In response to the appellant's grounds of appeal the LPA believes that the officer's delegated report, saved and emerging policies, and adopted SPD/SPG's, fully responds to the matters raised.

The LPA are of the opinion that the refusal of the application is justified for the reasons identified. The appointed Inspector is respectfully requested to dismiss the appeal.

Without prejudice to the statement made by the Council, should the Inspector be minded to grant permission the Local Planning Authority would wish that the below conditions are included as part of any approval.

Proposed Conditions:

(1) The development hereby permitted shall begin either:

a) No later than the expiration of three years from the date of this permission;

or

b) No later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(2) No development shall start until details of the:

a) external appearance of the buildings.
b) landscaping of the site

[hereafter called "the reserved matters"] have been submitted to and approved in writing by the Local Planning Authority. Application for the approval of the reserved matters shall be made within three years of the date of this permission. The development shall accord with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(3) At the first reserved matters stage a lighting strategy will be submitted ensuring that all woodland edges surrounding the site remain dark with lux levels at less than 1 lux along the woodland edge and hedgerow corridors.

Reason: *To ensure the protection and enhancement of bat foraging habitat*

(4) No development shall start until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Reason: To ensure a satisfactory visual appearance in the interest of the amenities of the area.

(5) No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:

a) a programme and phasing of the demolition and construction work,;
b) location of temporary site buildings, compounds, construction material and plant storage areas used during demolition and construction;
c) the arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway ;
d) the parking of vehicles of site operatives and visitors;
e) measures to control the emission of dust and dirt generated by demolition and construction;
f) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
g) provision for storage, collection, and disposal of rubbish from the development during construction period;
h) measures to prevent mud and dust on the highway during demolition and construction;

Reason: To limit the impact the development has on the amenity of the locality.

(6) Before any work commences on site a Construction Environment Management Plan will be submitted to Eastleigh borough council incorporating safeguards to preserve the water quality and flows leaving the site.

Reason: To ensure no impact on the River Itchen SAC or its tributaries due to contamination and changes in flow.

(7) Before construction commences a Reptile translocation, habitat creation, mitigation, management and monitoring strategy will be submitted to and agreed by Eastleigh Borough Council. The strategy will include details of receptor site(s) with an area equivalent to that lost within the development.

Reason: To ensure reptiles are protected from harm

(8) No development shall start until details for the sustainable disposal of surface water [and disposal of foul sewerage] from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall then accord with the approved details.

Reason: To ensure satisfactory provision of foul and surface water drainage.

(9) No development shall start until details of the access (including any footway and verge crossing) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be [occupied/ brought into use] until the approved details have been fully implemented [unless agreed in writing by the Local Planning Authority].

Reason: To ensure satisfactory vehicular access.

(10) Prior to commencement, details of how the approved dwellings will achieve Code level 4 equivalent requirements for energy and water (or equivalent requirements that are set out in national legislation or policy), with reference to design stage SAP data and the BRE water calculator, shall be submitted to, and approved in writing by, the Local Planning Authority. No dwelling shall be occupied until written confirmation that these works have been completed, and the 'as built' stage SAP data and a confirmation of the water calculation, has been submitted for that dwelling.

Reason: To ensure the development meets the requirements of the national technical standards for energy and water consumption in residential development.

(11) For a period of no less than 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme.

Reason: In the interests of the visual amenities of the locality.

(12) The development hereby permitted shall not be brought into use until a minimum of 2 car parking spaces per dwelling have been provided within the curtilage of the site and thereafter maintained and kept available.

Reason: To ensure the adequate provision of on-site parking for the purpose of highway safety.

(13) No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process.

Reason: To protect the amenities of the occupiers of nearby properties.

(14) No construction, demolition or deliveries to the site shall take place during the construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of the occupiers of nearby dwellings.

Informatives

Note to Applicant: the permission does not authorise the undertaking of any works involving excavations in the carriageway, footway or verge. A road opening permit should be obtained from Hampshire County Council at Hampshire County Highways Jacobs Gutter Lane, Totton, Southampton, Hampshire, SO40 9TQ. Tel: 0845 603 5633. E-mail: roads@hants.gov.uk Wedsite:www.hants.gov.uk/highways