Authority, construction activity shall only take place in accordance with the approved CEMP.**
Reason: To minimise the risks of pollution and to ensure the site is satisfactorily developed in accordance with policy E8 of the Revised Borough Local Plan.
- 9. In the event that contamination is found at any time during demolition and/or construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being brought in to use.**
Reason: To minimise the risks of pollution and to ensure the site is satisfactorily de-contaminated in accordance with policy E8 of the Revised Borough Local Plan.
- 10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows [other than those expressly authorised by this permission] shall be constructed.**
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E2, LHW4.
- 11. 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.
- 12. Development shall be provided in accordance with the preliminary ecological appraisal, bat survey report and biodiversity mitigation and enhancements strategy by CC Ecology (June 2023).**
Reason: To ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Revised Local Plan.

- 13. No development shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. Specifically, the method statement shall:**
- 1. Provide a schedule of trees to be retained within 15m of the proposed building, the schedule to include the required root protection areas as set out in British Standard 5837:2012.**
 - 2. Provide a specification for such tree protective fencing, either in accordance with the above standard or as otherwise agreed in writing with the Local Planning Authority.**
 - 3. Confirm timing of erection and dismantling of such tree protective fencing, which must in any case be erected prior to commencement of any site clearance or ground works and be retained and maintained for the full duration of works until onset of final landscape work or as otherwise agreed in writing with the Local Planning Authority.**
 - 4. Provide a plan at 1:200 or better, detailing the location of such tree protective fencing, including annotation that such fencing shall remain in this position for the full duration of works or unless by prior written agreement with the Local Planning Authority.**
 - 5. Require a sign to be hung on such tree protective fencing, repeated as necessary, which clearly states 'Tree Root Protection Area, do not enter, do not move this fence, or such other similar wording as may be agreed in writing with the Local Planning Authority.**
 - 6. Provide a plan demonstrating that all trenching, excavation, soakaways, pipe and cable runs required by the development can be installed wholly outside the tree protection zones.**
 - 7. Demonstrate that all proposed structures can be built without the construction process impacting upon the retained trees or required tree protection zones.**
 - 8. Demonstrate that all site works, mixing areas, storage compounds, site buildings and associated contractor parking areas remain wholly outside any tree protection zones and at a suitable separation to prevent damage to retained trees.**
 - 9. Provide details of the driveway and turning area construction, including timing of installation and confirmation from the manufacture that it is fit for purpose and will be able to withstand all demolition and construction traffic.**
 - 10. Provide a schedule of all tree felling and tree surgery works proposed, including confirmation of phasing of such work. All work shall be undertaken in accordance with the requirements, specifications and timing detailed within the approved method statement.**

Reason: To prevent the loss during development of trees and natural features and to ensure, so far as is practical, that development progresses in accordance with current Arboriculture best practice, in accordance with Policy E2 of the Test Valley Borough Revised Local Plan 2016.

- 14. 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.
- 15. Before the development hereby permitted is commenced details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.**
Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.
- 16. No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include plans and details sufficient to demonstrate the location, type, specification and luminance level. External lighting shall be undertaken in accordance with the approved details and retained thereafter.**
Reason: To ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).
- 17. Before commencement of the site's development, a replacement tree planting plan and specification shall be submitted to and agreed by the Local Planning Authority. The new trees as detailed shall be planted in the approved positions in the first planting season following first occupation of the development. The trees shall be planted in accordance with the recommendations in BS8545:2014 'Trees: from nursery to independence in the landscape -Recommendations'.**
Reason: To ensure the continuation of canopy cover in the area and enhance the development in accordance with policy E2 of the Revised Borough Local Plan 2016.
- 18. On the day on which the dwelling hereby permitted is first occupied for residential purposes, the existing building shown for conversion on application 21/03047/PDQS shall cease to be used for any purpose, and within three months of that day, those existing buildings shall be demolished, and the resultant materials cleared from the site in accordance with details that shall, prior to reaching DPC level of the new dwelling shall be submitted to, and approved in writing, by the Local Planning Authority.**

Reason: The site lies in an area where new dwelling units are not normally permitted other than by replacement of the existing agricultural buildings (in this instance by virtue of the Class Q fallback position that would otherwise allow for their conversion), in accordance with Test Valley Borough Revised Local Plan (2016) Policy COM12.

- 19.** The proposed Marsh Domestic Sewage treatment plant shall be installed to serve the dwelling hereby permitted prior to occupation. The treatment plant shall be retained and maintained in accordance with the foul drainage management plan (Prospect Drainage Solutions).

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

- 20.** In the event that the Marsh Domestic Sewage treatment plant approved is replaced, the replacement package treatment plant/s shall achieve a performance output of 10mg/l nitrogen or less.

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

Notes to applicant:

- 1.** It is recommended to undertake clearance works outside of bird nesting season.
 - 2.** The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
 - 3.** Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.
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