
APPLICATION NO.	24/00786/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	03.04.2024
APPLICANT	Linhay Farm Barns Ltd
SITE	Land Adjacent to Staff Lane Cottage, Staff Road, MICHELMERSH AND TIMSBURY
PROPOSAL	Demolition of agricultural buildings and erection of four detached houses with associated parking and landscaping
AMENDMENTS	
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 Objections have been received within the specified time.

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 Staff Lane. The farm yard is located next to a farm house and wider agricultural fields.

3.0 PROPOSAL

- 3.1 Demolition of agricultural buildings and erection of four detached houses with associated parking and landscaping

4.0 HISTORY

- 4.1 24/00508/PDQS - Application to determine if prior approval is required for proposed change of use of agricultural buildings to 5 dwellinghouses (Use Class C3), and for building operations reasonably necessary for the conversion – 18.04.2024 Prior Approval granted and required
- 4.2 21/03658/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 – 10.02.2022 - Prior Approval granted and required

5.0 CONSULTATIONS

- 5.1 Ecology – No Objection subject to condition
- 5.2 Refuse – No Objection

5.3 Highways - No Objection subject to condition

5.4 Environmental Protection – No Objection subject to condition

5.5 Landscape – No Objection

5.6 Natural England – No Objection

6.0 **REPRESENTATIONS** Expired 21.05.2024

6.1 Michelmersh and Timsbury PC – Objection (Summarised)

- The site is in the countryside, it is not close to the main village settlement.
- The proposed new houses would be out-of-character in this rural area.
- The construction of new houses in the countryside, without any demonstrable need or justification, would be contrary to Local Plan policies including COM2.
- Agricultural buildings of this form are common in the countryside, and the conversion described in the PDQS application would not be intrusive, provided that the replacement cladding and roofing material were of an appropriate colour, and landscaping is provided at the Staff Road boundary.
- The Parish Council is very concerned that future Class Q 'applications' will be precursors to full planning applications for demolition and new-build, with a reasonable likelihood that the applications would succeed because of the reliance on the 'fallback position'.
- If this situation occurs it would make a mockery of the very restrictive conditions applied to a Class Q conversion in terms of the building footprint and envelope. If this approach is followed it is likely to lead to virtually uncontrolled development of new houses in the countryside in locations where new dwellings would be undesirable in terms of visual impact, effect on landscape character, and sustainability.
- The Parish Council wishes to express these concerns, although it recognises that there matters of planning law involved here, on which it is not qualified to comment.
- Finally, the Parish Council observes that it is not formally consulted on Class Q applications. Since the Parish Council may have relevant information, such as knowledge of the previous use of a building, this seems to be an illogical omission. The Parish Council would wish to be informed about these applications.

6.2 Birchwood and Croft House Haccups Lane – Support

- Given that the principle of residential use has been consented (in line with government policy for permitted development) then of course these residential units, while referencing their original purpose and the character of the area, should be delivered to the highest standards of quality build and design rather than the inevitable compromise a simple conversion would deliver.
- As near neighbours of these units we fully support this application which will benefit to the local community and afford new or already local families the opportunity to better enjoy our lovely village.

- Having ticked the 'support' box on the portal we are presented a list of 17 'reasons for comment' all of which would be appropriate as reasons for objection. Perhaps some parity should be introduced

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

7.3 Supplementary Planning Documents (SPD)

Michelmersh and Timsbury Village Design Statement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

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

8.2 **Principle of development**

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

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

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

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

- 8.5 The Test Valley Revised Local Plan DPD is up to date. As a result, the presumption in favour of sustainable development paragraph 14 of the NPPF does not apply. Nevertheless, due regard must be had to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 11 of the NPPF. These set out that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 8.6 The planning history of the site is a material consideration, and in particular the permission granted by Class Q of the GPDO (ref. 24/00508/PDQS) remains extant, although it is yet to be implemented.
- 8.7 It is considered that there is a reasonable likelihood that the building which were permitted under class Q to be used as dwellings would be converted and occupied. The relevant case law that establishes the principle of understanding what could reasonably be described as a fall-back position, are set out in *Samuel Smith Old Brewery (Tadcaster) v SSCLG* [2009] J.P.L. 1326. In this context in order for the prospect of a fall-back to be real, it does not have to be probable or likely: a possibility will suffice. Given the planning history of the site it is considered that there is a real prospect that the Class Q scheme would be implemented and the applicant has confirmed this possibility. In other words, regardless of the outcome of this application, there is a possibility that approved scheme would be progressed. As a result, and in this case, the fall back position of implementing the Class Q scheme can be given significant weight in favour of the grant of planning permission, in determining the acceptability of the current proposal.
- 8.8 The principle of the 'fallback position' was also considered in a Test Valley appeal decision at Barrow Hill Barns (APP/C1760/W/16/3154235) the Inspector considered it necessary to assess the impact of the proposed scheme against the permitted scheme, to determine whether or not there would be any significant impacts over and above the permitted scheme. It is considered that, for consistency, this approach can be taken with this application.
- 8.9 **Landscape and the character of the area**
Policy E1 sets out that development will be permitted if it is of a high quality design and local distinctiveness. To achieve this development:
- a) Should integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles;
 - b) Should not detract from the dominance of, or interrupt important views of, key landmark buildings or features
 - c) Should be laid out to provide connectivity between spaces and a positive relationship between public and private spaces; and
 - d) Makes efficient use of land whilst respecting the character of the surrounding area and neighbouring uses.

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

- 8.10 Policy E2 sets out that development will be permitted provided that:
- a) It does not have a detrimental impact on the appearance of the immediate area and the landscape character of the area within which it is located;
 - b) It is designed and located to ensure that the health and future retention of important landscape features is not likely to be prejudiced;
 - c) The existing and proposed landscaping and landscape features enable it to positively integrate into the landscape character of the area;
 - d) Arrangements for the long term management and maintenance of any existing and proposed landscaping have been made; and
 - e) It conserves the landscape and scenic beauty of the New Forest National park or the North Wessex Downs Area of Outstanding Natural Beauty where applicable; and
 - f) Does not result in the loss of important local features such as trees, walls, hedges or water courses.
- 8.11 There are no environmental designations on the site itself, but Monarchs Way long distance route runs along Staff Lane, the primary access route. Michelmersh Conservation Area, with a number of listed buildings within it, lies some 600-800m to the Northeast.
- 8.12 The existing building, which benefits from class Q conversions, is located on the south eastern boundary. Another large agricultural barn exists immediately adjacent to the northwest, both these elements would be removed as a result of the development. The barn on the northwest side is also the subject of a condition on the Class Q approval for demolition to ensure no impacts in terms of residential amenity on the Class Q dwellings approved. It is considered that the existing buildings have a form, scale and appearance (e.g. materials) that mean that they appear as a functional agricultural complex wholly appropriate to its rural character and setting at Staff Lane.
- 8.13 The Class Q scheme would retain the building within the existing boundaries of the farm yard and the site would be seen as one parcel of land albeit with five dwellings within the converted barn. The conversions under the Class Q scheme would see the insertion of domestic features such as windows, and front and back doors within the existing shapes of the barns.
- 8.14 Any views from the public realm of the proposed development would be seen in context with the neighbouring farmhouse and would be set back from the public realm at Staff Road by approx. 15m at the closest point. Longer distance views would also be seen from the A3057 between the Bear and Ragged Staff pub and the junction with Hill View Road. There are limited residential properties so this built form would introduce a residential appearance where agricultural buildings and land are the prominent features.

As existing agricultural barns these do not look out of context, it is considered that the proposed dwellings would provide a different view with windows, lighting and the associated residential paraphernalia in the gardens. An indicative landscape strategy has been submitted within the application which gives a good indication of how the dwellings would integrate within the immediate and wider landscape. Conditions also suggested by the Landscape Officer include a detailed landscape plan for hard and soft landscaping and a detailed landscape management plan to ensure the successful establishment of all new planting. Any external lighting proposed should also be agreed.

8.15 The existing barns size and height vary as follows: (All measurements are approximate)

EXISTING	Height	Floor space	PROPOSED	Height	Floor space
Barn subject of Class Q Application	7.3m and 7.7m (Dependent on where measured)	862.9m ²	Plot 1	7.7m (highest point at ridge)	192m ² - Ground Floor (inc garage) 132m ² - First Floor
			Plot 2	7.7m (highest point at ridge)	192m ² - Ground Floor (inc garage) 132m ² - First Floor
			Plot 3	4.3m / 4.5m (highest point at ridge)	208.8m ²
			Plot 4	4.3m / 4.5m (highest point at ridge)	208.8m ²
					TOTAL 801.6m ²

Whilst at points the proposed two storey dwellings are higher than the existing barn the proposed design uses gable roofs and breaks in built form to ensure the massing of the dwellings are not significant. Also proposed are bungalows with much lower overall massing and height. It is acknowledged that there are material differences between the proposed dwellings and those approved under the Class Q scheme however, it is considered that the proposed scheme would not change the overall perception of the landscape in which it sits and that the proposed development by virtue of it's siting and design are more representative of the character of the area. The number of dwellings on site is also reduced. It is considered that the proposed scheme is of a higher standard of design than the Class Q scheme and that the proposed landscaping would enable the proposed scheme to positively integrate into the landscape character of the area. This can be given significant weight in the planning balance.

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

8.17 **Design**

The units will be constructed in vertical timber cladding, grey/blue brick and grey slate which are sympathetic to the site's agricultural setting and are looking to emulate the appearance of a barn in the long-distance views from the public realm. The proposal has also ensured that the height of the proposed dwellings at plots 1 and 2 are the same or not significantly higher than the existing buildings. Plots 3 and 4 are over 3m lower being single storey in design, reducing the height and mass of the built form. The Village Design Statement states that new dwellings should reflect but not necessarily copy the past. It is considered that the development can be provided in accordance with policy E1 of the Revised Local Plan which concerns high quality development and the requirements of the Village Design Statement.

8.18 **Impact on neighbouring properties**

Staff Lane Cottage

Staff Lane Cottage is located to the south west of the application site approx. 15m from the closest plot 3 dwelling. In-between the development site and this neighbour is a retained agricultural building which would in part screen the development from view. Given the closest proposed dwelling is a bungalow and separation distance it is not considered that there would be any significant impacts created on this neighbouring property. It is considered that the development can be provided in accordance with policy LHW4 which concerns amenity.

8.19 **Highway Safety and Parking provision**

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 in regard to traffic generation. The existing access raises no specific concerns and is considered to be acceptable and achieves necessary vehicle visibility, however a condition should be required for the visibility splays to be secured and vegetation controlled in order to maintain the visibility splays for the lifetime of the development.

8.20 The internal site layout is considered to be adequate with sufficient space for the safe and efficient manoeuvring of vehicles.

8.21 TVBC Refuse team were consulted and confirmed there is no issue with the proposal in terms of waste and recycling collections. The applicant has confirmed that bins will be taken to the highway verge on collection day, and the Refuse Team have confirmed this is an acceptable arrangement.

- 8.22 As such, it is considered that the development would not have an adverse impact on the function, safety and character of the Right of Way or the local highway network. It is considered that the proposal would be in accordance with policy T1 of the TVBRLP.
- 8.23 The proposed scheme provides two 4 bed properties requiring 3 parking spaces and two 3 bed properties requiring 2 on site car parking spaces for each dwelling under the standards of Annex G. The garages in the 4 bed properties provide 2 spaces per garage and together with an ample driveway space. The car ports provide two spaces each at the 3 bedroom bungalows. Subject to a condition to secure parking before the dwellings are occupied, the proposal would be in accordance with policy T2 of the TVBRLP.
- 8.24 **Contamination**
The application site comprises agricultural buildings for which the precise former uses are not clear. Agricultural buildings can be subject to a wide range of uses, which might have included uses such as the storage of fuel / chemicals / fertilisers / agricultural vehicles and for which there may have been some potential for contamination through leakage. Therefore, the possibility of encountering indications of land contamination during development works cannot be discounted and this possibility should be considered when developing the site. On a precautionary basis the Environmental Health Officer recommends an appropriate condition.
- 8.25 **Ecology**
Policy E5 sets out that development in the Borough that will conserve, and where possible restore and/or enhance biodiversity will be permitted. The application is supported by an updated Preliminary Ecological Appraisal (Ecosupport, December 2023). The report identifies adverse impacts to a number of ecological features including breeding birds, reptiles and designated sites, and makes suitable recommendations to ensure the proposals are unlikely to cause any impacts. No further surveys are required and the mitigation recommended can be secured via condition. It is considered that the development can be provided in accordance with policy E5 of the TVBRLP subject to appropriate conditions.
- 8.26 **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.

8.27 To address this issue, Test Valley Borough Council has adopted an interim mitigation strategy whereby a scale of developer contributions of £1300 per new dwelling has been agreed that would fund the delivery of a new strategic area of alternative recreational open space that would offer the same sort of recreational opportunities as those offered by the New Forest. The applicant paid this direct to the Council on the 17th May 2024.

8.28 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)

8.29 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.

8.30 In the context of planning, the impact comes from population increase and the resultant increase in effluent. Proposed developments for new housing, hotels and care homes (as well as other forms of overnight accommodation) are being affected by the issue as a result. A nitrate budget calculation has been submitted and an Appropriate Assessment submitted to Natural England. Natural England have no objection. To offset the output, the applicant proposes to use the budget provided by the previous use of the site as a farm together with the use of PTP. The proposed development does not conflict with the Habitats Regulations and accords with Policy E5 of the TVBRLP.

8.31 **Water Management**

Water consumption

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

8.32 Drainage – Foul

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

8.33 Drainage – surface water

Surface water drainage is proposed to be controlled through soakaways.

8.34 **Planning balance**

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

9.0 **CONCLUSION**

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

10.0 **RECOMMENDATION**

PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.**
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers**
 - **Location plan D-140**
 - **Landscape plan BLA329-10 A**
 - **Site section - D-420 G**
 - **Block plan D-113 F**
 - **Package treatment plant GA A**
 - **Existing elevation D-316**
 - **Existing elevation D-311**
 - **Existing site plan D-110**

- Proposed aerial view - D620 A
- Proposed elevations D-310 F
- Proposed elevations D-123 G
- Proposed floor plans D-221 D
- Proposed floor plans D-210 C

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. **No external lighting shall be installed unless in accordance with details that 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 and a light spread diagram.**

Reason: To safeguard the visual amenities of the area and in the interest of protected species and to safeguard the residential amenities of neighbouring properties in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1, E5 and LHW4.

5. **Prior to the commencement of demolition and construction activity including site clearance or groundworks, 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, vibration, light and dust 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: In the interest of the amenities of the local area and local residents in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

6. **Prior to the commencement of development, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the method of cleaning wheels and chassis of all HGV's, plant and delivery vehicles leaving the site and the means of keeping the site access road and adjacent public highway clear of mud and debris during site demolition, excavation, preparation and construction. The scheme shall be implemented in accordance with the approved details and shall be installed and operational before any development commences and retained in working order throughout the duration of the development. No vehicles shall leave the site in a condition whereby mud, clay or other deleterious materials shall be deposited on the public highways.**

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

- 7. On the day on which the first dwelling hereby permitted is first occupied for residential purposes, the existing buildings on the application site 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 to be submitted and approved in writing with 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.

- 8. 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.

- 9. 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 fences, gates, walls or other means of enclosure 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 COM2.

- 10. 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.

- 11. 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.

- 12. 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 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.

- 13. 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

- 14. 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

- 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. 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

- 17. Recommendations included in Section 6.0 'Recommendations' of the Land at Staff Road, Michelmersh, Updated Preliminary Ecological Appraisal (Ecosupport, December 2023) will be adhered to, with the enhancement features being permanently retained and managed in accordance with the approved plan. Photographs and a report of the implemented measures shall be submitted by an ecologist for approval to the Local Planning Authority prior to occupation.**

Reason: To ensure that the scheme complies with Policy E5 of the Test Valley Revised Local Plan DPD and the NPPF.

- 18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), the garage(s) and car ports hereby approved shall at all times be available for the parking of vehicles.**

Reason: In order to maintain the approved on site parking provision and to reduce highway congestion in accordance with Test Valley Borough Revised Local Plan (2016) Policy T2.

- 19. Prior to the commencement of development a scheme detailing the removal of any spoil or subsequent deposit within the holding of any spoil that will result from the construction of the development shall be submitted to and approved in writing by the local planning authority.**

Reason: To protect the character and appearance of the area in accordance with policy E2 of the Test Valley Revised Local Plan (2016).

- 20. Prior to the commencement of development the access shall be constructed in accordance with the visibility splays detailed on drawing D113 F and maintained as such at all times. Within these visibility splays notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no obstacles, including walls, fences and vegetation, shall exceed the height of 1 metres above the level of the existing carriageway at any time.**

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

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.**
-