

DELEGATED OFFICER REPORT

Application Ref: PN/24/98597

Site Address: Cockpit Farm Barn, Knowle Lane, Horton Heath

Case Officer: Rebecca Altman

Description: Application for Prior Approval for the change of use of the existing barn to form 8 dwellings (Use Class C3), under Class Q of the General Permitted Development Order.

Particular Site Constraints?	Yes ☒	No ☐
• Countryside • Settlement Gap • Public footpath alongside northern boundary • Surface water flood risk west side of site (watercourse) • Aviation safeguarding (not applicable to proposal) • Nutrient neutrality catchment (Itchen and Solent) • Recreational disturbance catchment (Solent)		

Planning History?	Yes ☒	No ☐
• PN/24/98596 – PN under Class R for conversion of part of building to B8 Use – under consideration. • PN/23/96355 – PN under Class R for conversion of part of existing building to light industrial use (Class E(g)(iii) – approved 22 December 2023 • PN/23/95763 – PN under Class R for change of use of part of existing building to use Class E (g)(iii) for industrial processes – refused 31 August 2023 • PD/23/95961 – Use of existing agricultural building to E(g)(iii) use under permitted development - planning application not required, 11 September 2023 • F/23/94713 – construction of 6 dwellings, including landscaping, parking and associated works following demolition and site preparation – refused 18 July 2023; Allowed at appeal 13 November 2024 • PN/22/92315 – Prior notification under Class Q for change of use from agricultural buildings to 5 dwellinghouses and for building operations reasonably necessary for the conversion – approval granted 25 March 2022 • PN/22/92314 – Prior notification under Class R for change of use of part of agricultural building to office use (Class E(g)(1)) - approval granted 23/03/2022 • LDC/23/95215 – lawful development certificate for existing use of outbuilding being used for domestic purposes – LDC issued 6 November 2023 • LDC/22/93901 – lawful development certificate for conversion of agricultural building to living accommodation – refused 18 October 2022 • F/22/93315 – construction of 9 dwellings, landscaping, parking and associated works – withdrawn 28 October 2022 • PN/21/92091 – Prior approval for change of use of agricultural building to a flexible use within storage or commercial/business/services (Class E) – withdrawn 7 January 2022		

- Z/30431/000/00 – Erection of poultry house and silo – permitted 26 August 1988

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	Five representations received, raising objection on the following grounds: - Additional housing will add to traffic on Knowle Lane, creating further traffic chaos; - Increased risk of traffic accidents; - Vehicles turning in and out of the site will cause further hazard to road users and local residents; - The vehicle access is unsafe; - Construction traffic would further exacerbate traffic and safety issues; - Negative impact on quality of life for local residents, particularly during construction; - Local infrastructure cannot cope with more housing; - Further development will harm the rural nature of the area; - Detrimental impact on local house prices; - Knowle Lane should be considered for traffic calming measures; - Impact on the character of this part of Horton Heath; - Not clear how pedestrian access / footway access would be achieved; - Concern about the approach taken with the submission of multiple applications; - Proposal to further increase the number of houses on the site is greedy.		
Fair Oak Parish Council:	Concerns regarding overdevelopment in the strategic gap, contrary to policy. Concerns regarding highway safety. The proposed design of the houses is unexciting and not in keeping with the vernacular architecture of Knowle Lane.		
Lead Local Flood Authority (HCC):	Standard advice provided.		
Environmental Health – Noise:	No objection. The site is agricultural and bounded by residential dwellings. The only commercial noise is that generated by the existing site. A previous application determined at appeal showed no requirement for a noise survey in the Inspectors comments.		
Environmental Health – Contaminated Land:	No objection subject to conditions. The submitted Desk Study report identifies several features likely to cause contamination, along with potential contaminated land from historic poultry farm use. The report recommends intrusive investigation and asbestos survey. Recommended conditions: Asbestos Management Plan; Additional Ground Investigation; Verification Report; CEMP; unexpected contamination.		
Highway Authority (HCC):	Further comments received 10 February – no objection subject to conditions A visibility splay drawing has been received and is acceptable. A condition should be imposed to ensure that the splays are kept clear of vegetation (within the applicants land). Vehicle tracking – A tracking drawing has been provided, which shows two way vehicle movements are achievable. There is no requirement for refuse vehicle tracking as it has been confirmed that refuse would be collected from the roadside.		

	Pedestrian access – a footpath has been added to the plans heading south. However, it only shows part of the route. Request a plan showing full route. TRO requirement – request withdrawn, given that the level of parking accords with required parking standards. Original comments - Further information required. No objection in principle to the access, but an access plan is required showing the required visibility of 2.4 x 43m. Vehicle tracking plans also required to show how two way access and egress will be achieved. Noted that a pedestrian route is proposed to the north of the site, linking to the public footpath, however this is likely to offer limited connectivity during winter months due to poor surfacing. A link to the south of the site should be provided, as per previous residential proposals. Internal layout appears acceptable with adequate sized parking bays and 6m turning aisles. Vehicle tracking should be provided for a refuse vehicle. 2 parking spaces are proposed per dwelling and 4 visitor bays, which is welcomed. Contribution of £12,000 requested towards a TRO, to implement restrictions near the entrance to prevent obstructive parking on Knowle Lane. Subject to addressing the above points, conditions would be required for: - Closure of southern access; - Construction of access with required visibility; - Provision of pedestrian access.
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Site Visit:	Yes ☒	No ☐
Details: Site visits carried out for previous applications and appeal.		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The most relevant policies of the <u>Eastleigh Borough Local Plan 2016-2036</u> are Strategic policies S1 (Sustainable development), S2 (Approach to new development), S5 (Countryside) and S6 (Settlement Gaps), and Development Management policies DM1 (General criteria), DM8 (Pollution), DM11 (Nature conservation), DM13 (Transport) and DM14 (Parking). Supplementary Planning Documents: Residential Parking Standards.

Assessment:

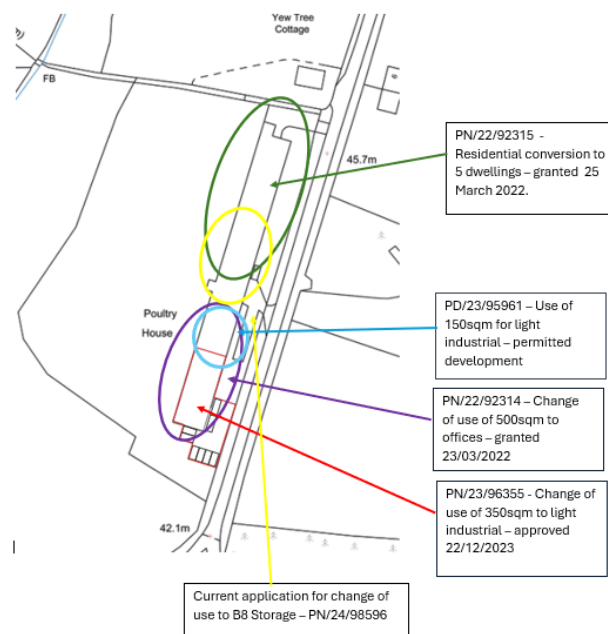
Site location and characteristics

The application relates to a former poultry building located on the west side of Knowle Lane towards the southern end of the road. The building is oblong in form and single storey in height. There are three existing access points into the site from Knowle Lane, with the main one being roughly opposite the central section of the poultry building. The site lies within the countryside and settlement gap and there is a mix of residential, commercial and agricultural uses in the surrounding area.

This application proposes a change of use of the existing building to form 8 dwellings, following demolition of a central section of the building, and two sections at either end (north and south sides). Associated operational development would include the installation of new windows and doors to the east and west elevations, and timber cladding to the external walls. The roof is currently proposed to be retained, but may require replacement.

Planning history

The site has an extensive planning history from recent years, with previous Prior Approval applications allowing various uses in different parts of the building. This is shown in the diagram below.



There has been one previous Prior Approval for residential use, which was for the change of use of the northern part of the building to form 5 dwellings, permitted in 2022 (ref. PN/22/92315). Planning permission has also recently been granted at appeal for demolition of the existing building and the construction of 6 dwellings (ref. F/23/94713).

General Permitted Development Order (GPDO)

Schedule 2, Part 3, Class Q of the GPDO allows for the change of use of agricultural buildings to dwellinghouses along with necessary operational development, subject to the Prior Approval procedure. The table below sets out the following criteria to be met under this section of the GPDO.

Criteria	Assessment
Permitted development:	

(a) A change of use of: (i) A building that is part of an established unit and any land within that building's curtilage, or (ii) a former agricultural building that was (but is no longer) part of an established agricultural unit and any land within that building's curtilage, To a use falling within Class C3 (dwellinghouse).	The application relates to a former agricultural building that was (but is no longer) part of an established agricultural unit, as per criteria (a)(ii). The proposal is to change the use to 8 x Class C3 dwellinghouses.
(b) Development in sub-paragraph (a) together with the extension of the building referred to in sub-paragraph (a)	No extensions to the building are proposed.
(c) Development in sub-paragraph (a) together with building operations reasonable necessary to convert the building to C3 use or to extend that building.	The proposal would involve partial demolition of the existing building along with the installation of new windows and doors, and cladding to the timber external walls. The roof is proposed to be retained, but may need to be replaced subject to further survey work. The existing building has no windows, and cladding is required to improve the buildings insulation. These works are therefore considered reasonably necessary to convert the building. The partial demolition would allow for the creation of a parking area, and is also considered reasonably necessary for the residential use.
Development not permitted:	
(a) In the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit: (i) on 24th July 2023; or (ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins.	Not applicable as the building is not currently part of an established agricultural unit.
(b) In the case of a site that was (but is no longer) part of an established agricultural unit: (i) the site was part of an established agricultural unit on 24th July 2023; (ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins; or (iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose.	The site ceased to be part of an agricultural unit before 24th July 2023. Information provided for previous applications suggests it's agricultural use ceased in 2018. (i) The site was not part of established agricultural unit on 24th July 2023. (ii) Not applicable. (iii) The site has not been used since its agricultural use ceased.
(c) The floor space of any dwellinghouse development under Class Q having a	None of the proposed dwellinghouses would have floor spaces larger than 150sqm.

use falling within Class C3 exceeds 150sqm.	The submitted floor plans confirm that each dwelling would be the same size, with a floor area of around 98.9sqm, and each would have 3 bedrooms.
(d) The development under Class Q, together with any previous development under Class Q within the original limits of an established agricultural use would result in: (i) the cumulative number of separate dwellings houses exceeding 10; or (ii) the cumulative floor space of dwellinghouses exceeding 1000sqm.	The proposal is for 8 dwellings, which would supersede the previous Prior Approval that was granted for 5 dwellings. The number of dwellings would therefore not exceed 10. The cumulative floor space of the 8 dwellings would amount to approximately 791.2sqm, within the 1000sqm limit.
(e) The site is occupied under an agricultural tenancy, unless the express consent of both landlord and tenant has been obtained.	The site is not occupied under an agricultural tenancy.
(f) Less than 1 year before the date development begins; (i) an agricultural tenancy over the site has been terminated, and (ii) the termination was for the purpose of carrying out development under Class Q unless both the landlord and tenant have agreed in writing that the site is no longer required for agricultural use.	The site is not occupied under an agricultural tenancy.
(g) Development under Class A(a) or Class B(b) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on an established agricultural unit during the period which is 10 years before the date of development under Class Q begins.	This relates to development permitted under the agricultural and forestry section of the GPDO, for: Class A(a) – erection extension or alteration of an agricultural building, or Class B(b) – installation of plant or machinery. No such development has been carried out on the building in the last 10 years.
(h) The development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than; (i) Extension of the building allowed by paragraph Q.1(i); (ii) protrusions of up to 0.2m to accommodate building operations allowed by paragraph Q.1(j)(i).	No extensions to the building are proposed, and the new cladding would not protrude more than 0.2m from the existing external dimensions.
(i) The development under Class Q(b) would result in an extension that (i) has more than one storey; (ii) is sited anywhere other than to the rear of the existing building; (i) Extends beyond the rear wall of the existing building by more than 4m; (ii) Has eaves the height of which exceed the height of the eaves of the existing building; (iii) Is higher than whichever is the lower of: (aa) the highest part of the roof of the existing building; or	No extensions are proposed.

(iv) (bb) a height of 4m above the ground; Extends beyond a wall that forms a side or principal elevation of the existing building, or (v) Would be sited on land that, before the development under Class Q(b), is not covered by a hard surface that was provided on the land by virtue of any development, and: (aa) the hard surface was not provided on the land on or before 24th July 2023; or (bb) where the hard surface was provided on the land after 24th July 2023, the hard surface has not been situated on the land for a period of at least 10 years before development under Class Q(b) begins.	
(j) The development under Class Q(c) would consist of building operations other than: (i) the installation or replacement of: (aa) windows, doors, roofs, or exterior walls, or (bb) water, drainage, electricity, gas or other services, To the extent reasonably necessary for the building to function as a dwellinghouse, and (ii) partial demolition to the extent reasonably necessary to carry out the building operations allowed by paragraph Q.1(j)(i).	The works would include the installation of windows and doors and new external cladding, which accords with criteria (j)(i)(aa), and the partial demolition of the building in accordance with (j)(ii). There may also be a need to replace the roof, which would also covered under this criteria.
(k) The site is on article 2(3) land.	The site is not on article 2(3) land.
(l) The site is or forms part of; (i) a site of special scientific interest; (ii) a safety hazard area; (i) a military explosives storage area.	None of these apply to the site.
(m) The site is, or contains, a scheduled monument.	Not applicable.
(n) The building is a listed building.	Not applicable.
(o) The existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standards.	The plans indicate that the 3-bed dwellings are designed for 5 persons. The Nationally Described Space Standards (NDSS) require single-storey 3-bedroom dwellings for 5 persons to be at least 86m² in size. The proposed dwellings would have floor areas of 98.9m²; therefore exceeding the standard. The dwellings would also be capable of providing the required level of internal storage and the bedrooms meet the required minimum sizes.
(p) The building does not have suitable existing access to a public highway.	The site has existing access to the public highway (Knowle Lane).

Conditions:

Q2 (1):

For development under Class Q(a) together with development under Class Q(c), Prior Approval is required in respect of the following matters:

(a) Transport and highway impacts of the development

The proposed dwellings would be accessed via the existing central access point from Knowle Lane. The applicant has confirmed that the existing northern and southern access points would be stopped up.

Following receipt of an additional visibility plan, the Highway Authority has confirmed that the access is acceptable. Tracking plans have also been provided to demonstrate that two way vehicle movements can be satisfactorily accommodated on site.

The development is estimated to generate around 36 vehicle movements per day, which is an increase in 9 vehicles compared to the scheme for 6 new dwellings that was allowed at appeal. This is not considered to be a significant increase in vehicle movements, and would be less than the predicted traffic that would be generated from some of the other development scenarios on the site (e.g. the combined residential and office use previously approved, or the approved light industrial uses). No concerns have been raised by the Highway Authority about the traffic generation or highway safety. Whilst a request was initially made for a contribution towards a Traffic Regulation Order to minimise the risk of obstructive parking on Knowle Lane, this request has since been withdrawn, with the Highway Authority noting that parking on site would accord with Adopted Standards and therefore the risk of on-road parking is not considered significant.

In terms of pedestrian accessibility, a link to a footpath to the north of the site is shown on the plan, but this footpath is known to have poor surface conditions in winter months. The Highway Authority requested an additional pedestrian link to the south of the site, and this has now been partially shown on the site plan. The Highway Authority has requested that the southern link is shown in full, and this can be requested by condition.

In terms of parking, the Council's Adopted Parking Standards require 3-bedroom dwellings to have 2 parking spaces each, along with 2 cycle parking spaces. The plans include a parking court for 16 cars, 2 per dwelling, which would accord with the required standards, and the Highway Authority has confirmed that the bay sizes and turning space is acceptable. Cycle storage is not shown on the plans but this could be accommodated within the rear gardens and details could be requested by condition.

Subject to addressing the matters raised above, conditions would be required to secure the closure of existing accesses, provision of the access with suitable visibility and pedestrian access provision.

(b) Noise impacts of the development

The Council's Environmental Health Officer has been consulted on the application and has raised no concerns regarding noise impact. In terms of impact on existing residents of the area, the proposed residential use is likely to generate less noise than the reuse of the building for agricultural purposes or industrial use.

In terms of impacts on future occupants, for the recently allowed scheme for 6 dwellings, it is noted that the Planning Authority had originally requested a noise assessment by condition, to demonstrate that future occupants would not be adversely affected by traffic noise. However, this requirement was not imposed as part of the appeal decision, with the Inspector noting the following: *'I have not imposed a condition requiring a noise assessment as the proposed dwellings are located in a quiet area, not near a busy road or any other potential major sources of noise. Building regulations would require necessary*

insulation and prevention of noise spread. No substantive evidence has been submitted to demonstrate that such a condition is necessary.'

In summary, there are no concerns in respect of noise impacts in relation to the proposal.

(c) Contamination risks on the site

The site was previously used to house poultry and therefore has the potential for contamination to exist. The application is accompanied by a Desk Study Report dated July 2021, which identified several features likely to cause contamination within the site boundary. The report recommends intrusive investigation and an asbestos survey. No objection is raised on contamination grounds subject to conditions to secure an Asbestos Management Plan, additional Ground Investigation and Verification. A condition is also recommended for a Construction Environmental Management Plan (CEMP).

(d) Flooding risks on the site

The site is in Flood Zone 1 and is therefore at low risk of flooding. There are no flood risk concerns relating to the proposal.

(e) Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3

The building is located in an area that is characterised predominantly by residential development. Residential development of the site is considered acceptable in principle, and has been established through a previous Prior Approval and allowed appeal.

(f) The design or external appearance of the building

The proposed development would maintain the scale and height of the existing agricultural building, albeit separated into two with a parking court in between. The elevations of the building are proposed to be clad with timber cladding, and new doors and windows installed. These alterations are considered acceptable in principle, subject to the use of appropriate materials. Whilst no specific details of materials have been provided, full details can be requested by condition to ensure that a suitable type and colour for the fenestration and cladding is used to respect the rural character of the site. Regarding the roof, the proposal is to retain existing although the applicant has noted that there may be a need to replace it depending on further survey work, but that the intention would be to use similar materials. Full details of materials can therefore be requested by condition, in the event that a new roof was required.

(g) The provision of adequate natural light in all habitable rooms

The dwellings would be single-storey with their habitable rooms facing east and west. A number of new windows are proposed and it is considered that all rooms would receive adequate natural light.

Other matters

Impact on European Protected Sites

Prior to the commencement of any development, it is a requirement that the applicant satisfies their obligations under the Conservation of Habitats and Species Regulations 2017 (as amended), in strict accordance with Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Failure to comply with this would mean that the development would have been unlawfully implemented.

In this instance, appropriate mitigation would be required to offset the development's impacts on European Protected sites in terms of recreational disturbance on the Solent protected areas and increased nutrient output (nitrates and phosphates).

Following the grant of Prior Approval, the applicant would need to set out their proposed method of mitigation, and the LPA would then collate this information and prepare a Habitats Regulations Assessment for submission to Natural England.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

The NPPF and relevant local plan policies require development to be sustainable in terms of resource use, climate change and energy use. The proposed development would bring a vacant building back into a modern use, which would likely involve making the building more energy efficient.

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Conclusion:

Recommendation:	PERMIT ☒	REFUSE ☐
1. The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Part 3, Class Q, Q2(4) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). 2. The development hereby permitted shall be implemented in accordance with the following plans numbered: • 001 – Site Location Plan • SL100 – Site Layout Plan • FP.100 Rev. A – Proposed Plans and Elevations		

- SL200 – Demolition Plan
- NJC-001 – Access and Visibility
- NJC-002 – Swept Path Tracking

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

3. No development (including demolition) shall start on site until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This shall include:
 - a) a programme of the development work, including the construction of groundworks, services and buildings; the laying out of the hard-surfaced circulation and parking area, and the planting of any soft landscaping;
 - b) the location of temporary site buildings, compounds, construction material and plant storage areas used during construction;
 - c) details of routes for construction traffic arriving at and departing from the site, including the off-site waiting areas for such traffic, and arrangements for the turning of lorries if necessary;
 - d) the arrangements for deliveries associated with all construction works, loading/unloading of plant & materials and restoration of any damage to the highway [including vehicle crossovers and grass verges];
 - e) the parking of vehicles of site operatives and visitors;
 - f) measures to control the emission of dust and dirt generated by demolition and construction;
 - g) a scheme for controlling noise and vibration from demolition and construction activities (to include piling);
 - h) provision for storage, collection, and disposal of waste, including hazardous waste (asbestos) from the development during construction period;
 - i) measures to prevent mud and dust on the highway during demolition and construction;
 - j) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - k) temporary lighting;
 - l) protection of pedestrian routes during construction;
 - m) temporary surface water drainage provisions; and
 - n) hours of working.

The development shall be carried out in accordance with the approved CEMP.

Reason: To minimise amenity and highway safety impacts in accordance with Policies DM1 and DM13 of the Eastleigh Borough Local Plan (2016-2036).

4. No development shall start on site until an Asbestos Management Plan has been submitted to and approved in writing by the Local Planning Authority. The demolition and construction works shall thereafter accord with the approved details.

Reason: To ensure that construction workers and adjacent occupiers are protected from asbestos identified within the building's fabric, to protect amenity and human health in accordance with Policy DM8 of the Eastleigh Borough Local Plan (2016-2036).

Reason: In the interests of amenity in accordance with Policies DM1 and DM8 of the Eastleigh Borough Local Plan (2016-2036).

5. No development shall start on site until the following has been submitted to and approved in writing by the Local Planning Authority:
 - a. A report of a site investigation documenting the ground conditions of the site and incorporating chemical and gas analysis in accordance with UK Land contamination risk management (LCRM) national guidance, and BS10175:2011+A2:2017, and BS 8576:2013 and as agreed with the LPA. This document should also include reference to the agreed Preliminary Investigation Report produced by Lake Environmental (July 2021).

b. Detailed site-specific scheme for remedial works and measures to be undertaken to avoid the risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring . Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: To minimise the risk from land contamination for the safety of the future occupiers/ users of the development, in accordance with Policy DM8 of the Eastleigh Borough Local Plan (2016-2036).

6. The development hereby approved shall not be occupied / brought into use until there has been submitted to the LPA verification by the competent person approved under the provisions of condition 5 (remediation) that any remediation scheme required and approved under the provisions of condition 5 (remediation) has been implemented fully in accordance with the approved details (unless varied with the written permission of the LPA in advance of implementation). Unless agreed in writing with the LPA such verification shall comply with UK Land contamination risk management (LCRM) and the guidance contained in EA Guidance for the Safe Development of Housing on Land Affected by Contamination - R&D Publication 66: 2008. Typically such a report would comprise:

- a. A description of the site and its background, and summary of relevant site information;
- b. a description of the remediation objectives and remedial works carried out;
- c. verification data, including - data (sample locations/analytical results, as-built drawings of the implemented scheme, photographs of the remediation work in progress, etc).
- d. Certificates demonstrating that imported and/or material left in situ is free from contamination, confirmation of material removal, gas/vapour membranes have been installed correctly.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 5 (remediation).

Reason: To minimise the risk from land contamination for the safety of the future occupiers/ users of the development in accordance with Policy DM8 of the Eastleigh Borough Local Plan (2016-2036).

7. 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 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. 3

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).

8. No development shall start on site until the access has been constructed and lines of sight of 2.4m x 43m 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 1m in height above the adjacent carriageway and shall be subsequently maintained so thereafter.

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

9. Prior to occupation of the development hereby approved, the existing accesses from the site to Knowle Lane shall be permanently stopped up and effectively closed with the verge reinstated, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

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

10. Prior to occupation of the development hereby approved, the pedestrian access paths linking to the north and south shall be provided in accordance with detailed plans that have first been submitted to and approved in writing by the Local Planning Authority. The pedestrian access paths shall thereafter be retained.

Reason: To provide satisfactory pedestrian access in the interest of the safety of all highway users, in accordance with Policy DM13 of the Eastleigh Borough Local Plan (2016-2036).

11. No development shall start on site until full details of the materials to be used for external cladding, new fenestration, and roofing (if required), have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a high quality development in the interest of visual amenity, in accordance with Policy DM1 of the Eastleigh Borough Local Plan (2016-2036).

12. Prior to occupation of the development hereby approved, cycle storage facilities for 2 cycles per dwelling shall be provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall thereafter be retained.

Reason: To encourage the use of alternative means of transport to the private car, in accordance with Policy DM13 of the Eastleigh Borough Local Plan (2016-2036).

13. Prior to occupation of the development hereby approved, parking provision shall be made on site in accordance with the approved plans and thereafter retained for vehicle parking only.

Reason: To ensure adequate parking provision in accordance with Policy DM14 of the Eastleigh Borough Local Plan (2016-2036).

14. Prior to occupation of the development hereby approved, the bin collection points shown on the approved plans shall be provided and thereafter retained.

Reason: To ensure adequate provision for refuse collection, in the interest of amenity and highway safety, in accordance with Policies DM1 and DM13 of the Eastleigh Borough Local Plan (2016-2036).

Note to Applicant:

It is a requirement that the applicant satisfies their obligations under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 (as amended), in strict accordance with Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Failure to comply with this will mean that the development will have been unlawfully implemented.

In this instance appropriate mitigation is required to offset the development's impacts on the European Protected Site, in terms of additional recreational pressure (to the Solent protected areas), and additional output of nutrients (nitrates and phosphates) arising from a net gain of residential accommodation.

Development must not commence until the Local Planning Authority has given its written approval for the development and appropriate mitigation has been secured against the developments harmful impacts on the European Protected Site(s). Further information on Eastleigh Borough Council's Schemes are available:

Nitrates & Phosphates: <https://www.eastleigh.gov.uk/planning-and-building/nutrient-offset-schemes#:~:text=The%20Council's%20nitrate%20offer,our%20legal%20and%20administrative%20costs>.

Recreational impact: [Recreational disturbance](#)