

DELEGATED REPORT

Application Reference:	EHDC-25-0609-FUL
Proposal:	Associated operational development pursuant to EHDC/25/0010/PA3R (change of use of agricultural building to a flexible commercial use, specifically Class C1 (guest house/hotel))
Location:	Ludmore Barns, Broadway Lane Broadway Lane, Lovedean, Lovedean, PO8 0SG
Parish:	Horndean CPHorndean CP
Application Type:	Full Planning Application
Applicant:	Burke
Consultation Expiry Date:	25/07/2025
Application Expiry Date:	28/08/2025
Recommendation:	Permission

Site

The site comprises an agricultural building which is located on the west side of Broadway Lane. Access is from Broadway Lane through an existing access point.

Immediately to the north of the site are 1 and 2 North Ludmore Cottages which are listed and share the same access point. The boundary between the site and Ludmore Cottage is open.

Proposal

Class R is a Class of the Town and Country Planning General Permitted Development Order which sets out works and developments that can be carried out without the need for planning permission. Class R was introduced to provide greater flexibility to agricultural holdings to diversify from agriculture. Class R has a number of caveats. These caveats are considered under a Prior Approval process and include the following

- (i) transport and highways impacts of the development;
- (ii) noise impacts of the development;
- (iii) contamination risks on the site; and
- (iv) flooding risks on the site

The above issues are not for consideration under this application as this application is restricted to considering only the operational works that are required to convert the building to the proposed new use.

The above were considered under the previous Class R application (ref: EHDC-25-0010-PA3R) and it was concluded that prior approval was required and approved.

This current application can under the legislation only consider the associated operational development to facilitate the change of use.

Relevant Planning History

EHDC-25-0010-PA3R

The change of use to a flexible commercial use, specifically a Class C1 (guesthouse) use. To incorporate a 3 bedroom manager's accommodation, 1 no. 2 bed guest suite and 5 no. 1 bed guest suites – **Prior Approval Required and Approved**

EHDC-25-0582-PA3Q2

Prior approval for the conversion of the grain store to 2 residential dwellings. (Barn located to the West of Broadway Lane, South of 1 and 2 Ludmore Cottages) – **Prior Approval Required and Refused.**

Policies and Guidance

East Hampshire District Local Plan: Joint Core Strategy (2014).

CP19 – Development in the Countryside

CP20 – Landscape

CP29 – Design

Consultations and Town/Parish Council Comments

Environmental Health (Contamination) – No objection subject to conditions

Environmental Health (Pollution) – No objection subject to conditions

SDNPA - The proposed design includes elements of glazing that will alter the appearance of the barn from an agricultural character to a more industrial/residential appearance. Given that the tight ownership boundary means that there is no opportunity for planting on the southern and western boundaries, these elevations will be quite stark when viewed from the Monarchs Way. It is therefore recommended that further attempts are made to retain an agricultural character to the building - perhaps through continuing the over cladding of the windows around all elevations rather than just the northern elevation as currently proposed.

Conservation – Object. Less than substantial harm on the setting of the listed building, harm is not outweighed by public benefit of a commercial development which could be located elsewhere.

Highway Authority – Initial comment made. Highway issues were considered under the Class R application.

Horndean Parish Council – Objection

- The site is isolated with no close amenities and vehicle as are essential despite the cycle store
- Puzzled as to why Env Health believe the neighbour would not be impacted by the development.
- HCC requested works to site lines this has not been addressed. A number of vans seem to use this as a rat run.
- Expect to see a lighting strategy as close to SDNP
- There is no direct overlooking of the residence next door
- Significant traffic generation

Representations

8 x Objections from 3 addresses

Highways

- Highway Safety – Assume visitors using the accommodation will not be static in the accommodation arriving and leaving on a regular basis.
- Area is used by non-vehicle road users
- Single track road to the north has straight sections and encourages vehicles to exceed a safe speed limit for the area.
- Excessive speed with corners, cross roads and restricted lines of sight present a significant hazard
- HCC Highways comments has been confusing – urge the Council to reflect on this situation
- TRICS information used is not accurate of the final use
- Roads in area are unsuitable for the additional traffic associated with the guest house.

Design/Amenity

- Proposed design including open style balconies is out of keeping with quiet, rural setting and 17th century cottages a few metres away
- Elevated verandas and balconies will directly overlook adjacent property
- Light and noise pollution will impact local wildlife and the environment
- There will be a dramatic increase in noise levels, taking into account the nature of short term holiday lets they are unlikely to have the same sense of responsibility to neighbours
- North facing windows will overlook adjacent property from an elevated communal balcony providing a clear line of sight into our living and garden areas.
- Noise from socialising on the balcony space will travel a considerable distance across open countryside
- Car park is located just a few metres away from adjacent property/bedroom
- No room to provide landscaping to minimise the noise

Ecology

- Three species of bats have been recorded on site and mitigation measures should be put in place.
- Applicant has indicated on their form that an Ecological Assessment is not necessary - do not agree
- Nutrient credits are required.

Drainage

- The proposed development lacks access to mains sewage disposal or compliant rainwater disposal, necessitating the installation of a cesspool sewage treatment system and a borehole soakaway, concern about contamination of the Clean Water Zone 1.
- Insufficient space on site to accommodate the required drainage
- Tanker to empty cesspool would block access.
- Infiltration test carried out was flawed and cannot be considered

Heritage

- The Barn and neighbouring house were once in same ownership and the Barn would have been considered to be in the curtilage of the Listed Building
- Proposed design results in an overly domesticated and urban form of development that does not reflect the rural and historic setting
- Harm to the setting of a listed building and the conservation area, alongside the cumulative impact of overdevelopment in the locality.

Other Matters

- Question eligibility under Class R – seen no continuous agricultural activity at the site.

8. Planning Considerations

Principle of Development

Class R is a Class of the Town and Country Planning General Permitted Development Order which sets out works and developments that can be carried out without the need for planning permission. Class R was introduced to provide greater flexibility to agricultural holdings to diversify from agriculture. Class R Prior approval has been approved (ref: EHDC-25-0010-PA3R).

Impact on character of area

Policy CP20 requires planning applications to protect and enhance natural and historic features which contribute to the distinctive character of the district's landscape, such as trees, woodlands, hedgerows, soils, rivers, river corridors, ditches, ponds, ancient sunken lanes, ancient tracks, rural buildings and open areas;

The Barn is a rural building which is modern in nature and is a mix of cladding and metal sheeting; the proposed conversion would see the introduction of a flint plinth with vertical

timbers above, this design is based on the previous Class Q conversion, which although not approved during that process, the design was considered acceptable. The Conservation Officer has raised concern regarding its design which they consider domestic in nature. The SDNP has raised concerns about the design of the building and would want to see it more agricultural in styling, they raised concern about the glazing and light spill. New balconies are proposed and there is concern about how this would result in an overtly domesticated appearance for this building. Amended plans were received that show that the balconies have been overclad with the vertical timber leaving a small gap on the south elevation to retain adequate internal light levels. This overcladding would also reduce light spill and lessen the impact on the adjacent International Dark Night Skies Reserve. It is considered that the proposed design of the building would look similar to the existing agricultural building; to help reduce the impact of light spill from the conversion, the windows and balconies are overclad which is considered to reduce the impact of this feature. When seen in context with the wider setting, it is considered the Barn would retain an agricultural form and character, notwithstanding the changes required to convert the building. Materials would be sympathetic and it is considered that the value of the building as part of the agricultural landscape would be maintained.

The proposal is considered to accord with policy CP20 of the JCS.

Heritage

Policy CP30 requires development to conserve and where possible enhance the Districts' historic environment. Concern has been expressed by third parties as to how the heritage impacts of the development have been assessed. The Council's Conservation Officer has raised concern with regard to the proposed conversion and its impact on the neighbouring listed building. The Conservation Officer is clear that they have considered the application as now presented without any reference to what may or may not have been established via previous application routes. Whilst this is noted the application has been considered to meet the requirements of Class R and this application follows on from that process. As such it is not like other planning applications in that the LPA cannot now consider the whole conversion and change of use as this has been established. In terms of heritage the LPA can only consider the operational changes to the building and what impact that may/may not have on the neighbouring listed building.

The Conservation Officer sets out that the Barn is within the setting of the listed building, Class R only requires the building to be converted to not be a listed building which it is not, it does not extend consideration to any setting of neighbouring listed buildings.

The Conservation Officer has raised concern about the location and size of the car parking area. In allowing conversions like Class R it would have been accepted that this would change both the appearance and the setting of the agricultural building, it would be nonsensical to allow the conversion of the building under Class R to then not allow adequate car parking to serve that use. In this case it is accepted that the curtilage associated with the barn is small (and has at all recent and material times been an independent curtilage). However, in the interpretation of Class R the curtilage is defined as follows:

(a) the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or

(b) an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building,

The area surrounding the barn would meet this criteria. Whilst the Conservation Officer's comments are noted it is clear that under Class R any supporting infrastructure like car parking would have to be accommodated within the curtilage of the building which it has and as such there is no alternative to what has been proposed.

The Conservation Officer goes on to advise that the application does not adequately address that a commercial use is the only viable use of this building. This is not a consideration for this application as the change of use has been established under Class R. The Conservation Officer has recommended a condition controlling the timing of the services of the premises, this application is for operational development and does not address the change of use and as such conditions stipulating how the use should operate are not for consideration under this application.

The Conservation Officer acknowledges that there has been some cloaking to the originally open balcony to shield the windows and provide a less domestic appearance which has been achieved. In terms of what can be considered under this application the Conservation Officer has not raised any objections on the design of the Barn and has requested a Condition detailing materials.

Whilst the Conservation Officer has identified harm to the listed building the principle of the conversion of the building has been agreed. As concluded above the building will still retain an agricultural feel in terms of its material and size and form. Whilst the car parking area will introduce a change to the setting of the listed building this needs to be balanced against the accepted conversion of the building and the public benefit of commercial development supporting the economy. It is accepted that the Conservation Officer has identified harm from the car parking and the parking of cars on the setting of the listed building but this is balanced against the existing agreed conversion, the fact that there is no current restriction on cars being parked anywhere on this site and that the nature of parking is that it is transient and temporary. It is therefore considered that in this case the operational works to the site outweigh the harm identified by the Conservation Officer.

Ecology

The application is accompanied by a Biodiversity checklist, a requirement of validation. This helps inform the need for additional surveys. The Biodiversity Checklist does not indicate the need for additional surveys. Third parties have indicated that the Barn has recorded bats and Barn Owls living within it. The modern nature of the Barn is less conducive to Bat roosting, with it being constructed of steel and asbestos cladding, however an informative can be attached that if a Bat is encountered that all work stops and the advice of an Ecologist is sought. With regard to a Barn Owl being present this would be much easier to see, the Barn is mostly empty

and the presence of a Barn Owl would be noticeable through droppings and pellets. Conditions can be attached that require Bat and Bird boxes to be attached to the building, thereby mitigating / enhancing opportunities for wildlife. A lighting scheme shall be conditioned to ensure that this is kept to a minimum to protect any nearby bat foraging corridors.

The application has been submitted with a Nutrient Neutrality matrix that shows that the site will result in an additional 2.41kg/TN/yr. It is proposed to offset this through an off-site mitigation scheme and this would be conditioned. An Appropriate Assessment has been submitted to Natural England addressing the NN issue and they have raised no objection

Biodiversity Net Gain

BNG is an approach to development that aims to leave the natural environment in a measurably better state than it was beforehand. BNG is a legal requirement introduced with The Environment Act 2021 and implemented by Schedule 7a of the Town and Country Planning Act 1990. Certain developments are exempt from BNG. The Planning Statement advises that "*The site is exempt from biodiversity net gain as the de minimis exemption will apply. The development will impact less than 25sq/m of on-site habitat, and 5 metres of linear habitats such as hedgerows.*" The application is for a conversion of a building which will not result in the loss of any biodiversity, the remainder of the site is a mix of buildings and hardstanding.

It is considered that the site is de-minimis for BNG purposes.

Amenity

Policy CP27 does not allow for development that would have an unacceptable impact on the amenity of occupiers of neighbouring properties.

Concern has been expressed by third parties regarding possible overlooking. The closest neighbour is Ludmore Cottages which are separated from the Barn by 21 metres, the two buildings are slightly staggered meaning that the Barn is located further back from the lane than Ludmore Cottages resulting in the proposed large window in the north elevation looking across the rear of Ludmore Cottages with oblique views of the elevation facing the Barn. A first floor window is proposed on this elevation which would serve an area of open void, over the entrance lobby and as such there would be no scope for views from this window at the first floor level. There is also a 21 metre separation gap and such a distance is not considered unacceptable, also added to the fact that the window would be overclad with timber, views would be restricted and would make oblique views towards Ludmore Cottage difficult. The other windows on the elevation facing towards Ludmore Cottage serve bathrooms and secondary windows to living spaces, these windows are small and would be overclad and as such would have restricted views. It is considered that the proposed design and the gap between the two buildings would not give rise to unacceptable overlooking.

The open balconies to the southern side of the building look southwards across the neighbouring field, there is an ability to have views to the side, the eastern elevation would look out across the site towards Broadway Lane whilst the west will look out towards fields. As the balconies are proposed to be overclad views would be restricted, due to the juxtaposition of the

Barn with the neighbouring Ludmore Cottages the balconies would not result in direct overlooking of this property. Other properties that are located close to the site would be some considerable distance away and screened by mature planting.

It is accepted that the conversion would lead to some light spill from the property. External lighting can be controlled by condition but internal light spill will be reduced by the over cladding of the windows spillage and in any event is not considered to be excessive so as to have an unacceptable impact on the amenity of adjacent property.

Noise impacts of the use were considered under the previous Class R application. The Environmental Health Officer advised that *"It is agreed that the proposed development is unlikely to introduce significant noise impacts to residential amenity. This department has no objection to the proposals"*.

It is considered that the impact on the neighbouring property in terms of overlooking is acceptable and that an external lighting scheme can be conditioned. It is considered that the development would be in accordance with Policy CP27.

Drainage

Policy CP25 of the JCS deals with Flood Risk and Surface Water Drainage and requires development to have no net increase in surface water run-off.

Surface Water

For surface water discharge, the drainage hierarchy notes the following list of drainage options in order of preference:

- 1 Infiltration to ground
- 2 Discharge to a watercourse
- 3 Discharge to a surface water sewer
- 4 Discharge to a foul water sewer

Surface water discharge via shallow infiltration into the ground is the preferred surface water strategy. Following infiltration testing it was shown that this was feasible and all hardstanding will be permeable and the water from the roof of the building will attenuate to a geo-cellular tank before infiltrating to the ground. This is considered acceptable and the Drainage Officer has raised no objection.

Foul Water

There are no public sewers within the vicinity of the site. The Drainage Report advises *"It is therefore proposed that foul water from the development will be collected and conveyed via gravity to a new sewage treatment plant, ensuring the removal of pollutants prior to infiltration into the ground."*

Due to space constraints within the site, it is not feasible to provide a drainage field in accordance with BS 6297. Instead, infiltration is proposed via a ring soakaway, which has been

designed to accommodate the foul water flows generated by the development. Discharge of treated effluent to ground will be agreed with the Environment Agency and a bespoke environmental permit will be obtained prior to any works commencing on site”.

The Drainage Officer has raised no objection to this proposal.

There has been concern expressed by third parties regarding the following:

The site is within a Source Protection Zone (SPZ) and this will require a bespoke Environment Agency permit, the Drainage Officer has requested this is permitted before development commences, whilst the LPA would not condition this requirement it has required development to be carried out in accordance with the submitted Drainage Strategy and the Package Treatment Plant details submitted. In eventually agreeing the required Permit by the Environment Agency then there should be no risk to the SPZ, if for any reason the EA does not issue a permit then a revised Drainage Strategy would be required that would need a new planning approval.

Third parties have raised concern about the infiltration testing that occurred. Having considered the Drainage information submitted and the comments of consultees the LPA has no reason to question the methods and qualifications of the person who undertook the infiltration testing. The third party raises concern about soakaway being located in low density chalk as this was the underlying geology of the neighbouring site. The trial pit shows that there was a layer of made up topsoil with a stiff sandy clay with flints this is different to low density chalk.

The sewage infrastructure is outside the curtilage of the Class R application site. Under the Class R Prior Approval there is a requirement to show a curtilage that is no larger than the area occupied by the building itself. This application is for operational development to support the granting of Class R, this is a full planning application and as such the application can consider drainage and grant permission for drainage. drainage solution in this case is outside the red line but within the blue line, the area within the blue line is within the applicants control and the LPA can attach conditions on this land. third party refers to not being able to extend the curtilage under Class R – this application is not being determined under Class R.

The Appeal Decision quoted by the third party regarding curtilage is for a different issue in that it refers to whether the size of the curtilage of an application under Class Q exceeds Schedule 2, Part 3 of Paragraph X of the GPDO. This would only be relevant if the application was under Class R (as Paragraph X referred to above is relevant to both Class Q and R applications) and as discussed this is not a Class R application as such it is not relevant to this application. For the avoidance of doubt, the operational development comprised in the sewage works in accordance with the planning permission under consideration here does not alter the planning unit granted by the previous Class R prior approval.

Highways

The transport and highway implications of the development have been considered under the previous Class R application. Third party comments have been received on the confusing nature of the Highway Authority's comments that have been received across a number of applications

and this was addressed under the Class R application. There is no ability to revisit this issue under this application.

Contamination

A third party has raised concern about contamination of the site. This issue was considered under the previous Class R application. Under that application Environmental Health advised they had no objection and advised an informative was added to the decision. The Environmental Protection Officer has requested conditions for a gas permeable membrane and unsuspected contamination. They have also requested validation of remedial works for contaminated land – as the site is a conversion and there is very little external works it is considered that a condition for unsuspected contamination is sufficient. Informatives are also attached.

Conclusion

The conversion has been agreed in principle and it is considered that the operational changes proposed to convert the building are acceptable and there would not be any unacceptable harm to the character of the area, the amenity of surrounding property, ecology, the setting of heritage assets, drainage and the safety and operation of the highway network.

Recommendation

Permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:

301 C - location/site plan

311 C - proposed plans & refuse store

321B – proposed elevations

350A - Landscape maintenance & planting plan

Reason: To ensure provision of a satisfactory development.

3. No development shall start on site until details of the gas impermeable membrane with ventilated sub-floor area, with particular attention to joins with any existing structures and seals around any services, has been submitted to and agreed in writing by the Planning Authority. Any services entering/leaving the structure shall be located above the gas impermeable membrane, and adequate seals will be provided to ensure the membrane is not breached. The works shall be undertaken in accordance with the approved details.

Reason: To ensure that adequate measures are taken to avoid the potential risk to future occupiers from natural gases arising from the ground.

4. Notwithstanding any indication of materials that may have been given in the application or in the absence of such information, no development above slab level shall take place on site until samples / details including manufacturers details of all the materials to be used for external facing and roofing for the development hereby approved have been submitted to, and approved in writing by, the Local Planning Authority. The development works shall be carried out in accordance with the approved details.

Reason: To ensure that the materials used in the construction of the approved development harmonise with the surroundings.

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

Landscaping Plan 350A and the Landscape Maintenance and Planting Plan

Reason: To ensure the provision and establishment of a reasonable standard of landscape in accordance with approved plans

6. The development hereby permitted shall not be brought into use until the area shown on the approved plan for the parking of vehicles shall

have been made available and marked out. The parking area(s)

shall then be permanently retained and reserved for that purpose at all times.

Reason: To make provision for off street parking for the purpose of highway safety.

7. The development hereby permitted shall not be occupied until:

- A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 120 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed water efficiency calculation must be installed before first occupation and retained thereafter;
- A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- All measures forming part of that mitigation package have been provided to the Local Planning Authority and shall be implemented in full in accordance with an agreed timetable.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated

nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, policies CP22 and CP27 of the East Hampshire District Local Plan: Joint Core Strategy 2014.

8. The proposed Drainage Strategy shall be carried out in accordance with the submitted Drainage Strategy Report date 19/09/25 and the submitted Package Treatment Plan details

Reason: To ensure adequate drainage solution

9. Prior to the first occupation of the building, a bird and bat box shall be erected in an appropriate

location on the site.

Reason: To improve opportunities for biodiversity

10. 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.

Development shall not re-start on site until the following details have been submitted to, and approved in writing by, the Local Planning Authority:-

(a) a scheme outlining a site investigation and risk assessments designed to assess the nature and extent of any contamination on the site.

(b) 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 pollutant linkages and unless otherwise agreed in writing by the Local Planning Authority 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 Local Planning Authority)

(C) 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 pollutant linkages;

and before any part of the development is occupied or used (unless otherwise first agreed in writing by the Planning Authority) 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 Local Planning Authority.

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 DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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 offsite receptors.

11 Construction/refurbishment works and associated activities at the

development, which may be audible beyond the boundary of the site, should not be carried out other than between the hours of 0800 –1800hrs Monday to Fridays and 0800 – 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays.

Reason: To protect the amenities of the neighbouring properties

12 No external lighting/ floodlighting shall be installed on the site until such details have been submitted to and approved in writing by the Planning Authority. The lighting shall be installed, operated, and maintained in accordance with the approved details.

Reason: To ensure that light levels are appropriate to the location and to protect the amenities of neighbouring properties

Informative Notes to Applicant

1. In accordance with paragraphs 38 and 39 of the NPPF East Hampshire District Council (EHDC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by: In this instance the applicant was updated of any issues after the initial site visit, the application was acceptable as submitted and no further assistance was required.

2. It has been assumed the build date of the building predates the year 2000 and therefore contains asbestos containing materials (ACM). It is therefore recommended that an Asbestos Survey is undertaken prior to commencement of works. Without such a survey and the subsequent safe removal of ACMs disposed of to an appropriate waste management facility, it may be assumed that works will result in soil contamination of the site. Where asbestos contamination is suspected the LPA may request the survey and waste transfer notes to help with the discharge of any contaminated land conditions applied to a Decision Notice. To help with managing asbestos on site the Health Safety Executive have published a checklist, available for download from the following website:

<http://www.hse.gov.uk/asbestos/managing/checklist.pdf>

A leaflet entitled "Development on Potentially Contaminated Land" is available as a download on the following East Hampshire District Council website

<http://www.easthants.gov.uk/sites/default/files/documents/ContaminatedLandGuide.pdf>

and which contains a template for a Completion Statement. This should be completed by the applicant at the end of the development, regardless of whether contamination was investigated/discovered on site. Approval of this statement will enable discharge of the IC07 condition.

3. Due to the risk from gas infiltration the permitted development rights for this development should be removed to ensure that any future extensions are also appropriately protected in the interest of future occupants. Bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2019 and birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). All work must stop immediately if evidence of bat or nesting bird presence (e.g. droppings, bat carcasses or insect remains, recent nesting materials), are encountered at any point during building work. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.