

Notice of Meeting

Northern Area Planning Committee

Date: Thursday, 12 July 2018

Time: 17:30

Venue: Conference Room 1, Beech Hurst, Weyhill Road, Andover,
Hampshire, SP10 3AJ

For further information or enquiries please contact:

Sally Prior - **01264 368024**

email sprior@testvalley.gov.uk

Legal and Democratic Service

Test Valley Borough Council,
Beech Hurst, Weyhill Road,
Andover, Hampshire,
SP10 3AJ

www.testvalley.gov.uk

The recommendations contained in the Agenda are made by the Officers and these recommendations may or may not be accepted by the Committee.

PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Membership of Northern Area Planning Committee

MEMBER		WARD
Councillor C Borg-Neal	Chairman	Harroway
Councillor T Preston	Vice-Chairman	Alamein
Councillor I Andersen		St Mary's
Councillor P Boulton		Broughton and Stockbridge
Councillor A Brook		Alamein
Councillor Z Brooks		Millway
Councillor J Budzynski		Winton
Councillor D Busk		Broughton and Stockbridge
Councillor I Carr		Charlton
Councillor J Cockaday		St Mary's
Councillor D Denny		St Mary's
Councillor D Drew		Harewood
Councillor B Few Brown		Amport
Councillor M Flood		Anna
Councillor P Giddings		Bourne Valley
Councillor K Hamilton		Harroway
Councillor S Hawke		Millway
Councillor A Hope		Over Wallop
Councillor P Lashbrook		Penton Bellinger
Councillor J Lovell		Winton
Councillor C Lynn		Winton
Councillor P Mutton		Penton Bellinger
Councillor J Neal		Millway
Councillor P North		Alamein
Councillor B Page		Harroway
Councillor G Stallard		Anna

Northern Area Planning Committee

Thursday, 12 July 2018

AGENDA

The order of these items may change as a result of members
of the public wishing to speak

- 1 Apologies
- 2 Public Participation
- 3 Declarations of Interest
- 4 Urgent Items
- 5 Minutes of the meeting held on 21 June 2018
- 6 Information Notes
- 7 18/00814/FULLN - 26.03.2018 10 - 24
(OFFICER RECOMMENDATION: PERMISSION)
SITE: The Cottage, Cow Lane, Kimpton, SP11 8NY,
KIMPTON
CASE OFFICER: Mrs Donna Dodd
- 8 18/00940/FULLN - 26.04.2018 25 - 42
(OFFICER RECOMMENDATION: REFUSE)
SITE: Garages at Venice Court, Andover, Hampshire
ANDOVER TOWN (ALAMEIN) / SMANNELL
CASE OFFICER: Mrs Mary Goodwin

ITEM 6

TEST VALLEY BOROUGH COUNCIL
NORTHERN AREA PLANNING COMMITTEE
INFORMATION NOTES

Availability of Background Papers

Background papers may be inspected up to five working days before the date of the Committee meeting and for four years thereafter. Requests to inspect the background papers, most of which will be on the application file, should be made to the case officer named in the report or to the Development Manager. Although there is no legal provision for inspection of the application file before the report is placed on the agenda for the meeting, an earlier inspection may be agreed on application to the Head of Planning and Building.

Reasons for Committee Consideration

The majority of applications are determined by the Head of Planning and Building in accordance with the Council's Scheme of Delegation which is set out in the Council's Constitution. However, some applications are determined at the Area Planning Committees, or the Planning Control Committee instead, and this will happen if any of the following reasons apply:

- Applications which are contrary to the provisions of an approved or draft development plan or other statement of approved planning policy where adverse representations have been received and which is recommended for approval.
- Applications which the Head of Planning and Building Services considers are of significant local interest or impact.
- Applications (excluding notifications) where a Member requests in writing, with reasons, within the stipulated time span that they be submitted to Committee.
- Applications submitted by or on behalf of the Council, or any company in which the Council holds an interest for its own developments except for the approval of minor developments.
- Notifications on which material planning objection(s) has been received within the stipulated time span (the initial 21 day publicity period) and no agreement with the Chairman of the appropriate Committee after consultation with the appropriate Ward Member(s) has been reached.

- Determination of applications (excluding applications for advertisement consent, listed building consent, and applications resulting from the withdrawal by condition of domestic permitted development rights; Schedule 2, Part 1, Classes B, C, D, E, F, G, and H of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended) on which a material planning objection(s) has been received in the stipulated time span and which cannot be resolved by negotiation or through the imposition of conditions and where the officer's recommendation is for approval, following consultation with the Ward Members, the latter having the right to request that the application be reported to Committee for decision.

Public Speaking at the Meeting

The Council has a public participation scheme, which invites members of the public, Parish Council representatives and applicants to address the Committee on applications. Full details of the scheme are available from Planning and Building Services or from the Committee Administrator at the Council Offices, Beech Hurst, Weyhill Road, Andover. Copies are usually sent to all those who have made representations. Anyone wishing to speak must book with the Committee Administrator within the stipulated time period otherwise they will not be allowed to address the Committee.

Speakers are limited to a total of three minutes per item for Councillors with prejudicial interests, three minutes for the Parish Council, three minutes for all objectors, three minutes for all supporters and three minutes for the applicant/agent. Where there are multiple supporters or multiple objectors wishing to speak the Chairman may limit individual speakers to less than three minutes with a view to accommodating multiple speakers within the three minute time limit. Speakers may be asked questions by the Members of the Committee, but are not permitted to ask questions of others or to join in the debate. Speakers are not permitted to circulate or display plans, photographs, illustrations or textual material during the Committee meeting as any such material should be sent to the Members *and* officers in advance of the meeting to allow them time to consider the content.

Content of Officer's Report

It should be noted that the Officer's report will endeavour to include a summary of the relevant site characteristics, site history, policy issues, consultations carried out with both internal and external consultees and the public and then seek to make a professional judgement as to whether permission should be granted. However, the officer's report will usually summarise many of the issues, particularly consultations received from consultees and the public, and anyone wishing to see the full response must ask to consult the application file.

Status of Officer's Recommendations and Committee's Decisions

The recommendations contained in this report are made by the officers at the time the report was prepared. A different recommendation may be made at the meeting should circumstances change and the officer's recommendations may not be accepted by the Committee.

In order to facilitate debate in relation to an application, the Chairman will move the officer's recommendations in the report, which will be seconded by the Vice Chairman. Motions are debated by the Committee in accordance with the Council's Rules of Procedure. A binding decision is made only when the Committee has formally considered and voted in favour of a motion in relation to the application and, pursuant to that resolution, the decision notice has subsequently been issued by the Council.

Conditions and Reasons for Refusal

Suggested reasons for refusal and any conditions are set out in full in the officer's recommendation.

Officers or the Committee may add further reasons for refusal or conditions during the Committee meeting and Members may choose to refuse an application recommended for permission by the Officers or to permit an application recommended for refusal. In all cases, clear reasons will be given, by whoever is promoting the new condition or reason for refusal, to explain why the change is being made.

Decisions subject to Completion of a Planning Obligation

For some applications, a resolution is passed to grant planning permission subject to the completion of an appropriate planning obligation (often referred to as a Section 106 agreement). The obligation can restrict development or the use of the land, require operations or activities to be carried out, require the land to be used in a specified way or require payments to be made to the authority.

New developments will usually be required to contribute towards the infrastructure required to serve a site and to cater for additional demand created by any new development and its future occupants. Typically, such requirements include contributions to community facilities, village halls, parks and play areas, playing fields and improvements to roads, footpaths, cycleways and public transport.

Upon completion of the obligation, the Head of Planning and Building is delegated to grant permission subject to the listed conditions. However, it should be noted that the obligation usually has to be completed sufficiently in advance of the planning application determination date to allow the application to be issued. If this does not happen, the application may be refused for not resolving the issues required within the timescale set to deal with the application.

Deferred Applications

Applications may not be decided at the meeting for a number of reasons as follows:

- * The applicant may choose to withdraw the application. No further action would be taken on that proposal and the file is closed.

- * Officers may recommend deferral because the information requested or amended plans have not been approved or there is insufficient time for consultation on amendments.
- * The Committee may resolve to seek additional information or amendments.
- * The Committee may resolve to visit the site to assess the effect of the proposal on matters that are not clear from the plans or from the report. These site visits are not public meetings.
- * Where the Committee has resolved to make a decision, which in the opinion of the Head of Planning and Building, has a possible conflict with policy, public interest or possible claims for costs against the Council, those applications shall be referred to the Planning Control Committee for determination.

Visual Display of Plans and Photographs

Plans are included in the officers' reports in order to identify the site and its surroundings. The location plan will normally be the most up-to-date available from Ordnance Survey and to scale. The other plans are not a complete copy of the application plans and may not be to scale, particularly when they have been reduced from large size paper plans. If further information is needed or these plans are unclear please refer to the submitted application in the reception areas in Beech Hurst, Andover or the Former Magistrates Court office, Romsey. Plans displayed at the meeting to assist the Members may include material additional to the written reports.

Photographs are used to illustrate particular points on most of the items and the officers usually take these. Photographs submitted in advance by applicants or objectors may be used at the discretion of the officers.

Human Rights

"The European Convention on Human Rights" ("ECHR") was brought into English Law, via the Human Rights Act 1998 ("HRA"), as from October 2000.

The HRA introduces an obligation on the Council to act consistently with the ECHR.

There are 2 Convention Rights likely to be most relevant to Planning Decisions:

- * Article 1 of the 1st Protocol - The Right to the Enjoyment of Property.
- * Article 8 - Right for Respect for Home, Privacy and Family Life.

It is important to note that these types of right are not unlimited - although in accordance with the EU concept of "proportionality", any interference with these rights must be sanctioned by Law (e.g. by the Town & Country Planning Acts) and must go no further than necessary.

Essentially, private interests must be weighed against the wider public interest and against competing private interests. Such a balancing exercise is already implicit in the decision making processes of the Committee. However, Members must specifically bear Human Rights issues in mind when reaching decisions on all planning applications and enforcement action.

Natural Environment and Rural Communities Act 2006 (NERC)

The Council has a duty under the Natural Environment and Rural Communities Act 2006 as follows: "*every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*".

It is considered that this duty has been properly addressed within the process leading up to the formulation of the policies in the Revised Local Plan. Further regard is had in relation to specific planning applications through completion of the biodiversity checklists for validation, scoping and/or submission of Environmental Statements and any statutory consultations with relevant conservation bodies on biodiversity aspects of the proposals. Provided any recommendations arising from these processes are conditioned as part of any grant of planning permission (or included in reasons for refusal of any planning application) then the duty to ensure that biodiversity interest has been conserved, as far as practically possible, will be considered to have been met.

Other Legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination of applications be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the Borough comprises the Test Valley Borough Revised Local Plan (2016). Material considerations are defined by Case Law and includes, amongst other things, draft Development Plan Documents (DPD), Supplementary Planning Document (SPD) and other relevant guidance including Development Briefs, Government advice, amenity considerations, crime and community safety, traffic generation and safety.

On the 27th March 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF does not change the statutory status of the development plan as a starting point for decision making. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework sets out that where the development plan is absent, silent or relevant policies are out of date permission should be granted unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- Specific policies in the Framework indicate development should be restricted.

However, account can also be taken of policies in emerging development plans, which are going through the statutory procedure towards adoption. Annex 1 of the NPPF sets out that greater weight can be attached to such policies depending upon

- The stage of plan preparation of the emerging plan;
- The extent to which there are unresolved objections to relevant policies; and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF.

The National Planning Policy Framework states that 'In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.'

ITEM 7

APPLICATION NO.	18/00814/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	26.03.2018
APPLICANT	Mr R and Ms C Munnery and Norton
SITE	The Cottage, Cow Lane, Kimpton, SP11 8NY, KIMPTON
PROPOSAL	Two storey side extension to form enlarged entrance hall, utility room and cloakroom with en-suite bathroom over and first floor rear extension to form bedroom, removal of existing part thatched roof and reduction in chimney height
AMENDMENTS	Drawing: 873 / 05 Sight Lines received 24.05.2018
CASE OFFICER	Mrs Donna Dodd

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is presented to Northern Area Planning Committee at the request of a local ward member because it raises issues of more than local public interest.

2.0 SITE LOCATION AND DESCRIPTION

The host property is a two storey semi-detached property sited adjacent to Cow Lane, with Cobweb Cottage, the adjoining property, situated to the north-west. The property has been extended to the rear and side. The main walls of the property are finished with a painted render, with the side extension clad with timber. The roof of the cottage is part thatch and part tiled, with the tiled roof matching the height and design of the roof of Cobweb Cottage. The roof of the side extension is finished with tiles and the rear extension is constructed with a flat roof.

3.0 PROPOSAL

The proposal is to erect a two-storey side extension to form an enlarged entrance hall, utility room and cloakroom with en-suite bathroom over and a first floor rear extension to form an additional bedroom. The proposal would also result in the removal of the thatched roof section, which would be replaced with tiles to match the host property and Cobweb Cottage.

4.0 HISTORY

- 4.1 None relevant.

5.0 CONSULTATIONS

- 5.1 **Highways – no objection.**
- 5.2 **Ecology – no objection subject to informative.**

5.3 **Design and Conservation – comment:**

The original cottage appears to be of some age – it is shown on the Victorian OS maps, however, it is not listed and it is not in a conservation area.

It is appreciated that the building has been substantially altered, and the current arrangement and appearance is not successful. It is unlikely that it would be considered to be a non-designated heritage asset. In order to form a more homogenous building a relatively drastic approach, such as proposed, may be needed.

That said, Design and Conservation would not generally support the removal of thatch, to be replaced with some other material, whether the building in question is designated or not, or whether it is historic or modern. Thatch is an important part of the character of Test Valley generally, and therefore the tradition should be promoted.

Design and Conservation - Additional comments received 26.06.2018

The site is outside of the conservation area, and is separated from it by modern dwellings, therefore it is not considered it forms part of the setting of the conservation area. The proposed alterations will not, therefore have any adverse impact on the special interest of the conservation area.

The site also does not fall within the settings of any listed buildings.

With the exception of April Cottage to the north, Cow Lane is essentially comprised of modern dwellings, and it does not significantly contribute to the character of the historic village. The historic context which these two cottages once had, as being isolated dwellings well outside of the village core, has been obliterated by the 20thC development around them, both along Cow Lane and Deacon Road.

April Cottage, also unlisted, is a better example of a thatched cottage than The Cottage, retaining much more of its character and form, and without so many obvious alterations and additions. It is an attractive building with a homogenous appearance, which The Cottage, currently, is not.

The Cottage is not considered to be a non-designated heritage asset, as, though parts of it are historic, it has been significantly altered, is not an attractive building, and does not contribute significantly to the historic environment.

For the above reasons it is considered the proposed development complies with the requirements of Policy E9 of the RLP.

6.0 **REPRESENTATIONS** Expired 25.04.2018

6.1 **Kimpton Parish Council - Objection.**

The proposed building will impact on residential amenity of the neighbouring properties.

The new building is within 2.5 meters of Afon and will dominate the surrounding buildings. The proposed size will overpower the neighbour;

considerably reduce their light and any privacy. The proposed bedroom window will overlook, Rustlets and Afon and look straight down into their garden removing any privacy they have enjoyed to date. The suggested soft landscaping at the rear garden as additional screening cannot be relied on as shown in after planning care from previous local projects.

The proposed building will impact on the existing dwelling.

There are very few thatched properties in the village and they should be preserved, they are part of our village heritage. It is our understanding that Hampshire's policy was any extension to a thatch property should not replicate the original thatched roof and that an original thatch should not be removed because the owner does not like it any more. When you read the bat survey report the thatch is in excellent condition, to quote "very tight to the wall structure and good wire netting". Nobody buys a thatch property without going into the ramifications of repairing it or replacing it-so to state. In the design statement that 'future and ongoing maintenance exceeds the project's budget' should have been considered before the cottage was purchased. It also refers to it as 'the unsightly thatched section' and its removal would allow for 'the removal of a large and extremely prominent flue'. These are just excuses to try and justify the removal of the thatch.

The proposed building will impact the character of the surrounding area.

The Cottage is an established part of the northern part of the Village. It is one of only two existing thatched cottages in the northern area. The building dates back to early 19th century (see attached photo). The design of the proposed application removes the existing thatch which has been surveyed and is in good condition. The previous application (07/02151/FULLN) was for a single storey building. The proposed two storey dwelling will be the largest in the area and overshadow the adjacent buildings.

Construction.

Any construction works at the proposed building will impact on the access to Cow Lane (SP11 8NY). The road is single lane traffic. There is little or no space for any form of construction equipment, scaffolding etc. Any lay-down area for materials would impact on both the direct neighbours (Afon) and the Cow Lane access.

History of The Cottage.

In addition a photo from the early 1900 of The Cottage is attached. It shows the original thatched roof, the important position of The Cottage in the village and its history as an integral part of the village.

Car Parking

The car parking facilities at The Cottage are confined to two very small areas. The owner presently parks their third car in the Kimpton Village Hall parking area. The proposed new build would not add any additional parking if further parking was required.

6.2 **2 x letters of objection –**

Afon, Cow Lane, Kimpton (summarised):

- *The Cottage occupies a prominent position on Cow Lane and represents both a historical and village landmark being only one of two thatched cottages at this end of the village.*
- *The application seeks to destroy the character of the property by removing the thatch and developing beyond recognition.*
- *Large-scale and size will swamp both neighbouring properties.*
- *Proposed extension to the east and south is only 8 feet away from Afon, encroaching on privacy.*
- *Adversely impact our property from a visual prospective*
- *Loss of light, overshadowing and reduction in light levels*
- *Destroys any views to the village from the rear of our property*
- *Total overdevelopment and not in keeping with the character of the village*
- *Proposal is not in line with any of TVBC planning considerations*

Rustlets, Cow Lane, Kimpton (summarised):

- *Loss of secluded garden*
- *Occupants of the upstairs bedroom would have a perfect view straight across our property.*

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(TVBRLP)

Policy COM2 – Settlement Hierarchy

Policy E1- High Quality Development in the Borough

Policy E5 - Biodiversity

Policy LHW4 – Amenity

Policy T2 – Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring property
- Impact on ecology
- Impact on parking provision

8.2 **Principle of development**

The site lies within the Kimpton settlement boundary as defined on the Inset Maps of the TVBRLP. In accordance with Policy COM2 of the TVBRLP development is permitted provided the proposal is appropriate to other policies of the Revised Local Plan. The proposal is assessed against relevant policies below.

8.3 Impact on the character and appearance of the area

The proposed two-storey side extension would be located in a position close to the adjacent highway. The rear extension would also be visible from Cow Lane through the gap between the host property and Afon to the south-west.

8.4 As detailed within the comments of the Conservation Officer, thatch is an important part of the character of Test Valley, and therefore the tradition should be promoted. However, the building has significantly evolved overtime including the addition of side and rear extensions, fenestration changes and alterations to the thatch, and it is considered that in the particular circumstances of this application The Cottage does not contribute significantly to the historic environment of Kimpton.

8.5 The existing thatched roof contributes to the character of the host property. However, the existing property is defined by a mixture of building styles, form and materials and which have resulted from previous extensions/alterations to the property. Within this particular context the proposed development would therefore result in a neutral impact on the appearance of the property within the street scene.

8.6 The alterations to the roof would include the removal of the large and prominent flue, which would benefit the appearance of the host property. The removal of the thatch would reduce the height of the roof making the flue more prominent and incongruous, therefore, it is considered that a condition is necessary to ensure the removal of the flue is secured.

8.7 It is also noted that replacement of the thatch with tiles on the existing dwelling would be development permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 and as such could be undertaken without the requirement for planning permission. As such, there is a fall-back position whereby the thatch could be removed from the existing dwelling, and this is a material planning consideration.

8.8 Concerns have been raised by a local resident and the Parish Council regarding the overdevelopment of the site. There are a mixture of property and garden sizes along Cow Lane and it is considered that the addition of the proposed extensions on a similar footprint within a plot of this size would not appear as overdevelopment or incongruous.

8.9 As a result of the neutral impact of the loss of the thatch, the removal of the flue and the fall-back position that the thatch could be removed without the requirement for planning permission, it is considered that the proposed extension is acceptable and would integrate, respect and complement the character of the host property and the area, in compliance with Policy E1 of the RLP.

8.10 Impact on amenity of neighbouring properties

The neighbouring properties most affected by the proposals are Cobweb Cottage, Afon and Rustlets.

8.11 Cobweb Cottage

Loss of light

The proposal would result in an additional shadow being cast over the neighbouring property Cobweb Cottage during the early morning. The shadow would be cast for a short period and would affect the neighbour's rear first-floor bedroom window. The whole of the rear of the property and the garden would still receive sunlight for the rest of the day. It is considered that the additional shadowing would be minimal and would not reduce the level of sunlight reaching the neighbour to fall below acceptable levels.

8.12 Outlook

The rear extension would not project a significant distance beyond the rear building line of Cobweb Cottage. Due to the distance and juxtaposition of Cobweb Cottage to the proposed extension, it is considered that the level of openness and outlook enjoyed by these current occupants would largely remain unaffected by the proposed scheme.

8.13 Privacy

The boundary treatment between the host property and Cobweb Cottage consists of high-level fencing and mature planting. Any oblique views from the proposed rear windows would be largely screened by the boundary treatments. The two modestly sized roof lights would introduce new views to the rear garden of Cobweb Cottage; however, these views would be largely obscured by the mature planting and would be directed towards the less sensitive areas of this garden.

8.14 Afon

Loss of light

The neighbour to the south-west, Afon, is a modern detached dwelling for which permission was granted in 2010 (10/02076/FULLN). It is noted that the occupiers of Afon have raised concerns about loss of light, overshadowing and reduction in light levels. The proposed extension would be sited north-east of Afon. Consequently any additional shading caused by the proposal would be to the north of that property which would not result in any unacceptable harm.

8.15 Outlook

The proposed extensions would be separated from Afon by approximately 2.5 metres. The proposed side extension would be in line with the side elevation of Afon on the same footprint as the existing single-storey side extension, and the occupiers would retain views through the separation gap to Cow Lane. The side extension would be approximately 2m from the closest first floor front window of Afon, which is the only window to a bedroom. It would affect the outlook from this window but the part hipped and part catslide roof design mean that it would not be a particularly bulky addition when seen from that window. There would still be open views to the front and the south from the bedroom window. The nearest ground floor front window serves a sitting room which also has a window at the rear. The proposed side extension would be in a similar position to the existing single storey extension and whilst it would be taller, it is not considered that it would have a significant impact on the outlook from that

window. There are no windows in the facing flank of Afon. It is considered that due to the separation gap and the remaining outlook to the front and rear of Afon, the proposal would not give rise to an unacceptable overbearing impact for these occupiers.

8.16 Privacy

The proposed first floor rear extension includes a new first-floor bedroom window and roof light in the rear elevation/roof slope. It is considered that the proposed bedroom window in close proximity to the neighbouring boundary would introduce new views into the rear garden of the neighbouring properties at Afon and Rustlets. Afon has a modestly sized rear garden with the patio immediately behind the dwelling on an area laid to paving. It is considered that the modest scale of the window and the extended eaves overhang would help to reduce the extent of possible views from this window across this neighbouring garden. The proposed planting (to be secured by condition) would also help to screen the views to the gardens of Afon and Rustlets; however, the retention of such planting cannot be secured in perpetuity as it is living matter. Any oblique views from the proposed first-floor window would be to the far west corner of Afon's garden, away from the occupier's patio area where the occupants might reasonably be expected to sit out. As such, it is considered that there would be a degree of overlooking limited to the western corner of the garden which would be at an insufficient level to warrant a reason for refusal.

8.17 Rustlets

Light and outlook

The proposal would not result in the loss of light, overshadowing or an overbearing impact to Rustlets due to the modest design and the distances between the properties.

8.18 Privacy

Rustlets is situated to the rear of the site and is approximately 25 metres from the proposed rear extension and rear first-floor window. It is considered that the distance between properties in addition to the screening provided by the existing planting would provide for the privacy of the occupiers of Rustlets and the host property.

8.19 Therefore, it is considered that the proposal would not give rise to an adverse impact on the living conditions of the neighbouring properties sufficient to withhold permission. As such the proposal complies with policy LHW4 of the RLP.

8.20 Impact on ecology

Following the submission of a bat survey and the subsequent consultation response from the County Ecologist, it is considered that the proposal does not give rise to any adverse impacts on existing habitat or on-site ecology and is therefore in accordance with Policy E5 of the TVBRLP.

8.21 Impact on parking provision

It is noted that Kimpton Parish Council has raised concern about the current parking facilities at The Cottage and the inability to add any additional parking.

It is recognised that the current parking is limited on site; however, the proposal does not give rise to additional demand for car parking or result in the loss of existing car parking spaces to serve the dwelling. The parking standard for a three-bedroom property is two parking spaces and the existing and proposed parking provision provides for this requirement. The proposal is therefore in accordance with the parking standards as set out in Annex G and Policy T2 of the RLP.

8.22 Other

Concerns have been raised by Kimpton Parish Council about the construction of the proposal and the impact this could have on the neighbouring property and to the access of Cow Lane. It is considered that there is sufficient space within the curtilage of The Cottage for the storage of building materials during the construction period. Any impact on the highway would be covered by other legislation and it is not considered appropriate to duplicate these controls with a planning condition.

9.0 CONCLUSION

9.1 The proposals are considered acceptable, as they would integrate, respect and complement the character of the area. The privacy and amenity of the occupants and the neighbours would be provided for. The proposal is in accordance with Test Valley Borough Revised Local Plan 2016 policies COM2, E1, LHW4, E5 and T2.

10.0 RECOMMENDATION

PERMISSION subject to:

1. **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.
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number 873/02B.**
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **No development shall take place above DPC level of the development hereby permitted until details of the tree as marked on the approved plan 873/02B, including the species and planting size, have been submitted to and agreed in writing by the Local Planning Authority. The planting shall be carried out before the end of the current or first available planting season following completion of the development. The tree shall be maintained to encourage its establishment for a minimum period of five years following completion of the development. Should the tree be removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, it shall be replaced before the end of the current or first available planting season following the failure, removal or damage of the tree.**

Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LWH4.

- 4. Before any part of the development hereby approved is brought into use, the proposed flue as detailed on drawing 873/02 B shall be removed.**

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) Policies E1 and LHW4.

Note to Applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of 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.**
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Siteplan



April Cottage

COW LANE

See over site of 1/2 inch 8 in 8 in
width of 10 in
Then see 1/2 inch to width of 10 in
See over site of 1/2 inch 8 in 8 in
width of 10 in
Then see 1/2 inch to width of 10 in



See over site of 1/2 inch 8 in 8 in
width of 10 in
Then see 1/2 inch to width of 10 in

Cobweb Cottage

See over site of 1/2 inch 8 in 8 in
width of 10 in
Then see 1/2 inch to width of 10 in

The Cottage

From plan by 1/2 inch 8 in 8 in
width of 10 in
Then see 1/2 inch to width of 10 in

Afon

See over site of 1/2 inch 8 in 8 in
width of 10 in
Then see 1/2 inch to width of 10 in

See over site of 1/2 inch 8 in 8 in
width of 10 in
Then see 1/2 inch to width of 10 in

Rletwood

Rustlets

Proposed Site Layout 1:200



Scale
In Meters at 1:200



Existing Section - AA

Remove existing front door and window
Extend front door to south aspect cut
Remove existing front window
Relocate front window to south aspect cut



Existing Front Elevation

Remove existing front door and window
Relocate front door to south aspect cut
Remove existing front window
Relocate front window to south aspect cut



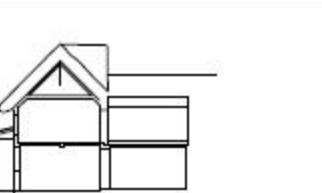
Existing Side Elevation

Remove existing front door and window
Relocate front door to south aspect cut
Remove existing front window
Relocate front window to south aspect cut



Existing Rear Elevation

Remove existing front door and window
Relocate front door to south aspect cut
Remove existing front window
Relocate front window to south aspect cut



Existing Section - BB

Remove existing front door and window
Relocate front door to south aspect cut
Remove existing front window
Relocate front window to south aspect cut



Proposed Side Elevation

Proposed front window
Relocate front door to south aspect cut
Relocate front window to south aspect cut



Proposed Front Elevation

Proposed front window
Relocate front door to south aspect cut
Relocate front window to south aspect cut



Proposed Side Elevation

Proposed front window
Relocate front door to south aspect cut
Relocate front window to south aspect cut



Proposed Rear Elevation

Proposed front window
Relocate front door to south aspect cut
Relocate front window to south aspect cut



Proposed Section - Shower Room

Proposed front window
Relocate front door to south aspect cut
Relocate front window to south aspect cut

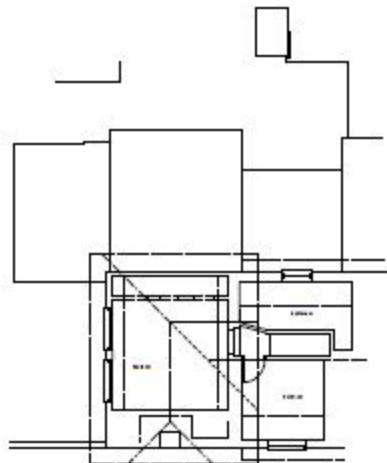


Proposed Section - Bedroom

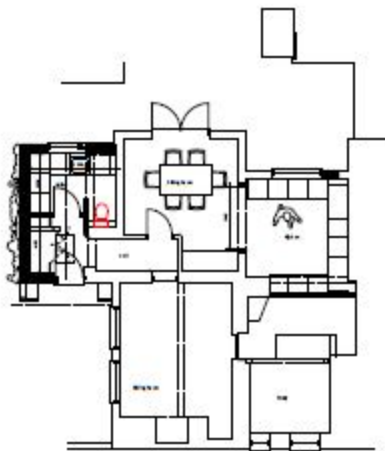
Proposed front window
Relocate front door to south aspect cut
Relocate front window to south aspect cut



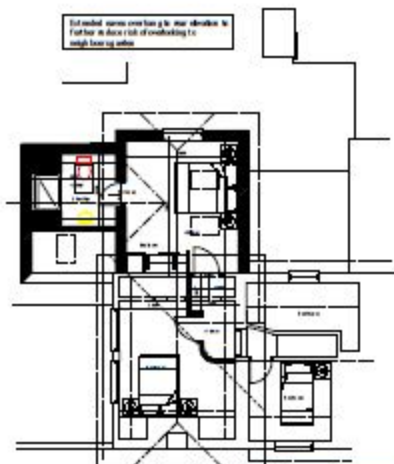
Existing Ground floor Plan



Existing first floor Plan



Proposed Ground floor Plan



Proposed first floor Plan

Intended areas are being to the structure to
 further increase risk of overlooking to
 neighbouring sites

Proposed office space is adjacent to
 the main entry by the 2nd & adjacent to the main

This Drawing is Copyright. It must not be copied, used or disclosed to third parties without prior permission.

All dimensions to be checked on site prior to commencement. Any discrepancies to be brought to the attention of clients agent immediately.

All drawings to be read in strict conjunction with relevant Engineers drawings where applicable.

Full approval of any work as stated or uncovered to be obtained by either CA or Local Authority Building Inspector.

Cobweb Cottage

Extended eaves overhang to rear elevation to further reduce risk of overlooking to neighbours garden

The Cottage

New planting to further reduce risk of potential overlooking

Existing mature planting

Existing mature Willow tree

Afon

Afon Terrace area - Approx location

Sight line from proposed rear window.
 - 1200mm wide window
 - Standard frame size (nom 50mm frame & 50mm opening jamb section)
 - Internal view point set back 350mm from internal wall face

Suggested opening arrangement to be left hand side hung casement window

This Drawing is Copyright. It must not be copied, used or disclosed to third parties without prior permission.

All dimensions to be checked on site prior to commencement. Any discrepancies to be brought to the attention of clients agent immediately.

All drawings to be read in strict conjunction with relevant Engineers drawings where applicable.

Full approval of any work as stated or uncovered to be obtained by either CA or Local Authority Building Inspector.

Dormer window to existing rear elevation constructed under Permitted Development Rights

Cobweb Cottage

The Cottage

Existing mature planting

Existing mature Willow tree

Afon

Afon Terrace area - Approx location

sight line from potential 900mm wide dormer window built under Permitted Development to existing roof slope of rear elevation.

Sight line based on standard frame size 50mm with 50mm opening jamb section

Internal view point set back 350mm from internal wall face

Sight line from proposed rear window as application documents

SIGHT LINES FROM DORMER WINDOW - PERMITTED DEVELOPMENT

ITEM 8

APPLICATION NO.	18/00940/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	26.04.2018
APPLICANT	Aster Group
SITE	Garages at Venice Court, Andover, Hampshire, ANDOVER TOWN (ALAMEIN) / SMANNELL
PROPOSAL	Erection of 4 dwellings and associated works
AMENDMENTS	
CASE OFFICER	Mrs Mary Goodwin

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This application is presented to committee in accordance with the member and officer code of conduct.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site comprises a shared garage block, parking area and landscaped amenity space, at Venice Court, within a large residential development to the west of Icknield Way, in Andover. The development comprises clusters of terraced houses, arranged around cul de sacs, walkways and pockets of amenity landscaping. Within the site is the existing parking court (providing approximately 8 car spaces) forward of a low linear block of 11 garages, with low pitched roof. A landscaped amenity space wraps around the garage court to the north, east and south. This area is at a higher level and is contoured and planted with semi-mature trees and grass. There is a large electricity sub-station within a fenced compound to the south of the site adjoining the access. A low retaining wall wraps around the garage block to the north, south and east between the building and the amenity space.

3.0 PROPOSAL

- 3.1 The application seeks full planning permission for the demolition of the existing garages and the erection of 4 semi-detached three bedroom dwellings with off road parking for ten cars to the frontage to the west and enclosed private rear gardens to the east, towards Icknield Way. A narrow landscaped strip would be retained between the development and the highway to the east. The application is supported by a Tree Survey and a Parking and Transport report (which includes a local parking survey). The proposed dwellings have pitched roofs with dormer windows to the rear. A number of semi-mature trees are to be removed from the existing parking area and from the landscaped amenity space to accommodate the revised access, parking and new buildings.

4.0 **HISTORY**

- 4.1 TVN.6210 – Provision of 15 parking spaces at Florence Court, 17 parking spaces at Genoa court, 1 parking space at Turin Court, 1 parking space and 26 garages at Venice Court, on Roman Way Andover - Development under Town and Country Planning General Development Order, Regulation 4(5) – 06.01.1992, subject to planning conditions.

5.0 **CONSULTATIONS**

- 5.1 **Highway Engineer** – No objection, subject to conditions.
Applicant has satisfactorily justified the use of the existing garages and accounted for the net loss of parking spaces that would result from the development of the parking court. The proposed parking provision is acceptable and in accordance with the Council's RLP parking standards (Policy T2). The access (including visibility requirements) and manoeuvring arrangements is acceptable (Policy T1).
- 5.2 **Tree Officer** – Objection:
TPO.TVBC.1153 has been served on the trees behind the site to protect them.
- 5.3 The proposed development to build four houses on the site with the rear gardens backing on the land where the trees stand, will by the nature of proximity, dominance, falling debris, lack of useable garden space, blocked light and perceived threat, put future pressure on these important trees.
- 5.4 The trees are at an elevated location to the proposed houses and gardens and have the capacity to greatly increase in size. Making the situation worse and increasing the pressure on the trees future to be felled or pruned.
- 5.5 Future growth and light issues (including garden space) need to be taken into account at the design stage, allowing for the trees to reach their full potential.
- 5.6 Further concern is raised from the removal of available parking and the pressure this may have on grassed and treed areas close by as residents need to find new areas to park their vehicles.
- 5.7 The sectional drawing appears to be incorrect, further clarification is needed as to current land levels and proposed.
- 5.8 **Landscape Officer** – Objection:
Venice Court is part of the Roman Way development and consists of a mixture of dwellings from three storey terraced houses to detached bungalows all in close proximity to one another. Although there is a variety in size and scale of properties, there is a uniform character to the development. The high density clusters of development which form Roman Way are surrounded and enclosed by clusters of small and medium trees which aid to soften the development and form an integral part of the character. The rear of the garage block can be seen clearly from Icknield road and the site has no landscape designations.
- 5.9 There are a number of mature trees surrounding the development site which form an important part of the local and wider character; it is essential that these trees should be protected and retained.

- 5.10 Within the Site Plan there are a number of trees shown to be removed which have no bearing on the development, removing these trees will have a detrimental impact upon the local character and street scene, and will leave the site looking harsh and exposed as there will be little to soften the new development and integrate them with the existing properties surrounding the site.
- 5.11 The canopy of the large tree in the rear garden of plot 2 would fill the garden leaving 1m between the tree and the house. This will put significant pressure on the tree to be removed as it will leave the property with very little light. Likewise with Plot 4 there is 2m between the canopy of the tree and rear of the property. A shade diagram is required to demonstrate the level of light available for the rear gardens and ensure that there is no further need to fell more trees.
- 5.12 There is confusion between the existing and proposed levels. There is currently a retaining wall behind the garages, but the Section A-A Plan fails to address this level. It should also be noted that by excavating the land for the new gardens will potentially impact and damage the tree roots of the remaining trees.
- 5.13 Should the application be granted a landscape strategy for hard and soft landscaping will need to be submitted, this should include soft landscaping for the frontage of the new dwellings and hard landscaping demonstrating how the development will integrate within the local landscape. A landscape management plan will also be required to ensure the successful establishment of any new soft landscaping.
- 5.14 **Environmental Protection** – No objection, subject to conditions.
We note that the applicant is not intending to have any plant, ventilation or air conditioning as part of the application. Condition recommended to address possible land contamination and to require that a Phase 1 Assessment (i.e. Desk Study and QRA) is undertaken and a copy of the report submitted to the LPA for approval. Any contamination should thereafter be remediated and a scheme submitted to the Local Planning Authority for approval and implementation. Demolition works should be restricted to no wider than 0730 and 1800 hrs Monday to Friday and 0800 and 1300 hrs on Saturdays, with no work on Sundays or Public Holidays, unless otherwise agreed with the LPA. Best practicable means should be used to prevent dust emissions from all demolition and construction activities (e.g. the use of water to suppress dust) and bonfires should be prohibited to prevent causing a nuisance to people living and working in the vicinity of the site. There is an electricity substation adjoining the site. If not suitably maintained, this has the potential to cause noise issues from normal operation. We would recommend that the applicant engages with the operators of the substation and informs them that the site could change, so that they have the opportunity to ensure that stable acoustic controls are in place.

6.0 **REPRESENTATIONS** Expired 30.05.2018

6.1 **Andover Town Council – Objection:**

- Parking is extremely difficult in this area and the proposal removes 19 parking spaces.
- Concern that emergency vehicle access would be difficult.
- The removal of parking spaces, as proposed, will lessen access further it is will force more cars to park in on the road.

6.2 **10 letters and emails of Objection (20, 41, 48, 58, 59, 61, 62, 70, 71 Venice Court, Andover; 1 address unknown)**

6.3 Highway/Parking/access issues:

- The loss of parking and garages (8 spaces and 11 garages) here will cause further parking problems in the area, where there is already insufficient parking. Additional parking on the roads and verges in the area blocks access and makes it difficult for emergency and service vehicles to gain access. People already double park in the area and parking obstructs routes for pedestrians, those with disabilities, children and cars;
- The 10 cars that currently parking here will need to fit into the 5 spaces outside my home (58 Venice Court) and cars already park on the verges and entrance to Venice Court;
- Bays should be retained for use by the local residents;
- The roads are becoming more and more dangerous due the level of on street parking for the houses on Augusta Park and Roman Way. The development would have a harmful impact on wider road and pedestrian safety;
- An application for flats on the concrete parking area adjacent to 1 Venice Court was refused in 2004 (TVN.06210/1) and it was noted then that the level of existing off street parking for Venice Court was below the adopted parking standard. The loss of off street parking will increase on street parking, to the detriment of the safety and free flow of traffic on the highway network, restricting access for emergency vehicles;
- The parking survey does not appear to take account of parking at peak times (around 7pm);

6.4 Impact on character of area and landscape/trees

- Overdevelopment of site and impact on the character of the area;
- The development would be visible from the road and would have a detrimental impact on the leafy character of the area;
- The trees in the gardens could be removed by the future occupants;
- The existing trees and landscaping are important to the area and wildlife. They soften the impact of the electricity substation. As few trees as possible should be felled;
- The loss of the trees and landscaping will be harmful and will be damaging to the natural environment, contrary to local plan policy;

6.5 Neighbour amenity

- The houses are over two storeys high and would block out light to homes (71 Venice Court) and causing overlooking;
- The development is opposite our home (70 Venice Court) and will harmfully impact on our privacy and levels of natural daylight;

6.6 Other matters

- Additional houses are unnecessary here;
- Applicant has not involved residents or the existing garage tenants or consulted them;
- Site Notice was on a tree near electricity substation and not in the garage court.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

- SD1: Presumption in favour of sustainable development
- COM2: Settlement hierarchy
- E1: High quality development in the Borough
- E2: Protect, conserve and enhance landscape character of the Borough
- Policy E5: Biodiversity
- Policy E7: Water Management
- LHW4: Amenity
- Policy T1: Managing Movement
- Policy T2: Parking Standards

7.3 Supplementary Planning Documents (SPD)

Andover Town Design Statement

Andover Town Access Plan

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Visual amenity and impact on the character and appearance of the area
- Trees
- Highways
- Water Management
- Residential amenity
- Land Contamination

8.2 **The principle of development**

The site falls within the settlement boundary for Andover, as defined within the Test Valley Borough Revised Local Plan (2016) (or RLP). Policy COM2 of the RLP permits development and redevelopment within the defined boundaries of the settlements. The principle of new residential development is therefore acceptable.

8.3 Visual amenity and impact on the character and appearance of the area

Policy E1 of the RLP permits development if it is of a high quality in terms of design. To achieve this, development should integrate, respect and complement the character of the area in which the development is located in terms of appearance, scale, materials and building styles. Policy E2 requires development to protect, conserve and enhance the landscape character of the Borough. Paragraph 64 of the NPPF states that planning permission should be refused for development that is of poor design, and which fails to take the opportunities available for improving the character and quality of an area.

8.4 The site comprises an existing shared parking court and low linear block of 11 garages adjoining a mature landscaped amenity space, between the residential development at Venice Court and the later Augusta Park residential development to the east of Icknield Way. The contoured amenity spaces and trees on and adjoining this site (and adjoining the surrounding developments) are a significant feature of the wider area, contributing to the character of the Icknield Way corridor and landscape and providing a green buffer between the housing and road. The trees within and around the development also give the Venice Court area an attractive and leafy character. The amenity planting helps to screens views of the electricity substation compound, parking and garage block. The levels vary across the site and there is a retaining wall wrapping around the existing garage block to the sides and rear, with land rising towards the north and west. Due to the low form of the existing buildings, the ground and building levels and their relationship to the adjacent trees, the existing garage block appears low and subservient within the street scene and landscape. The adjoining Venice Court residential development comprises a mix of single storey, two storey and three storey houses and flats, constructed in buff brickwork with pitched tiled roofs. There is a row of young trees towards the western boundary of the site (these trees are not covered by the TPO).

8.5 The proposed development of two pairs of 2½ storey semi-detached houses, fronting onto the former parking court, would be a prominent addition at this location. The dwellings would front onto the existing parking court to the west, which would have to be revised. The existing trees here would be removed to provide vehicular access to the frontage of the scheme. The proposed 2½ storey buildings would have a tall and bulky mass and appearance which would be appear out of character within the group (adjacent to the existing single storey dwellings to the north west and west, at 67 and 68 Venice Court). The Council's Landscape Officer has raised objection to the proposal and notes that the proposed layout and design would leave the area with a harsh and hard appearance, particularly due to the loss of the trees and landscaping. The existing electricity substation would appear a more dominant feature, due to the proposed removal of 6 of the trees that surround it, at the entrance to the parking court. The parking and manoeuvring space would dominate the frontage area, with little or no space for any meaningful soft landscaping.

- 8.6 Towards Icknield Way to the east, the development would extend into the existing landscaped amenity space within the site. The submitted plans show that most of this land is to be enclosed within private rear gardens serving the new dwellings, leaving a narrow strip of planting between the private gardens and highway. The application is unclear about the treatment of levels in this area and this is a significant concern, as the trees marked for retention on the submitted plans sit on the higher land, to the rear of the garages (most of which are covered by a Tree Preservation Order). The views from Icknield Way towards the site would be dominated by the new dwellings and their private enclosed gardens and fences. The submitted section (DWG 20) indicates that land levels would be dug down to achieve level gardens, with a 1.8m high boundary fence sited approximately 2m from the highway. However, these levels would not be achievable if the trees marked for retention are to remain on the higher land (as shown on proposed site plan 001-A). The section and layout plans therefore appear inconsistent in this regard. The agent has been informed of this and any further amended plans will be referred to in the Update Paper.
- 8.7 In conclusion, it is considered that the proposed 2½ storey dwellings with associated parking areas, gardens and boundary fences, combined with the loss of the existing trees and amenity spaces (which constitute a local landscape feature), would appear unduly dominant and harsh within the street scene and that the development would not therefore complement or integrate successfully within the local context, street scene, character and landscape, contrary to the provisions of RLP policies E1 and E2.
- 8.8 **Trees**
RLP policy E2 states that development will be permitted where the protection, conservation and enhancement of the landscape of the Borough can be ensured, subject to six pertinent criteria, a) to f). Criterion b) states that development will be *‘designed and located to ensure that the health and future retention of important landscape features is not likely to be prejudiced’*. Criterion d) requires that *‘arrangements for the long term management and maintenance of any existing and proposed landscaping’* have been made and criterion f) states that development will *‘not result in the loss of important local features such as trees, walls, hedges or water courses’*.
- 8.9 The site contains a number of semi-mature trees within its boundaries, and some of these are protected by a recently served Tree Preservation Order (TPO.TVBC.1153). The existing trees on the site are an important local feature which make a positive contribution to the local landscape, providing a buffer between the development and enhancing the quality of the amenity space and living environment for local residents.
- 8.10 The proposed development of four houses with rear gardens backing onto the landscaped amenity land, where many of the trees stand, would by virtue of its proximity put significant future pressure upon the locally important trees that are marked for retention on the submitted plans. The Council’s Tree Officer has raised objection to the application for this reason. The trees would dominate the proposed rear gardens and would lead to pressure to fell or

prune the trees, due to falling debris, lack of useable garden space and shading, particularly as the trees are likely to significantly increase in size during their lifetime. The trees are at an elevated position adjoining the development, and the submitted tree plan shows indicative shadow patterns (ref: BDS-09-17) which dominate the rear garden areas. The submitted sectional drawing showing existing and proposed levels and this appears to cast considerable doubt on the potential to retain the trees within the site, given the existing site levels. The development would therefore not integrate successfully within its landscape setting and would be likely to result in the pruning or the loss of important trees. For these reasons, the proposed development is considered to conflict with the provisions of criteria b), d) and f) to RLP Policy E2.

8.11 **Highways**

Policy T1 permits development where it does not have an adverse impact on the function, safety and character of, and accessibility to, the local or strategic highway network and rights of way network. Policy T2 requires development to provide parking in accordance with the standards set out in Annex G.

8.12 The proposed development would be served by the existing access to the parking court and the application includes the provision of 10 car spaces in total (2 spaces per each new dwelling and 2 additional visitor spaces). The proposed development would therefore have sufficient on site parking, to meet adopted parking standards, for the proposed four 3-bed dwellings (8 spaces) with a further 2 spaces for local residents and visitors. However, the application proposes the removal of the existing parking court which has provided for the parking and storage needs of the occupants of some of the nearby homes in the surrounding development (11 garages and 8 spaces). It is therefore appropriate to consider whether the displacement of the existing parking provision (to enable the redevelopment of the site) is acceptable against RLP policies T1, T2 and the Council's adopted parking standards (RLP Annexe G)

8.13 The site is located in an area where car ownership appears greater than the available off road parking, resulting in a high level of on-street parking within and around the development. A number of representations have been submitted to the Council raising objections to the proposal on highway safety grounds and raising concerns about the impact upon parking on streets within the area. There is a perception that parking is difficult within the area and that increased congestion would result in the immediate vicinity. Third parties are concerned that the loss of the existing garage court and parking will increase parking on roads and verges, which would reduce local highway safety for pedestrians and traffic, and restrict access for emergency and service vehicles.

8.14 In order to address the displacement of the existing parking and any associated impacts upon parking and highway safety in the area, the application is supported by a detailed Transport report and Parking Survey. The report confirms that the garages are rented to individuals from a wider area beyond Venice Court and it is evident that parking is not allocated to specific properties within the vicinity. The report states that two of the garages

are currently unlet and the majority of those rented are used for storage purposes rather than for the parking cars. It is noted that the internal dimension of the garages fall below adopted parking standards; they measure just 2.4m x 5m (rather than the specified minimum of 3m x 6m). The report also considers the viability of walking and cycling to key facilities, services and public transport connections in the vicinity and concludes that the site benefits from good access to facilities and services by non-car means (on foot, by cycle or by public transport) and this indicates a reduced need for local residents to travel by car.

- 8.15 The report includes a local parking survey, which assessed parking between 00.30 and 05.30 hours and between 11.00 and 14.00 hours on local roads. The survey considered the availability of parking bays and on-street parking during these times on 5th and 7th December 2017. The scope of the Transport report and the parameters for the Parking Survey were established following liaison with the Council's Highway Engineers, who agreed that a night time survey (between the hours of 00.30 - 05.30 hours) should be undertaken in addition to a day time survey. On-street parking spaces were specifically excluded from the survey where the running lane for passing vehicles would be below 3.7m wide. 98 parking bays or on street parking spaces were identified during the survey and these were found to be 87-88% occupied at night and 37-43% occupied during the day. The report concludes that there is sufficient parking on street and in parking bays to accommodate the parking that would be displaced by the proposed development and that the transport impacts associated with the application are therefore marginal.
- 8.16 In the light of the findings and conclusions of the submitted Parking and Transport report, the Council's Highway Engineer has raised no objection to the application, because the use of the existing garages has been justified and the net loss of parking spaces that would result from the redevelopment of the existing parking court has been accounted for. The proposed parking provision is therefore considered acceptable and in accordance with the Council's parking standards set out in RLP Policy T2 (and Annexe G). The proposed access and manoeuvring arrangements are also considered to be acceptable and in accordance with the provisions of RLP Policy T1.
- 8.17 **Water Management**
The RLP includes a requirement in policy E7 to achieve a water consumption standard of no more than 100 litres per person per day. This reflects the requirements of part G2 of the 2015 Building Regulations. This could satisfactorily be addressed by a planning condition in order to comply with the requirements of this policy.
- 8.18 **Residential amenity**
RLP Policy LHW4 permits development provided that the amenity of the occupants of any existing and/or proposed properties would not be harmed as a result of overlooking, overshadowing or overbearing development. In addition, the occupants of the proposed new development should benefit from adequate levels of amenity and privacy.

- 8.19 The proposed dwellings would be sited approximately 14m to the south east of an existing single storey dwelling at 67 Venice Court and approximately 13m to the east of an existing single storey dwelling at 68 Venice Court. There are further dwellings sitting at least 16m to the south east (at 70-76 Venice Court) and on the opposite side of the existing parking court to the west, at a distance of at least 29m (58 to 60 Venice Court). Due to the offset alignment of the proposed dwellings in relation to the closest dwellings (67, 68, 71 and 72) it is not considered that the proposal would have a significant impact on these properties, or any other nearby properties, by virtue of any loss of light or privacy. It is also noted that there is an electricity substation at the entrance to the site within 6m of the closest new dwelling (unit 4). There is the potential for disturbance to the occupiers of the proposed new dwellings from the operation of the substation, unless the electricity substation is contained and maintained to avoid possible noise issues. The Environmental Protection Officer has advised that this is a matter that could be addressed by a planning condition or informative.
- 8.20 The proposed layout indicates that the four enclosed private rear gardens would adjoin the landscaped strip which wraps around the boundaries to the north, east and south. This strip contains semi-mature trees which are protected by a TPO and which are likely to grow significantly in future years. Some of the TPO trees lie within enclosed private garden areas. The garden areas vary in area, but are modest in depth and width (the rear boundary lies approximately 7m from the rear elevations). Notwithstanding the tree and ground issues set out at paragraphs 8.8 to 8.10, it is evident that the rear garden areas would lie almost entirely within the identified '*indicative shadow patterns for the main part of the day*', as marked on the submitted Tree Constraints Plan. The gardens would be heavily dominated by the adjacent trees and the shadow that would be cast by them. The amenity value of the gardens is therefore considered to be very limited, particularly in respect of plots 2, 3 and 4. For these reasons, it is considered that the proposal fails to accord with the provisions of RLP policy LHW4 criteria b) and c) in that it would not provide sufficient private open space appropriate for the needs of its residents and because levels of daylight and sunlight reaching the private open space serving the new dwellings would fall below acceptable levels, due to the relationship of the gardens and dwellings to the protected trees.
- 8.21 **Land Contamination**
The site has potential for contamination associated with its historic use. RLP policy E8 states that development will be permitted provided that it does not result in pollution which would cause unacceptable risk to human health, the natural environment or general amenity. The Council's Environmental Health Officer has advised that a land contamination assessment should be undertaken in order to establish the extent of any contamination. This assessment should then inform the development and may result in a requirement for further mitigation works. In the event that mitigation is necessary, a remediation scheme should be submitted for prior approval by the Local Planning Authority and implemented on site and this can be secured by a planning condition, in compliance with the provisions of RLP policy E8.

8.22 Other Matters

It is noted that the submitted cross section drawing (showing existing and proposed site and building levels) appears to conflict with the site survey and proposed drawings, and it is unclear how levels would be treated within and across the site, given the proposed retention of most of the trees which lie mainly on the higher ground (supported by retaining walls to the rear of the garage block). The section does not indicate any existing or proposed retaining walls or landscaped mounds and shows the proposed gardens cut into the slope. This matter could potentially be resolved through the submission of amended plans and further detailed cross-sections. The applicant has been advised of the requirement for more detailed levels information.

9.0 CONCLUSION

9.1 The application is considered to be acceptable, with regard to the impacts the proposed development would have upon parking levels and highway safety and water management. However, the layout, levels, design, appearance and siting of the proposed development fail to respect, integrate or complement the character and landscape of the local area and would not maintain a positive relationship between the private and public spaces within the site. It therefore fails to accord with criteria a), c) and d) to RLP policy E1. The proposal also fails to ensure the protection and enhancement of the landscape of the Borough, by virtue of the detrimental impact that the development is likely to have upon the existing trees within the site, in the short and longer term, including those that are protected by a Tree Preservation Order. The trees constitute an important local feature and their retention and health would be prejudiced by the proposed development, contrary to the provisions of criteria a), b), c), d) and f) of RLP policy E2. The application fails to provide adequate usable and private amenity space for the future residents of the three bedroom houses, as the enclosed private rear gardens would be dominated and heavily shaded by the TPO trees within the site, contrary to criteria b) and c) of RLP policy LHW4.

10.0 RECOMMENDATION

REFUSE for the reasons:

- 1. The application fails to demonstrate that the design, layout, scale, siting, levels and landscaping of the proposed development would integrate successfully within the local environment, or respond positively to the local character, street scene and landscape. The proposed development would have a harsh and hard appearance and would result in the loss of a significant area of shared landscaped space, which is important to the character, amenity and appearance of the existing development and area. The application therefore fails to accord with the provisions of Test Valley Borough Revised Local Plan policies E1 and E2.**
- 2. The proposal fails to provide for the retention of important existing trees within the site, which are protected by a Tree Preservation Order and which are considered to be important to the visual amenities and character of the area. The application fails to**

demonstrate how the trees could be retained and maintained during the construction period and into the future, given the proposed layout and levels, the positions of the trees within and adjoining the proposed private garden areas and dwellings and the anticipated future growth of the trees. The development is likely to result in conflict between the trees and living conditions within the dwellings and/or gardens, due to shading, maintenance issues, falling debris and overhanging branches resulting in predictable pressures to fell, lop or prune the trees. The proposal therefore fails to accord with criteria b), d) and f) to policy E2 of Test Valley Borough Revised Local Plan (2016).

- 3. The proposed layout and design fails to provide adequate usable private garden space for the amenities of the residents of the proposed three bedroom dwellings at plots 2, 3 and 4, as the enclosed rear gardens would be dominated and heavily shaded by the existing trees which are protected by a Tree Preservation Order and which are proposed to be retained. The proposal therefore conflicts with criteria b) and c) to Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).**

Note to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of 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.**
-

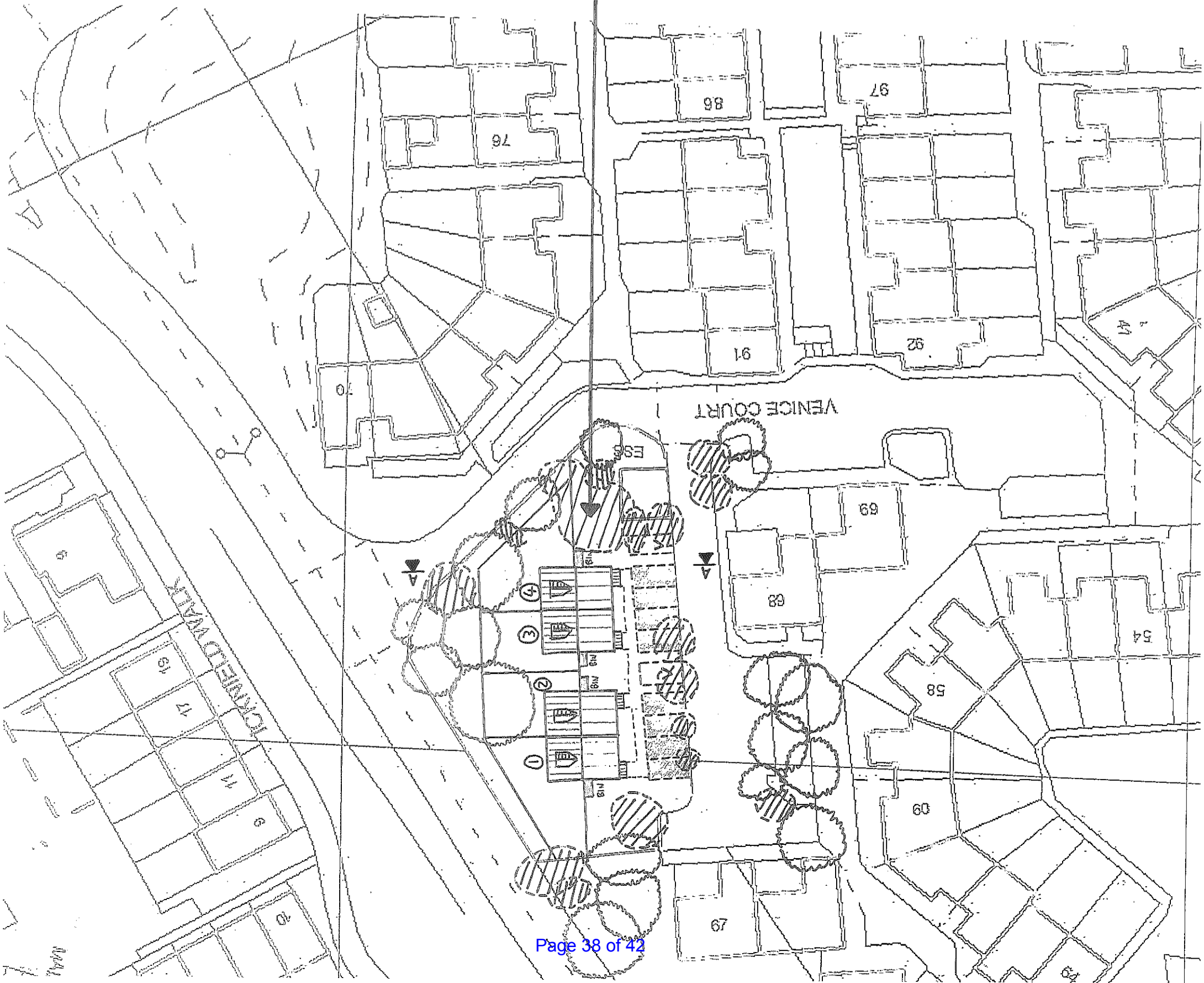


Siteplan

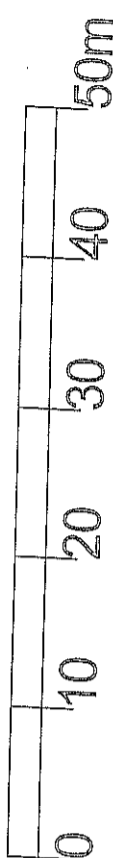


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4 no. Proposed 3 bedroom dwellings and associated parking.



○ -- TREES TO REMAIN
 ◐ -- TREES TO BE REMOVED



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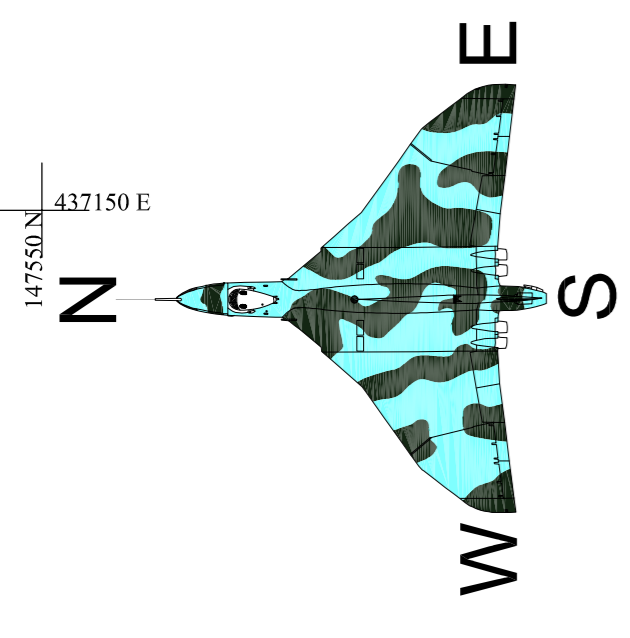
Chartered Town Planners
 30 The Causeway, Chippenham, Wiltshire, SN15 3DB.
 Telephone; 01249 444975. Email; willisplan@aol.com

Title; Garage Court P, Venice Court, Andover, Hampshire SP10 5JH.
 Site Plan.

Scale; 1/500 @ A3 Date; April 2017

Drawing no; 001 - A

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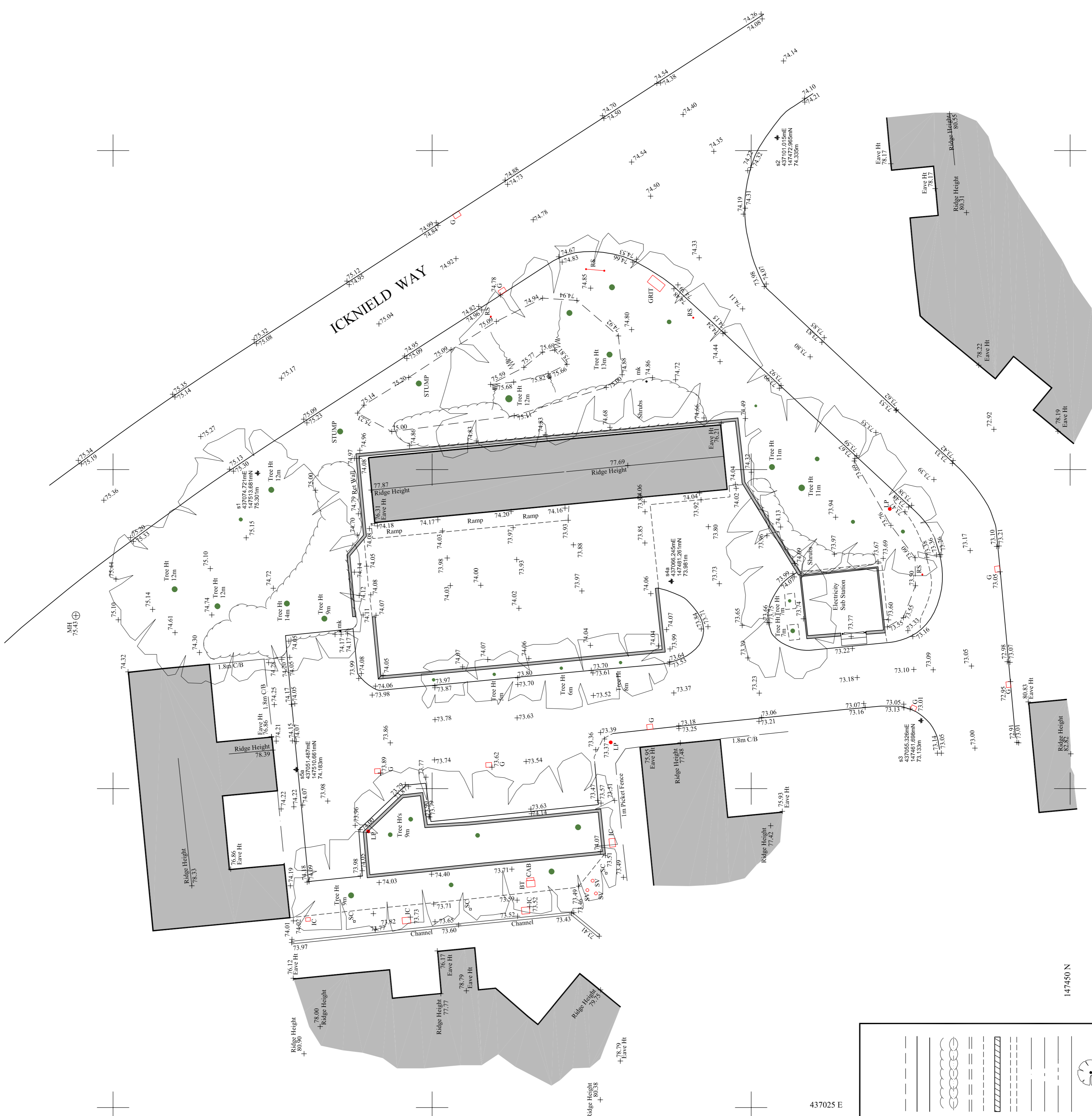


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437100 E
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147475 N
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437075 E
437100 E
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437150 E



Key

AV	Air Valve	RS	Road Sign	Bank
BL	Bollard	SC	Stop Cock	Building
BM	Bench Mark	Str	Strainer	Kerb
BP	Boundary Point	SV	Stop Valve	Foliage
BT	British Telecom	TL	Threshold Level	Hedges
CATV	Cable Television Cover	TP	Telephone Pole	Pipe
CL	Cover Level	WM	Water Meter	Verge
EP	Electric Power Pole	WO	Wash Out	Wall
EV	Eave Level	UTL	Unable To Lift	Truck
FH	Fire Hydrant	Fence Descriptions		Fence
FL	Floor Level	B/W	Barbed Wire	Trunk
FP	Fence Post	C/B	Close Board	
G	Gully	C/I	Corrugated Iron	Telephone
GP	Gate Post	C/L	Chain Link	Electric
GV	Gas Valve	C/P	Chestnut Palling	Water line
IC	Inspection Chamber	C/W	Chicken Wire	Spread/Trunk Dia/Height
IL	Invert Level	IR	Iron Railings	Manhole
KO	Kerb/Outlet	PR	Post & Rail	SWS (From Surface)
LC	Basement Light	P/W	Post & Wire	FWS (From Surface)
LP	Lamp Post		Rock Face	Grid Cross
M	Meter		Glass Roofed Buildings & Walls	
MH	Manhole Cover		Double Gates	
MK	Marker		Single Gate	
MS	Milestone			
RG	Ridge Level			

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Wiltshire - SN11 0AA.
Email: info@bds.co.uk
Mobile: 07740 338893

Project Name:
**Yewce Court
Andover SP10 5JQ**

Drawing Title:
Topographic Survey

Client:
Aster Group

Date:
September 2017

Scale:
1:200 @ A1

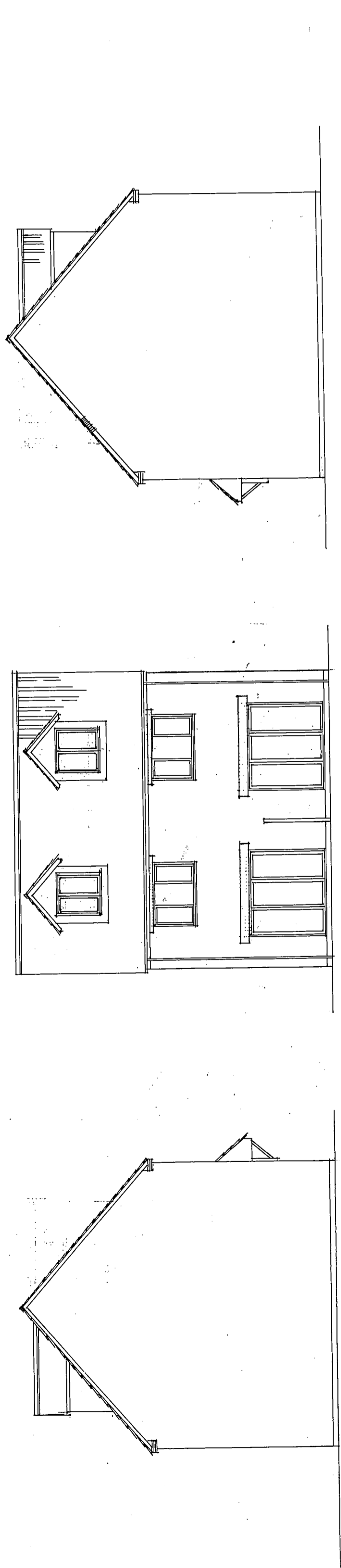
Drawn:
P-J-S

Checked:
S.C.B

Dwg No:
BDS-09-17

Rev

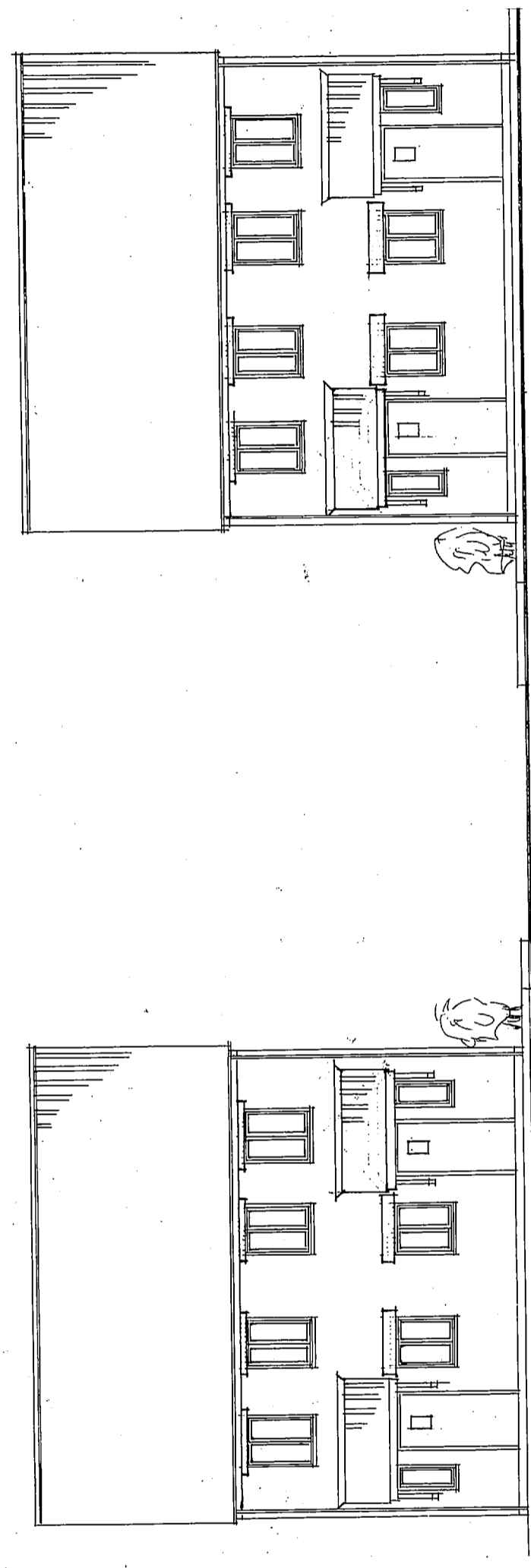
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Survey Grid based on OS
Levels based on OSGM-15
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Side Elevations

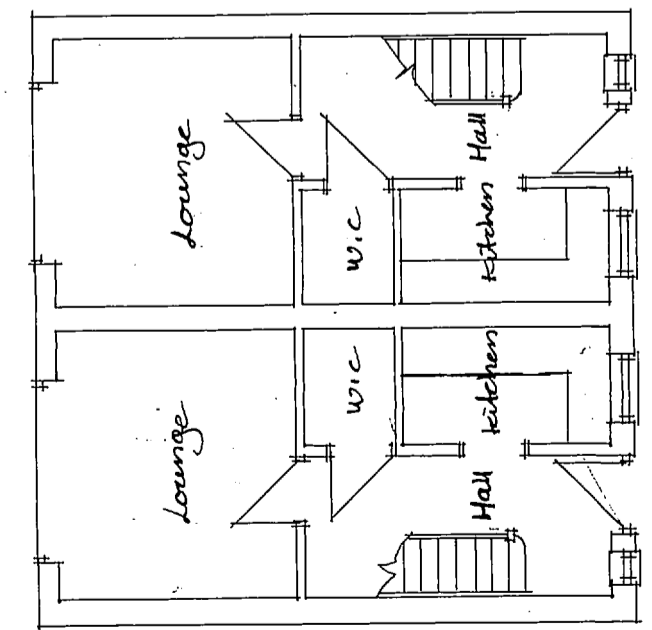
Rear Elevations

Side Elevations

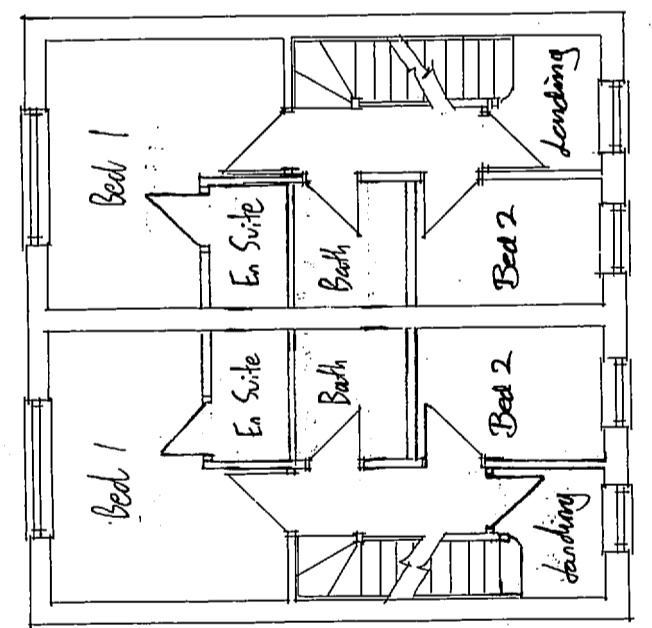


Street Elevations 1:100

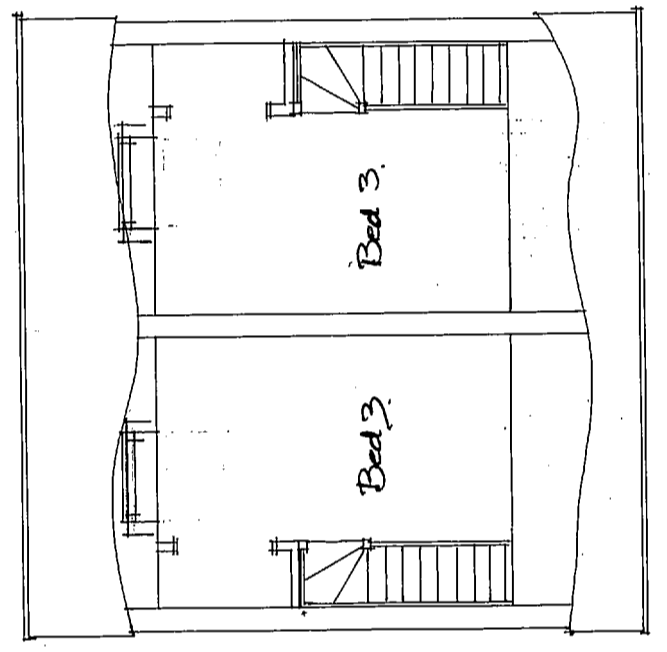
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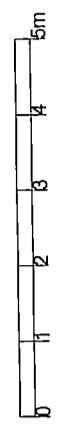
Ground Floor



First Floor
Plans 1:100



Roofspace



Willis & Co.
Chartered Town Planners
30 The Causeway, Chippenham, Wiltshire, SN14 0DB.
Telephone: 01249 655565
Email: Willisplan@aol.com

Client: Aster Housing Group.
Title: Garage court P, Venice Court, Andover, Hampshire.
Plans and elevations as proposed.

Scale: 1:100 @ A2 Date: March 2018 Drawing no: DWG 10
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437125 E

437100 E

437075 E

437050 E

437025 E

437000 E

147525 N

147500 N

147475 N

147450 N

147425 N

147400 N

147375 N

TREE CONSTRAINTS PLAN
Venice Court, Andover, SP10 5JQ
DWG TCP.7297.01
 October 2017 NdeB Wessex Tree Consultancy
 Refer to Accompanying Wessex Tree Consultancy Report
 Ref 7297 October 2017

Base Plan: Venice Court BDS Topographical Survey Plan Dwg no B05-09-17 : 1:200 at A1

	Canopy outline BSS837 'A' quality Tree (None recorded)
	Canopy outline BSS837 'B' quality Tree
	Canopy outline BSS837 'C' quality Tree
	Canopy outline BSS837 'U' quality Tree
	Root Protection Area (RPA) ref BSS837 Section 4.6
	Indicative shadow pattern through the main part of day ref BSS837 Item 5.2.2 Note 1.



Key

AV	Air Valve	RS	Road Sign
BL	Bollard	SC	Stop Cock
BM	Bench Mark	Sr	Strainer
BP	Boundary Point	SV	Stop Valve
BT	British Telecom Cover	TL	Threshold Level
CATV	Cable Television Cover	TP	Telephone Pole
CL	Cover Level	WM	Water Meter
EP	Electric Power Pole	WO	Wash Out
FH	Fine Hydrant	UTL	Unable to Lift
FL	Floor Level	B/W	Barbed Wire
FP	Fence Post	C/B	Close Board
G	Gully	C/I	Corrugated Iron
GP	Gas Post	CL	Chain Link
GV	Gas Valve	C/W	Chestnut Paling
IC	Inspection Chamber	IR	Iron Railings
IL	Invert Level	L/R	Lead
KO	Kerb Outlet	P/R	Post & Rail
LC	Lamp Column	P/W	Post & Wall
LP	Lamp Post	M	Meter
M	Manhole	MR	Manhole Cover
MS	Milestone	MS	Marker
MS	Milestone	MS	Marker
RG	Ridge Level	MS	Marker

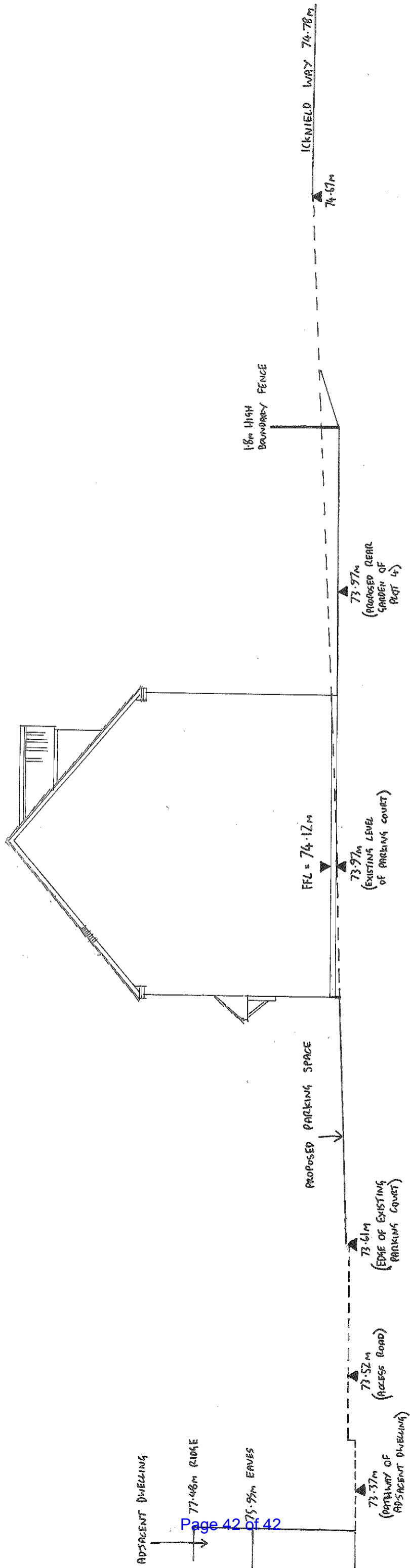
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 Email: info@bdsaster.com
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 Drawing Title: Topographic Survey

Client: Aster Group
 Date: September 2017
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 Checked: s.c.b.
 Dwg No: B05-09-17
 Rev: 1

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- - - - - = EXISTING GROUND LEVEL
 _____ = PROPOSED GROUND LEVEL

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 30 The Causeway, Chippenham, Wiltshire, SN15 3DB.
 Telephone: 01249 444975 Facsimile: 01249 655556
 Email: Willisplan@aol.com

Client: Aster Housing Group.
 Title: Garage court P, Venice Court, Andover, Hampshire.
 Section A-A through proposed site.

Scale: 1:100 @ A3 Date: April 2018 Drawing no: DWG 20

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