

ITEM 7

APPLICATION NO.	11/02248/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	07.10.2011
APPLICANT	Mr & Mrs Dique Li
SITE	Lorien, Goodworth Clatford, Andover GOODWORTH CLATFORD
PROPOSAL	Demolition of existing dwelling and double garage and erection of two detached 3 bedroom dwellings
AMENDMENTS	
CASE OFFICER	Mr Gregg Chapman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is referred to Planning Control Committee (PCC) as the Northern Area Planning Committee (NAPC) concluded that the application should be refused where it was advised that the reason for refusal would be likely to result in a risk of an award of costs against the Council if the applicant should lodge an appeal.
- 1.2 The application was considered at NAPC at its meeting on the 24 November 2011, where it was resolved to refuse the application for the following reason:
- 1.3 NAPC reason for refusal 1:
The proposed erection of two, two storey dwellings, would result in the loss of space, and openness at first floor level, which currently exists above the single storey garage buildings and side extension to Lorien. This space contributes to the open character and appearance of this part of the Conservation Area. The proposed development, would also, by virtue of the extent of built form proposed and the closeness between the proposed properties, result in a cramped form of development. As a result of the loss of space and openness at first floor, and a cramped form of development that is inappropriate to the site the proposed development would be detrimental to the street scene and character and appearance of the Conservation Area. The proposed development is contrary to policies DES02, DES05, DES06, DES07, and ENV15 of the Test Valley Borough Local Plan 2006.
- 1.4 A copy of the NAPC agenda report is attached at **Appendix A**.

1.5 A copy of the NAPC update paper is attached at **Appendix B**.

2.0 **PLANNING CONSIDERATIONS**

2.1 The main planning considerations are:

- The principle of development
- The Character and Appearance of the Area/Conservation Area
- Residential Amenity
- Highway Matters
- Public Open Space
- Ecology
- Other Matters.

2.2 Those matters that are considered acceptable, and in accordance with the policies of the Borough Local Plan, which were not the subject of the NAPC resolution to refuse the application were, the principle of development, residential amenity, biodiversity and protected species, parking provision, and the impact on the wider highway network, and public open space (as a result of the provided legal agreement).

2.3 The main other planning consideration is that referred to in the NAPC reason for refusal (as detailed at para 1.3 above) and where it is advised by the officers that there is insufficient evidence to substantiate this reason for refusal.

NAPC Reason for Refusal: Loss of Space at First Floor, and Cramped Development.

2.4 It is the case that the proposal will result in the loss of space at first floor. It is not considered that the proposed development is a cramped form of development that will result in any detriment to the character and appearance of the area. The reason for this is as set out below. As it is not considered that the proposal is unduly cramped, the sole matter of refusal would be the loss of space at first floor. The committee considered that this space at first floor contributes to a level of openness at this part of the Conservation Area, and that this would be harmful to the Conservation Area, and would not either preserve, or enhance the character or appearance of the Conservation Area.

2.5 It is not considered, in itself, where the development is considered acceptable in other respects that the loss of space at first floor would result in harm to the character and appearance of the area. The removal of flat roof garages, and replacement with a well designed acceptable scheme, is considered to be of merit.

2.6 The proposed dwelling at plot one would be sited where the single storey garage buildings are currently located. The garage building is sited approximately 14 metres back from the highway. The proposed dwelling would be sited approximately 9 metres back from the highway.

The garages are 2.5 metres in height to the flat roof. The proposed dwelling at plot one (on the site of the garages) would be 4.3 metres in height to the eaves, and 7.1 metres in height to the ridge.

- 2.7 The space at first floor above the garages allows views of vegetation to the rear of the site, including on site Lawson Cyprus trees that are not considered to be of amenity value, and are proposed to be removed, and when viewed from the east/north east on Church Lane, allows views of the rear of properties that front on to Barrow Hill. The views beyond the current first floor space are not considered to be important views in the context of the Conservation Area.
- 2.8 The NAPC considered that the proposed development would be a cramped form of development. Part of the character of the village and the Conservation Area as a whole is close linear development, fronting on to the road, including properties on the edge of the pavement/highway. Properties are close together, terraced properties, and semi detached pairs (which by their nature have a close relationship) are not uncommon, and where properties are detached they are generally in close proximity to their neighbour. This creates an intimate, close setting that provides part of the charm of the Conservation Area.
- 2.9 From Barrow Hill northwards, with the exception of the Royal Oak Public House, there is virtually continuous built form, with development at the frontage, and where gaps exist, development beyond this, that is also apparent from public vantage points. By way of comparison, the table below sets out the plot sizes, frontage widths, and ratios of built form to plot sizes (in percentage terms), and sets out the distance between properties where this exists, with an indication of where a gap does exist, whether there is built form (back land development) beyond this. The table is from Barrow Hill to the south to Jasmine Cottage to the north (i.e. those properties within the vicinity of the site). This appears to broadly accord with the findings of the applicant, who had undertaken a review of the width of plot frontages within the village as a whole and the Conservation Area, and the footprint of the properties within plots in the vicinity relative to their it area, as set out at paragraph 8.10 of Appendix A.

Test Valley Borough Council – Planning Control Committee – 22 December 2011

2.10

Property	Site Area	Building footprint (inc. outbuildings)	Building footprint as a % of site area	Frontage width of plot	Frontage width of dwelling	Building frontage to plot frontage as a %	Distance between property and neighbour to north (across frontage)	Storey Height
Proposed Development								
Plot 1	396	82.32	20.8	12.5	9.7	77.6	1.8	2
Plot 2	368	82.04	22.3	11.5	9.4	81.7	12.5	2
Western Side of Longstock Road								
Camberley Cottage	331.97	122.42	36.9	11.49	11.23	97.7	0.6	1.5/2
Mews	505.35	122.77	24.3	19.85	14.72	74.2	6.33	1.5/2
Forge Bungalow	904.2	71.06	7.8	18	9.9	55	7.0 (to Lorien - separated by access to Morningside)	1
Morningside	1000.46	144.72	14.5	19.35	15.67	81	n/a (backland)	1
Lorien	764	121.88	16	24.31	19.9	81.9	12.54 (separated by access to school)	1.5
1 Goodworth View	357.97	75	21	15.49	9.88	63.8	0	1
2 Goodworth View	309.06	71.57	23.2	10.04	10.04	100	0	1
3 Goodworth View	351.56	78.67	22.4	11.23	10.33	92	2.8	1
Sunrise	437.23	57.46	13.1	8.28	5.7	68.8	0	2
Tan-y-Bryn	409.25	53.73	13.1	7.46	5.6	75.1	2.17	2
Burdock Cottage	618.02	112.15	18.1	13.8	8.8	63.8	6.94	1.5
Pegasus	804.29	117.08	14.6	14.71	11.12	75.6	2.0	1.5
Eastern Side of Longstock Road								
Molesey Cottage	658.95	176.89	26.8	19.04	17.27	90.7	1.58	1.5
The Old Stores	1199.24	200.23	16.7	14.64	13.28	90.7	0	2
Lyndhurst	585.16	100.4	17.2	5.56	5.56	100	0	2
Clatford Stores	389.27	160.28	41.2	12.48	10.66	85.4	0	2
Old Rose Cottage	1986.48	328.06	16.5	31.63	24.56	77.6	31.44 (Separated by Church Lane)	2
Royal Oak	2695.69	333.71	12.4	52.14	23.81	45.6	13.7	2
71 (Acorn Cottage) Longstock Road	406.02	46.79	11.5	6.94	4.27	61.5	0	2
70 Longstock Road	314	52.85	16.8	4.49	4.49	100	0	2
69 Longstock Road	268.3	46.79	17.4	5.27	5.27	100	0	2
Old Cottage	879.12	143.86	16.4	15.4	12.73	82.6	8.16	1.5
Barton Cottage	576.48	73.27	12.7	12.71	7.87	61.9	2.84	2
Jasmine Cottage	554.6	99	17.9	9.9	8.73	88.2	2.81	2
The Old Orchard	682.78	77.44	11.3	13.22	9.45	71.5	30.37	2
Average	719.58	117.89	16.38	15.1	11.23	74.4	5.25	

- NB:
- Data extrapolated from OS mapping.
 - All measurements in metres (unless otherwise stated)

- 2.11 As can be seen from the table, the overall resultant site areas for plots 1 and 2 would be lower than the average plot size for the dwellings in the vicinity, as would the frontage width of the plot and the frontage width of the dwellings. However, the proportions (percentage of plot with built form, and percentage built frontage) are close to the average for those within the vicinity. Importantly, it is not the case that the plots would be unusual in terms of their size in the context of the street scene. Of 25 properties, there are six smaller plots than those proposed. There are eleven plots with smaller frontage plot widths than that of plot 2 (the marginally larger frontage of the two proposed dwellings). There are 11 dwellings with smaller footprints than that proposed, and there are ten dwellings with smaller front elevations than the dwellings proposed. The gaps between Forge Bungalow and the proposed dwelling, plots 1 and 2, and plots 2 and Goodworth View would be 7.0 metres, 1.8 metres, and 12.54 metres respectively. These distances are, in respect of the proposed dwellings and existing dwellings to the north and south, greater than the average for the area. With respect to the distance between plots 1 and 2, this is not unusual, there are dwellings that sit within close proximity of each other, and there are terraces and semi detached pairs that are attached. Such a proposal would not in itself be out of keeping.
- 2.12 A reason for refusal on the basis of the proposed development being cramped development cannot be adequately substantiated. The proposed dwellings, their frontage elevation widths, the plot sizes and the plot frontage widths, and the distance between buildings are not at all unusual within the street scene within the vicinity. The proximity of the two dwellings to each other, where the proposed dwellings relate to each other in terms of scale and proportion, and where the stepped frontage would be created, is considered to be acceptable.
- 3.0 **RECOMMENDATION OF NORTHERN AREA PLANNING COMMITTEE**
REFUSE for the reason:
1. **The proposed erection of two, two storey dwellings, would result in the loss of space, and openness at first floor level, which currently exists above the single storey garage buildings and side extension to Lorien. This space contributes to the open character and appearance of this part of the Conservation Area. The proposed development, would also, by virtue of the extent of built form proposed and the closeness between the proposed properties, result in a cramped form of development. As a result of the loss of space and openness at first floor, and a cramped form of development that is inappropriate to the site the proposed development would be detrimental to the street scene and character and appearance of the Conservation Area. The proposed development is contrary to policies DES02, DES05, DES06, DES07, and ENV15 of the Test Valley Borough Local Plan 2006.**

4.0 RECOMMENDATION OF HEAD OF PLANNING AND BUILDING

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. No development shall take place until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities, and ensures the preservation of the character and appearance of the Conservation Area in accordance with Test Valley Borough Local Plan 2006 policies ENV15 and DES07.
3. Construction of plot 1 shall not commence until such time as the existing dwelling, known as Lorien (as shown on the submitted plans), has been demolished, and all associated materials removed from the site.
Reason: To ensure an appropriate phasing of development to avoid detrimental impact to the character and appearance of the area and Conservation Area, and the residential amenities of the existing property, Lorien, if the development as a whole were not progressed in such a phased manner, in accordance with Test Valley Borough Local Plan 2006 policies DES02, DES05, DES06, DES07, ENV15, AME01, and AME02.
4. Notwithstanding the detail on the submitted plans, the development hereby permitted shall not be commenced until such time as details of the surface finish of the driveway area have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities, and ensures the preservation of the character and appearance of the Conservation Area in accordance with Test Valley Borough Local Plan 2006 policies ENV15 and DES07.
5. At least the first 4.5 metres of the access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.
Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

- 6. The development hereby permitted shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05, TRA09, TRA02.
- 7. Development shall be carried out in accordance with the recommendations set out in Section 6 of the Chalkhill Environmental Consultants (September 2011) report.**

Reason: To avoid impacts to legally protected species, in accordance with policy ENV05 of the Test Valley Borough Local Plan 2006.
- 8. Notwithstanding the submitted details, no development shall take place (including site clearance and any other preparatory works) until a scheme, detailing how the Scots Pine and Birch are to be protected, has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location and specification of tree protective fencing. Such fencing shall be erected prior to any other site operations and at least 3 working days notice shall be given to the Local Planning Authority that it has been erected.**

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan 2006 policy DES08.
- 9. The development hereby permitted shall be carried out in accordance with the details set out within the Arboricultural Report by SJ Stephens Associates (project no.246) dated 20th July 2011, other than in respect of condition 8 above.**

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan 2006 policy DES08.
- 10. Notwithstanding the submitted details, no development shall take place until full details of soft landscape works including planting plans; written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme has been submitted to and approved in writing by the Local Planning Authority. These details shall also include; proposed finished levels or contours; means of enclosure and hard surfacing materials (where appropriate). The landscape works shall be carried out in accordance with the implementation programme.**

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 Local Plan 2006 policy DES10.

11. **Notwithstanding the submitted details, no development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.**
Reason: To ensure that the works undertaken maintain 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 Local Plan 2006 policy DES10.
12. **Full details of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The windows and doors shall be installed in accordance with the approved details.**
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities, and ensures the preservation of the character and appearance of the Conservation Area in accordance with Test Valley Borough Local Plan 2006 policies ENV15 and DES07.
13. **Prior to the commencement of development full details of the layout for the parking and manoeuvring onsite of contractor's and delivery vehicles during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of development and retained for the duration of the construction period.**
Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.

Notes to applicant:

1. **The following policies in the Development Plans are relevant to this decision:**
South East Plan – May 2009: Policies – SP3 (Urban Focus and Urban Renaissance), CC1 (Sustainable Development), CC2 (Climate Change), H4 (Type and Size of New Housing), H5 (Housing Design and Density), T4 (Parking), BE5 (Village Management), BE6 (Management of the Historic Environment).
Test Valley Borough Local Plan (TVBLP) – Policies; SET03 (Development in the Countryside), SET06 (Policy Infill Frontage Areas in the Countryside), SET11 (Replacement Dwellings), DES01 (Landscape Character), DES02 (Settlement Character), DES05 (Layout & Setting), DES06 (Scale, Height & Massing), DES07 (Appearance, Detail and Materials), DES08 (Trees and Hedgerows), DES09 (Wildlife and Amenity Features), DES10 (New Landscaping), AME01 (Privacy & Open Space), AME02 (Sunlight and Daylight), ENV01 (Biodiversity and Geological Conservation), ENV05 (Protected Species), ENV11 (Archaeology and Cultural Heritage),

ENV15 (Development in Conservation Areas), ENV17 (Settings of Conservation Areas, Listed Buildings, Archaeological Sites and Historic Parks and Gardens), TRA01 (Travel Generating Development), TRA02 (Parking Standards), TRA04 (Financial Contributions Towards Highways Infrastructure), TRA05 (Safe Access), TRA06 (Safe Layouts), TRA09 (Highway Impact), ESN03 (Housing Types, Density and Mix), ESN22 (Public Recreational Open Space Provision).

- 2. Please ensure that all development/works complies with the approved plans. Any changes must be advised and agreed in writing with the Local Planning Authority before they are carried out. This may require the submission of a new planning application. Failure to do so may result in enforcement action/prosecution.**
 - 3. The decision to grant planning permission has been taken because the development is considered to be in accordance with the development plan. It is considered that, subject to conditions, the proposal would have no significant detrimental impact on the character and appearance of the area, would preserve the character and appearance of the conservation area, and would not cause any harm to highway safety, protected species, or the residential amenities of occupants in the vicinity. Appropriate financial contributions towards Public Open Space (in lieu of on site provision), and Highways Infrastructure have been secured through a legal agreement. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning and Building Service.**
 - 4. Attention is drawn to the legal agreement dated 24th November 2011.**
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APPENDIX A

Officer's Report to Northern Area Planning Committee – 24 November 2011

APPLICATION NO.	11/02248/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	07.10.2011
APPLICANT	Mr & Mrs Dique Li
SITE	Lorien, Goodworth Clatford, Andover, GOODWORTH CLATFORD
PROPOSAL	Demolition of existing dwelling and double garage and erection of two detached 3 bedroom dwellings
AMENDMENTS	
CASE OFFICER	Mr Gregg Chapman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to the Northern Area Planning Committee at the request of the two local ward Members. The reason given by the Members is, significant public interest in this very sensitive site in the centre of Goodworth Clatford.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is located at Goodworth Clatford within an area designated as a policy infill frontage, and within the Conservation Area. There is currently one chalet bungalow on the site, with a single storey garage building. The site is slightly elevated from the highway, and is marginally higher to the northern part of the site. The land to the rear of the site is notably higher than the site. There is some domestic planting to the front of the property, and in addition to this planting there is one protected tree to the front of the property, and one to the rear of the property.

3.0 PROPOSAL

3.1 The application proposes the demolition of the existing dwelling and garage building, the erection of a replacement dwelling, and the erection of a new dwelling. The two proposed dwellings would be detached, two storey three bedroom dwellings.

3.2 The proposed additional dwelling at plot one (on the site of the existing garages) is shown as being approximately 9.7 metres in length (across the frontage), 8.4 metres in width, 4.3 metres in height to the eaves, and 7.1 metres in height to the ridge.

- 3.3 The proposed replacement dwelling at plot two (on the site of the existing dwelling Lorien) is shown as being approximately 9.4 metres in length (across the frontage), 11.3 metres in width (although only 7.1 metres of this is at two storey), 4.4 metres in height to the eaves, and 7.0 metres in height to the ridge.
- 3.4 The proposal includes a revised driveway arrangement that allows for additional car parking.

4.0 **HISTORY**

- 4.1 TVN.05743 – Erection of 2 chalet dwellings with new vehicular access following demolition of existing dwelling – Refused, 2nd November 1989.
- 4.2 TVN.CA.00020 - Demolition of existing dwelling – Refused, 3rd November 1989.
- 4.3 11/01025/FULLN - Erection of 3 bedroom dwelling – Refused, July 2011, for the reasons:
01. By virtue of the introduction of a two storey dwelling, and the associated loss of space at first floor, which contributes to the character and appearance of this part of the Conservation Area, the marked difference in design terms of the proposed dwelling with properties in the immediate vicinity which would be exacerbated by virtue of the close relationship with Lorien, and by virtue of the extent of the built form proposed, the development is inappropriate to the site and would fail to preserve or enhance the character or appearance of the Conservation Area. The proposed development is contrary to policy DES02, DES05, DES06, DES07, and ENV15 of the Test Valley Borough Local Plan 2006.
 02. As a result of the proximity of the proposed dwelling to the neighbouring dwelling Lorien and the height, and width of the proposed dwelling it is considered that the proposal would result in a dominant overbearing intrusive impact which would result in a significant reduction in the level of amenity of the occupants Lorien and future occupants, and would result in a loss of sunlight to a significant part of the resultant private amenity/garden area of Lorien in the afternoon hours to the detriment of the amenities of the occupants of that property. As such the proposal is contrary to policy AME01 and AME02 of the Test Valley Borough Local Plan 2006.
 03. A legal agreement to secure a financial contribution for improving the transport network, or towards sustainable modes of transport, to minimise the development's impact on the transport network has not been provided. The development is therefore contrary to policies TRA01, TRA04, and TRA09 of the Test Valley Borough Local Plan 2006 and the adopted Supplementary Planning Documents, Infrastructure and Developer Contributions (February 2009), and the Andover Town Access Plan (April 2009), in that the development would result in an unmitigated burden on the highway network, which would adversely impact on the function, safety and character of the highway network.

04. No on site provision of public recreational open space is proposed. There is a deficiency within the ward of, Sports Ground/Formal Recreation, Informal Recreation, and Children’s Play Space. No contribution is offered in lieu of on site provision to mitigate for the additional burden that will be placed on the existing public recreational open space. As such the proposal is considered contrary to policy ESN22 of the Test Valley Borough Local Plan 2006 and the adopted Supplementary Planning Guidance, Infrastructure and Developer Contributions (February 2009).
- 4.4 11/01655/FULLN - Erection of two 3 bedroom dwellings on site of existing dwelling and garage – Withdrawn, August 2011.
- 4.5 11/01695/CAWN - Demolition of existing bungalow and double garage – Withdrawn, August 2011.
- 4.6 11/02249/CAWN - Demolition of existing bungalow and double garage (linked application, also on agenda) – Pending Consideration.
- 5.0 **CONSULTATIONS**
- 5.1 **Policy** – No objection, subject to contribution to Public Open Space, in lieu of on site provision..
- Within frontage infill so the principle is acceptable subject to criteria contained therein.
- 5.2 **Trees** – No objection, subject to conditions
- 5.3 **Conservation** – No objection subject to conditions.
- Despite the small reduction in length and depth there is still a concern that the two detached dwellings will create a cramped appearance on the site and a further reduction in size would have been welcome. However, now that the dwellings have been re-designed and simplified and reduced slightly in size the impact upon the character of the conservation area will be reduced. On balance therefore the character of the conservation area will be preserved if not necessarily enhanced and will adhere with Local Plan policy ENV 15.
- 5.4 **Highways** – No objection, subject to conditions, and a contribution towards sustainable highway infrastructure.
- 5.5 **HCC Archaeology** – No comment.
- 5.6 **HCC Ecology** – No objection, subject to condition.
- 6.0 **REPRESENTATIONS**
- 6.1 **5 letters** – Objection
Dovecott House, Winchester Road, Goodworth Clatford (Chairman of Clatford's Village Store); Morningside, Goodworth Clatford; Forge Bungalow, Goodworth Clatford; Avondale, Goodworth Clatford; Old Rose Cottage, Goodworth Clatford.

Principle of Development

- Blatant attempt at garden grabbing. Last year Councils were given new powers to prevent unwanted garden grabbing and we consider this planning application to be just such a case, which would severely blight the character of the village.
- Debate there is a need for two bulky three-bedroom homes in Goodworth Clatford. Currently there are two new homes under construction in the village with a third new-build yet to be sold as well as several existing properties up for sale.

Character and Appearance

- Applicant states that: *“Clearing the whole site of the existing dwelling and garage provides the opportunity to enhance this part of the village with traditional forms of buildings.”* Would not necessarily disagree with this statement but would stress that two houses on this site is gross over-development which will not enhance this part of the village which is a conservation area.
- Two houses on the site of the existing single dwelling and garage would be introducing built form at first floor where currently none exists. A point made by the planning officer in his report about the last planning application for this site. Loss of space at first floor which contributes to the character and appearance of this part of the conservation area makes this application unacceptable.
- Both of the proposed dwellings markedly contrast in character and appearance with both our bungalow and neighbouring Morningside, in terms of materials, eaves height and ridge height.
- Plot 1, which lies nearest to our bungalow (Forge Bungalow) now given a 7.5% smaller footprint, but we would contend it is still inappropriate in size and scale for the site and its neighbours.
- Developer argues that traditional elements of the design and the careful choice of materials are in accordance with the Goodworth Clatford Village Design Statement, quoting, *“Roof lines should be kept low to remain in proportion to existing properties”*. The roof lines for these two homes will not be in proportion to their neighbours, surrounded as they are by bungalows.
- The difference in design from our bungalow (Forge Cottage) (and other properties in the area) also make these two dwellings out of keeping, particularly so as this site is so prominent within the conservation area. i.e. it is one of the first views seen by visitors to the village.
- If first application - in essence providing two houses - was rejected what is different about this application? There is no improvement in the current application to answer any of the points leading to that refusal, so it should also be refused. End result will be the same; two houses on the plot which – overdevelopment and inappropriate.
- Developer argues that the design of the two homes is *“A deliberate departure from the designs in the immediate vicinity.”* Would argue that this clash does nothing to enhance the conservation area.

- Disagree that proposed dwellings will improve the character of the centre of the village. Will make the centre of the village feel cramped. Such high density development is out of keeping with the village. Longstock Road consists of, almost exclusively, single homes verging onto the road.
- Debate suggestion that Lorien is out of character. It is unique which is part of its charm and adds character to the village.
- Description that replacing Lorien with two modest traditional-style dwellings is something we would strongly take issue with. They will be very substantial homes by comparison to their neighbours. To build two new homes which will tower above the surrounding, existing bungalows is totally out of keeping.
- The statistics on village frontages and ‘built footprint to plot area’ are, we suggest, misleading. Manipulated statistics can be made to prove anything, or nothing. There is nothing to explain the criteria used. Morningside’s ‘frontage’ for instance is inaccurate. The figure of 6.95 metres refers only to the width of the driveway which exits onto Longstock Road and leads to a much wider parking area actually in front of the bungalow. Baffled as to why the ‘built footprint to plot area’ is included. What relevance is it to this application? Do figures of 20.24 and 20.54 refer to each home and its percentage of the whole plot, in which case they are misleading because the whole plot will have two homes on it.

Residential Amenity

- We dispute the contention that our bungalow (Forge Bungalow) would not suffer from overshadowing if a two-storey dwelling were built near to the boundary which is closest to our home. Any house built that close will by its very design be dominant and overbearing.
- Dispute the notion that any two-storey dwelling will not impact on our privacy (Forge Bungalow). By its design the privacy we currently enjoy will be destroyed by overlooking.
- We consider this application would also increase the noise we would experience, as one of the proposed homes is so much nearer our bungalow.
- Trees and a Lawson cypress hedge are proposed for removal. This would alter the character of the plot, exposing the school buildings, and making the view much ‘harder’ in landscape terms.
- A second house will affect my evening light (Old Rose Cottage).
- All the noise, dirt, lorries, etc. that would come about and disturbance to a normally peaceful area would to say the least, be no more.

Highways

- The creation of two new homes would exacerbate existing traffic problems within the centre of the village, creating further traffic congestion next to the school which already suffers badly from congestion.

- Access to our house is 12 metres from the intersection/staggered cross roads in Goodworth Clatford on which there is a pub, a school, and the Clatford village store and post office. Site is at heart of village. The junction becomes quite congested and is hazardous when the school buses turn up with small children, as well as parents in cars bringing their small children to school (a majority now arrive by car). Also a time when people are going to work, picking up post and papers and in addition the shop receives bulk deliveries from heavy lorries. Causes problems which have required the attendance of the Community Policy. Often find my own access blocked by traffic parked and also quite legitimately trying to negotiate what is a congested junction.
- Junction has become a 'rat run', with a marked increase in commuter traffic from the A3057 to Barrow Hill and beyond with drivers showing little comprehension of the gentle nature and road manners required in our village.
- Proposal is for two houses rather the current one house. If the 2001 Hampshire County Council car census remains relevant, then 35% of house owners have 2 cars per household and 10 % have three or more. It would not be outrageous to assume that being an area of above average affluence this could bring three cars per house, on a regular basis to an already congested junction. Not apparent if there is provision for off street parking. On street parking is already a serious issue. If no off street parking, this will raise the potential for congestion and accidents to an unacceptable level. Even with off street parking there is still the problem of cars negotiating what is a congested junction at the most hazardous times of the day.
- Given that 27% of traffic accidents are due to roadway situation & driver (Wikipedia stats), I would like to see this development turned down for over development, exacerbating traffic issues and consequential safety ramifications in an area of high pedestrian density, where the pedestrians are young and vulnerable; and also aged and vulnerable.
- Objection relates to the availability of parking for contractors vehicles during the building process should planning permission be granted (Clatford's Village Store). Village shop continues to struggle to survive in the demanding retail conditions we are experiencing. Vital that the limited parking available for the shop opposite Lorien is safeguarded. If planning permission is granted please would you compel all contractors to park on site and positively prevent them from parking on either side of the Village Street.
- The proposal is an over-development of the site so gross that the on-site parking will be reduced at the same time as the occupancy doubles. This will inevitably lead to further on street parking close to what is already a potentially dangerous junction.

Other Matters

- Proposal would destroy our existing, open view across the back gardens of homes in Longstock Road.
- Crime and Community Safety.

- This is at least four times this application has been submitted and as a result I am suffering from depression.

7.0 **POLICY**

7.1 Government Guidance:

- PPS1 (Delivering Sustainable Development)
- PPS3 (Housing)
- PPS5 (Planning for the Historic Environment)
- PPS9 (Biodiversity)
- PPG13 (Transport)
- PPG24 (Planning and Noise).

7.2 South East Plan – May 2009: Policies –

- SP3 (Urban Focus and Urban Renaissance)
- CC1 (Sustainable Development)
- CC2 (Climate Change)
- H4 (Type and Size of New Housing)
- H5 (Housing Design and Density)
- T4 (Parking)
- BE5 (Village Management)
- BE6 (Management of the Historic Environment).

7.3 The courts have clarified that the Governments intention to abolish the South East Plan is a material planning consideration.

7.4 Test Valley Borough Local Plan (TVBLP) – Policies;

- SET03 (Development in the Countryside)
- SET06 (Policy Infill Frontage Areas in the Countryside)
- SET11 (Replacement Dwellings)
- DES01 (Landscape Character)
- DES02 (Settlement Character)
- DES05 (Layout & Setting)
- DES06 (Scale, Height & Massing)
- DES07 (Appearance, Detail and Materials)
- DES08 (Trees and Hedgerows)
- DES09 (Wildlife and Amenity Features)
- DES10 (New Landscaping)
- AME01 (Privacy & Open Space)
- AME02 (Sunlight and Daylight)
- ENV01 (Biodiversity and Geological Conservation)
- ENV05 (Protected Species)
- ENV11 (Archaeology and Cultural Heritage)
- ENV15 (Development in Conservation Areas)
- ENV17 (Settings of Conservation Areas, Listed Buildings, Archaeological Sites and Historic Parks and Gardens)
- TRA01 (Travel Generating Development)
- TRA02 (Parking Standards)

- TRA04 (Financial Contributions Towards Highways Infrastructure)
- TRA05 (Safe Access)
- TRA06 (Safe Layouts)
- TRA09 (Highway Impact)
- ESN03 (Housing Types, Density and Mix)
- ESN22 (Public Recreational Open Space Provision).

7.5 Supplementary Planning Documents –

- Goodworth Clatford Village Design Statement
- Infrastructure and Developer Contributions
- Test Valley Access Plan.

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- The Character and Appearance of the Area/Conservation Area
- Residential Amenity
- Highway Matters
- Public Open Space
- Other Matters.

Principle of Development

8.2 The application site is located within an area designated as infill frontage for planning policy purposes (policy SET06 of the BLP applies), where development and redevelopment for housing is acceptable in principle provided that it does not constitute backland or tandem development, has a curtilage similar in size to those in the immediate vicinity, and subject to the proposed development not causing harm to the character of the immediate area.

8.3 The proposal is considered to be frontage infill. It does not result in tandem development or backland development, the plot is not being split into two to create one dwelling forward of the other. The impact of the proposal on the character and appearance of the area, including the curtilage size/space about the property is discussed below.

8.4 In addition to the additional dwelling at (plot 1), the application proposes the erection of a replacement dwelling (plot 2). Policy SET11 pays regard to replacement dwellings, allowing, at criteria a), which is relevant in this instance, for replacement dwellings provided that they have a curtilage abutting a frontage infill policy area (SET06). Policy SET06 is therefore the relevant consideration for both proposed dwellings.

8.5 Third party objectors have raised that the coalition government have indicated that they wish to stop 'garden grabbing', and have amended national policy guidance in the form of PPS3 to take gardens out of the definition of previously developed land. However, the Government's strategic housing and planning policy objectives in PPS3 have not changed.

These include creating sustainable, inclusive, mixed communities, and delivering well designed housing developments in suitable locations, offering a good range of community facilities and with good access to jobs, key services and infrastructure. Although private residential gardens are now excluded from the definition of previously developed land, this does not preclude housing development in suitable locations. In this instance, the principle of housing development is acceptable, as set out within the policies of the Borough Local Plan, and as discussed above.

Character and Appearance

- 8.6 The application site is located within the village of Goodworth Clatford, within the Conservation Area. There are a variety of property types within the wider Conservation Area. Two storey dwellings appear to mostly predominate, with a number of one and a half storey properties, and to a lesser extent some single storey properties being present. The existing properties are the one and a half storey property Lorien (with garages to the side) which is set back from the road frontage, although it has a presence in the street scene, the single storey property Forge Bungalow to the south (although from the rear it appears that there are rooms in the roof), which is similarly but slightly further set back than Lorien, and to the rear/west, on higher ground is the single storey backland property Morningside (which is outside of the Conservation Area). These properties are of relatively modern construction, and are modest in size. The street scene setting of the Conservation Area is formed mainly by properties fronting on to Village Street. The two storey village stores building, and Old Rose Cottage, which is set back from the road frontage, are on the opposite side of the road from the site. From Old Rose Cottage, to Molesey Cottage, on the eastern side of the road, the properties are in close proximity to each other, with little, or no space about (to the side), and are also mainly sited on the road frontage (although as noted above Old Rose Cottage is the exception to this). Immediately to the north of the site is the access to the school, with the substantial single storey flat roof buildings beyond (to the west), and a single storey (although there do appear to be some rooms in the roof) terrace of properties known as Goodworth View, to the other side of the access to the school, on higher ground. To the north east is the Royal Oak public House, a large two storey building set in large grounds. Between the Royal Oak, and Old Rose Cottage is Church Lane, one of the main entrances to the village. By virtue of the curvature of the road (Lorien appears to be at the apex), the presence of the existing buildings, and the presence of landscaping, Lorien is itself an end point in views from the north and south (i.e. views of Goodworth View and Forge Bungalow together are limited). Furthermore, from the south, it is only after passing Mews that Lorien becomes apparent, by virtue of the planting/trees, to the front of Mews. The existing property Lorien is immediately apparent from Church Lane on the approach to the village, with the garages (the proposed siting of plot 1) coming in to view as the junction is reached.
- 8.7 The Conservation Area Appraisal for Goodworth Clatford notes that, “*Newer development is generally interspersed among the historic development*”, that “*Older Cottages are generally built to a long, low linear floor plan and are mainly timber framed or brick and flint in construction, with thatched or tiled roofs.*”

In discussing this particular part of the village (the area around the t-junction), the Appraisal states that, *“This area was heavily damaged by a flying bomb in the Second World War; therefore, the majority of development was built after World War II. The boundaries of historic plots shown on the Tithe Map of 1845 are generally visible on a modern map, but have been subdivided and altered to such an extent that they are no longer visible on the ground.”* And that, *“The area is characterised by linear development on both sides of the road and unlike the surviving historic development to the north and south, this later development is generally set back from the road, with a reasonable garden area between the dwelling and the pavement. The use of hedgerows to form green frontages or traditional walls helps to reduce the impact of this modern development on the wider street scene running through the conservation area. There are no listed buildings in this character area, but two buildings of local interest have been identified – The Royal Oak Pub and Olde Rose Cottage.”*

Plot sizes

- 8.8 Policy SET06 requires new developments in frontage infill areas to have curtilages similar in size to existing properties. It is apparent from the layout, and the plot sizes in the vicinity that the curtilages of the proposed properties would be similar in size to those of properties to the north, including the terrace at Goodworth View, the other side of the school access, Matins Scythe, Foxlea, and Yew Tree Farm House further to the north again, and Mews, and Camberley Cottage to the south. The curtilages would be notably larger than those at Bramley Cottages to the north, and smaller than others in the vicinity, including, the large curtilage of Old Rose Cottage, the curtilage of Forge Bungalow, the property immediately to the south, and marginally smaller than that at Morningside. Whilst the plots would be towards the smaller size of plots in the vicinity, they would not be unusual in the context of the village.
- 8.9 Third party objectors consider the proposal to be overdevelopment. In addition to the consideration of plot sizes, as above, the space about the properties and their relationship with their immediate surroundings are the key considerations in assessing whether the proposed development is appropriate within its context and whether it represents overdevelopment. It is stated within PPS3 that matters to consider when assessing design quality include the extent to which the proposed development, *“Is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access”*.

Design, scale and street scene

- 8.10 The applicant has undertaken a survey of the width of plot frontages within the village as a whole and the Conservation Area, and the footprint of the properties within plots in the vicinity relative to their site areas, in an attempt to demonstrate that the proposal does not result in overdevelopment. Their findings are that, the site frontage would be larger than the average frontage width for properties on the west side of Longstock Road, and that the percentage of built footprint to plot area is less than the average within the vicinity of the site. As set out above, it is considered, and was previously

found in refusing an application for one additional dwelling (see paragraph 4.3) that the frontage width and curtilage areas would be similar to properties in the village and Conservation Area. The key considerations as to whether a proposed development is appropriate in terms of the impact on the character and appearance of the area are those as set out above with reference to PPS3, including with respect to its immediate surroundings.

- 8.11 Guidelines within the Village Design Statement for new housing, are that, new housing
- “should continue the variety, of size, shape and style that has historically evolved”
 - “roof lines should be kept low to remain in proportion to existing properties”,
 - “local brick, flint, clay tile and thatch should be used...”
 - A “variety in detailed design, style and size for new developments of houses should be ensured”.
- 8.12 The applicants inform that they have considered the requirements of the Goodworth Clatford Village Design Statement in preparing the proposed scheme, and have attempted to produce a development proposal that meets with these guidelines. The applicants state that in respect of design, and their approach, that the proposal *“is a deliberate departure from the designs in the immediate vicinity.”* and *“Through the complete demolition of Lorien and the introduction of the second traditional dwelling the clash of design styles highlighted in the refusal notice is removed. The proposal, as designed will improve the character of the centre of the village and help redress the imbalance of traditional dwellings lost during previous redevelopments.”* The applicant informs that the buildings are designed to be traditional in form with low eaves and ridge heights, and are to be constructed of red brick, with plain clay tile roof (plot 1) and rendered walls, with a slate roof (plot 2). Third party objectors disagree that the proposal is in accordance with the sentiments of the Village Design Statement, considering that the roof lines will not be in proportion with those of the neighbouring bungalows, and raise concern generally with the relationship of the proposed dwellings with the surrounding properties, and street scene.
- 8.13 A recent previous application for one dwelling at the site (see paragraph 4.3) on the siting of the current garages (now proposed as plot 1) was refused, as a result of a combination of factors. The relevant reason for refusal in respect of the impact on the character and appearance of the area/Conservation Area, is as set out at paragraph 4.3. *“By virtue of the introduction of a two storey dwelling, and the associated loss of space at first floor, which contributes to the character and appearance of this part of the Conservation Area, the marked difference in design terms of the proposed dwelling with properties in the immediate vicinity which would be exacerbated by virtue of the close relationship with Lorien, and by virtue of the extent of the built form proposed, the development is inappropriate to the site and would fail to preserve or enhance the character or appearance of the Conservation Area...”*

- 8.14 The previous application for two dwellings at the site was withdrawn (see paragraph 4.4). A determination was not therefore made, and a comparison with that scheme is not relevant. The comparison to the previous scheme that was refused and is a material consideration (see paragraph 4.3) is however relevant. The main change from the previously refused scheme is that the proposal is now for the erection of two dwellings (one new and one replacement). It is suggested by the applicant that this is to address *“the clash in design styles highlighted in the refusal notice”*, and to *“help to redress the imbalance of traditional dwellings lost during previous redevelopments”*
- 8.15 The officer report for the previous refusal noted that the then proposed dwelling was a two storey dwelling of brick and flint design with slate tiles, that markedly contrasted in character and appearance with Lorien (being exacerbated by the close relationship with Lorien), Forge Bungalow, and Morningside, in terms of materials, eaves height, and ridge height. It was noted within the Officer Report that the proportions of the proposed dwelling (wall to roof) were markedly different from those properties. In isolation, one two storey dwelling, as proposed, in close proximity to Lorien, with a notably different character, was not considered acceptable.
- 8.16 The design of the now proposed dwelling at plot 1 (the site of the previously refused dwelling) has been altered. The applicant informs that there is a 7.5% decrease in floor area. It is apparent from a comparison between drawings that the roof form has been changed from a hipped roof with a flat roof centre, to a gable roof, with no flat roof, and with two storey rear projections, breaking up the bulk of the roof in the side elevation. The overall dimensions show a decrease of 30cm across the frontage, 60cm in depth and 10 cm in height to the eaves, and an overall increase in height of 60cm. The proposed materials are changed from brick and flint with a slate roof, to brick with a clay tile roof (more in keeping with properties in the vicinity).
- 8.17 The appearance of the proposed properties is not the same as, and does not seek to replicate the properties in the immediate vicinity, although there are examples of similar designs within the wider village setting. The appearance and materials are relevant to the village. The difference in appearance to the neighbouring properties, is not in itself considered harmful, and accords with the guidelines of the Village Design Statement providing a variety of size, shape, and style, with low roof lines, using local brick and clay tiles.
- 8.18 By proposing to develop the whole site, and introducing two two storey dwellings, of similar proportions, and removing Lorien, the overall approach, and character of the resultant street scene is notably different to that which would otherwise have occurred should one new two storey dwelling have been built in close proximity to Lorien. The significant issue, of a clash in styles with Lorien is immediately removed, and the consideration therefore becomes whether the proposal would be appropriate to the wider context and the street scene setting. It is still the case that the proposed dwellings would still be sited to the north of the single storey Forge Bungalow, to the east of the single

storey Morningside, and to the south of the single storey terrace, Goodworth View, however, immediately to the north and south of those properties are one and a half, and two storey properties. As a result of level changes, and by way of some further context, the ridge of the proposed dwelling at plot 2 would be approximately 30cm higher than the ridge of the existing property Lorien, with the ridge at plot 1 being approximately the same height as the existing property Lorien. The ridge of plot 1 would be 1.3 metres below that of Morningside, 0.9 metres above Forge Bungalow, 30cm above the ridge of the school, 20 cm below Goodworth View, and 2.2 metres below the ridge of Mews. It is considered, particularly when account is taken of level changes, and the low proposed roof heights, that the proposed two dwellings would not, as a result of their height, appear unusual within the street scene setting.

- 8.19 The proposed development would, as with the previously refused application, introduce a new residential dwelling on the siting of the existing single storey extension and garages at Lorien, introducing built form at first floor where currently none exists. This in isolation, where the proposal is otherwise considered acceptable, and is not considered to introduce an inappropriate addition to the street scene (in terms of the design approach and space about the properties), and where the dwelling is set back from the road frontage (and therefore the space is not as important as if it were in an intimate setting in close proximity to the road), is not considered in its own right, to have a detrimental impact.
- 8.20 The appearances, design, materials, scale, and massing of the proposed dwellings is considered appropriate to the context of the village. Whilst not replicating the appearance of neighbouring properties, the proposed dwellings would not appear in isolation (siting alongside one another), and would not be so close to other properties that the difference in style would appear unusual (as had been the case with the refused proposal for one two storey dwelling in close proximity to Lorien). This variety reflects the Village Design Statement position. The ridge heights, would be in keeping with properties in the vicinity. Whilst there would be a loss of space at first floor level (where garages currently exist), the importance of this space is not so significant (given that the garages are set back), that its loss, in itself, where an otherwise appropriate scheme, is put forward, would have a detrimental impact. The proposed development would not result in any harm to the character and appearance of the area, and would preserve the character and appearance of the Conservation Area as a whole. The Conservation Officer has no objection to the proposed development.

Landscaping and trees

- 8.21 Third party objectors have raised concern at the additional hard standing to the front of the properties, and at the removal of some trees. Whilst the application will result in a net decrease in the level of vegetation to the front of the property, some landscaping/area for new landscaping will remain. This will include the planting of a new Beech hedge in place of the Lawson Cypress.

It is considered that the area will not be dominated by hard standing, given the retained, and new landscaping. The proposed landscaping scheme is considered acceptable. It is, however, considered that the use of tarmac would not create a noticeable differential between the highway, and the private property, clearly demarking the public and private realm. The use of tarmac would appear almost as a continuation of the highway. It is considered preferable not to have a 'tarmac' surface finish as shown, but an alternative surface finish, and this is subject to a condition.

- 8.22 The application is supported by a tree survey. The two TPO (Scots Pine and Birch) trees are to be retained, and, subject to conditions to secure a scheme of tree protection, would not be affected by the proposed development. It is considered that the trees that are to be removed (fruit trees, ash, hazel, holy, and Lawson cypress hedge) are not worthy for retention from a public amenity perspective. The Tree Officer confirms no objection.

Residential Amenity

- 8.23 The immediate neighbouring residential properties to the proposed development would be Morningside, and Forge Bungalow. The siting of the proposed dwelling at plot 1, to the north of Forge Bungalow approximately 7 metres distant, and approximately 28 metres to the east of Morningside on lower ground is such that it is not considered that the proposal will result in any overshadowing of those properties. Given the proposed layout, and the height of the proposed dwelling (approximately 7.0 and 7.1 metres to the ridges respectively), it is considered that the proposal will not result in any dominance or overbearing nature to those properties.
- 8.24 The occupant at Old Rose Cottage has objected, in part, as a result of a concern at a loss of evening light. Old Rose Cottage is sited approximately 35 metres to the east of the proposed dwellings. As a result of this distance, it is considered that the proposal will not result in any significant loss of light that would result in significant detriment to the amenities of the occupants of Old Rose Cottage.
- 8.25 As a result of the orientation of the proposed property and neighbouring dwellings, the distances between dwellings and the proposed siting of windows, it is considered that the proposed dwelling would not result in any significant loss of privacy as a result of any overlooking pressure.
- 8.26 The proposed dwelling at plot 1 would be sited in close proximity to the existing property Lorien should the dwelling Lorien not be demolished, resulting in a loss of light, and a dominant and overbearing impact. It is considered necessary to impose a condition to require the development is phased, to ensure that this unacceptable relationship would not be enacted.
- 8.27 Third party objectors raise concern at the additional noise that would be generated from additional occupants. It is considered that the noise that would be generated from the occupants of the proposed dwellings would not be any different in nature from that which would already occur within this residential area.

Highway Matters

- 8.28 The application drawings show parking provision for four cars. This accords with the maximum parking standards of the Borough Local Plan. Third party objectors have made reference to concerns at the proposed parking arrangements, and that any visitors/delivery vehicles would park on Village Street, which currently has parking on one side, and is considered by residents to already be busy, particularly during school hours. Any further formal parking provision within the site would be an overprovision. The proposal accords with policy TRA02 of the Borough Local Plan, the parking provision is considered appropriate. No objection has been received from the Highways Officer. It is not considered that the parking arrangements would result in any detriment to highway safety by virtue of the proposed parking arrangements/layout, or by virtue of any limited amount of parking on Village Street by visitors to the site.
- 8.29 Although not formally proposed, it is noted that the layout can accommodate further parking, than the maximum two spaces per dwelling allowed within the Borough Local Plan.
- 8.30 The application does not propose any alterations to the access. Alterations to the existing layout within the site are proposed. These are considered appropriate to allow for parking, as above, and manoeuvring, so as to allow for the safe use of the existing access in association with the number of vehicle movements expected for the development (one additional dwelling), when considering the context of the site and its position relative to existing on road vehicle parking, the location of the school, and the road layout in the vicinity of the site.
- 8.31 The proposed development is a travel generating development, which would result in an additional demand on the existing transport network. Policy TRA01 of the Borough Local Plan requires that travel generating development provides measures to mitigate or compensate for the impact of the development, policy TRA04 allows for this mitigation to be provided by financial contribution. The requirement for such contributions is discussed within the adopted Developer Contribution SPD. The Test Valley Access Plan SPD sets out methods for improving sustainable access for rural areas. The applicant has indicated a willingness to enter in to an agreement to secure the necessary contributions, and this is progressing accordingly.
- 8.32 In considering the need for developer contributions towards mitigating for the impact of development on the highway network due consideration has been given to the three tests as set out within the Community Infrastructure Levy Regulations 2010, namely that a planning obligation must be (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development, and to those tests within the government circular on planning obligations, circular 05/05. The need for such a contribution is as set out above where without a contribution the development would place an unmitigated burden on the highway network. The contribution would be

towards improvements to the pedestrian links within the village (along Church Lane, between St Peters Close and Village Street, and to link the existing footway leading to the Clatford Village Store to the school) to encourage the use of sustainable modes of travel, and a move away from primary reliance on the private motorcar, and is based on the multi modal trip rate within the Hampshire County Council Transport Contributions Policy (September 2007) as annexed in the adopted Developer contributions SPD.

Public Open Space

- 8.33 Policy ESN 22 of the Borough Local Plan requires the provision of public open space where there is a net increase in dwellings to ensure that development does not cause or exacerbate deficiencies in the general provision or quality of recreational open space. There is a deficiency within the ward of Informal Recreation Space, and Children’s Play Space. The supporting text to the policy indicates that where no on site provision is provided financial contributions towards such provision may be sought. No on site provision is proposed. The applicant has indicated a willingness to enter in to an agreement to secure the necessary contributions in lieu of any on site provision, and this is progressing accordingly.
- 8.34 In considering the need for developer contributions towards mitigating for the additional burden on the existing public recreational open space provision (policy ESN22), due consideration has been given to the three tests as set out within the Community Infrastructure Levy Regulations 2010, namely that a planning obligation must be (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development, and to those tests within the government circular on planning obligations, circular 05/05. The need for such a contribution is as set out above. The level of contribution is based on the number of persons likely to occupy the dwellings and is considered fair and reasonable in scale and kind. The contributions would be put towards funding relevant schemes that have been identified in the vicinity to support the implementation of the Council’s Green Spaces Strategy including the expansion of the Children’s Play area at the Recreation Ground (adjacent Barrow Hill) and provision of new informal provision within the Parish.

Ecology

- 8.35 The application is supported by a Protected Species Survey. No protected species were found, although recommendations were made in respect of bats, reptiles, and breeding birds in terms of times and procedures/methods of working. Subject to these recommendations, it is considered that the proposed development would not result in any harm to protected species or their habitats. The County Ecologist confirms no objection.

Other Matters

- 8.36 The loss of a view is not, in itself a material planning consideration.

8.37 Personal circumstances are seldom sufficient to outweigh general planning considerations. Whilst the health concerns of the third party objector are noted, and every sympathy is sincerely expressed, they are not, in planning terms, considered to be an overriding matter.

9.0 **CONCLUSION**

9.1 The development is considered to be in accordance with the development plan. It is considered that, subject to conditions, the proposal would have no significant detrimental impact on the character and appearance of the area, would preserve the character and appearance of the conservation area, and would not cause any harm to highway safety, protected species, or the residential amenities of occupants in the vicinity. Appropriate financial contributions towards Public Open Space (in lieu of on site provision), and Highways Infrastructure can be secured through a legal agreement.

10.0 **RECOMMENDATION**

A. Delegate to the Head of Planning and Building that subject to a suitable Legal Agreement being completed to secure financial contributions towards sustainable modes of transport to minimise the impact on the transport network and towards public recreational open space provision in lieu of on site provision by 1 December 2011, then 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. No development shall take place until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities, and ensures the preservation of the character and appearance of the Conservation Area in accordance with Test Valley Borough Local Plan 2006 policies ENV15 and DES07.

3. Construction of plot 1 shall not commence until such time as the existing dwelling, known as Lorien (as shown on the submitted plans), has been demolished, and all associated materials removed from the site.

Reason: To ensure an appropriate phasing of development to avoid detrimental impact to the character and appearance of the area and Conservation Area, and the residential amenities of the existing property, Lorien, if the development as a whole were not progressed in such a phased manner, in accordance with Test Valley Borough Local Plan 2006 policies DES02, DES05, DES06, DES07, ENV15, AME01, and AME02.

4. Notwithstanding the detail on the submitted plans, the development hereby permitted shall not be commenced until such time as details of the surface finish of the driveway area have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities, and ensures the preservation of the character and appearance of the Conservation Area in accordance with Test Valley Borough Local Plan 2006 policies ENV15 and DES07.
5. At least the first 4.5 metres of the access track measured from the nearside edge of carriageway of the adjacent highway shall be surfaced in a non-migratory material prior to the use of the access commencing and retained as such at all times.
Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.
6. The development hereby permitted shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.
Reason: In the interests of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05, TRA09, TRA02.
7. Development shall be carried out in accordance with the recommendations set out in Section 6 of the Chalkhill Environmental Consultants (September 2011) report.
Reason: To avoid impacts to legally protected species, in accordance with policy ENV05 of the Test Valley Borough Local Plan 2006.
8. Notwithstanding the submitted details, no development shall take place (including site clearance and any other preparatory works) until a scheme, detailing how the Scots Pine and Birch are to be protected, has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location and specification of tree protective fencing. Such fencing shall be erected prior to any other site operations and at least 3 working days notice shall be given to the Local Planning Authority that it has been erected.
Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan 2006 policy DES08.
9. The development hereby permitted shall be carried out in accordance with the details set out within the Arboricultural Report by SJ Stephens Associates (project no.246) dated 20 July 2011, other than in respect of condition 8 above.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan 2006 policy DES08.

10. Notwithstanding the submitted details, no development shall take place until full details of soft landscape works including planting plans; written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme has been submitted to and approved in writing by the Local Planning Authority. These details shall also include; proposed finished levels or contours; means of enclosure and hard surfacing materials (where appropriate). The landscape works shall be carried out in accordance with the implementation programme.

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 Local Plan 2006 policy DES10.

11. Notwithstanding the submitted details, no development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: To ensure that the works undertaken maintain 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 Local Plan 2006 policy DES10.

12. Full details of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The windows and doors shall be installed in accordance with the approved details.

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities, and ensures the preservation of the character and appearance of the Conservation Area in accordance with Test Valley Borough Local Plan 2006 policies ENV15 and DES07.

Notes to applicant:

1. The following policies in the Development Plans are relevant to this decision:

South East Plan – May 2009: Policies – SP3 (Urban Focus and Urban Renaissance), CC1 (Sustainable Development), CC2 (Climate Change), H4 (Type and Size of New Housing), H5 (Housing Design and Density), T4 (Parking), BE5 (Village Management), BE6 (Management of the Historic Environment)

Test Valley Borough Local Plan (TVBLP) – Policies; SET03 (Development in the Countryside), SET06 (Policy Infill Frontage Areas in the Countryside), SET11 (Replacement Dwellings), DES01 (Landscape Character), DES02 (Settlement Character), DES05 (Layout & Setting), DES06 (Scale, Height & Massing), DES07 (Appearance, Detail and Materials), DES08 (Trees and Hedgerows), DES09 (Wildlife and Amenity Features), DES10 (New Landscaping), AME01 (Privacy & Open Space), AME02 (Sunlight and Daylight), ENV01 (Biodiversity and Geological Conservation), ENV05 (Protected Species), ENV11 (Archaeology and Cultural Heritage), ENV15 (Development in Conservation Areas), ENV17 (Settings of Conservation Areas, Listed Buildings, Archaeological Sites and Historic Parks and Gardens), TRA01 (Travel Generating Development), TRA02 (Parking Standards), TRA04 (Financial Contributions Towards Highways Infrastructure), TRA05 (Safe Access), TRA06 (Safe Layouts), TRA09 (Highway Impact), ESN03 (Housing Types, Density and Mix), ESN22 (Public Recreational Open Space Provision).

- 2. Please ensure that all development/works complies with the approved plans. Any changes must be advised and agreed in writing with the Local Planning Authority before they are carried out. This may require the submission of a new planning application. Failure to do so may result in enforcement action/prosecution.**
- 3. The decision to grant planning permission has been taken because the development is considered to be in accordance with the development plan. It is considered that, subject to conditions, the proposal would have no significant detrimental impact on the character and appearance of the area, would preserve the character and appearance of the conservation area, and would not cause any harm to highway safety, protected species, or the residential amenities of occupants in the vicinity. Appropriate financial contributions towards Public Open Space (in lieu of on site provision), and Highways Infrastructure have been secured through a legal agreement. This informative is only intended as a summary of the reason for the grant of planning permission. For further details on the decision please see the application report which is available from the Planning and Building Service.**
- 4. Attention is drawn to the legal agreement dated xx.xx.xx.**

B. Delegate to the Head of Planning and Building that in the event that a suitable legal agreement to secure satisfactory financial contributions towards sustainable transport infrastructure and public open space, is not completed by 1 December 2011, then REFUSE for the following reasons:

- 1. A legal agreement to secure a financial contribution for improving the transport network, or towards sustainable modes of transport, to minimise the development's impact on the transport network**

has not been provided. The development is therefore contrary to policies TRA01, TRA04, and TRA09 of the Test Valley Borough Local Plan 2006 and the adopted Supplementary Planning Documents, Infrastructure and Developer Contributions (February 2009), and the Andover Town Access Plan (April 2009), in that the development would result in an unmitigated burden on the highway network, which would adversely impact on the function, safety and character of the highway network.

- 2. No on site provision of public recreational open space is proposed. There is a deficiency within the ward of, Sports Ground/Formal Recreation, Informal Recreation, and Children’s Play Space. No contribution is offered in lieu of on site provision to mitigate for the additional burden that will be placed on the existing public recreational open space. As such the proposal is considered contrary to policy ESN22 of the Test Valley Borough Local Plan 2006 and the adopted Supplementary Planning Guidance, Infrastructure and Developer Contributions (February 2009).**
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APPENDIX B

Update Report to Northern Area Planning Committee – 24 November 2011

APPLICATION NO.	11/02248/FULLN
SITE	Lorien, Goodworth Clatford, Andover, GOODWORTH CLATFORD
ITEM NO.	15
PAGE NO.	176 – 205

1.0 INTRODUCTION

1.1 A Viewing Panel was held for this application on 23 November 2011. Members in attendance were; Cllrs Lynn, Andersen, Bird, Flood, Hawke, Long, Lovell, Neal and J Whiteley.

2.0 REPRESENTATIONS

2.1 Parish Council – Objection:

- Site is at junction of Longstock Road, which forms the main street entering the built environment from the north and south, and Church Street which forms the eastern entrance into the village from the A3057 Winchester Road.
- Quotes Conservation Area Character Appraisal [NB: As quoted at paragraph 8.7 of the main agenda report].
- Plan shows parking for two cars in front for each house. For cars to exit the house where Lorien currently stands they would need to reverse over the second house frontage as they can not go over the drive of Morningside. There is no room for reversing if cars are parked in front of house 2. If cars are parked in front of house 2 for them to exit they would need to reverse in front of what is currently Lorien, this should not be possible if cars are parked in front of Lorien or they would need to reverse over the drive to Morningside for which they also have no right of access on or over. The access to Lorien is narrow and to turn in and to park in front of Lorien would be extremely difficult and dangerous given the space restrictions. The only way to access parking in front of Lorien is to drive over Morningside's drive for which they have no right of access. For house 2 to park they would need to turn sharply and face the house straight on (in the road) in order to park, this would be extremely dangerous and at times the road opposite is full of cars and this would severely restrict the approach.
- Visitors would not be able to park on site, which would force them on to an already busy road, which has restrictions for parking due to the school and other drives and accesses. The village shop is opposite and cars park to use the shop. Additional car parking would clearly affect the shops takings.

- Due to the width restriction of the driveway of Lorien, with no right of access over Morningside's drive, plus the position of the BT inspection covers and boxes on the pavement at the side of Lorien, plus the nearness of the tree in the front with the TPO this would preclude widening of the drive, and would prevent lorries accessing the site.
- The style of the new houses is totally out of keeping with the properties around the site, bungalows to the north, and one to the south. Two houses on this small site would be gross over development of the site.
- By siting, height, scale, and mass the two houses would be dominant and overbearing and one property could suffer a loss of light due to the position of the other, hence why Morningside is thus named.
- Highway safety is an important issue at this busy junction, the police have been called on many occasions, particularly at school times and during additional school activities. The Village Club is only a few houses away and this has limited parking, cars then park in the village street.
- The removal of shrubs and trees at the rear of the site would cause Morningside to be overlooked. The trees currently provide screening between properties. The location of the trees is not applicable to public amenity. The lounge and a bedroom are at the front of Morningside, which could be overlooked, and visible from the two new houses.
- Feel that application offers no new changes to previous applications and should be refused.

Comments made on application 11/02249/CAWN that include comments relevant to this application;

- An application was made in 1989 to demolish Lorien and put 2 chalet style houses on the site. The application was refused on several grounds including; overdevelopment of the site, unsatisfactory plot sizes, congested layout – adding that the development would neither enhance or preserve the character of the conservation area, parking provision inadequate, inadequate visibility splays at the junction of the access to the highway (would cause danger and inconvenience to the adjoining highway, inadequate provision for rear loading and parking would interfere with the free flow of traffic on the C17 road to the danger of road users.
- See no changes in the current application to demolish Lorien that alters the previous grounds for refusal.
- The location plan given shows the driveway to Morningside, the bungalow to the north of Lorien, whose drive runs alongside the southern boundary fence between the two properties. The driveway owned by Morningside, is private and no right of access exists over or on this driveway to access Lorien.

2.2 **4 Letters** – Objection:

Chilland, Barrow Hill, Goodworth Clatford; Hitchwood, Barrow Hill, Goodworth Clatford; The Laurels, Village Street, Goodworth Clatford; The Lawns, Goodworth Clatford.

The following are additional matters to those raised by the third party objectors as set out in the main agenda. Further comments were made by these objectors that made the same points as those already raised by other third parties, as set out in the agenda report:

Principle of Development

- Past proposals for planning applications turned down.
- Only change to new applications would appear to be the removal of the proposal for a single garage. Is essentially the same as the previous, withdrawn application.

Character and Appearance

- Being on boundary of plot, house would be a lot closer and dwarf adjacent bungalows.
- Removal of hedge and front garden (to accommodate parking) will adversely impact the appearance of the conservation area. Can not see how four parking spaces can be created without removal of flower beds, lawns, and established hedges, all of which contribute to the Conservation Areas appearance.
- Existing building may be quaint, but it has some historic local significance in keeping with its neighbouring properties – the pub and cottages – as was only part of village to be bomb damaged.
- Area will become a more urban environment.
- Any modern development on this site would radically change the most prominent and visible part of our Conservation Area.
- Applicant's statement that the rooflines should be kept low to remain in keeping with neighbouring properties is risible given that both adjoining domestic properties are bungalows.

Highways

- Although there is parking for two cars this is not adequate when there is no additional parking for visitors. Visitors will struggle to park in this congested area. There is no on-street parking for visitors within 100-150 yards for any vehicle visiting or delivering to the site.
- No provision is made for garaging, which implies further congestion and unsightly parking at the front of houses.
- Is heavy traffic at both ends of the school day (for 30-40 minutes), and because traffic between Church Lane and Barrow Hill is restricted to single lane passing. Day and night passing is only possible on the Lorien side of the street due to legal and necessary on street parking on the opposite side to Lorien.
- The four properties on the Lorien side of Village Street between the school and the junction of Barrow Hill have sufficient off road parking for their use and that of any visitors. That will no longer be the case at Lorien if two properties are constructed.

- Pedestrians cross the road in all directions at this intersection. Any further vehicle movements only increases the danger to pedestrians as well as cyclists, school children, pub and shop visitors as well as residents and through traffic.
- Both Village Street and Church Lane often have cars parked on them at the junction. Further on street parking will be hazardous, particularly when the shop or pub are taking deliveries, or recycling is being collected.
- Village traffic is already high. Roads and intersections were not designed for a high level of traffic. Intensification of housing within the village will only lead to increased road use.
- It is disingenuous of the applicant to suggest that the site is within easy strolling distance of the school and shop.
- When vehicles stop in vicinity of Lorien cars back up Village Street, Church Lane, and Barrow Hill. To add to this is madness.
- If granted permission needs a condition on where construction vehicles can park, or there will be chaos.

Residential Amenity

- Houses would be built too close together with inadequate gardens and play areas.
- Removal of several trees will leave the school and Morningside exposed and overlooked.

Other Matters

- Is only the case of building in the back gardens to make money.
- Builder has already bought up houses with the intent on demolishing and building more than one in a single plot. Where is this going to stop within the village? Is it a case of having money to offer over inflated prices and connections with the planning office to allow this development. Hopefully it is not a case of who you know that gets this application through like the others.
- Would support the replacement of a single dwelling with a single dwelling, provided that it is of a high quality, and design.

2.3 **1 Letter** – Comment:

30 Brook Way, Anna Valley (on behalf of the governors of Clatford Primary School)

- Should permission be granted would request a restriction should be placed on movement of plant, equipment, deliveries, etc. around the start and end of the school day. Lorien is adjacent to school entrance, and a restriction for half an hour either side of the school start/end times would help to reduce the risk to children and the build up of traffic in the vicinity of the site.

3.0 POLICY

3.1 On the 10 November the Council agreed to publish for public consultation the draft Core Strategy and Development Management DPD and the Designation DPD. Public consultation will be undertaken from 6 January to 17 February 2012. At the present time the document, and its content, demonstrates the direction of travel of the Borough Council. Officers have considered the content of the Draft Core Strategy and the recommendation remains unchanged.

4.0 PLANNING CONSIDERATIONS

Principle of Development

4.1 Those additional matters raised by third party objectors in relation to the principle of development are addressed within the agenda report.

Previous Applications

4.2 The Parish Council made reference to the refused applications from 1989. That application was different in nature to the current proposal. A new central access was then proposed. The proposed site layout and driveway arrangement was, consequently, significantly different. The design, and appearance of the proposed dwellings was not similar to those now proposed. It is considered that the scheme is significantly different from the now proposed development.

4.3 Three of the then five reasons for refusal related to highways matters, and one reason for refusal related to the loss of TPO trees. The now proposed layout, and use of the existing access is considered acceptable, and the proposed development, will not, subject to conditions, result in the loss of TPO trees. The first reason for refusal, which related to design stated that; *“Development of the site in the manner proposed would amount to over-development in that it would give rise to unsatisfactory plot sizes and to a cramped and congested layout which with its poor design would neither preserve nor enhance the character of the Conservation Area.”* The impact of the proposed development on the character and appearance of the area, including the level of design standard, plot sizes (comparatively to other developments), and layout, on the character and appearance of the area is discussed at paragraph 8.6 – 8.20 of the agenda.

Character and Appearance

4.4 Those additional matters raised by third party objectors in relation to the impact of the proposed development on the character and appearance of the area, including the impact on the conservation area are addressed within the agenda report.

Residential Amenity

4.5 Third party objectors do not consider the sizes of the proposed gardens to be adequate. The proposed gardens are approximately 11.5 metres (depth) by 13 metres (width) for plot one, and approximately 17.5 metres (depth) by 12 metres (width) for plot two. The garden sizes are considered appropriate for the size of dwelling proposed.

Highways

- 4.6 A third party considers that a condition should be included requiring details of contractor vehicle parking. Whilst construction movements associated with the development should not be significant, this is considered reasonable and necessary to ensure that disruption to the free flow of traffic during the construction period is minimised.
- 4.7 The Governors of the school request that a condition is included restricting the movement of construction vehicles to times outside of school pick up/drop off. Such a condition would not be enforceable. As noted above, a condition is included requiring details of contractors and delivery vehicles to prevent any disruption to the free flow of traffic during the construction period. Any obstruction on the highway would be dealt with by other authority outside of the planning system.

Legal Agreement

- 4.8 A legal agreement to secure contributions towards sustainable modes of transport to minimise the impact on the transport network, and towards public recreation open space provision, in lieu of on site provision, has been completed, and the recommendation has been amended accordingly.

Other Matters

- 4.9 Every application is determined on its own merits. Any Member or Officer interest must be declared. No declaration of interest has been expressed with this application.
- 4.10 The motives for proposing development (i.e. whether this is to generate money) are not a material planning consideration in the determination of this application.

5.0 AMENDED RECOMMENDATION

PERMISSION subject to conditions and notes as per recommendation A. of the agenda report, and an additional condition (13) as below.

- 13. Prior to the commencement of development full details of the layout for the parking and manoeuvring on-site of contractor's and delivery vehicles during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of development and retained for the duration of the construction period.**

Reason: In the interest of highway safety in accordance with Test Valley Borough Local Plan 2006 policies TRA05 and TRA09.
