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Your ref: PP-09996850
Our ref: 21/02304/FULLN
Date: 16th October 2023

TOWN AND COUNTRY PLANNING ACT, ORDERS AND REGULATIONS

NOTICE OF FULL PLANNING PERMISSION

APPLICATION NO: 21/02304/FULLN
PROPOSAL: Conversion of Amport House into a Boutique Hotel with additional accommodation in the grounds (planning use class C1), kids club, energy centre, cycle storage, new swim club (planning use class E) and landscaping enhancements
LOCATION: Amport House , Furzedown Lane, Amport
DATE REGISTERED: 03.08.2021

In pursuance of its powers under the above mentioned Act the Council, as local planning authority, hereby grants full planning permission for the above development in accordance with the approved plans listed below and subject also to due compliance with all conditions and notes specified hereunder:

Approved Plans:

Composite Plan - Plan Ref no. AMH THA 03 XX DR A 420 P2 - Version Cabins - 05/11/21
Proposed Floor Plans - Plan Ref no. AMH THA 01 00 DR A 150 P3 - Version Energy Centre - 05/11/21
Landscaping - Plan Ref no. 19240-306 A - Version Softworks 6 - 05/11/21
Landscaping - Plan Ref no. 19240-201 A - Version Sections - 05/11/21
Details - Plan Ref no. 19240-403 A - Version Accessible Entrance GR - 05/11/21
Site Layout - Plan Ref no. 002 - P3 - 17/06/22
Site Location Plan - Plan Ref no. 001 - P4 - 17/06/22
Proposed Elevations - Plan Ref no. 310-P6 - 17/06/22
Details - Plan Ref no. 814- P1 - Version JIB DOOR - 17/06/22
Details - Plan Ref no. 610 A - Version TREE SCHEDULE - 17/06/22
Site Layout - Plan Ref no. 19240-055-E - Version SITE AND KEY PLAN - 17/06/22
Details - Plan Ref no. D110 P10 - Version FF Demolition - 17/06/22
Details - Plan Ref no. D100 P10 - Version GF demolition - 17/06/22

Landscaping - Plan Ref no. 19240-101 E - Version HARDWORKS 1 - 17/06/22
 Landscaping - Plan Ref no. 19240-102 F - Version HARDWORKS 2 - 17/06/22
 Landscaping - Plan Ref no. 19240-103 C - Version HARDWORKS 3 - 17/06/22
 Landscaping - Plan Ref no. 19240-104 C - Version HARDWORKS 4 - 17/06/22
 Landscaping - Plan Ref no. 19240-105 D - Version HARDWORKS 5 - 17/06/22
 Landscaping - Plan Ref no. 19240-350-C - Version LIGHTING - 17/06/22
 Details - Plan Ref no. 410 P3 - Version ENERGY CENTRE SECTION - 17/06/22
 Proposed Floor Plans - Plan Ref no. 100 P11 - Version GF - 17/06/22
 Site Location Plan - Plan Ref no. 001 P4 - Version Proposed Location pan - 17/06/22
 Proposed Floor Plans - Plan Ref no. 120 P10 - Version SF - 17/06/22
 Proposed Site Plan - Plan Ref no. 010 P6 - 17/06/22
 Proposed Site Plan - Plan Ref no. 19240-056-G - 17/06/22
 Proposed Elevations - Plan Ref no. 320 P5 - Version Swim club - 17/06/22
 Proposed Floor Plans - Plan Ref no. 180 P14 - Version Swim club - 17/06/22
 Details - Plan Ref no. D120 P10 - Version SF Demolition - 17/06/22
 Landscaping - Plan Ref no. 19240-301-E - Version SOFTWORKS 1 - 17/06/22
 Landscaping - Plan Ref no. 19240-302-D - Version SOFTWORKS 2 - 17/06/22
 Landscaping - Plan Ref no. 19240-303-C - Version SOFTWORKS 3 - 17/06/22
 Landscaping - Plan Ref no. 19240-304-C - Version SOFTWORKS 4 - 17/06/22
 Landscaping - Plan Ref no. 19240-305-C - Version SOFTWORKS 5 - 17/06/22
 Details - Plan Ref no. 19240-251-G - Version Tree area 1 - 17/06/22
 Details - Plan Ref no. 19240-252-D - Version Tree area 2 - 17/06/22
 Details - Plan Ref no. 19240-253-G - Version tree site plan - 17/06/22
 Proposed Elevations - Plan Ref no. 812 - P4 - 30/08/22
 Details - Plan Ref no. 342_THA_CE-M3-A-001-430 - 24/01/23
 Details - Plan Ref no. 810 - P4 - 30/08/22
 Proposed Floor Plans - Plan Ref no. AMH THA 01 02 DR A 120 P10 - Version 2nd floor - 24/08/23
 Details - Plan Ref no. 811 P4 - 15/09/22
 Details - Plan Ref no. 811 P4 - 15/09/23
 Site Layout - Plan Ref no. DRA 431 P1 LPG - 21/08/23

01. 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.
02. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers;
 - 001 - P4
 - 002 - P3
 - 420 P3
 - 130 P4
 - 310 P6
 - 814 P1
 - 19240-201A
 - 19240 - 101 - E

19240 - 102 - F
19240 - 103 - C
19240 - 104 - C
19240 - 105 - D
19240 - 301 - E
19240 - 302 - D
19240 - 303 - C
19240 - 304 - C
19240 - 305 - C
19240 - 306- A
19240-055-E
150-P3
D110 P10
D100 P10
19240 - 350C
410 -P3
110-P9
100 P11
120-P10
010 P6
19240-056-G
180-P14
320 P5
D120 P10
812 -P4
810 -P4
811-P4
813-P4
814 -P1
430 P1
431 P1
200 P14

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

03. No development shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. Specifically the method statement shall:
1. Provide a schedule of trees to be retained within 15m of the proposed building, the schedule to include the required root protection areas as set out in British Standard 5837:2012;
 2. Provide a specification for tree protective fencing and ground protection in accordance with the above standard;
 3. Confirm timing of erection of such tree protective fencing, which must in any case be erected prior to commencement of any site clearance or ground works. A pre commencement site visit with the Council will be undertaken to ensure all tree protection is correctly positioned. The agreed tree protection shall be retained and maintained for the full duration of works;
 4. Require a sign to be hung on such tree protective fencing,

repeated as appropriate, which clearly states Construction Exclusion Zone - No access

5. Demonstrate that where foundations encroach within any calculated RPA's of any retained trees these foundations can be constructed without compromising the future health and longevity of the retained trees affected;

6. Demonstrate that any new hard surfacing that encroaches within the calculated RPA of any retained trees can be constructed without compromising the future health and longevity of the retained trees affected;

7. Demonstrate that any service runs/trenches where they encroach within the calculated RPA of any retained tree can be achieved without compromising the future health and longevity of the retained trees.

8. Demonstrate that all site works, mixing areas, storage compounds, site buildings and associated contractor parking areas remain wholly outside any tree protection zones and at a suitable separation to prevent damage to retained trees.

9. The removal of hard surfacing within the RPA and VTBZ of the T072 as shown in drawing number 8428-D-AIA rev A shall be carried out in accordance with paragraph 4.4.3 of Hayden's Tree Survey, Arboriculture Impact Assessment Preliminary Arboricultural Method Statement and Tree Protection Plan dated 30.11.22.

10. Provide a phasing plan of all works that impact trees on site including a schedule of all tree felling and tree surgery works proposed.

11. All work shall be undertaken in accordance with the requirements, specifications and timing detailed within the approved method statement.

Reason: To prevent the loss during development of trees and natural features and to ensure, so far as is practical, that development progresses in accordance with current Arboriculture best practice, in accordance with Policy E2 of the Test Valley Borough Revised Local Plan 2016.

04. No development shall commence until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment and Drainage Strategy P1, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:
- a. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed
 - b. If infiltration is viable, an updated drainage strategy including implementation and calculations are provided to take into account infiltration features and an assessment of the risks to controlled waters.

Reason: To ensure the site has adequate surface water drainage in accordance with Policy E7 of the Test valley Borough Revised

Local Plan 2016.

05. Prior to the commencement of demolition and construction activity including site clearance or ground-works, 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, 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 in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

06. No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the LPA. The approved statement shall include scaled drawings illustrating the provision for:
- o The parking of site operatives and visitors' vehicles.
 - o Loading and unloading of plant and materials.
 - o Management of construction traffic and access routes.
 - o Storage of plant and materials used in constructing the development.

Development shall be carried out in accordance with the approved details.

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

07. Prior to commencement on site 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 highway.

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

08. No development shall take place (other than works to existing building fabric) until an assessment of the nature and extent of any contamination and a scheme for remediating the contamination has been submitted to and approved in writing by the Local Planning Authority. The assessment must be undertaken by a competent person, and shall assess the presence of any contamination on the site, whether or not it originates on the site, taking into account the former military use of

the site. The assessment shall comprise at least a desk study and qualitative risk assessment and, where appropriate, the assessment shall be extended following further site investigation work. In the event that contamination is found, or is considered likely, the scheme shall contain remediation proposals designed to bring the site to a condition suitable for the intended use. Such remediation proposals shall include clear remediation objectives and criteria, an appraisal of the remediation options, and the arrangements for the supervision of remediation works by a competent person. The site shall not be brought in to use until a verification report, for the purpose of certifying adherence to the approved remediation scheme, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not have an adverse impact on the quality of the local environment in accordance with Test Valley Borough Revised Local Plan policy E8.

09. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not have an adverse impact on the quality of the local environment in accordance with Test Valley Borough Revised Local Plan policy E8.

10. No development of the Swim Club shall commence until 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

11. No work relating to the construction of the development hereby approved, including deliveries, collections or works of demolition or preparation prior to operations, shall take place before the hours of 07.30 nor after 18.00 on Mondays to Fridays; before the hours of 08.00 nor after 13.00 on Saturdays; and not at all on Sundays and Bank/Public Holidays.

Reason: To protect the amenities of neighbouring residential properties in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.

12. Within the first 3 months of any part of the development being brought into use a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include measures to improve and encourage the use of sustainable transport. The Travel Plan will include details of when these measures will be introduced. To support the promotion of the use of sustainable modes the travel plan will also include how the travel plan will be managed; targets aimed at lowering

car use, particularly single occupancy trips, from/to the site; a program for monitoring the travel plan and its progress and how the travel plan and its objective of more sustainable travel will be promoted. The approved travel plan shall thereafter be retained throughout the lifetime of the development.

Reason: To comply with the Council's sustainability objectives

13. Prior to the commencement of works on the accommodation in the grounds hereby permitted details of the following shall be submitted to and approved by the Local Planning Authority:

- o Materials and finishes of all surfaces including windows and doors
- o Joinery details of doors and windows at a scale of 1:20
- o Details of any external refuse storage

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 and impact on the setting of the listed buildings in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E9.

14. Prior to any works being carried out on increasing the size of the opening in the wall between Amport House and the outbuilding as shown on Drawing Number DRA A 811 P4 a detailed demolition method statement shall be submitted and approved in writing. The demolition method statement shall include detailed drawings at 1:50 showing the finished appearance and full details of making good the areas affected. Development shall be carried out in accordance with the approved details.

Reason: To protect the architectural interest of the wall in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9

15. Prior to any external works being carried out on the existing buildings on site including the Grade II Amport House samples and details of any materials and finishes shall be submitted to or made available for inspection on site 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 preserving the historic interest of the listed building in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.

16. Prior to the laying of any new hardstanding material samples and details of all new hardstanding and paths shall be submitted to or made available for inspection on site 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 preserving the historic interest of the listed building in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.

17. No underground tanks shall be installed until a scheme detailing the full structural details of the installation has been submitted to and approved in writing by the Local Planning Authority. Details shall include:
- o Excavation for the tanks;
 - o tank surround and
 - o associated pipework and monitoring system.

Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not have an adverse impact on the quality of the water environment in accordance with paragraph 174 of the National Planning Policy Framework, Position Statement D2 of the 'The Environment Agency's approach to Groundwater protection' and Test Valley Borough Revised Local Plan policy E8.

18. No development shall take place above DPC level on the Swim Club Building hereby permitted until details of the following shall be submitted to and approved by the Local Planning Authority;
- o Details of any proposed ventilation or plant
 - o External servicing

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 and impact on the setting of the listed buildings in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E9.

19. No development shall take place above DPC level of the new buildings/structures/walls 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 or made available for inspection on site 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 and impact on the setting of the listed buildings in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E9.

20. No development shall take place above DPC level of the development hereby permitted until the following landscaping details have been provided:

Soft landscape works shall include: 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.

21. No development shall take place above DPC level of the development hereby permitted until a schedule of landscape management and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be carried out in accordance with the implementation programme.

Reason: To ensure the provision of amenity afforded by proper maintenance of existing and new landscape features as an improvement of the appearance of the site and to 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.

22. Prior to occupation, a detailed scheme of biodiversity enhancements to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority.

Development shall subsequently proceed in accordance with any such approved details, with the enhancement features being permanently retained and managed in accordance with the approved plan. Within one month of implementation photographs and a report of the implemented measures shall be submitted by an ecologist for approval to the Local Planning Authority.

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

23. The design of the final biomass boiler shall not exceed the parameters set out in the Air Quality Assessment dated 9th September 2022 in terms of its net thermal input and stack height.

Reason: To ensure the biomass boiler does not result in unacceptable levels of air pollution in accordance with Policy E8.

24. Vehicle deliveries and collections shall be restricted to the following hours:

07:00 - 18:00 Monday to Friday

08:00 - 18:00 Saturdays

09:00 - 16:00 Sundays/Bank Holidays

Reason: To protect the amenities of neighbouring residential properties in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.

25. The Kids Club shall be used by residents of the Hotel only and will only operate between the hours of 09:00-21:00 and be restricted to a maximum of 18 children at any one time. Daily Records shall be kept of numbers within the facility with 3 months being kept

at all times and these shall be made available to the Local Planning Authority on request.

Reason: To protect the amenities of neighbouring residential properties in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.

26. The uses within the Swim Club building (excluding the Kids Club) shall operate between the hours of 07:00 - 21:00 only and be restricted to a maximum of 27 non-hotel residents per day. Daily Records shall be kept of numbers within the facility with 3 months being kept at all times and these shall be made available to the Local Planning Authority on request.

Reason: To protect the amenities of neighbouring residential properties and to ensure adequate parking on site in accordance with Policy E8 and T2 of the Test Valley Borough Revised Local Plan 2016.

27. The development shall operate in accordance with the details as set out in the Management and Servicing Plan dated June 2022.

Reason: To protect the amenities of neighbouring properties in accordance with policy E8 of the Test Valley Borough Revised Local Plan 2016.

28. The development shall be carried out in accordance with the recommendations included in Section 6 'Recommendations' of the Amport House Bat Survey Report (Avondale Ecology, June 2023).

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

29. Prior to the installation of the proposed Energy Centre and Swim Club plant, an assessment of the cumulative noise from these sources shall be submitted to the Local Planning Authority for approval. The assessment shall be undertaken using the procedures within BS 4142:2014+A1:2019 and shall include the location, specification, hours of operation, noise performance of the plant or equipment in octave bands, the sound pressure level predicted at the nearest noise sensitive premises and all measures required to mitigate any adverse impact identified in the assessment. Any mitigation measures required to reduce noise from the Energy Centre and Swim Club plant shall be completed prior to the same being brought into use and permanently retained thereafter.

Reason: To protect the amenities of neighbouring residential properties in accordance with Policy E8 of the Test Valley Borough Revised Local Plan 2016.

30. 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

31. Prior to the creation of any boreholes details shall be submitted to the local planning authority for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes. The details shall include how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected.

Reason: To ensure that redundant boreholes are safe and secure, And do not cause groundwater pollution or loss of water supplies in accordance with paragraph 174 of the National Planning Policy Framework, Position Statement D2 of the 'The Environment Agency's approach to Groundwater protection' and Test Valley Borough Revised Local Plan policy E8.

32. Prior to occupation of any part of the proposal the proposed mitigation to reduce nutrients being released into the water environment as set out in the Amport House Strategy for water use, monitoring, maintenance and management dated January 2023 shall be implemented. The site shall thereafter be managed in perpetuity in accordance with the Amport House Strategy for water use, monitoring, maintenance and management dated January 2023.

Reason: To ensure that the development would not have an adverse effect on the integrity of the Solent designated sites, including the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) through excess nutrient loading. In accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016.

33. Details of any new external lighting shall be submitted to and approved in writing by the local planning authority prior to first installing any such lighting before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenities of the area and/or in the interests of road safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8

Note(s) to applicant:

01. 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.

02. The proposed development would lie within a Source Protection Zone. The applicant will need to consult with the Environment Agency to ensure the protection of the public water supply source is maintained and inform Southern Water of the outcome of this consultation.

03. Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- o excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- o treated materials can be transferred between sites as part of a hub and cluster project
- o some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- o the position statement on the Definition of Waste: Development Industry Code of Practice

The waste management page on GOV.UK04 Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- o Duty of Care Regulations 1991
- o Hazardous Waste (England and Wales) Regulations 2005
- o Environmental Permitting (England and Wales) Regulations 2016
- o The Waste (England and Wales) Regulations 2011

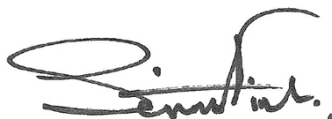
Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information

04. Requirement for an environmental permit

The biomass boiler associated with this development may require an environmental permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Additional 'Environmental Permitting Guidance' can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>

Simon Finch
Head of Planning and Building



Date: 16th October 2023

All enquiries relating to this decision should be made to the above address.

IMPORTANT NOTE: You are strongly advised to carefully read the attached notes.

TEST VALLEY BOROUGH COUNCIL – PLANNING AND BUILDING SERVICE

IMPORTANT Please read these notes carefully. Part A sets out an applicant's statutory rights under the Town and Country Planning Act 1990, (hereafter called the '1990 Act') and Part B deals with other matters some of which may affect the implementation of any planning permission. Parts C and D (overleaf) deal with Advertisement and Listed Building appeal procedures respectively.

PART A: FORMAL NOTIFICATION

1. Appeals to the Secretary of State: If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval or to grant permission or approval subject to conditions, they may appeal to the Secretary of State under Section 78 of the 1990 Act. Time periods for making an appeal are set out in a) to d) below.

a) If the decision is to refuse a planning permission for a householder or minor commercial application, and you want to appeal against the Local Planning Authority's decision then you must do so within 12 weeks of the date of the decision notice, unless there is also an enforcement notice in which case the time limits in c) and d) below may apply, b) For other types of application [other than Advertisement applications] and appeals against conditions imposed on householder planning permissions the appeal must be made within 6 months of the date of the decision notice, unless there is also an enforcement notice in which case the time limits in c) and d) below may apply.

c) If the decision relates to the same or substantially the same land and development as is already the subject of an enforcement notice served before the date of the decision notice but not earlier than 2 years before the application was made, if you want to appeal against the Local Planning Authority's decision then you must do so within 28 days of the date of the decision notice.

d) If an enforcement notice is served on or after the date of the decision notice relating to the same or substantially the same land and development as in your application the appeal must be made within 28 days from the service of the enforcement notice or within 6 months [12 weeks in the case of a householder appeal] of the date of the decision, whichever period expires earlier.

on a form which is obtainable from The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN, Tel. 0303 444 5000 or you can submit your appeal electronically from the Planning Portal's website at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it with the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are available at <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.

2. Purchase Notices: If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3. Compensation: In certain circumstances, a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on a reference of the application to him. The circumstances in which such compensation is payable is set out in Section 114 and related provisions of the 1990 Act.

PART B: OTHER MATTERS RELATING TO THE GRANT OF PLANNING PERMISSION

1. Deviation from the Approved Plans/Compliance with Conditions: Failure to adhere to the approved plans, or to comply with any condition imposed, constitutes a contravention under the 1990 Act which may be liable to enforcement action. Any proposed departure from the approved proposals should be discussed with the Planning and Building Service before development commences.

2. Non Material Amendment applications: These applications do not fall within the range of applications for which section 78 of the 1990 Act grants a right of appeal. The applicant would need to submit a planning application to seek approval for the proposed amendments.

3. Applications to Discharge Planning Conditions

From 1 October 2008 any request for approval of details required by a condition, other than reserved matters following an outline permission, will require the submission of a formal application (preferably on the appropriate 1APP national form) and payment of the relevant fee.

4. Extent of permission: Approval is only granted for the purposes of Sections 70-76 of the 1990 Act and for no other purpose whatsoever under that Act or any other Acts, Bye-laws, Orders or Regulations. In particular, **it does not purport to grant Building Regulation Approval** and the Building Control Team should be contacted before any work is commenced – telephone 01264 368312

5. Building Over Public Sewers and Erection of any Structure in Vicinity of Public Sewer: Planning approval does not include permission from Southern Water Services Ltd. to erect any structure in the vicinity of a public sewer. The applicant is advised to contact the Council's Building Control Consultancy who hold an electronic copy of the map of public sewer's in the borough. Any further advice is available from either this Council's Building Control Consultancy (tel. 01264 368312, or email buildingcontrol@testvalley.gov.uk) or the Development Control Manager, Southern Water Services Ltd., Hampshire Division, Southern House, Sparrowgrove, Otterbourne, Winchester, Hampshire SO21 2SW.

6. Title Deeds: The decision notice is a legal document and should be retained with the title deeds of the property.

7. Rights of Way: If it is necessary to stop up or divert a right of way in order to enable the development to proceed, an application must be made beforehand either to the Council under Section 257 of the 1990 Act or to the Secretary of State under Section 247 of that Act.

8. Fire Brigade Access: Under the provision of part B5 (Access and Facilities for the Fire Service) of Schedule 1 of the Building Regulations adequate means of access for the Fire Authority must be provided to any building. For further advice on this requirement, contact the Council's Building Control Consultancy on tel. 01264 368312 or email buildingcontrol@testvalley.gov.uk.

9. Access for the Disabled: Under the provision of part M of Schedule 1 of the Building Regulations, adequate access should be provided to a building for person's with a disability. Further advice is available from the Council's Building Control Consultancy on tel. 01264 368312, or email buildingcontrol@testvalley.gov.uk, or the Equality Act 2010 and the Equalities Act 2010 (Disability) Regulations 2010.

10. Hours of Working on Building Sites: Complaints are often received about noise nuisance during unsocial hours and attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 and the Code of Practice issued under that Section.

11. Display of Advertisements: The Council encourages developers to co-operate in reducing the adverse effects caused by advertisement clutter on building sites. There is a general policy to challenge and prosecute unauthorised advertisements and, subject to individual circumstances, to restrict advertising on sites to a level consistent with such a policy. Accordingly, attention is drawn to the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1989 which, inter alia, regulate the display of advertisements on building sites. An application should be made in respect of any proposal to display an advertisement (including flag poles) which is not expressly granted consent by the Regulations. In certain circumstances, although consent may not be required to display a flag advertisement, permission may be required to erect the pole to which it is attached.

PART C:

ADVERTISEMENT APPEALS

1. You have the right to appeal to the Secretary of State against the local planning authority's:

- (a) refusal of consent for an advertisement;
- (b) grant of consent for an advertisement subject to a condition with which you are dissatisfied;
- (c) failure to issue a decision on an application within a specified time (i.e. 8 weeks from the date the application is formally acknowledged or such longer period you may have agreed in writing with the Council); or
- (d) 'discontinuance notice' requiring you to remove an advertisement, or stop using an advertisement site.

2. The Choice of Appeal Procedure

There is a choice of two possible procedures for the determination of an appeal – written representations or a hearing. For appeals received on or after 1st October 2013 the Planning Inspectorate will determine the procedure an appeal will follow. The vast majority of advertisement appeals will be most suited to the written representations procedure, with the remaining minority proceeding by a hearing. You are required to provide detailed reasons if you indicate that a hearing is necessary.

Please refer to The Planning Inspectorate's guidance note "How to complete your advertisement appeal form – England" dated 3rd October 2013, which can be downloaded from the Planning Portal website <http://www.planningportal.gov.uk/planning/appeals/guidance/guidanceontheappealprocess> , or telephone The Planning Inspectorate for a copy on 0303 444 5000, or write to The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

3. The Address for Advertisement Appeals and Appeal Forms

All advertisement appeals have to be submitted to the Planning Inspectorate **within 8 weeks** of the receipt of the local planning authority's decision against which you are appealing. Appeals can be made on a form which is obtainable from The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN, Tel. 0303 444 5000 or you can submit your appeal electronically from the Planning Portal's website at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>

PART D: LISTED BUILDING APPEALS

1. If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions to refuse to vary or discharge the conditions attached to a listed building consent, or to add new conditions consequential upon any such variation or discharge, he may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within 6 (six) months of the date of the attached notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL BS1 6PN, Tel. 0303 444 5000 or you can submit your appeal electronically from the Planning Portal's website at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal> . The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

2. If listed building consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Council of the district, or London Borough in which the land is situated (or, where appropriate, on the Common Council of the City of London) a purchase notice requiring that the Council purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Please refer to The Planning Inspectorate's guidance note "How to complete your listed building consent appeal form – England" dated 3rd October 2013 which can be downloaded from the Planning Portal website <http://www.planningportal.gov.uk/planning/appeals/guidance/guidanceontheappealprocess> or telephone The Planning Inspectorate for a copy on 0303 444 5000, or write to The Planning Inspectorate, Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

ONLINE APPEALS SERVICE

The Planning Inspectorate has introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pes . The Inspectorate will publish details of your appeal on the internet at this site. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Inspectorate. Please ensure that you only provide information, particularly of a personal nature, that you are happy will be made available to others in this way. If you provide personal information about a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.