

ITEM 7

APPLICATION NO.	18/01645/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	29.06.2018
APPLICANT	Mr Neal
SITE	Chalkdell, Cocum Road, Barton Stacey, SO21 3RT, BARTON STACEY
PROPOSAL	Conversion of garage to annexe, erection of a shed and creation of bin area
AMENDMENTS	Amended plans received 12.07.2018, 18.07.2018, 03.08.2018 & 17.09.2018
CASE OFFICER	Mr Oliver Woolf

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This application is presented to the Northern Area Planning Committee at the request of the local Ward Member.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 Chalkdell is a detached dwelling with detached garage located on the northern edge of Barton Stacey Conservation Area. Chalkdell is one of two dwellings along the eastern side of this part of Cocum Road at the entrance of the village, with the other being Street Farm Cottage. There are fields to the north and east of the site with dwellings on the opposite side of Cocum Road.
- 2.2 Chalkdell and its garage are set above the level of the road with high and dense hedging surrounding the site. A Horse Chestnut tree protected by Tree Protection Order is centrally located along the site frontage. Under the canopy of this tree is fencing, an existing bin store area, log store and a greenhouse.

3.0 PROPOSAL

- 3.1 The proposal has two main elements; works to the existing garage and works within the garden.
- 3.2 Part of the existing garage would be converted to habitable accommodation as an annexe to the main house through an extension to the rear roof slope that would include a balcony. A small area of the ground floor would also be converted to this use to allow for a shower room and stairs to the area in the roof. The southernmost bay of the garage, which is currently used for internal storage, would be cleared to allow parking within.
- 3.3 A shed would be erected within the garden under the canopy of the protected tree and a bin storage area constructed adjacent to the northernmost part of the existing driveway.

3.4 A number of amended plans have been submitted make changes to the application to address representations received and the Tree Officer comments. These include corrections to the boundary of the site, a reduction in the size and height of the garage extension and its balcony, and most recently, the addition of a close boarded screen of 1.7m height along the south side of the balcony closest to Street Farm Cottage. This close boarded screen has been introduced into the scheme to address neighbour concerns but has not been subject to further neighbour consultation.

4.0 **RELEVANT HISTORY**

- 4.1 TVN.06259: Single storey rear extension, to provide family/dining room, first floor bedroom and bathroom extension and erection of detached double garage. Permission 12.06.1992.
- 4.2 TVN.06259/1: Two storey side extension to provide utility, cloaks, kitchen and porch with bedroom and 2 bathrooms over, first floor rear extension to provide bedroom, rear conservatory and alterations to access. Permission 16.04.2002.
- 4.3 TVN.06259/3: Erection of timber framed double garage (revision to proposal granted permission under TVN.06259/1). Permission 25.09.2002.
- 4.4 TVN.06259/4: Erection of greenhouse. Permission 07.01.2004.
- 4.5 12/02125/FULLN: Erection of two storey rear extension to provide sitting room with bedroom and en-suite above, single storey glazed link to garage and associated landscaping works. Permission 29.11.2012.

5.0 **CONSULTATIONS**

5.1 **TVBC Design & Conservation – no objection.**

Chalkdell is within the Barton Stacey conservation area. It is an eighteenth century cottage which, although altered and extended, does, from the front, largely retain a traditional appearance, and therefore, although it is not identified in the conservation area appraisal as a building of local interest, should be considered a modest non-designated heritage asset.

The proposal is to extend at the rear the existing traditionally-designed garage/outbuilding, to create a room in the roof-space. The extension, in the form of a large dormer, would not be visible from the front and views of the site from the road. There are no meaningful public views of the rear of the building because of the high bank behind my house and existing planting. The proposed re-opening the other of the two original vehicle openings at the front of the building will result in a visual improvement. These proposals would result in no harm to the heritage assets affected.

The other part of the application is for the construction of a bin store and garden shed at the front of the house, in a location already occupied by small structures, including a greenhouse. The top of the shed may be visible from the road, but views will be minimal because of the elevation of the site above the road and the existing planting. A shed in this location is quite appropriate to the character of the non-designated heritage asset and the conservation area, and would result in no harm to the significance of either.

5.2 **TVBC Trees – no objection subject to condition.**

5.3 **TVBC Environmental Protection – no objection subject to condition.**

6.0 **REPRESENTATIONS** Expired 24.08.2018

6.1 **Barton Stacey Parish Council – comment**

The Parish Council are concerned about amenity regarding the neighbours invasion of privacy due to the new dormer roof and paved deck area through double doors from the proposed annexe.

The Parish Council feel that the size of the new roof will be overbearing.

The Parish Council are aware of inconsistencies with the boundary line which need to be resolved.

6.2 **2x representations, Street Farm Cottage – objection (summarised as)**

As the only neighbour with a common boundary with Chalkdell we are of the view that the said conversion will have a detrimental impact on our residential amenity and our right to a peaceful enjoyment of our property.

Inconsistencies in the submitted plans in relation to the boundaries and size of the garage extension and balcony.

In our view the overwhelming presence of the proposed garage roof line and balcony contravene policy E1. In that the interests of the nearest neighbours are not respected.

The closeness of the proposed garage extension (containing a large area of glass) and the elevation of the planned balcony will allow overlooking of two of our bedrooms and the working heart of our garden; a private amenity area. This will be an invasion of our privacy and contravenes policy LHW4. It could also be the basis of neighbour disputes, due to other concerns including noise.

The current proposal suggests to us an overdevelopment in what is a low density housing area within a conservation area with regard to policy COM11.

6.3 **Following amended plans received 03.08.2018 and subsequent reconsultation:**

Inconsistencies in the submitted plans in relation to garden buildings within the garden of Street Farm Cottage.

The reduction in ridge height is a modest few inches, it makes little difference to the overbearing impact of the proposed conversion. We therefore reiterate that the overwhelming presence of the proposed garage roof line and balcony contravene policy E1.

The proposal involves a change of use and intensifies an outdoor use. What is being proposed is a self-contained studio apartment with a considerable area of glazing and a French door leading onto a first floor balcony located less than two metres from the boundary.

The overlooking of our two main bedrooms is also intrusive in what is a secluded area of our property.

We note the changes to the extension, but the decrease in the glazed area will be minimal.

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 DPD

COM2: settlement hierarchy

E1: high quality development in the borough

E2: protect, conserve and enhance the landscape character of the borough

E9: heritage

LHW4: amenity

7.3 Supplementary Planning Documents (SPD)

Barton Stacey Conservation Area Character Appraisal

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Character of the area and impact on the significance of heritage assets
- Residential amenity
- Trees

8.2 **Principle of development**

The application site is within the boundary of a settlement within the Revised Local Plan maps. The proposal would be acceptable in principle, with regard to policy COM2, subject to being appropriate to the other policies of the Revised Local Plan.

8.3 **Character of the area and impact on the significance of heritage assets**

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that conservation area. Policy E9 sets out that the merits of development affecting an undesignated heritage asset will be balanced against the scale of the harm or loss, either directly or indirectly, to the significance of that heritage asset.

8.4 Chalkdell, its garage and garden are set above the level of the road with high, dense hedges to the front and side boundaries that provide screening of the garden areas. The shed and bin store area would be located forward of and to the side of the dwelling in the area of the front garden that includes the existing greenhouse and log store, behind the hedge on the front boundary. Only limited views of the top of the shed would be visible from the roadside.

Within the context of the other ancillary outbuildings these minor elements of the scheme would be appropriate to and protect the character of the undesignated heritage asset and the conservation area.

- 8.5 The extension to the rear roof slope of the garage would be set in from each side of the roof and would be lower than the roof ridge. It would use matching materials and a sympathetic roof form to the existing within its construction. It is considered that the extension to the garage would not be visible from the street and that there would be no views of it from within the conservation area.
- 8.6 The representations received from the occupants of Street Farm Cottage reference paragraph 5.127 of the supporting text to policy COM11 in relation to the cumulative impact of extensions over time. This policy relates to dwellings in the countryside, but paragraph 7.12 of the supporting text to the more relevant policy E1 is similar in its aims. In this regard the proposed development would be domestic in scale, subsidiary to the existing buildings on the site and would have a very limited visual impact within the surrounding area. In conclusion, the proposal would integrate with the character of the area and would sustain the significance of the identified heritage assets in accordance with policies E1 and E9 of the Revised Local Plan.

8.7 **Residential amenity**

Policy LHW4 states that development will be permitted provided that:

- a) It provides for the privacy and amenity of its occupants and those of neighbouring properties;
- b) In the case of residential developments it provides for private open space in the form of gardens or communal open space which are appropriate for the needs of residents; and
- c) It does not reduce the levels of daylight and sunlight reaching new and existing properties or private open space to below acceptable levels

Paragraph 8.19 of the supporting text to policy LHW4 sets out that the public should not experience an overbearing impact on their living conditions.

- 8.8 The only adjoining neighbour to Chalkdell is Street Farm Cottage, located to the south west of the existing garage. It is considered that the only potential impact to residential amenity would be to the occupants of that property.

8.9 Privacy

With regard to a) of policy LHW4 the representations from the occupants of Street Farm Cottage raise concerns that the proposed extension to the rear roof slope of the garage, glazing and associated balcony would allow for overlooking of bedroom windows and across their rear garden which they actively use for growing plants and vegetables etc. Existing views of the upper part of the side elevation of Street Farm Cottage are possible from within the rear garden of Chalkdell.

- 8.10 The ground level increases in height towards the rear of application site. The ground level to the rear of Street Farm Cottage does also, with the terraces of the rear garden, shed and greenhouse being at a higher ground level than the adjacent part of the application site. The existing high, dense hedge on the boundary between the two properties provides a significant degree of screening between the two properties.
- 8.11 The proposed extension to the rear roof slope of the garage would be located wholly behind the rear elevation of Street Farm Cottage. The roof of the proposed extension would overhang the glazing and French doors by 1m, creating an area that would be enclosed to either side. Views to the rear would be of the trees, hedging, steep bank and path on top within the application site. There would be no views of Street Farm Cottage or its garden from within the proposed extension or beneath the overhang of the roof.
- 8.12 The proposed balcony would be 1m in depth beyond the overhang of the roof. Amended plans received 17.09.2018 propose a 1.7m high close board screen on the south side closest to Street Farm Cottage. It is considered that this screen in addition to the rising ground levels and dense high hedge on the southern boundary would prevent views of Street Farm Cottage and its garden from the balcony. The proposed screen can be secured in perpetuity by condition to ensure an acceptable privacy impact.
- 8.13 Overbearing
The objections received also set out that the proposed extension to the garage would have an overbearing impact on the living conditions of the occupants of Street Farm Cottage.
- 8.14 The ridge of the proposed extension to the rear roof slope of the garage would be approximately 3.7m in depth and 4.5m from the boundary. The eaves would be closest to Street Farm Cottage. It is considered that any views of the roof of the proposed extension from the windows in the side and rear elevations of Street Farm Cottage would be from oblique angles, over the hedge on the boundary at a distance in excess of 7m. The roof over the proposed extension would be most visible from between the greenhouse and shed in the rear garden of Street Farm Cottage. It is considered that the roof over the proposed extension would be viewed with the existing garage roof which is larger and closer to Street Farm Cottage. As a result of this and the arrangement of the proposed roof with the closest part being the low eaves, it is considered that the proposal would not have an unacceptable overbearing impact upon the occupants of Street Farm Cottage.
- 8.15 Daylight and sunlight
The application site is north of Street Farm Cottage. The proposed extension to the rear roof slope of the garage would be to the north east of Street Farm Cottage. It is considered that this positioning and the separation distance set out in paragraph 8.14 would mean that the proposal would not have an adverse impact on the level of daylight and sunlight enjoyed by the occupants of Street Farm Cottage.

8.16 Conclusion

The proposed garage extension would provide for the privacy of the occupants of Street Farm Cottage, would not have an overbearing impact on their living conditions or have an adverse impact on the level of daylight or sunlight enjoyed. The shed and bin storage area are situated the far side of the dwelling to Street Farm Cottage and it is considered that they would have no adverse impact on the amenity of the occupants of that property. The proposal is therefore in accordance with policy LHW4.

8.17 **Trees**

The application is supported by a statement from Barrell Tree Consultancy and an email from the agent received 03.08.2018. The proposed shed and bin store area would be located beneath the canopy of the protected tree to the front of the site. The shed would be set on an Ecobase shed base and the trellis fence around the bin storage area retained until the base has been laid to prevent incursion into the Root Protection Area. These details can be secured by condition.

8.18 The proposed balcony would be located beneath the canopy of trees to the rear that are protected by virtue of being within the conservation area. The Tree Officer has assessed this relationship and it is considered that construction can proceed without a harmful impact on these trees. Subject to condition, the proposal would ensure the health and future retention of trees on the site with regard to policy E2.

9.0 **CONCLUSION**

9.1 The proposal is in accordance with the relevant policies of the Test Valley Borough Revised Local Plan DPD.

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 plans, numbers:**
102 D
104 D
107 B
109 C
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **The foundation support for the detached garden shed shall be constructed using the product Ecobase as illustrated in the photograph attached to the email from Jenna Sugars Architectural Technologist Rural ABS dated 4 August 2018 within the application. The existing trellis fence around the bin storage area shall not be removed until the base of that area has been laid.**

Reason: To ensure the retention of existing trees and natural features during the construction phase in accordance with policy E2 of the Test Valley Borough Revised Local Plan DPD.

- 4. The proposed habitable accommodation within the existing garage shall not be occupied until a screen 1.7m in height above balcony level has been erected to the south side of the proposed balcony as detailed within the application. The screen shall remain in its approved location and form in perpetuity.**

Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with policy LHW4 of the Test Valley Borough Revised Local Plan DPD.

Note to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
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