

LOCAL PLANNING AUTHORITY SUGGESTED LIST OF CONDITIONS

Site Address: Old Oak Farm, Winchester Road, Fair Oak, Eastleigh, SO50 7HD

Appeal Reference: APP/W1715/W/24/3343675

Planning Application Reference: F/23/96082

The following list of conditions is put forward by the Local Planning Authority (LPA) on a without prejudice basis. For the avoidance of doubt, the presence of conditions on this list, so far as they pertain to matters the subject of the reason(s) for refusal as set out within the Council's decision notice, do not indicate that the LPA is satisfied that such matter could be adequately addressed by way of planning conditions. Rather their presence is such as to allow a degree of control to be exercised in relation to specific impacts of the development should the Inspector be minded to allow the appeal. In such an event, the LPA respectfully requests that these conditions be imposed.

Conditions and Reasons:

- 1) The development hereby permitted shall start no later than three years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall be implemented in accordance with the following plans numbered:
 - Site Plan 128SLO1 Rev B
 - Landscape Strategy L179/B01
 - Garage – Plans and Elevations 128 Gar.O1
 - Plot 2 – Elevations 128 Plot2.e
 - Plot 2 – Floor Plans 128 Plot2.p
 - Proposed Site Section 128 SSO2
 - Proposed Site Section 128 SSO1
 - Plot 1 – Elevations 128 Plot1.e
 - Plot 1 – Floor Plans 128 Plot1.p
 - Existing Building Areas 128 EBA.O1
 - Old Oak Farm, Winchester Road, Fair Oak, Hampshire, SO50 7HD Location Plan
 - Tree Survey Plan 230509-OOF-TSP-SD.

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

- 3) All development shall be stopped immediately in the event that contamination not previously identified is found to be present on the development site and details of the contamination shall be reported immediately in writing to the Local Planning Authority (LPA). Development shall not re-start on site until the following details have then been submitted to and approved in writing by the LPA:-
- (a) a written report of the findings which includes, a description of the extent, scale and nature of contamination, an assessment of all potential risks to known receptors, an update of the conceptual site model (devised in the desktop study), identification of all contaminant linkages and unless otherwise agreed in writing by the LPA and identified as unnecessary in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site. and (unless otherwise first agreed in writing by the LPA),
 - (b) a detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified contaminant linkages; and
 - (c) before any part of the development is occupied or used (unless otherwise first agreed in writing by the LPA) a verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to and approved in writing by the LPA.

The above site works, details and certification submitted shall be in accordance with the approved scheme and undertaken by a competent person in accordance with best practice as outlined in BS10175:2011+A2:2017 and LCRM. Any gas monitoring deemed appropriate is to be in accordance with best practice as outlined in such documents as BS8576:2013, BS 8485:2015+A1:2019, Claire RB17 and CIRIA C665.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors in accordance with Policy DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 4) No development shall start on site until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, which shall include:
- (a) A programme of and phasing of demolition (if any) and construction work;
 - (b) The provision of long-term facilities for contractor parking;
 - (c) The arrangement for deliveries associated with all construction works;
 - (d) Methods and phasing of construction works;

- (e) Access and egress for plant and machinery;
 - (f) Protection of pedestrian routes during construction;
 - (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;
 - (h) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process;
 - (i) tree protection measures, and timings of their implementation and how these may change through the construction phase;
 - (j) Precautionary working methods (setting out prevention measures for reptiles, amphibians, badgers, dormice, hedgehogs and nesting birds) and ecological supervision;
 - (k) Establishment of a reptile receptor site (to be marked on a plan);
 - (l) Details for the control or eradication of invasive species Field Horsetail and Thorn Apple;
 - (m) Details of noise mitigation measures.
- Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: In order that the Local Planning Authority can properly consider the effect of the works on the amenity of the locality, in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 5) 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 in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 6) No construction, demolition or deliveries to the site shall take place during the demolition and 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 in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

- 7) Prior to occupation of the dwellings hereby permitted, the existing mobile homes shall be removed from the site and the land restored in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the retention of the mobile homes in addition to the dwellings, in order to protect the character and appearance of the countryside

in accordance with Policy S5 of the Eastleigh Borough Local Plan (2016-2036).

- 8) No development shall start until details for the sustainable disposal of surface water and the 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 in accordance with Policy D6 of the Eastleigh Borough Local Plan (2016-2036).

- 9) No excavation, demolition or development related works shall take place on site until an arboricultural method statement, detailing demolition activities, has been submitted to and approved in writing by the Local Planning Authority. The approved method statement must be adhered to in full, and may only be modified subject to written agreement from the Local Planning Authority.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality in accordance with Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).

- 10) No development shall start on site until the access, including the footway and/or verge crossing has been constructed and lines of sight of 2.4 metres by 65.0 metres provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 0.6 metre in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

Reason: To provide satisfactory access and in the interests of highway safety in accordance with Policy DM13 of the Eastleigh Borough Local Plan (2016-2036).

- 11) a) No development shall start on site until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard and soft landscaping (including biodiversity enhancements, boundary treatment details and times of vegetation clearance), and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard.
b) If, within a period of 10 years after planting, any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased, another tree or plant of the same species and size as that originally approved shall be planted at the same place within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of the visual amenity in accordance with Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).

- 12) Prior to any development above foundation / slab level, details for the onsite provision of bin and cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the storage facilities have been constructed in accordance with the approved details and these shall thereafter be retained and kept available.

Reason: To ensure the adequate provision of onsite facilities in the interest of amenity and to encourage sustainable transport, in accordance with Policies DM1 and DM13 of the Eastleigh Borough Local Plan (2016-2036).

- 13) Notwithstanding the approved plans / details, no development shall start until full details and all 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, in accordance with Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).

- 14) Prior to first occupation of the development hereby permitted, supporting information to confirm the predicted internal mains water consumption will achieve a maximum level of 110 litres/person/day shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To achieve water efficiency requirements in the interest of environmental sustainability, in accordance with Policy DM2 of the Eastleigh Borough Local Plan 2016-2036.

- 15) Prior to first occupation of any dwelling hereby approved, evidence that the dwellings comply with Part M4(2) standard (Accessible and adaptable dwellings) of the building regulations for new build residential development (or future equivalent), shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To ensure the development meets higher national access standards in accordance with policy DM29 of the Eastleigh Borough Local Plan 2016-2036.

- 16) Prior to first occupation a Biodiversity Management and Enhancement Plan (BMEP) shall be submitted to and approved in writing by the Local Planning Authority. The BMEP shall include the following:
- i. Details of all biodiversity mitigation, compensation and enhancement measures and proposed specifications;
 - ii. Details of maintenance and management regimes;
 - iii. Timings for the implementation / carrying out of the biodiversity mitigation, compensation and enhancement measures;
 - iv. Details of the locations of the bird and bat boxes, dark corridors on site, and any external lighting;
 - v. Details of green roof management and maintenance;
 - vi. Details of management responsibilities including the body or organisation responsible for implementation of the BMEP and details of the legal and funding mechanism(s) by which this will be secured.
- The works shall thereafter be carried out and managed in accordance with the approved details.

Reason: To provide biodiversity enhancements and to ensure the protection of wildlife and supporting habitat found on the site in accordance with Policy DM11 of the Eastleigh Borough Local Plan (2016-2036).

- 17) Any gates provided shall be set back a distance of 6.0m from the edge of the carriageway of the adjoining highway.

Reason: In the interests of highway safety in accordance with Policy DM13 of the Eastleigh Borough Local Plan (2016-2036).

- 18) The paddock hereby approved shall only be used for equestrian purposes in connection with the residential development on site and shall not, at any time, be used for commercial purposes.

Reason: In the interests of highway safety in accordance with Policy DM13 of the Eastleigh Borough Local Plan (2016-2036).

- 19) The garages hereby approved shall only be used for the purpose of parking private motor vehicles in connection with the residential use of the property and shall not, at any time, be used for living accommodation, business, commercial or industrial purposes.

Reason: To ensure the adequate provision of onsite parking for the purpose of highway safety, and in the interest of amenity, in accordance with Policies DM1 and DM14 of the Eastleigh Borough Local Plan (2016-2036).

- 20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no development permitted by Classes A, AA, B, C and E of Part 1, Schedule 2 and Class A of Part 2, Schedule 2 of the Order shall be carried out without the prior written consent

of the Local Planning Authority through submission of a formal planning application.

Reason: To ensure the retention of an appropriate level of amenity space and in the interest of maintaining a good quality environment for future occupiers and neighbours, in accordance with Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).