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<b>APPLICATION NO.</b>	24/00757/VARS
<b>APPLICATION TYPE</b>	VARIATION OF CONDITIONS - SOUTH
<b>REGISTERED</b>	28.03.2024
<b>APPLICANT</b>	Mr Matthew Whitfield
<b>SITE</b>	Barns at Glebe Farm, Salisbury Road, Sherfield English, SO51 6FL, <b>SHERFIELD ENGLISH</b>
<b>PROPOSAL</b>	Variation of condition 2 of 22/03317/FULLS (Demolish agricultural buildings and associated structures, erect 3 dwellings with associated garages, parking, hard and soft landscaping and associated works) to allow for amendments to the floor plans and elevations for plot 3
<b>AMENDMENTS</b>	
<b>CASE OFFICER</b>	Katie Savage

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

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## 1.0 INTRODUCTION

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

1.2 Application 22/03317/FULLS (see paragraph 4.1 below) was recently considered at Southern Area Planning Committee. The committee agreed the recommendation of permission subject to conditions and notes. Subsequent to that planning permission the applicant wishes to make changes to one of the proposed dwellings.

## 2.0 SITE LOCATION AND DESCRIPTION

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

## 3.0 PROPOSAL

3.1 The proposal is for the variation of condition no. 2 of 22/03317/FULLS (following granting of planning permission- Demolish agricultural buildings and associated structures, erect 3 dwellings with associated garages, parking, hard and soft landscaping and associated works) - to allow for amendments to the floor plans and elevations for Plot 3. No changes are proposed to Plot 1 or Plot 2.

## 4.0 HISTORY

4.1 22/03317/FULLS - Demolish agricultural buildings and associated structures, erect 3 dwellings with associated garages, parking, hard and soft landscaping and associated works – Permission subject to conditions and notes.

4.2 21/00526/PDQS - Application to determine if prior approval is required for proposed change of use of agricultural buildings to 5 dwellinghouses (Class C3), and for building operations reasonably necessary for the conversion reasonably necessary for the conversion – Prior approval required and granted – 16.04.2021.

4.3 TVS.AG.00014/1 - Steel framed hay/straw store – No Objection 23.03.94.

4.4 TVS.AG.00014 - One metal bulk feed bin for animal feed and continuation of hard core road – Prior approval not required - 02.11.93.

4.5 TVS.3465/1 Erection of agricultural dwelling - Approved subject to conditions - 16/08/84.

4.6 TVS.3465 Erection of agricultural dwelling Outline Permission subject to conditions - 23/04/82.

## 5.0 **CONSULTATIONS**

5.1 None.

## 6.0 **REPRESENTATIONS** Expired 26.04.2024

6.1 Sheffield English Parish Council – Objection

- No direct comparison to the previous application

6.2 One third party letter of objection was received which has been summarised below

- No direct comparison to the previous application
- Increase in bulk
- This development only got permission through a 'back-door' system of original class Q conversion for 5 smaller properties being pushed through on a 'fall-back' position to get 3 large detached properties no longer fitting within the original footprint on the agricultural buildings they are supposed to be replacing
- This development is against the Neighbourhood Plan which has reached the Regulation 14 stage and should be given some weight as representing the wishes of the community for smaller housing units.
- The additional bulk proposed in this variation should be refused on landscaping grounds as the property would be even more prominent in the landscape and even more highly visible from the A27 and the regularly used local footpaths.
- Internal light spill, BCT/ILT best practice guidelines, 2023, must be considered in order to protect bats, a protected species

## 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 Borough

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

E5 – Biodiversity

E8 – Pollution

E9 - Heritage

LHW4 - Amenity

T1- Managing Movement

T2 – Parking Provision

## 7.3 Sherfield English Neighbourhood Plan

Third Party Objections make reference to the Sherfield English Neighbourhood Plan. Section 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given)

The neighbourhood plan was at Regulation 14 stage. However, this has been formally withdrawn to allow changes to be made before re-posting. Therefore, limited weight can be afforded due to the stage the emerging plan is at and therefore the comments which relate to the contents of the plan and how the application is not in accordance with the neighbourhood plan are not taken into consideration at the time of writing.

## 7.4 Supplementary Planning Documents (SPD)

Sherfield English Village Design Statement

## 8.0 **PLANNING CONSIDERATIONS**

8.1 Section 73 of the Town and Country Planning Act 1990 allows for the variation of a condition associated with a planning permission. The main considerations in respect of the variation proposed in this instance is the effect of the amendments on the character and appearance of the area, the acceptability of the design, and whether the proposals accord with policies E1, E2 and LHW4 of RLP.

8.2 The original planning permission of 22/03317/FULLS assessed the principle of development, trees, character and appearance of the area and design, biodiversity, amenity, parking, highways, water management and impact to adjacent listed buildings. This section 73 application seeks minor changes to the listed approved plans. Specifically, it is proposed to amend condition 2 relating to the approved plans and change parts of the design in the following ways:

- Siting of solar panels on south east elevation of Plot 3
- Increasing the ridge height to the central single storey element linking the North wing to the South wing by approximately 0.8m (Plot 3)
- Provision of accommodation within the roof of the extended single storey link (plot 3).

8.3 The principle of development and Class Q fall back position was discussed in the previously approved application 22/03317/FULLS.

8.4 The impact on character and appearance of the area, landscape impact are considered to be the main planning considerations in the determination of this s73 application, and these are assessed and discussed below.

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

In the previous application it recognised there are a number of rights of way in close proximity to the site, these include: Sherfield:41 which runs 105m to the west of the site, Sherfield:36 which runs 100m to the south of the site and Sherfield:37 which runs 275m to the east of the site. Due to the mature vegetation, landform and neighbouring properties, the views of the site (and vice-versa) from these public rights of way are well screened. Any views from the public realm of the proposed development would be seen in context with the neighbouring properties which are set back from the road. When travelling along the A27 (Salisbury Road), the majority of residential properties in close proximity to the site are set back from or screened from the road by soft landscaping; the application site is set back from the road by approx. 75m with the existing agricultural structures visible -albeit at a distance.

8.6 This application includes a number of changes which include moving the siting of solar panels on south east elevation roof. It is not considered that moving the panels would cause a detrimental impact on the wider character and appearance of the area or landscape. The panels will remain on the same roof elevation and the number of panels is not increasing, such a change is minor and will have a neutral impact on the character and appearance of the area and the design of the dwelling.

8.7 A further change is the increase in the ridge height of the central single storey link to provide accommodation within the roof of this link. The increase would be approximately 0.8m to the whole part of the previous single storey element. Despite the increase in height this element will remain subservient to larger Northern and Southern wings. When assessing the changes it is considered that the alteration is minor, and the change will result in just a small addition to the overall bulk and mass of the proposed dwelling which would still embody the overall appearance of the single storey element. The Village Design Statement states that new dwellings should be consistent with both apparent bulk, and external materials of adjacent neighbours but not necessarily any specific details or form. Taking into consideration the above, it is considered that the minor changes to the previously approved scheme results in a development that is consistent with and accords with both the Village Design Statement and Policy E1 of the Revised Local Plan.

8.8 **Nitrate Neutrality and New Forest SPA**

The matter relating to Nitrate Neutrality was resolved under application 22/03317/FULLS. The situation remains unchanged as the applicant still proposes to offset the output by way of the previous use of the site as a dairy farm together with the use of a PTP. The proposed development does not conflict with the Habitats Regulations and accords with Policy E5 of the TVBRLP.

With regards to New Forest SPA, the payment was previously made in full and therefore no requirement for additional funds to be made. The payment will be linked with the previous application.

#### 8.9 **Other matters**

Third party objections have been received relating to the light spill generated by the proposal. The previous application included the provision of roof lights, this application seeks permission for additional 2 rooflights. It is acknowledged that the first floor would create some additional light spill during the evening, but it is considered that the marginal increase over and above the extant planning permission would not have a detrimental impact on the surrounding area.

8.10 Concerns have also been raised with regards to the the applicant not supplying documents which show a direct comparison between the extant permission and the proposed alterations. The applicant has submitted a covering letter which sets out the changes proposed. Having reviewed this and the supporting plans it is clear what changes are proposed when comparing these to the previously approved plans. There are no statutory requirements for plans to be supplied which show the previously approved application.

#### 9.0 **CONCLUSION**

9.1 The proposal is considered to be acceptable and in accordance with the relevant policies of the TVBRLP 2016.

#### 10.0 **RECOMMENDATION**

##### **PERMISSION subject to:**

1. **The development hereby permitted shall be begun within three years from the date of the original planning permission (22/03317/FULLS 12.07.2022)**

**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;**

**23003-10,  
20220-01 P1,  
23003-05,  
23003-15,  
23003-20**

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

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

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

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

**Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.**
- 5. No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include-where appropriate: proposed finished levels or contours, means of enclosure and car parking layouts where relevant. Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan.**

**Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.**
- 6. No development shall take place above DPC level of the development hereby permitted until a schedule of landscape implementation and maintenance for a minimum period of years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for the phasing of the implementation and ongoing maintenance during that period in accordance with appropriate British Standards or other recognised codes of practise. Development shall be carried out in accordance with the approved schedule.**

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

**Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**

- 8. Details of the siting and design of any proposed external meter boxes/metal ducting/flues shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The installation of the meter boxes/metal ducting/flues shall be in accordance with the approved details.  
Reason: To protect the setting of the listed building and the wider landscape in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E2 and E9.**
- 9. Development shall proceed in accordance with the Construction Method Statement details approved by the Council under application 22/03317/COND9 dated 29.09.2023.  
Reason: In the interests of highway safety in accordance with policy T1 of the Revised Borough Local Plan 2016.**
- 10. No work relating to the construction of the development hereby approved, including site clearance, deliveries, collections or works of demolition or preparation prior to operations, shall take place before the hours of 07.30 nor after 18.00 on Mondays to Fridays; before the hours of 08.00 nor after 13.00 on Saturdays; and at all on Sundays and Bank/Public Holidays, unless otherwise agreed with the Local Planning Authority.  
Reason: To protect the amenities of nearby dwellings in accordance with policy LHW4 of the Revised Borough Local Plan 2016.**
- 11. In the event that contamination is found at any time during demolition and/or construction works, the presence of such contamination shall be reported in writing to the Local Planning Authority without delay and development shall be suspended on the affected part of the site until a remediation scheme for dealing with that contamination has been approved by the Local Planning Authority. The approved remediation scheme shall be implemented and, if requested, a verification report, for the purpose of certifying adherence to the approved remediation scheme, shall be submitted to the Local Planning Authority prior to the site being brought in to use.  
Reason: To minimise the risks of pollution and to ensure the site is satisfactorily de-contaminated in accordance with policy E8 of the Revised Borough Local Plan.**
- 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows [other than those expressly authorised by this permission] shall be constructed.  
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E2, LHW4.**
- 13. Development shall be provided in accordance with Section 7 'Precautionary Measures, Avoidance & Mitigation' of the Ecological Impact Assessment by Eclipse Ecology Ltd (February 2023) and the 'Proposed Ecology Mitigation and Enhancement Plan' drawing no. 20220-07 by LDArchitecture Ltd dated 10.02.23.**

**Reason: To ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Revised Local Plan.**

- 14. The development hereby approved shall be undertaken in full accordance with the provisions set out within the Technical Arboriculture Arboricultural Impact Appraisal and Method Statement reference AIA/AMS-KC/GLEBEFARM/001 dated November 2022.**  
**Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**
- 15. All service routes, drain runs, soakaways or excavations in connection with the development hereby permitted shall remain wholly outside the tree protective barrier.**  
**Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.**
- 16. The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.**  
**Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.**
- 17. Development shall proceed in accordance with the Plans and Cross section details approved by the Council under application 22/03317/COND17 dated 16.05.2024.**  
**Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**
- 18. No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include plans and details sufficient to demonstrate the location, type, specification and luminance level. External lighting shall be undertaken in accordance with the approved details and retained thereafter.**  
**Reason: To ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Borough Revised Local Plan (2016).**
- 19. At least the first 4.5 metres of both access tracks measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.**  
**Reason: In the interest of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.**
- 20. The proposed Rewatec Solido Smart package treatment plants shall be installed to serve the dwellings hereby permitted prior to occupation. The treatment plants shall be retained and maintained in accordance with the foul drainage management plan (Rewatec Solido**



Smart package treatment plant user guide), unless otherwise agreed in writing by the Local Planning Authority.

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

21. In the event that any of the approved Rewatec Solido Smart package treatment plants are replaced, the replacement package treatment plant/s shall achieve a performance output of 10mg/l nitrogen or less, unless otherwise agreed in writing by the Local Planning Authority. **Reason:** In order to avoid adverse impact on the Solent and Southampton Water SPA by way of additional nitrates emanating from the development in accordance with the Conservation of Habitats and Species Regulations 2017 and Policy E5 of the Test Valley Borough Revised Local Plan (2016).

**Notes to applicant:**

1. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
  2. There is potential at this location for asbestos containing material. If this is found at any time during implementation of the development please be aware that removal and disposal must be undertaken in accordance with all legal requirements, whether they be enforced by the Local Authority or other government agencies. Any such removal and disposal must be completed prior to the site being brought in to use.
  3. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.
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