

## NOTICE OF MEETING

# Planning Control Committee

Date: Monday, 01 July 2013  
Time: 17:30  
Venue: Crosfield Hall, Romsey  
Broadwater Road, Romsey, Hampshire

**For further information or enquiries please contact:**

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**Legal and Democratic Service**

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

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

**PUBLIC PARTICIPATION SCHEME**

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

## Membership of Planning Control Committee

<b>MEMBER</b>		<b>WARD</b>
Councillor C Collier	Chairman	Abbey
Councillor I Hibberd	Vice Chairman	Romsey Extra
Councillor G Bailey		Blackwater
Councillor P Boulton		Broughton & Stockbridge
Councillor Z Brooks		Millway
Councillor P Bundy		Chilworth, Nursling & Rownhams
Councillor A Dowden		Valley Park
Councillor M Flood		Anna
Councillor M Hatley		Ampfield and Braishfield
Councillor A Hope		Over Wallop
Councillor P Hurst		Tadburn
Councillor N Long		St.Mary's
Councillor J Lovell		Winton
Councillor C Lynn		Winton
Councillor J Neal		Harewood
Councillor A Tupper		North Baddesley
Councillor A Ward		Kings Somborne, Michelmersh & Timsbury

## **Planning Control Committee**

Monday, 01 July 2013

### **AGENDA**

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

- 1 Apologies**
- 2 Public Participation**
- 3 Declarations of Interest**
- 4 Urgent Items**
- 5 Minutes of the meeting held on 11 June 2013**
- 6 Information Notes**
- 7 12/02765/FULLN - 21.12.2013 **9 - 43****

**(RECOMMENDATION OF NORTHERN AREA  
PLANNING COMMITTEE: REFUSE)  
(RECOMMENDATION OF HEAD OF PLANNING AND  
BUILDING: PERMISSION)**

SITE: Land to the Rear of Roxtons (formerly Viva),  
High Street, Stockbridge, SO20 6HF, STOCKBRIDGE  
CASE OFFICER: Mrs Lucy Page

## **ITEM 6**

### **TEST VALLEY BOROUGH COUNCIL**

#### **PLANNING CONTROL COMMITTEE**

##### **INFORMATION NOTES**

### **Availability of Background Papers**

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

### **Reasons for Committee Considerations**

Applications are referred to the Planning Control Committee from the Northern or Southern Area Planning Committees where the Head of Planning and Building has advised that there is a possible conflict with policy, public interest or possible claim for costs against the Council.

The Planning Control Committee has the authority to determine those applications within policy or very exceptionally outwith policy and to recommend to the Cabinet and to the Overview and Scrutiny Committee revisions to policy resulting from its determination of applications.

Approximately 15% of all applications are determined by Committee. The others are determined by the Head of Planning and Building in accordance with the Council's Scheme of Delegation which is set out in the Council's Constitution.

### **Public Speaking at the Meeting**

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

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

### **Content of Officer's Report**

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

### **Status of Officer's Recommendations and Committee's Decisions**

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

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

### **Conditions and Reasons for Refusal**

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

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

### **Decisions Subject to Completion of a Planning Obligation**

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

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

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

### **Deferred Applications**

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

- \* The applicant may choose to withdraw the application. No further action would be taken on that proposal and the file is closed.
- \* Officers may recommend deferral because the information requested or amended plans have not been provided or there has been insufficient time for consultation on amendments.
- \* The Committee may resolve to seek additional information or amendments.
- \* The Committee may resolve to visit the site to assess the effect of the proposal on matters that are not clear from the plans or from the report. These site visits are not public meetings.

## **Visual Display of Plans and Photographs**

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

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

## **Human Rights**

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

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

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

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

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

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

## **Natural Environment and Rural Communities Act 2006 (NERC)**

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

It is considered that this duty has been properly addressed within the process leading up to the formulation of the policies in the Local Plan and Core Strategy and the adoption of the former. Further regard is had in relation to specific planning applications through completion of the biodiversity checklists for validation, scoping and/or submission of Environmental Statements and any statutory consultations with relevant conservation bodies on biodiversity aspects of the proposals.

Provided any recommendations arising from these processes are conditioned as part of any grant of planning permission (or included in reasons for refusal of any planning application) then the duty to ensure that biodiversity interest has been conserved, as far as practically possible, will be considered to have been met.

## **Other Legislation**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination of applications be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the Borough comprises the saved Policies of the Test Valley Borough Local Plan 2006. Material considerations are defined by Case Law and includes, amongst other things, draft Development Plan Documents (DPD), Supplementary Planning Document (SPD) and other relevant guidance including Development Briefs, Government advice, amenity considerations, crime and community safety, traffic generation and safety.

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

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

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

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

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



## ITEM 7

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<b>APPLICATION NO.</b>	12/02765/FULLN
<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	21.12.2012
<b>APPLICANT</b>	Bendall Developments
<b>SITE</b>	Land To The Rear Of Roxtons (formerly Viva), High Street, Stockbridge, SO20 6HF, <b>STOCKBRIDGE</b>
<b>PROPOSAL</b>	Erection of a two bedroom house with parking and provision of a turntable
<b>AMENDMENTS</b>	
<b>CASE OFFICER</b>	Mrs Lucy Page

Background paper (Local Government Act 1972 Section 100D)

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### 1.0 INTRODUCTION

1.1 This application is referred to Planning Control Committee (PCC) because the Northern Area Planning Committee (NAPC) at their meeting on 30 May 2013 was minded to refuse planning permission contrary to Officer's advice and the reasons given could result in an application for costs against the Council if the applicant should appeal against the decision.

1.2 Members of NAPC resolved to refuse planning permission contrary to the Officer recommendation for the following reason:

1. The design (with its large clay tile roof), form, scale and layout of the proposals will result in a development that appears as overdevelopment of the site which relates poorly to its surroundings having a detrimental visual impact which fails to preserve the character and appearance of the Stockbridge Conservation Area and that has an adverse overbearing impact on the amenities of neighbouring residential properties. As a consequence the proposal is contrary to policies ENV15, DES02, DES05 and DES07 of the Test Valley Borough Local Plan.

1.3 A copy of the Officer's report and update sheet to the NAPC are attached as **Appendix A** and **Appendix B** respectively.

### 2.0 PLANNING CONSIDERATIONS

2.1 There was some discussion at NAPC with regard to the planning history of the application site and how this current scheme differs from the previous application which was refused and dismissed at appeal in 2011. The single storey building which is being proposed with the current application would have a footprint of approximately 13 metres x 7 metres and is of simple rectangular form which fits comfortably within its plot. The lower roof ridge height and eaves level and the reduced scale can be seen on the additional plans showing an outline of the previously refused scheme over the current proposed elevations.

2.2 *The impact on the character and appearance of the Conservation Area*

This is discussed in paragraph 8.3 to 8.8 of the main agenda report. The site is located to the rear of the High Street, accessed between the shop now known as Roxtons (formerly Viva) and The Old Cottage, and from where glimpsed views onto the site are possible from this position.

2.3 Views from High Street

The building would be set back approximately 30 metres from Stockbridge High Street. Public views from this point would be of the gable end of a brick built single storey structure and part of its clay tile roof positioned behind a boundary wall and timber gates.

2.4 View from Nelson Close

The public views towards the site are from the turning head for this residential development. There is a private garage block serving this development between the site and this vantage point. The rear elevation of the proposed dwelling would be approximately 31 metres from this point. In the foreground and to the east of the application site, is the large chalet style property Staddlestones and the flat roofed garage block is immediately in front of the site. To the west is Prospect House and the two storey terrace of Prospect Place. To the north, the rear elevations of the High Street buildings can be seen. The proposed dwelling would be seen in the context of these surrounding buildings and because of this Officers consider that the proposal would represent a feature that is not materially different to the character and appearance of the area to justify refusal on that basis.

2.5 The NAPC considered that the design and form of the building would have a detrimental visual impact on its surroundings. The building is of simple form with a pitched roof and low eaves level. The roof ridge height of the proposed dwelling would be 5.8 metres which would be lower than the High Street buildings, Staddlestones, Prospect House and Prospect Place.

2.6 The NAPC considered that the use of clay tiles on the roof would relate poorly to its surroundings. The Stockbridge Village Design Statement states that, “roofs are typically clay tiles although there is some slate”. When looking towards the site from Nelson Close views of both clay tiles and slates on the roofs of surrounding buildings can be seen. The use of plain clay tiles is considered to be consistent with the context of the building and its surroundings and is therefore appropriate in this part of the Stockbridge Conservation Area.

2.7 The Conservation Officer raised no objections to the materials proposed for the building and considered that the development would preserve the character and appearance of the Conservation Area and the setting of the neighbouring Listed Buildings. It is not considered that a reason for refusal based on the design, form, scale and layout of the development and its detrimental visual impact on the character and appearance of the Conservation Area can be substantiated.

2.8 *Impact on the amenities of neighbouring properties*

The impact on the amenities of neighbouring properties was discussed in paragraph 8.14 - 8.16 of the main agenda report. The NAPC considered that the erection of this building would have an adverse overbearing impact on the amenities of neighbouring residential properties. The front elevation of the dwelling would be approximately 11 metres from the front elevation of Prospect Place. The windows for the properties to the west of the site, 5-7 Prospect Place face towards the application site and the garden areas for these properties are located between the dwellings and the application site. A path providing access to these properties runs between the gardens and the existing boundary wall and fence. Looking towards the site at ground floor level, views of the clay tile roof and a narrow section of brickwork of the dwelling would be possible. The lower part of the building would be screened by the 2 metre high existing boundary wall and fencing. The 5.8 metre high roof would pitch away from these properties at a 40 degree angle with the roof ridge located approximately 7.8 metres from the boundary with Prospect Place and 14 metres from the front elevation. The eaves level of the building would be 2.5 metres which is a metre lower than the previously refused scheme. It is acknowledged that parts of the building would be clearly visible from these properties and would be different from the existing situation, however the position of the proposed dwelling which has moved away from the boundary with Prospect Place, the lower roof and eaves level and the simplified design of the building mean that a reason for refusal on the basis of being overbearing could not be substantiated.

2.9 Other neighbouring properties which adjoin the application site; Staddlestones, Jacobs House, Viva Cottage and The Old Cottage would have some views of the new development. The positioning of the single storey nature of the building, its simple form and traditional materials would have an acceptable impact on the amenities of these properties.

3.0 **CONCLUSION**

3.1 The proposal is considered to be acceptable in principle and would accord with the relevant policies contained within the Test Valley Borough Local Plan 2006. It is not considered that the design, form, scale and layout of the proposal would appear as overdevelopment of the site or have a detrimental visual impact on the character and appearance of the Conservation Area. It is also considered that the development would not have an adverse overbearing impact on the amenities of neighbouring residential properties. As a result, it is not considered that the reasons for refusal raised by the NAPC could be substantiated should the applicant appeal against the decision to refuse the application.

4.0 **RECOMMENDATION OF NORTHERN AREA PLANNING COMMITTEE  
REFUSE for the following reason:**

1. **The design (with its large clay tile roof), form, scale and layout of the proposals will result in a development that appears as overdevelopment of the site which relates poorly to its surroundings having a detrimental visual impact which fails to preserve the**

character and appearance of the Stockbridge Conservation Area and that has an adverse overbearing impact on the amenities of neighbouring residential properties. As a consequence the proposal is contrary to policies ENV15, DES02, DES05 and DES07 of the Test Valley Borough Local Plan.

**5.0 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 in accordance with Test Valley Borough Local Plan 2006 policies ENV15 and DES07.**
- 3. No development shall take place until details, including plans and cross sections, shall be submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be in accordance with the approved details.  
Reason: To ensure satisfactory relationship between the new development and the adjacent buildings in accordance with Test Valley Borough Local Plan 2006 policies AME01, AME02.**
- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows of the proposal hereby permitted [other than those expressly authorised by this permission] shall be constructed.  
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Local Plan 2006 policy AME01.**
- 5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected or retained. Any changes to the existing boundary treatment shall be completed before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.  
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 policies DES10 and AME01.**

6. **No development shall take place (including site clearance within the application site/area indicated red, until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work, in accordance with a written brief and specification for a scheme of investigation and mitigation, which has been submitted by the developer and approved in writing by the Local Planning Authority.**

**Reason:** The site is potentially of archaeological significance in accordance with Test Valley Borough Local Plan 2006 policy ENV11.

7. **The development hereby permitted shall not be occupied until provision for 2 cycle parking/storage has been made, in accordance with details to be submitted and approved in writing with the Local Planning Authority has been made. The approved scheme shall be maintained for this purpose at all times.**

**Reason:** In the interest of providing sufficient safe parking for cyclists and in accordance with the Test Valley Local Plan 2006 policy TRA02.

**Notes to applicant:**

1. **The decision to grant planning permission has been taken because the proposed development is considered acceptable having regard to it's location within the settlement of Stockbridge. The proposal has been sited, and has been designed, so as to preserve the character and appearance of the Conservation Area and does not adversely affect the amenity of neighbouring properties. The property is not at adverse risk of flooding or would lead to an increase in the risk of flooding elsewhere. The applicant has also demonstrated that the use of the High Street for the provision of vehicle parking would not lead to a detrimental impact on highway safety. A legal agreement has been completed that ensures that the proposed development can be accommodated within the settlement and as such it's impact on the local highway and public open space provision has been adequately mitigated. This informative is only intended as a summary of the reason for grant of planning permission. For further details on the decision please see the application report which is available from the Planning and Building Service.**
2. **The following policies in the Development Plans are relevant to this decision: Test Valley Borough Local Plan 2006 - Policies SET01 ENV15 ENV17 ESN22 TRA01 TRA02 TRA04 TRA09 DES02 DES05 DES06 DES07 DES10 AME01 AME02.**
3. **The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
4. **Attention is drawn to the requirements of the Agreement dated 6 March 2013 under Section 106 of the Town and Country Planning Act 1990 which affects this development.**

- 5. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
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## **APPENDIX A**

### **Officer's Report to Northern Area Planning Committee – 30 May 2013**

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<b>APPLICATION NO.</b>	12/02765/FULLN
<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	21.12.2012
<b>APPLICANT</b>	Bendall Developments
<b>SITE</b>	Land To The Rear Of Roxtons (formerly Viva), High Street, Stockbridge, <b>STOCKBRIDGE</b>
<b>PROPOSAL</b>	Erection of a two bedroom house
<b>AMENDMENTS</b>	Amended plans including provision of parking area and turntable within site received 21.03.2013 and 08.04.2013. Additional information regarding right of way received 08.05.2013
<b>CASE OFFICER</b>	Mrs Lucy Page
	Background paper (Local Government Act 1972 Section 100D)

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#### **1.0 INTRODUCTION**

- 1.1 The application is referred to Northern Area Planning Committee at the request of a Ward Member due to the complex history of the site.

#### **2.0 SITE LOCATION AND DESCRIPTION**

- 2.1 The site is within the built up area of Stockbridge and forms part of the Conservation Area. The site comprises of an open piece of land surrounded by a fence and wall, situated to the rear of Stockbridge High Street and accessed from this road by a narrow pedestrian access way which is used by other residential properties along Prospect Place. The site is surrounded by a mixture of residential development and backs on to the garages associated with Nelson close and adjoins Jacob's House, a Grade II Listed building.

#### **3.0 PROPOSAL**

- 3.1 The proposal is for the erection of a single storey two bedroom dwelling with a roof ridge height of approximately 5.8 metres. The footprint of the building would be approximately 13m x 7m.
- 3.2 An application for a 3 bedroom dwelling was refused in 2011 and the subsequent appeal dismissed (see para.4.2 11/00501/FULLN) for a 3 bedroom property proposed a building with the following dimensions: 10.7m x 9.5m with a roof ridge height of 7.1 metres.
- 3.3 Permission has previously been granted under application 07/02245/FULLN for the erection of a detached shop building on part of the site. The dwelling proposed in this application would be sited partly over the footprint of the shop building and therefore the shop could not be implemented if the dwelling

currently being considered were constructed.

- 3.4 The initial proposal did not include any on-site parking which was the same as the previously refused scheme. The application has subsequently been amended to show the provision of two car parking spaces and a vehicle turntable within the site. Vehicular access would be via the existing access onto the High Street.
- 3.5 The applicant has provided some additional information including a plan and confirmatory agreement that they have a right of way, with or without vehicles, over the land to reach the application site.
- 3.6 Photographs have been provided which show a vehicle entering the site and another of a vehicle parked behind the Roxtons building.

#### 4.0 HISTORY

- 4.1 12/02280/FULLN – Erection of 2 bedroom house – Invalid.
- 4.2 11/00501/FULLN – Erection of 3 bedroom dwelling – Refused 15.08.2011 for the following reasons:
1. The design, form, scale and layout of the proposals will result in a development that appears unduly cramped and relates poorly to its surroundings creating an incongruous development having a detrimental visual impact and which fails to preserve the character and appearance of the Stockbridge Conservation Area. The proposal is contrary to policies ENV15, DES02, DES05 and DES07 of the Test Valley Borough Local Plan.
  2. The form, scale and layout of the proposed dwelling within the plot will result in a poor physical relationship with nearby properties (No's 5 and 6 Prospect Place) resulting in an adverse impact on the living conditions of the present and future occupants of these properties. In particular the proposal would result in an adverse level of shadow being cast over the private garden areas of the dwellings, and result in an unacceptable level of overlooking from the windows and roof lights of the proposal to the gardens and windows of the dwellings. The proposal is contrary to policies AME01 and AME02 of the Test Valley Borough Local Plan (2006).

Dismissed at Appeal 19.03.2012 (APP/C1760/A/11/2161730/NWF)

Extract from Inspector's Report and Conclusion:

- *“The proposal would....span nearly the full width of the plot and cover only a portion of its length. This would be in contrast to the general layout of the surrounding development, which tends to be long and narrow in footprint with space to one side of the building, and generally following the shape of the elongated burbage plot boundaries. The positioning of the proposal on the plot, and its more rectangular form, would result in limited space to the sides of the plot, which would create the impression of a cramped development on the site. This in addition to the proposed height, would reduce the openness of the immediate area and result in a tighter development than is characteristic in this part of the Conservation Area”.*



- *“Due to the orientation of the proposal, its height above the existing boundary, its bulk, and its proximity of 5 and 6 Prospect Place, some additional overshadowing of these gardens would be inevitable in the morning....The eaves height of the proposed dwelling would be around 3.5 metres, nearly twice the height of the existing boundary and the building would be little more than 1.0m beyond it...I consider that the proposed dwelling would overshadow the gardens to an unacceptable extent, significantly affecting the occupier’s enjoyment of the gardens and thereby reducing their living conditions”.*
- *“I conclude that the proposal would fail to preserve or enhance the character or appearance of the Stockbridge Conservation Area and would have an unacceptable impact on the living conditions of the existing and future occupiers of 5 and 6 Prospect Place with regard to sunlight to the gardens, although it would be acceptable with regard to overlooking. On this basis the appeal fails.*

4.3 10/02812/FULLN – Erection of 3 bedroom dwelling – Invalid.

09/02248/FULLN – Proposed redevelopment to provide single storey dwelling and two-storey building to provide shop with ancillary storage – Withdrawn 07/01/2010

4.4 08/02779/FULLN – Refused 16/01/2009 - Erection of dwelling.

4.5 08/02092/VARN – Relief of condition 8 of 07/02245/FULLN (relating to access through existing shop only) – erection of two storey building on site of existing garage to provide shop with ancillary/storage area over together with associated works – Invalid.

07/02245/FULLN – Erection of two storey building on site of existing garage to provide shop with ancillary / storage area over together with associated works – PERMISSION subject to conditions 01/10/2007.

06/02119/FULLN – Erection of shop and storage area with three bedroom flat over, relocate garage together with associated works – Refused 24/08/2006.

06/02117/CAWN – Demolition of existing premises with retention of existing east wall adjoining Jacob’s House – Refused 12/09/2006.

TVN.06042/3 – Erection of ground floor rear extension to provide bedroom and shower room for disabled child together with new rear entrance lobby to shop – Permission subject to conditions MAY 1998.

## 5.0 CONSULTATIONS

### 5.1 Design and Conservation – No objection

- The reduction in bulk, height and simplified detailing of the proposed dwelling has helped to overcome previous concerns raised under 11/00501/FULLN and within the subsequent dismissed appeal.

The proposed single storey dwelling will have a reduced impact on the character and appearance of the Conservation Area, preserving it, and the setting of the nearby Listed Buildings.

- The form of the proposed dwelling will see it relate more positively to the long, thin, Burbage plot character prevalent to the rear of buildings fronting the High Street in Stockbridge.

5.2 **Highways** – No objection subject to conditions and s106 legal agreement to secure a financial contribution towards traffic management measures in Stockbridge High Street.

- The proposal to provide 2 no. off road car spaces meets the maximum requirement for parking in accordance with Test Valley Borough Local Plan policy TRA02.
- A vehicle joining the road has within the site a facility to turn to enter the road facing forward at all times.
- In accordance with national guidance in Manual for Streets 2, when an access is narrow or when a vehicle emerging from between parked cars, it is commonplace for drivers to nose out slowly until they can see a gap between vehicles to safely pull out. Oncoming drivers can also see a vehicle slowly emerging and may slow down or stop to allow it to pull out.
- It has been demonstrated that a medium sized car with its mirrors open and most larger family cars with mirrors folded can be accommodated where the access is at its narrowest point. Though not always desirable, it is considered that in this instance, the proposal will allow reasonable access to the two off road car parking spaces within the site and therefore no highway objection is raised.

5.3 **Policy** – No objection subject to s106 legal agreement to secure a financial contribution towards informal recreation and children's play space in the vicinity of the site.

5.4 **Archaeology** – No objection.

- The site is located within the historic core of the medieval town of Stockbridge. The archaeological assessment for Stockbridge indicates that the development is within an area of high archaeological importance. It is within a Burbage plot of the medieval town. These are long narrow plots stretching back from narrow street frontages, and results from the importance (and so value) of street frontage.
- On street frontage would have been shops, or other trading establishments, and to the rear are likely to have been associated industrial activity. Within the rear of the plots are also likely to have been the privies and rubbish pits associated with the plot, which now contain the archaeological information about the date of use, the nature of the trade and the health and wealth of those living at the plot.
- Stockbridge is mentioned as early as the 12<sup>th</sup> Century, but there is some debate about the origin and development of the settlement along the causeway. The Burbage plots imply that it was in the medieval period, but there have been few opportunities to gather archaeological data. In addition the nature of the causeway is also unclear.

- It is likely that archaeological remains will be encountered during this development relating to the origins and development of Stockbridge and to the trade and industry, life and lifestyles of medieval inhabitants. Information which is not currently available. I would recommend that an archaeological condition is attached to any planning permission and that this secures an archaeological watching brief during the relevant stages of the development so that archaeological remains encountered are recognised and recorded.

6.0 **REPRESENTATIONS** Expired 17 May 2013

6.1 **10 x letters and emails** -

From: 5, 6, 7 Prospect Place, Prospect House, Bridge House, Viva Cottage, Oaklands, Test Lea, Gaynor, Jacob's House, Stockbridge

Objection to:

Size and positioning

- The Inspector visited the site last February and her report clearly states and to quote: *Properties on the High Street cover the full width of the plot whilst the rear elements and their additions follow an elongated and linear form sitting within the historic 'burbage plot' property boundaries. The remnants of the historic boundaries and settlement pattern contribute to the character and appearance of the Conservation Area.* – The plan proposed now sits within this zone.
- The land in question is a historic Burbage plot and until recently was connected to the Medieval Hall House fronting the High Street (now called Roxtons). I sincerely believe it would be mistake to build on this land, for few similar plots remain on the south side of the High Street. As a former bee-keeper I realise just how important it is to have such 'open spaces'.
- The Stockbridge High Street plan submitted would appear to be extremely out of date and could mislead those seeking to make an informed judgement on this application. From the early 70's until the late 90's developments have taken place to the east and south sides of my plot (Jacob's House); to the point where the line of buildings is continuous on the eastern side.
- The form, scale and bulk of the development will consume a significant amount of this modest garden area resulting in a development that appears cramped and overbearing that will create an overwhelming sense of being hemmed in and make for a gloomy environment that does not integrate with the surroundings.
- This application is very similar to the previous application 11/00501/FULLN for the erection of a dwelling on the same site. However the footprint is now larger, it is closer to the eastern boundary and has a longer and larger surface area of roof across the frontage of Prospect Place. Previous applications have been refused. I feel that this application still constitutes both over development and back land development of this site.

Flooding

- While the proposed building itself has flood proof footings it gives concern that the base is bigger than the previous plan so will cause enormous damage to neighbouring properties.

- Acknowledging the flood risk this development presents, it has been noted that the proposed house will have an increased dpc height of 300mm which must be there for a reason. The water that the foundations and ground floor slab will displace will have to go somewhere else and the neighbouring properties do not have the advantage of the increased dpc height.
- The current autumn and winter precipitation has resulted in particularly high river and groundwater levels which serves to emphasise just how near we are in Stockbridge to having to deal with a flood. We do not wish to have any development which is going to jeopardise our chances of staying dry, now or, in the future.
- Our terrace of houses already has on the west side the fairly new development of Providence Court and very recently an application for further addition of a conservatory there too, so I have great concern over the rising water levels. Now springs have sprung it is difficult for surface water to get away. The concern is for our cottages and also Jacobs House to the east of the proposed property site in years to come.
- The Stockbridge Flood Action Group is concerned that the proposed development will further increase the risk of flooding and wishes to lodge and objection to this application.
- Stockbridge sits in the middle of flood plain and flood is getting worse. Most of the gardens off the High Street have surface water which has been there for some time.
- Before any future planning decision is made especially in flood plains surely the planners not just at Test Valley but across the country must look to not only the past few years but look to the future as our weather patterns are changing drastically, and review that new build policy.
- This is a conservation/archaeological area with highly regarded listed buildings, ours is Grade II, more water in the flood plain has huge consequences for these buildings and to the fabric. One major flooding of the High Street is all that it will take to make building insurance prohibitive, drive shop owners to close down and ultimately destroy the fantastic character and atmosphere that Stockbridge creates.
- Before putting one more square inch of concrete or tarmac down, which will hugely reduce the ever decreasing sponge effect, I urge you to look at the short to long term effects of any more buildings along the High Street and the flood plain and therefore refuse the application.

#### Parking

- In this village we already have tremendous problems with parking in the High Street and increased much more recently with the consent of 2 new restaurants been granted permission but without their own parking area.
- Following the addition of two new restaurants on Stockbridge High Street last year the parking situation throughout Stockbridge for residents' shop workers, and visitors has worsened. The proposed development will only make the problem worse as it has no on-site parking nor vehicular access.
- I have a concern that drivers with small vehicles or motorbikes will attempt to drive through the alleyway and pass right in front of Viva Cottage in order to get to the plot.

- So this proposed development again with no off street parking will cause further problems and especially as it is in the area of our High Street with the greatest density of shops.
- I have traded in Stockbridge for more than 20 years in which time parking has been quite impossible on many occasions. So much so that customers are often unable to park and subsequently shop in Winchester or Salisbury. This is very counterproductive for any business. I feel that the parking survey does not reflect the true nature of the parking in Stockbridge.
- I am concerned to see that the curtilage of the proposed development is incorrect. The entrance to Prospect Place is communally owned by the nearby cottages for shared access.
- There is no parking on site therefore this would affect the parking on the High Street.

#### Impact on amenity

- It will have a negative impact on the living conditions of all in the vicinity of the plot.
- Our cottages (Prospect Place), only have windows facing east so our natural light will be greatly reduced indoors. Also complete loss of privacy for us all with the size of the proposed building as its scale and design will really have an impact on us and therefore is an inappropriate building.
- The applications in a Conservation Area and a rare open space around my cottage Prospect Place in this terrace which is now planned to be filled with a 2 bedroom house with this latest application. I refer to the Local Plan policy AME which refers to reserving the rights to protect the amenity and privacy of the adjoining occupiers, surely this is just gross overdevelopment.
- Being hemmed in means that what light there is, is particularly precious in my garden (Jacob's House). I am therefore reliant upon a relatively unrestricted western boundary for light to my garden and plants. The light in the afternoon would be lost by the shading that would result from the proposed development, which appears to have moved closer to my boundary, thereby adding to the claustrophobic effect.
- It would have a significant visual impact and result in a substantial loss of sunlight to my garden and would also be felt by neighbours to the northwest, south and west, of my garden (Jacob's House).

#### The impact on the Conservation Area

- The proposed building will not conserve or enhance the Stockbridge Conservation Area.
- The proposal would sit within a site that conforms to the historic burbage plots. It would span a disproportionate width of the plot which would be in contrast to the general layout of the surrounding development, which tends to be long and narrow in footprint taking up less than half the width of open space to the side. This application would not conserve or enhance this part of the Stockbridge Conservation Area.
- The building would appear bulky and have an overbearing appearance.

6.2 Additional letters received to amended scheme now providing on-site parking and turntable

Jacobs House, Bridge House, 5, 6 Prospect Place, Oaklands, Gaynor, Viva Cottage, Staddlestones, Stockbridge

*Some matters raised in the representations received following the amendment to provide parking have been covered in the paragraphs above however the following specifically relate to the parking/highway aspect of the application:*

- There is no parking on site therefore this would affect the parking on the High Street and the entrance/exit for any vehicle in this property from the road is way too narrow and would be exceptionally dangerous.
- The passageway the developers are proposing to use is mentioned in my earliest 18<sup>th</sup> Century deed (Jacobs House) and is known as *a drove* which gave Drivers access to fresh pasture for their sheep...It was not built for motor cars and was never intended for their use. Added to which it is far too narrow to take even the smallest car safely.
- The alleyway is too narrow for any but the smallest of vehicles and builders vehicles would certainly be too wide.
- The footpath accessing Prospect Place was originally a Drove and is mentioned in some very early deeds of a neighbour going back to the 1800's. It was intended as a path for livestock and the right of way for vehicles was undoubtedly intended for small hand drawn carts.
- The risk of damage to the two properties on either side would be very high.
- Roxtons (the hall house) and The Old Cottage are adjacent to the east and west sides of the passageway. In recent times both have been sympathetically renovated so I'm sure the last thing they need is someone attempting to drive through – risking and possibly damaging their properties.
- This part of the High Street is a busy area, making those using the pavement particularly vulnerable should a car try to negotiate an entry or exit through the passageway. All would be at risk: and I should mention that we do have a large elderly population here, quite a few have poor-sight and most have impaired hearing.
- I believe the photographs of vehicles on the site included in the applicant's amended proposals are misleading as they were taken at a time when vehicular access was available from the rear. This access is no longer available to the site.
- There are low level services protruding from the ground which could cause damage to vehicles or the services themselves.
- The proposed installation of a vehicle turntable as part of the development will further impede the drainage problem we already experience in Stockbridge due to the high water table.
- Parking has become a major problem in Stockbridge High Street. How will the Council ensure the residents of the proposed dwelling and any visitors will not cause further parking congestion in the High Street?

- As far as I am aware, before the initial development started on this backland site, there was a wrought iron gateway shutting off the alley-way from the High Street. I am not aware of any decision to remove those gates and whoever did remove them should be asked to replace same.
- Any pedestrian, including those using a mobility scooter would be at risk because they would not be aware of vehicles existing the passageway until too late. This also applies to a car crossing the pavement from the High Street in order to enter the passageway, with the added risk that children cannot be seen because they are below the level of the cars parked on the High Street.
- The driver leaving the site would be required to be looking in so many different directions to ensure the car does not hit the walls on either side that attention could not be paid fully to the risk of passing pedestrians.
- With regard to white lines and other indicators marking an entrance, on Stockbridge High Street these are regularly ignored.
- There are also issues with the use of an electric turntable which might result in it not operating, Stockbridge experiences power cuts fairly frequently and the area is at risk of flooding, including the area of the proposed development.
- The proposed access to the site in question is a pedestrian right of way to six cottages.
- One property side entrance and two separate garden gates open immediately onto the proposed vehicle access. This as you should be aware, would be extremely dangerous.
- I believe that the passage between the two properties is of insufficient width to allow vehicle access easily.
- Most modern cars would not be able to access the footpath. At its narrowest point it is 1.94 metres wide. A fairly typical small family car such as a Ford Focus is 2.01 metres wide.
- Drivers would most probably choose to park on the High Street as this would be easier than tackling the narrow path or due to lack of confidence or skills required.
- The footpath is used for placement of waste bins on bin collection days. No consideration appears to have been made as to where the bins would be placed.
- Unclear what noise or vibration the turntable will generate.
- Believe that the idea of bringing cars onto the site to be extremely dangerous, unachievable to enforce and impractical. I would respectfully request that this application is refused for these reasons in connection with the amendments to the proposals.
- As the owner of Viva Cottage, technically I have the right to drive my car down the pathway. However, I have lived in the property for over 2 years and have never dared to attempt this.
- The photograph which shows a car in front of my property, Viva Cottage, was taken when there was access from the rear of the site – this is now blocked off.
- Any vehicles would also have to drive within inches past the gates to my property, which open outwards onto the oncoming car.

- I understand the absolute need for onsite parking for any new build so that the High Street parking problems are not increased, but in this case due to the width of the alleyway, I just do not see how this would be possible.

## 6.2 **Stockbridge Parish Council** – Objection

- Although the proposed dwelling is lower than the previous proposal (11/00401/FULLN) the footprint is larger. This will result in an even more cramped form of development with little amenity space, contrary to Test Valley Borough Local Plan policies SET01, DES02 and DES05.
- The proposed dwelling, by reason of its bulk and proximity, would have an unacceptable impact on the amenities of neighbouring properties, particularly Jacobs House and the Cottages in Prospect Place and would be contrary to policies AME01 and AME02 of the Local Plan.
- The proposed dwelling will remove a large area of this current small rear garden, a remnant of the Burbage plots which are characteristic of Stockbridge and a major feature of the Conservation Area. If planning permission is granted, it will create a precedent for further backland development and the scope for such development would be considerable. It would neither preserve nor enhance the Conservation Area and would be contrary to policy ENV15 of the Test Valley Borough Local Plan.
- The proposals do not (indeed for issues of land ownership cannot) make any provision for direct vehicle access or on-site parking. There is a great deal of local concern about parking, and the addition of a further dwelling with no on-site parking provision will exacerbate the problem still further and set a precedent for further development in Stockbridge to fail to make provision for parking. It is naïve to assume that the future residents of the house will be working people who will be out during the daytime. Even if this were to be the case, it would not ease problems at the weekend. Added to this, the congestion that will be caused during the construction phase and when future occupants move in, out or take deliveries, should not be underestimated. The Parish Council is of the view that parking survey which was submitted with the application is inadequate. It would be premature to permit this proposal before the results of the recent parking surveys undertaken by Test Valley Borough Council and Hampshire County Council have been analysed. The Parish Council considers that this is a material consideration and that the proposals are contrary to TRA02 of the Local Plan.

## 6.3 **Stockbridge Parish Council** - Objection.

Additional response received to amended scheme now providing on-site parking and turntable:

- Parish Council supports concerns raised by the Highways Officer. Parking is inadequate and this proposed development will exacerbate the situation. If the off street parking were used it would be dangerous to pedestrians using the pavement.

## 7.0 **POLICY**

### 7.1 National Planning Policy Framework

### 7.2 Test Valley Borough Local Plan - Policies: SET01 – Housing within settlements



ENV15 – Development in conservation areas  
ENV17 – Settings of listed buildings  
ESN22 – Public recreational open space provision  
TRA01 – Travel generating development  
TRA02 – Parking standards  
TRA04 – Financial contributions to transport infrastructure  
TRA05 – Safe access  
TRA09 – Impact on the highway network  
HAZ02 - Flooding  
DES02 – Settlement character  
DES05 – Layout and siting  
DES06 – Scale, height and massing  
DES07 – Appearance, details and materials  
DES10 – Landscaping  
AME01 – Privacy and private open space  
AME02 – Daylight and sunlight.

7.3 Stockbridge Village Design Statement.

## 8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- The impact on the character and appearance of the Stockbridge Conservation Area.
- The effect on the character and setting of nearby Listed Buildings.
- The impact on the amenities of neighbouring residential properties.
- The effect on the highway network.
- The impact on the water environment.
- Financial contributions.

### **The principle of development**

8.2 The site is located within the settlement boundary of Stockbridge and as such, policy SET01 is relevant. This policy allows the development and re-development for housing provided that it would not result in the loss of land proposed or protected for other uses by the policies and proposals of the Test Valley Borough Local Plan 2006 (TVBLP); it would be in keeping with, and not cause harm to, the character of the surrounding area and the site would be laid out and accessed in a manner that would not prejudice the development or redevelopment of adjacent sites.

### **The impact on the character and appearance of the Stockbridge Conservation Area**

8.3 The site is located on the southern side of Stockbridge High Street set to the rear of the frontage properties and within an historic Burbage plot. The application site is set back from the High Street, accessed via a pedestrian access between the shop now known as Roxtons (formerly Viva) and The Old Cottage, and from where glimpsed views onto the site are possible. Further views onto the site from the south are possible from the residential development of Nelson Close.

- 8.4 The form of the proposed single storey dwelling which is now a simple rectangular shape is more typical of surrounding properties, and would result in the development relating more positively to the long, thin, burbage plot character prevalent to the rear of buildings fronting the High Street in this part of Stockbridge. The dimensions of the building have altered from the previously refused scheme of 10.7m x 9.5m with a roof ridge height of 7.1 metres, to the current proposal for a building with a footprint of approximately 13m x 7m with a roof ridge height of 5.8 metres. The reduced width of the dwelling currently proposed enables some space to be retained on either side of the building and would result in a structure with a long and narrow footprint, which is more typical of historic building patterns and would relate successfully to its surroundings.
- 8.5 Glimpsed views of the gable end and part of the roof of the building could be made from the High Street when standing in the alley way between Roxtons and The Old Cottage. The building would be seen in the context of the other development positioned behind the frontage buildings at this point and would be acceptable in terms of its impact on the character and appearance of the area. Views from Nelson Close which is to the south of the site onto the new building could be made and the reduced height and bulk of the building which would appear as a simple, single storey gable end from this vantage point resulting in a development that would fit comfortably into its setting. The Appeal Inspector's consideration of the previously refused application made reference to the height, form and bulk of the proposed dwelling which would appear, 'out of place' when viewed from this vantage point. It is considered that the reduction in bulk, height and simplified detailing of the proposed dwelling has overcome the reasons for refusal set out in 11/00501/FULLN and the concerns raised by the Inspector. It is proposed to construct the dwelling utilising facing brickwork with a plain clay tile roof and it is considered that the use of vernacular materials in combination with the reduced scale and simplified proportions of the dwelling is considered to be sympathetic to the surrounding pattern of development and would preserve the character and appearance of this part of the Stockbridge Conservation Area.
- 8.6 A turntable and two car parking spaces are now also proposed which would be positioned between the dwelling and the northern boundary. The turntable sits almost flush with the ground and can have a variety of finishes to enable it to integrate with the surrounding area having very limited visual impact from public viewpoints. It is considered that the character and appearance of Stockbridge Conservation Area would be preserved if the turntable and parking area were provided.
- 8.7 Paragraph 60 of the National Planning Policy Framework seeks to promote local distinctiveness and it is considered that this proposal would fit comfortably with the local character of this part of Stockbridge.

- 8.8 The site is bound by a variety of boundary treatments including brick walls and closed boarded fencing. Given the public views from the Conservation Area onto the site it is appropriate to condition either the retention of the existing boundary treatment or new proposals for this are provided to the Local Planning Authority to ensure that materials are sympathetic to the character and appearance of the area.

**The effect on the character and setting of neighbouring Listed Buildings**

- 8.9 The proposed dwelling would be located in the vicinity of two listed buildings, namely Jacob's House and Marsh Meadow, both of which are grade II listed. It is considered that the proposed dwelling would be well contained within the site and would be located an appropriate distance from neighbouring listed buildings so as to not have any impact on their character or setting.

**The impact on the amenities of neighbouring residential properties**

8.10 Overshadowing

The site is to the east of the row of terraced properties known as Prospect Place. One of the reasons the Inspector gave when dismissing the appeal for the previously refused application was that the development would, 'have an unacceptable impact on the living conditions of the existing and future occupiers of 5 and 6 Prospect Place due to loss of sunlight to the gardens'.

- 8.11 There have been a number of changes from the previous proposal which would affect the impact which this proposed building would have on these properties. The eaves height of the proposed building has reduced from 3.5 metres to 2.5 metres, and the building is now sited approximately 4 metres from the boundary with the gardens of Prospect Place rather than 2.8 metres. The roof would pitch away at an angle of 40 degrees which is the same as the previous scheme and the 5.8 m high roof ridge is 1.3 metres lower than previously proposed. The roof ridge would be approximately 7.8 metres from the boundary with Prospect Place instead of the 6.4 metre distance previously proposed.

- 8.12 With regard to overshadowing from the proposed dwelling, the alterations to both the roof ridge and eaves height and the positioning of the building in relation to Prospect Place as set out in para.8.11 means that the amount of shadow cast onto the gardens of the properties at Prospect Place is reduced such that the majority of the garden area of the dwellings at Prospect Place would remain unaffected by the proposal and it is considered that the development would maintain the amenities of these neighbouring residential properties in accordance with policy AME02 of the Test Valley Borough Local Plan.

- 8.13 The proposed dwelling would also be adjacent to the boundary with Jacobs House, Viva Cottage and Staddlestones. The scale, bulk and positioning of the development is such that the proposal would have an acceptable impact on the amenities of these neighbouring properties with regards to overshadowing and overbearing.

8.14 Overlooking

All windows are proposed to be set at ground floor level. The front elevation would have two windows facing towards Prospect Place serving the hallway and en-suite bathroom. Views from these windows onto Prospect Place would be limited by the existing boundary wall and their ground floor positioning is such that no significant overlooking onto these neighbouring properties would result.

8.15 The fenestration proposed in the other elevations which face towards Jacobs House, Viva Cottage and Staddlestones would also be at ground floor level and would not result in significant overlooking. The proposal is in accordance with policy AME01 of the Test Valley Borough Local Plan.

8.16 Objections have been raised with regard to the potential impact on the amenities of neighbouring properties as a result of noise from the operation of the turntable. There is no evidence to suggest that the use of a car turntable would create a significantly different amount of noise to that created by vehicles manoeuvring without a turntable and its use would reduce the amount of manoeuvring required to enable a vehicle to enter and leave the site in a forward gear. It is considered that the proposed development is acceptable in this regard.

**The effect on the highway network**

8.17 The only access to the site would be through the existing pathway from Stockbridge High Street. This pathway is relatively narrow (1.95 metres at its narrowest point) and also provides a pedestrian access to the dwellings at Prospect Place. The applicant submitted a parking survey with the application and during the course of the consideration of the application by the Local Authority, Hampshire County Council also carried out a parking survey along the High Street due to the amount of traffic using the High Street. The results of the County Council survey indicated that in respect of this proposal, without the provision of two off road parking spaces, additional parking on the Highway is likely to occur adjacent to the site which currently has two or less parking spaces available for four hours on a Saturday and one hour on a Thursday. At those times and when there are in excess of 200 vehicles parked in the whole of the High Street, vehicles park inappropriately. This results in forward visibility along the High Street being reduced for drivers to safely overtake parked vehicles without interfering with the flow of on-coming traffic. In the vicinity of the site the lack of parking spaces results in vehicles being parked so as to obstruct accesses resulting in additional inappropriate parking and further reducing available spaces on this part of the High Street. The applicant has subsequently revised the application to provide on-site parking for two vehicles with the provision of a turntable to enable manoeuvring within the site. Vehicles would travel over a section of pathway between the site and Stockbridge High Street, approximately 14 metres in length, before entering a gated access which serves Viva Cottage and the application site.

8.18 The proposal would provide 2 on-site car parking spaces meeting the maximum standards for parking in accordance with Test Valley Borough Local Plan policy TRA02. The provision of a turntable within the site

would enable vehicles to enter and leave the site in a forward gear. The Test Valley Borough Council Highways Officer has assessed the proposal and in accordance with national guidance set out in the document 'Manual for Streets 2' considers that vehicles are likely to nose out slowly from the access until they see a gap between vehicles to pull out safely. The Highways Officer has also considered that it has been demonstrated that a medium sized car with its mirrors open and most larger family cars with mirrors folded can be accommodated where the access is at its narrowest point. Concern has been raised in letters of representation that the use of this access would be dangerous for pedestrians. Cars already pass over the footpath at various points along the High Street and the use of this access for vehicles which would be entering and leaving the site in a low gear and at very low speed would not result in any significant danger to pedestrians or vehicles. The proposal would provide sufficient on-site parking and would enable vehicles to enter and leave the site in a forward gear. It is concluded that the addition of a two bedroom property in this location could be accommodated without a detrimental impact on the function, safety and character of the highway network.

8.19 Financial Contributions for highway infrastructure

The proposed development is a travel generating development which would result in an additional demand on the existing transport network. Policy TRA01 of the Test Valley 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 Highways Officer informs that in this instance the contribution would be towards off-site traffic management measures in Stockbridge High Street. This improvement is in close proximity to the application site and the occupiers would directly benefit from the infrastructure improvements. The applicant completed a legal agreement on 6 March 2013 to secure these contributions.

- 8.20 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. 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 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.

**The impact on the water environment**

- 8.21 The site is located within Flood Zone 2 as designated by the Environment Agency. This means that the land is assessed as having between a 1 in 100 and 1 in 1000 annual probability of river flooding. The applicant has provided details of the proposed finished floor levels

which reduces the overall level of flood risk within the development. A question has been asked in a letter of representation as to the reasoning behind raising the proposed finished floor levels compared to the previously refused scheme. The Environment Agency requires applicants and the Local Authority to ensure there is a safe refuge for single storey buildings and a suitable means of achieving this is to raise the finished floor level within the building.

- 8.22 The applicant has also confirmed that foul sewage would be disposed of in the main sewer and surface water in a soakaway. This current application proposes a reduction in the number of bedrooms from the previous scheme and subject to the development being carried out in accordance with the submitted details with regards to finished floor levels the Environment Agency has raised no objection to the proposal in terms of flood risk.

#### **Public Open Space Provision**

- 8.23 Policy ESN22 of the Test Valley 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 nor exacerbate deficiencies in the general provision or quality of recreational open space. There is a deficiency within the ward of informal recreation and children's play space. The supporting text to the policy indicates that where no on site provision is proposed, financial contributions towards off-site provision may be sought. The applicant completed a legal agreement on the 6 March 2013 to secure contributions.

- 8.24 In considering the need for developer contributions toward 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. 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.

#### **Other Matters**

- 8.25 The proposed vehicle turntable runs on an electric motor. Comments have been received in letters of representation, asking what would happen in the event of power cut. The manufacturers of the turntable have confirmed that in the event of a power cut the unit can be turned manually to enable vehicles to continue to enter and leave the site.

#### **9.0 CONCLUSION**

- 9.1 The proposed development would preserve the character and appearance of this part of the Stockbridge Conservation Area and would not adversely impact on the setting of neighbouring Listed Buildings. The reduced scale and roof ridge height of the development and its positioning in relation to neighbouring

residential development is such that the amenities of neighbouring properties would not be significantly adversely affected. The proposal is considered acceptable with regard to flood risk and the highway network and is in accordance with the relevant policies of the Test Valley Borough Local Plan.

## 10.0 RECOMMENDATION

**PERMISSION subject to conditions and notes:**

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 including the finish of the turntable 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 in accordance with Test Valley Borough Local Plan 2006 policies ENV15 and DES07.**

3. **No development shall take place until details, including plans and cross sections, have been submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and confirmation that the damp proof course and finished floor levels in relation thereto will be carried out in accordance with plan number D100 rev C. Development shall be in accordance with the approved details.**

**Reason: To ensure satisfactory relationship between the new development and the adjacent buildings in accordance with Test Valley Borough Local Plan 2006 policies AME01, AME02.**

4. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no first floor windows/dormer windows in the east, west and north elevations of the proposal hereby permitted shall be constructed.**

**Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Local Plan 2006 policy AME01.**

5. **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected or retained. Any changes to the existing boundary treatment shall be completed before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.**

**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 policies DES10 and AME01.**

- 6. No development shall take place (including site clearance within the application site/area indicated red, until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work, in accordance with a written brief and specification for a scheme of investigation and mitigation, which has been submitted by the developer and approved in writing by the Local Planning Authority.**

**Reason: The site is potentially of archaeological significance in accordance with Test Valley Borough Local Plan 2006 policy ENV11.**

- 7. The development hereby permitted shall not be occupied until provision for 2 car parking spaces, a vehicle turntable and 2 cycle parking/storage has been made, in accordance with the approved plans. The approved scheme shall be maintained for this purpose at all times.**

**Reason: In the interest of providing sufficient safe parking for cyclists and motorists and in accordance with the Test Valley Local Plan 2006 policy TRA02.**

**Notes to applicant:**

- 1. The decision to grant planning permission has been taken because the proposed development would preserve the character and appearance of this part of the Stockbridge Conservation Area and would not adversely impact on the setting of neighbouring Listed Buildings. The reduced scale and roof ridge height of the development and its positioning in relation to neighbouring residential development is such that the amenities of neighbouring properties would not be significantly adversely affected. The proposal is considered acceptable with regard to flood risk and the highway network and is in accordance with the relevant policies of the Test Valley Borough Local Plan. This informative is only intended as a summary of the reason for grant of planning permission. For further details on the decision please see the application report which is available from the Planning and Building Service.**
- 2. The following policies in the Development Plans are relevant to this decision: Test Valley Borough Local Plan 2006 – Policies: SET01, ENV15, ENV17, ESN22, TRA01, TRA02, TRA04, TRA05, TRA09, DES02, DES05, DES06, DES07, DES10, AME01, AME02**
- 3. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
- 4. Attention is drawn to the requirements of the Agreement dated 6<sup>th</sup> March 2013 under Section 106 of the Town and Country Planning Act 1990 which affects this development.**



- 5. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
-

**APPENDIX B**

**Update Report to Northern Area Planning Committee – 30 May 2013**

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<b>APPLICATION NO.</b>	12/02765/FULLN
<b>SITE</b>	Land To The Rear Of Roxtons (formerly Viva), High Street, Stockbridge, STOCKBRIDGE
<b>COMMITTEE DATE</b>	30 May 2013
<b>ITEM NO.</b>	9
<b>PAGE NO.</b>	93 - 117

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**1.0 AMENDMENTS**

- 1.1 Paragraph 3.2 of the agenda report should be amended to read; An application for a 3 bedroom dwelling was refused in 2011 for a 3 bedroom property with the following dimensions: 10.6m x 9.5m max, and minimum of 10.6 x 7.6m. The roof ridge height was approximately 7.1 metres. The approximate footprint of this refused scheme is 87.23sqm ground floor and 80.56sqm at first floor.
- 1.2 The approximate footprint of the current scheme is 91sqm. No first floor accommodation is proposed.
-



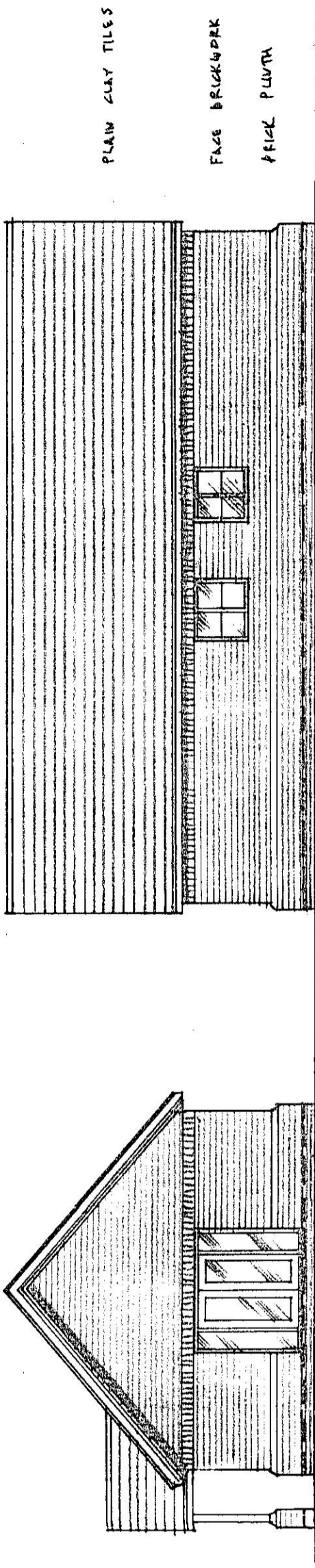
Siteplan 1:1250



**TEST VALLEY**  
BOROUGH COUNCIL

REPRODUCED FROM ORDNANCE SURVEY MAPPING WITH THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICER © CROWN COPYRIGHT. UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS.

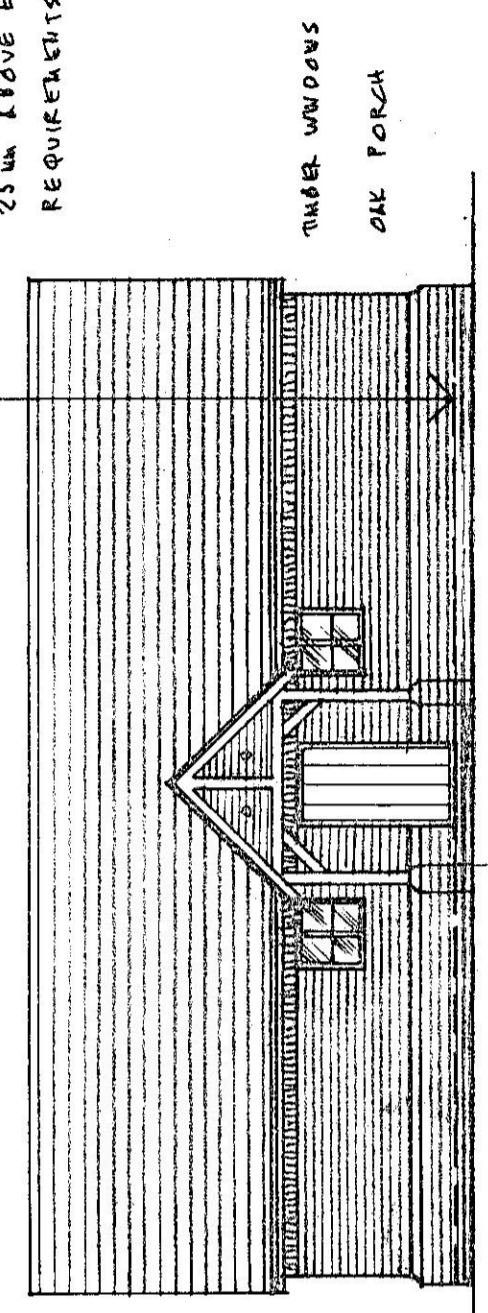
12/02765/FULLN



EAST

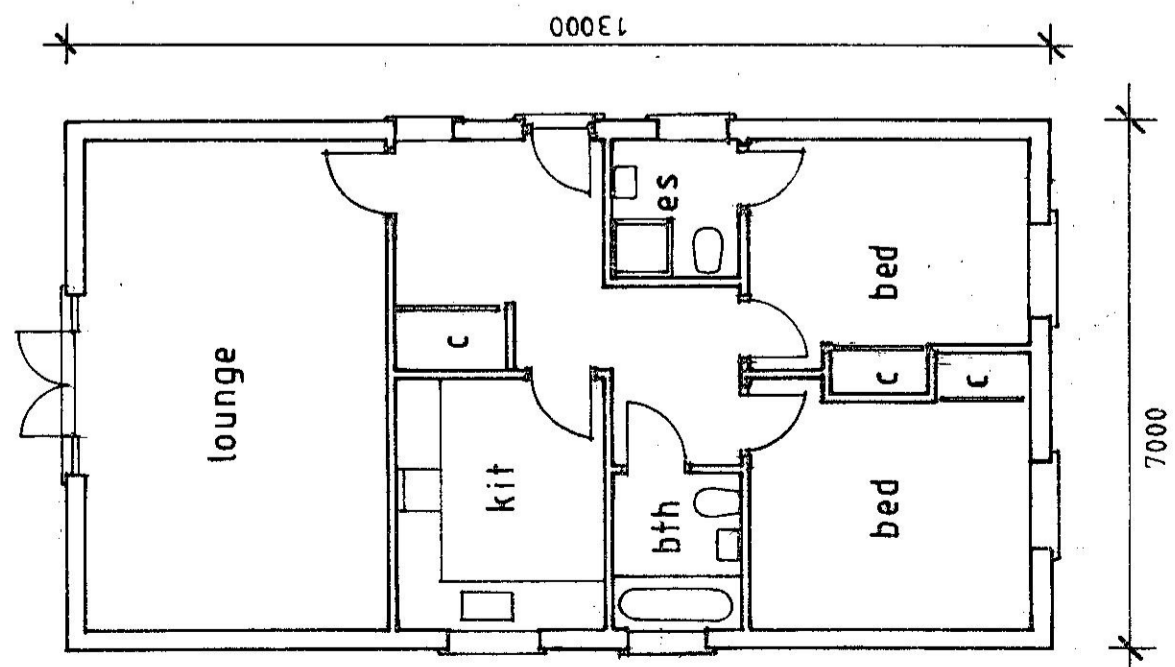
SOUTH

DASHED LINE INDICATES  
DPC / FINISHED FLOOR  
LEVEL 225MM ABOVE  
EXTERNAL GROUND LEVEL.  
25MM ABOVE E.A.  
REQUIREMENTS.



WEST

NORTH



FLOOR PLAN 1:100

81.25 m<sup>2</sup>

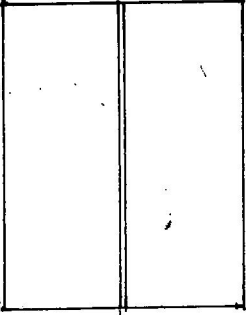
REV C: NOV 9 '12: FEL/PPC  
CLARIFIED.  
REV B: OCT 26 '12: HEIGHT TO  
RIDGE REDUCED TO 5800MM

REV A: SET '12: BIGGER PORCH,  
WINDOWS MADE SQUARE.  
ALL FOLLOWING A DISCUSSION WITH  
L.M.PAGE, PLANNING OFFICER.

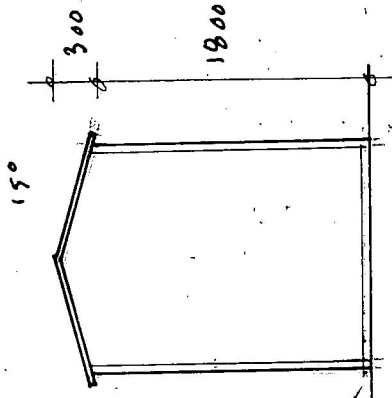
**WILLIAMS DESIGN**  
66 Nutfield Road Rowhams Southampton  
Hampshire SO16 8JN Tel 02380741500

Project  
**PROPOSED DWELLING  
LAND TO REAR OF 'VIVAS'**  
Title  
**PLANS AND ELEVATIONS**

BLACK FELT



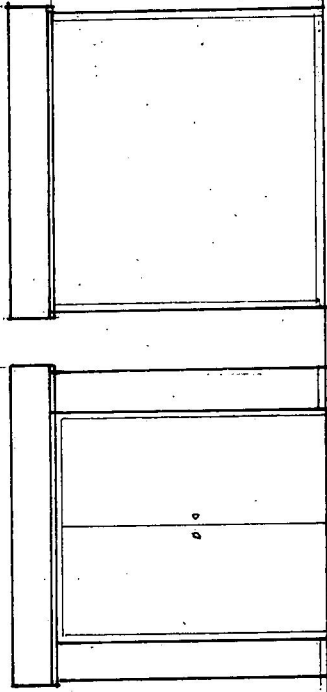
ROOF PLAN



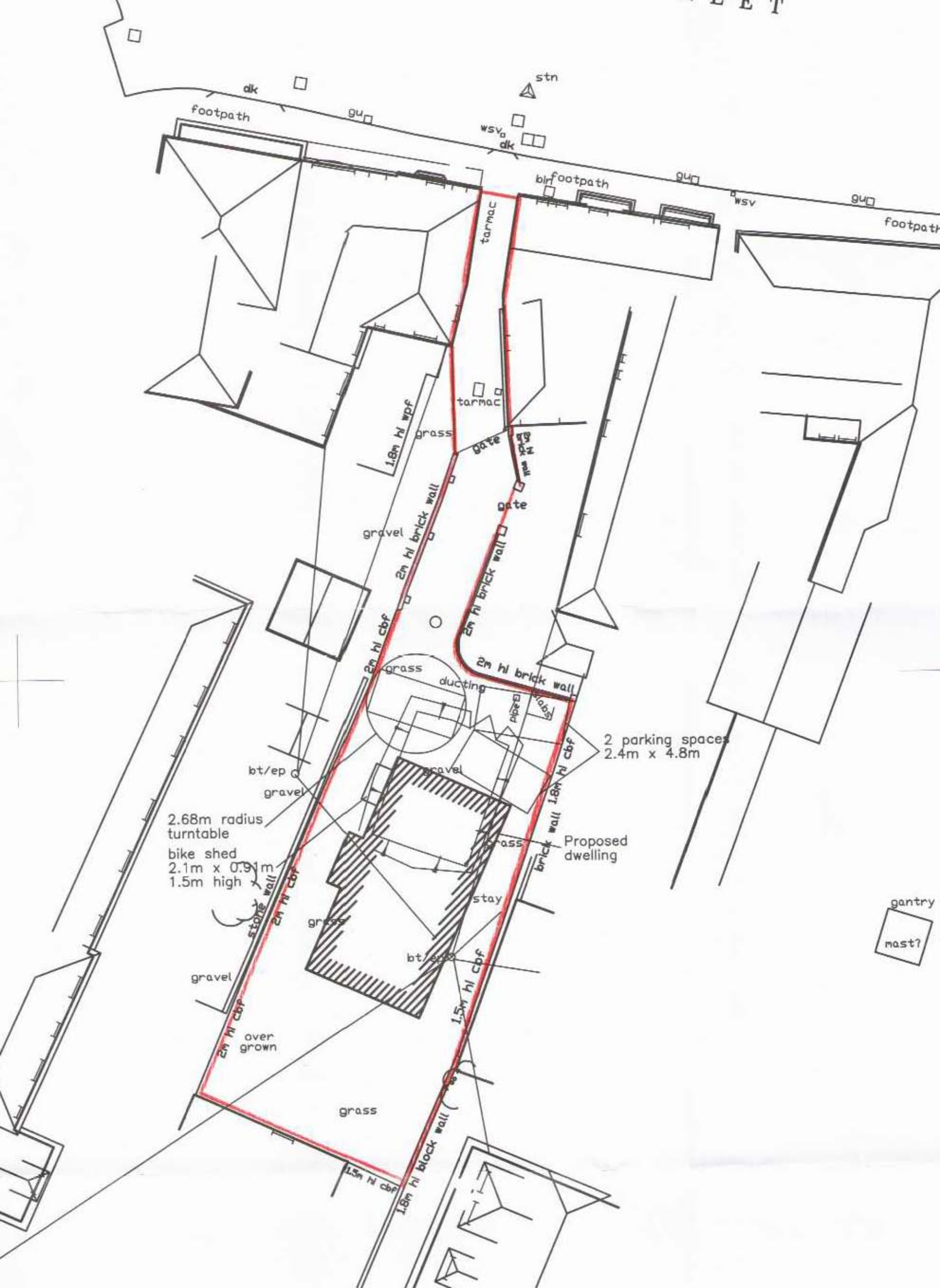
TIMBER FRAME WITH  
STAINED HORIZONTAL  
BOARDING. STAIN  
PARK BROWN

1500

FLOOR PLAN



2000



footpath

dk

gu

stn

wsv

dk

blf

footpath

gu

wsv

gu

footpath

tarmac

tarmac

grass

1.8m hi wpf

gravel

2m hi brick wall

gate

gate

2m hi cbf

grass

ducting

pipe

lab

2 parking spaces  
2.4m x 4.8m

bt/ep

gravel

2.68m radius  
turntable

bike shed  
2.1m x 0.91m  
1.5m high

stone wall

2m hi cbf

grass

Proposed  
dwelling

stay

bt/ep

gravel

1.5m hi cbf

gravel

2m hi cbf

over  
grown

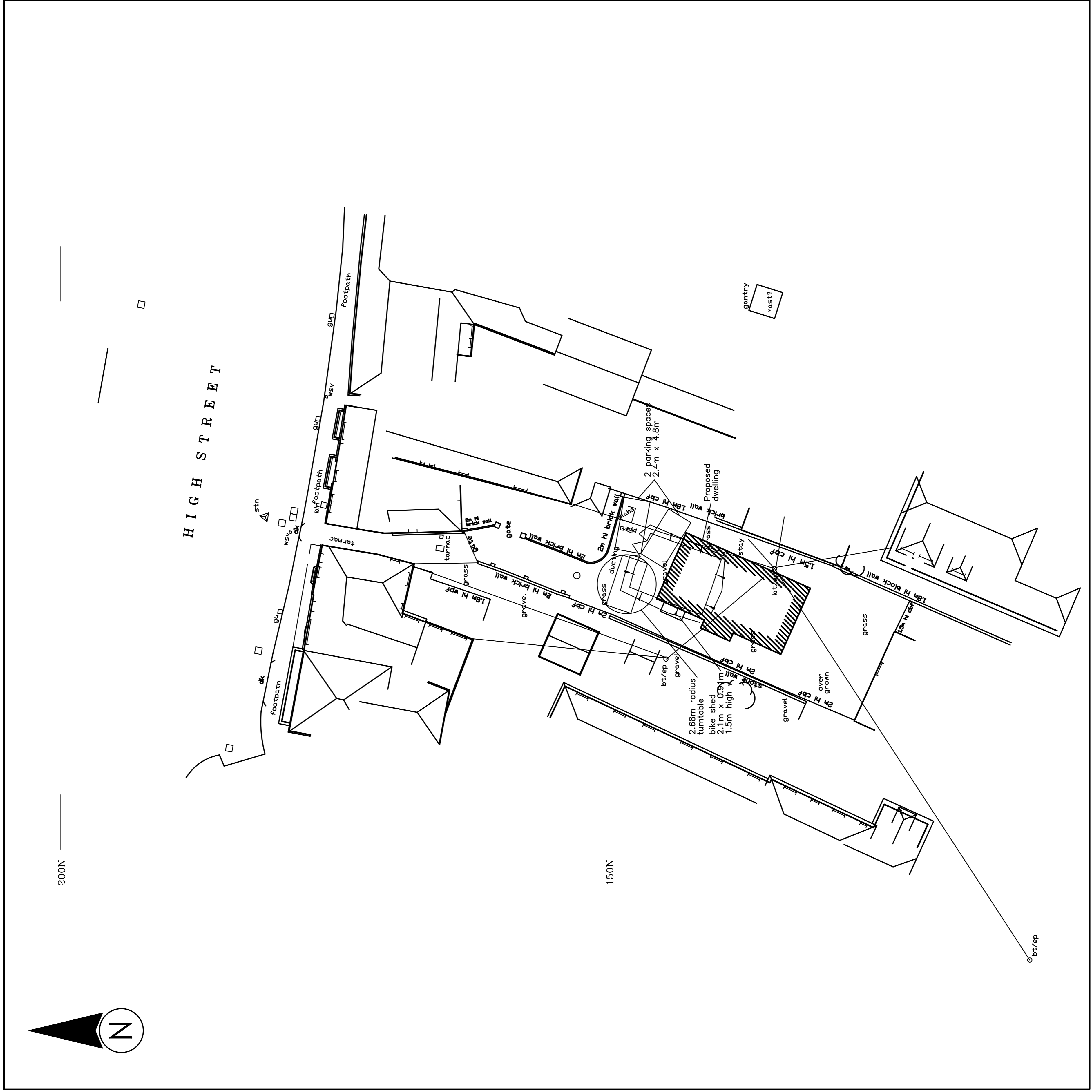
grass

1.5m hi cbf

1.8m hi block wall

gantry

mast?



Rev	Date	Revision
A	Apr 2013	Turntable moved

<b>DMMason</b>	
Engineering Consultants	
161 Marlborough Road	
Old Town, SWINDON	
SN3 1NJ	
Tel. 01783 611712	

Client	
Bendall Developments	

Project	
High Street, Stockbridge	

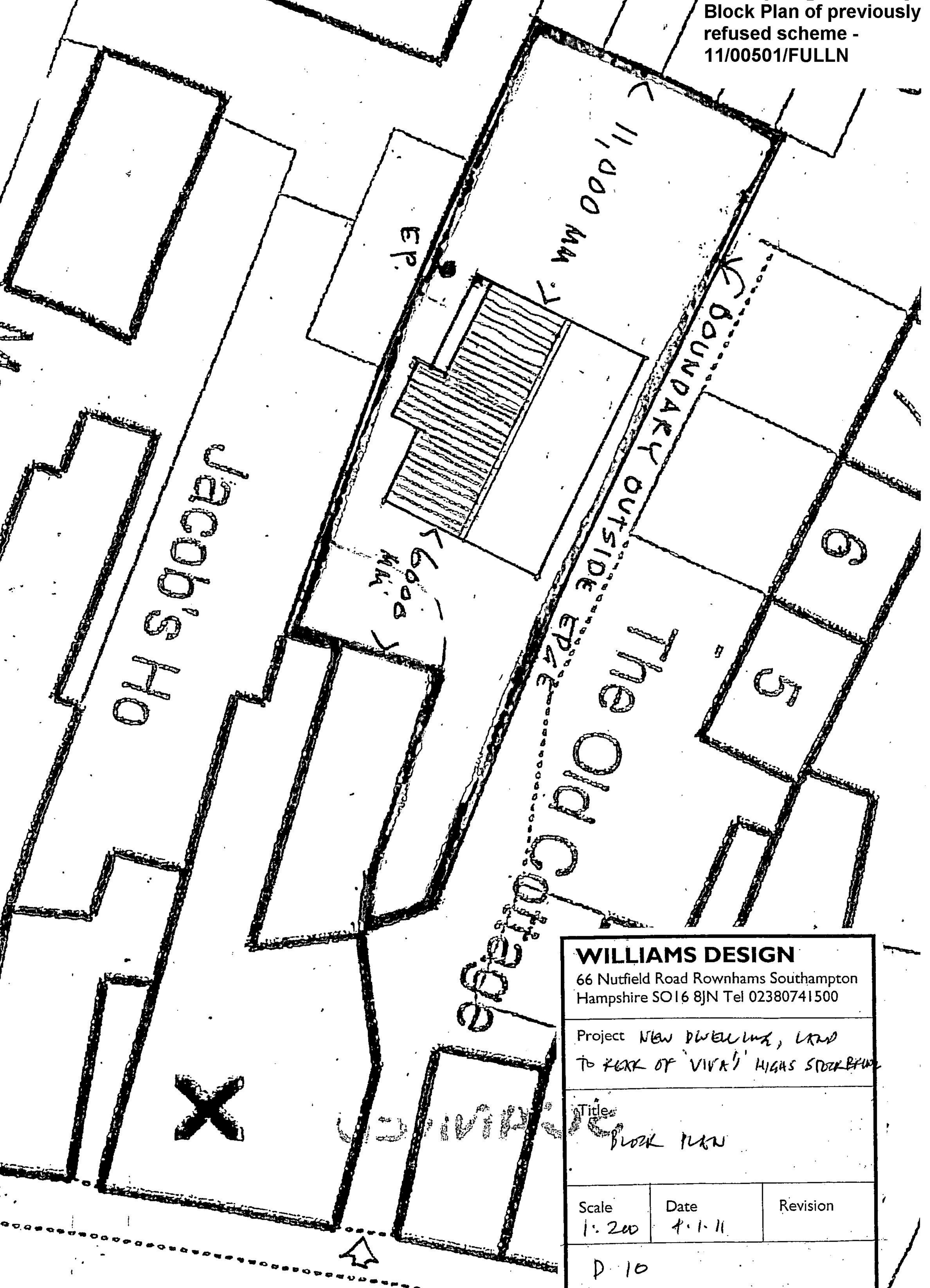
Drawing Title	
Revised General Arrangement	

Scale	Date	Drawn	Checked
1:200	Mar' 2013	DMM	DMM

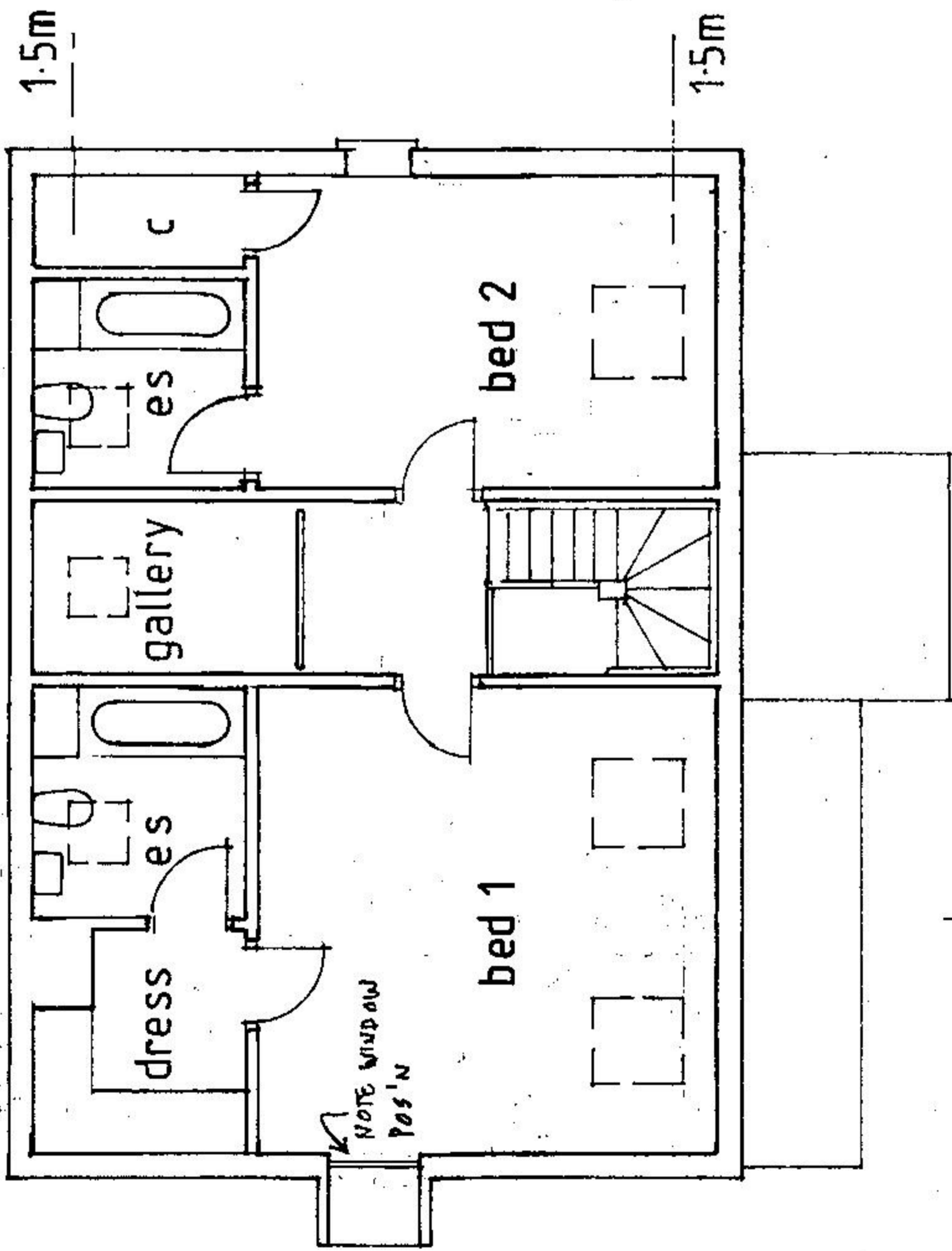
  

Drawing No.	Rev
B.141/3A	

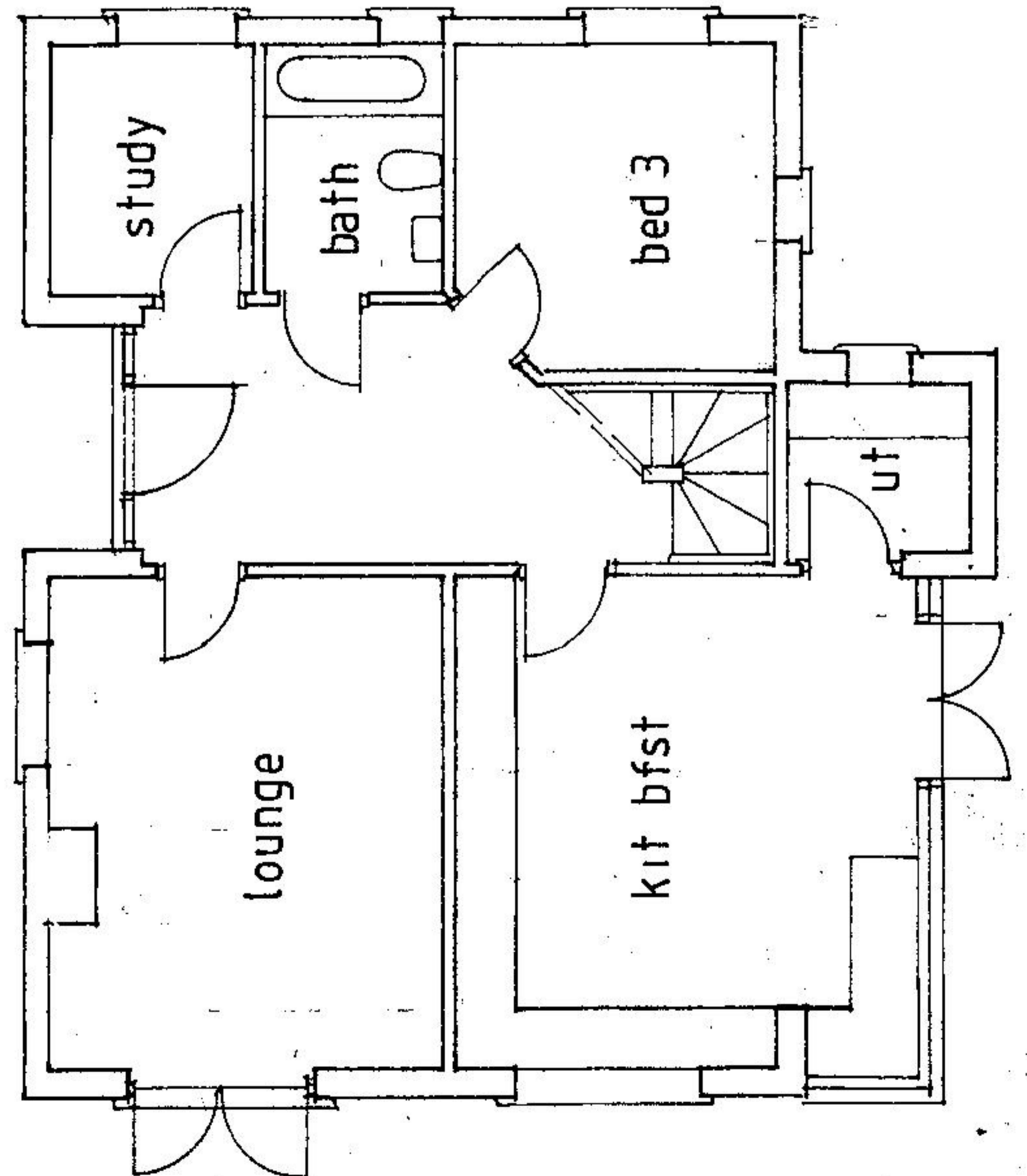


<b>WILLIAMS DESIGN</b>		
66 Nutfield Road Rownhams Southampton Hampshire SO16 8JN Tel 02380741500		
Project NEW DWELLING, LAND TO FRONT OF 'VIRK' HIGH STREET		
Title BLOCK PLAN		
Scale 1:200	Date 4.1.11	Revision
D.10		

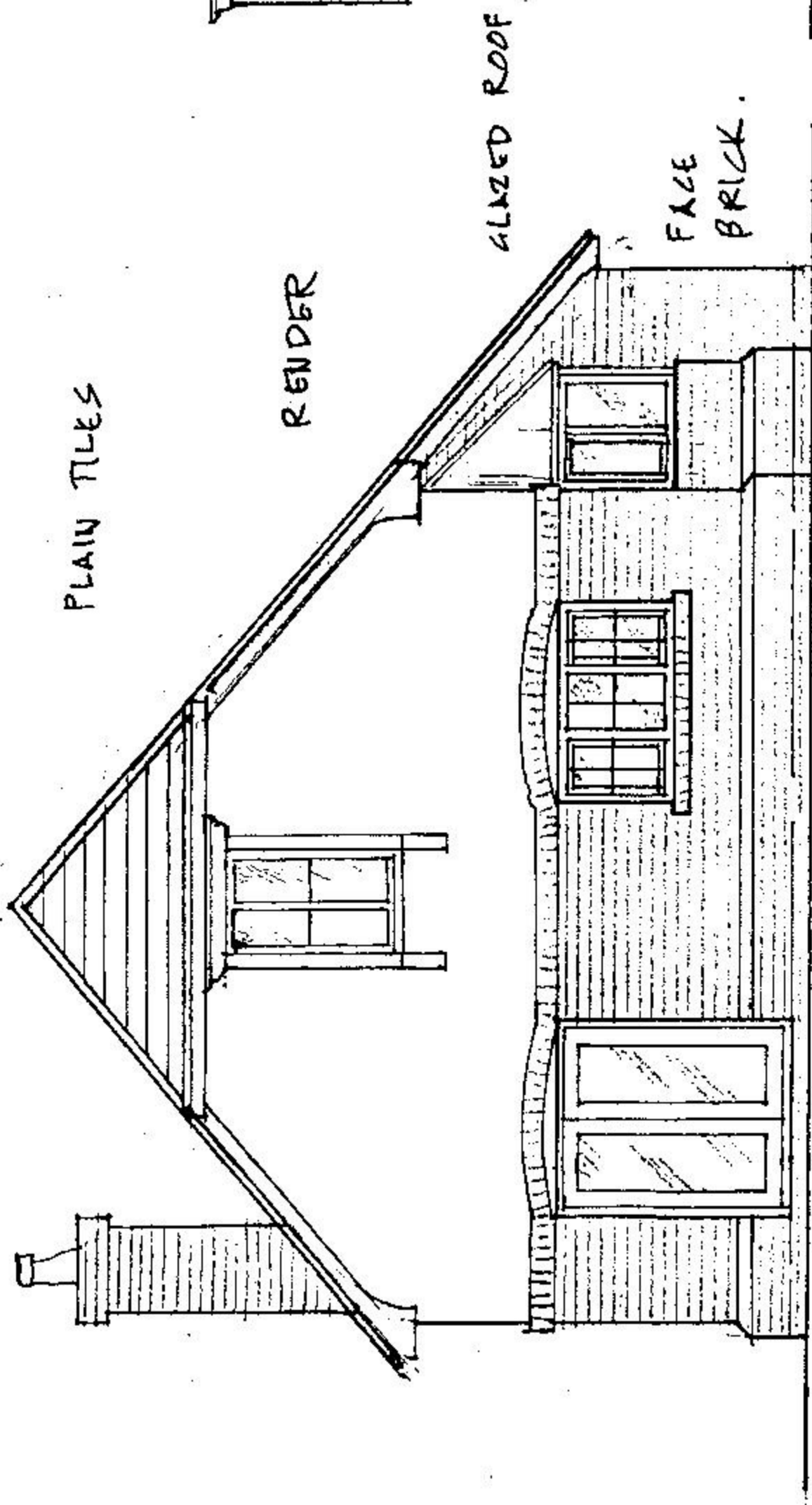




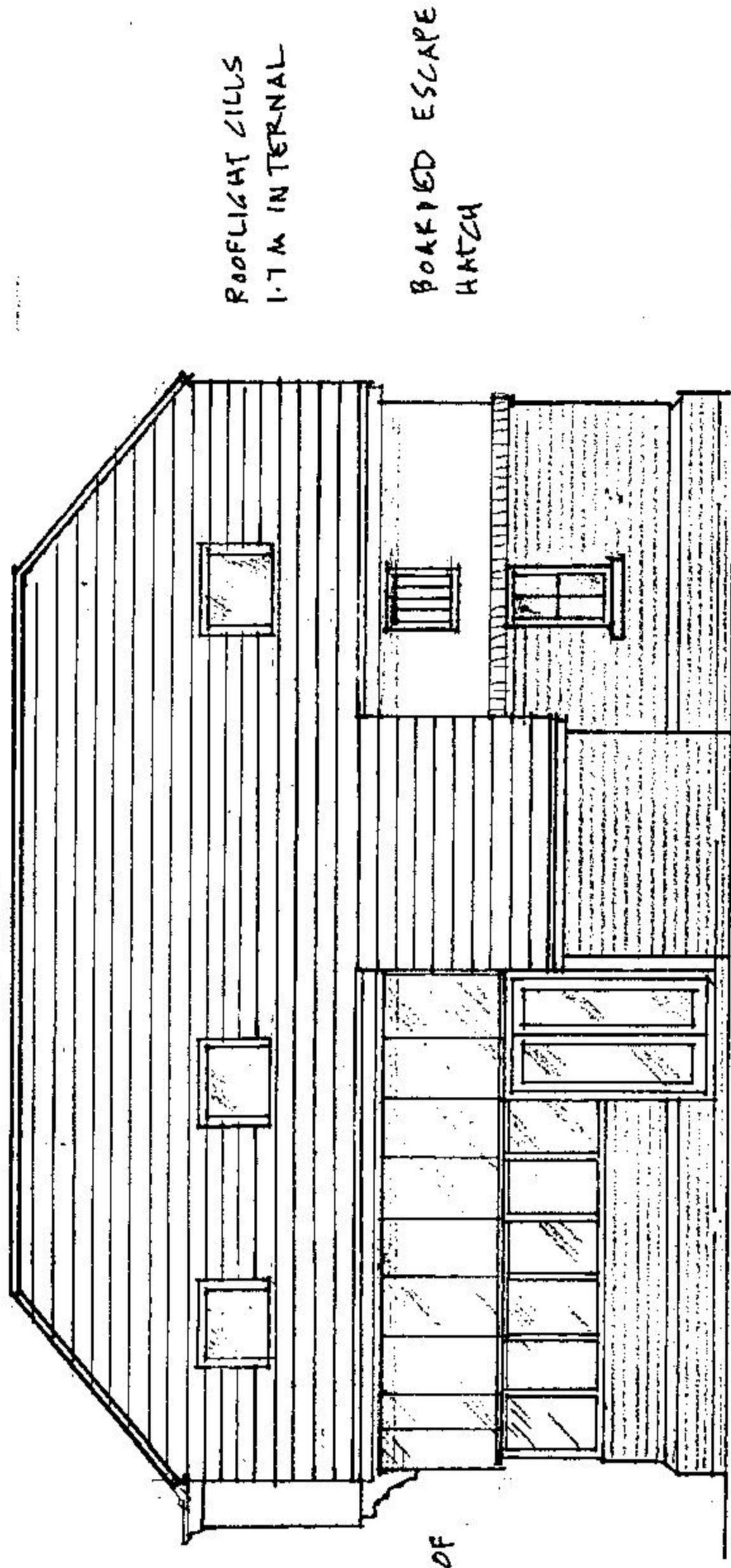
FIRST FLOOR 1:100



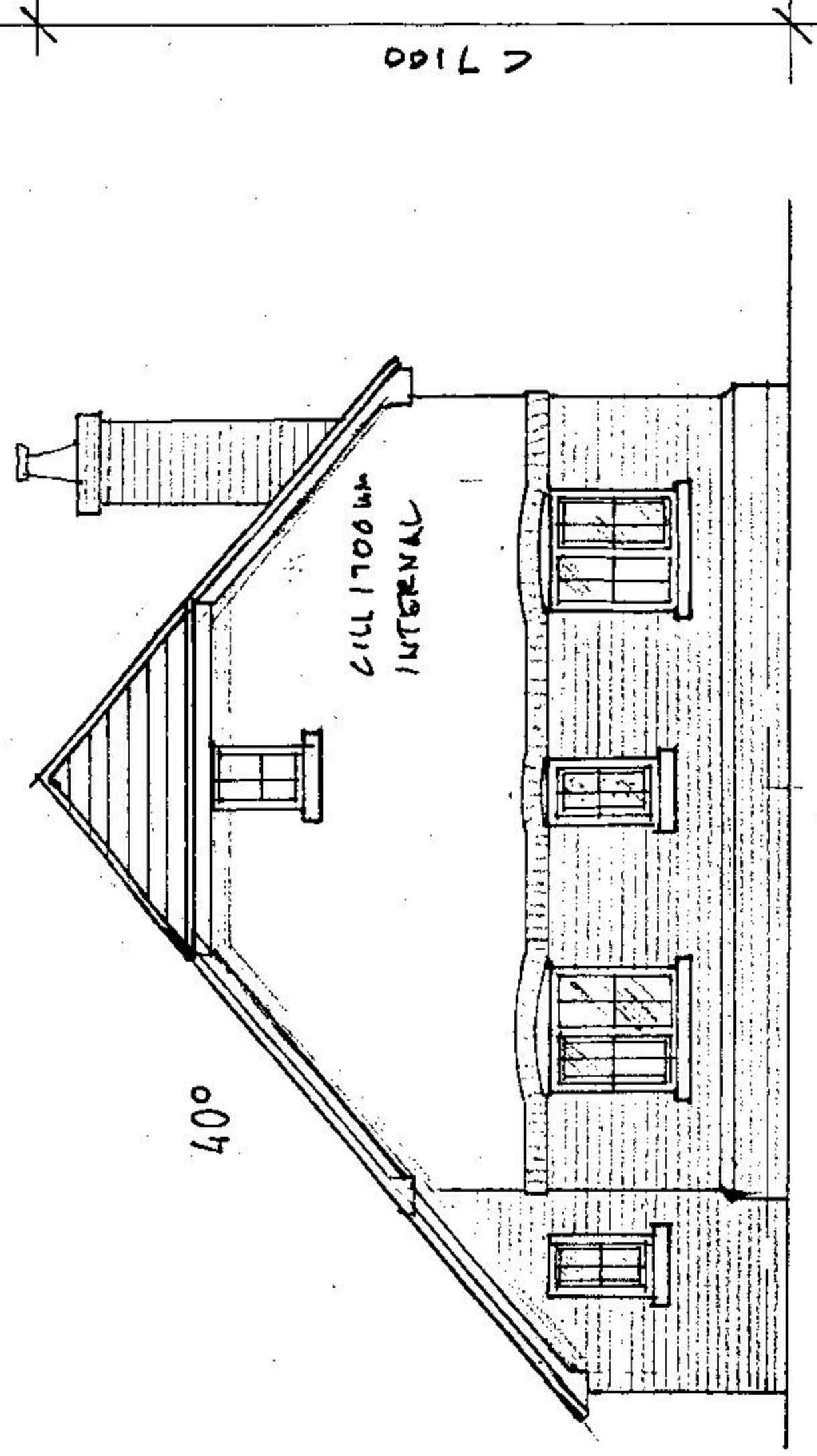
GROUND FLOOR 1:100



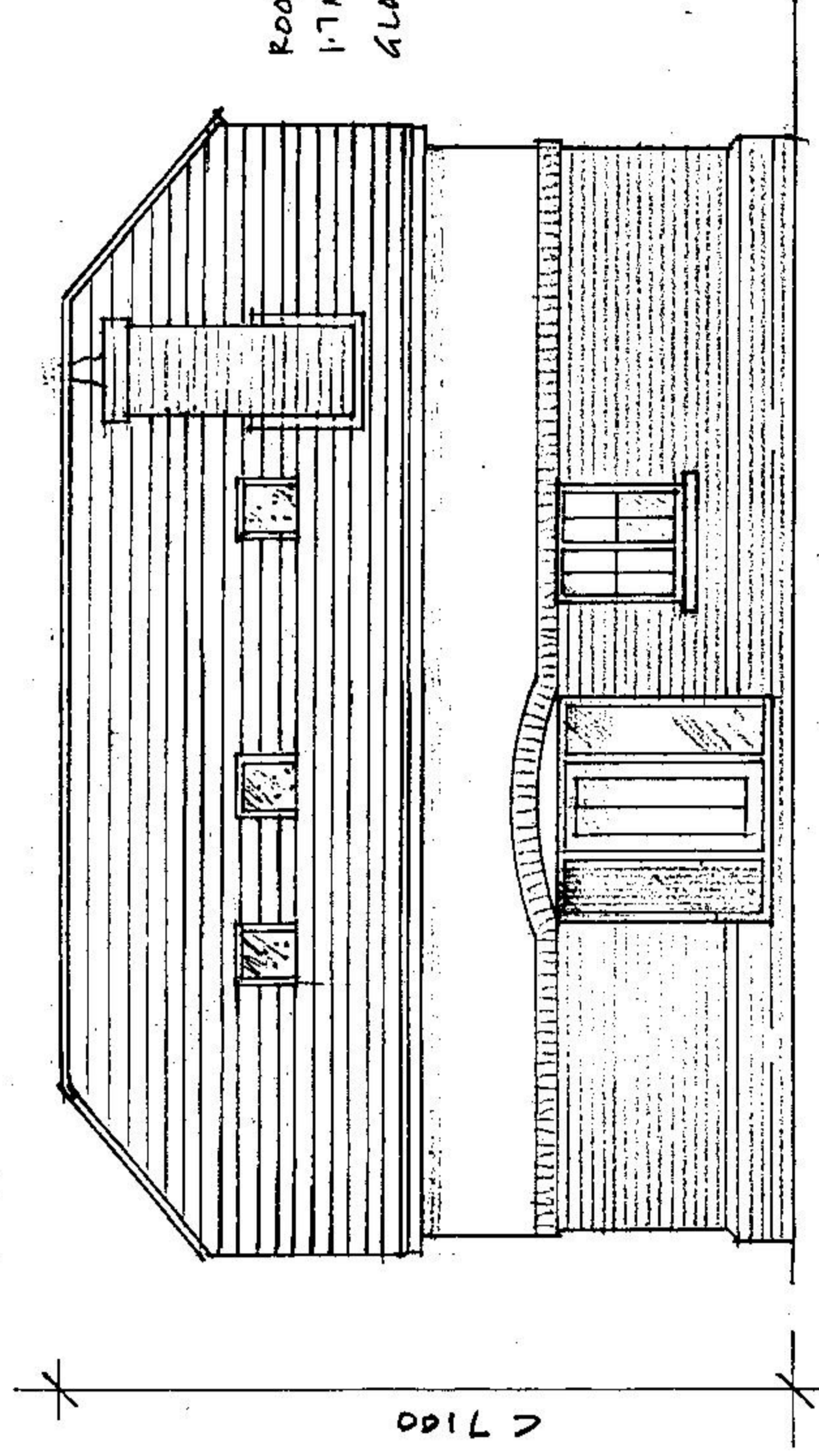
SOUTH



EAST

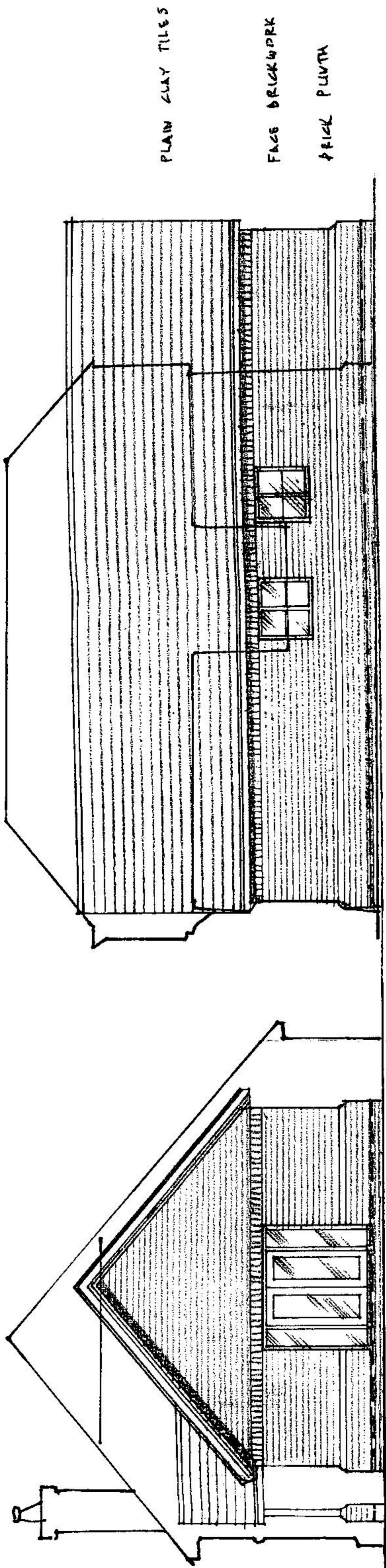


NORTH



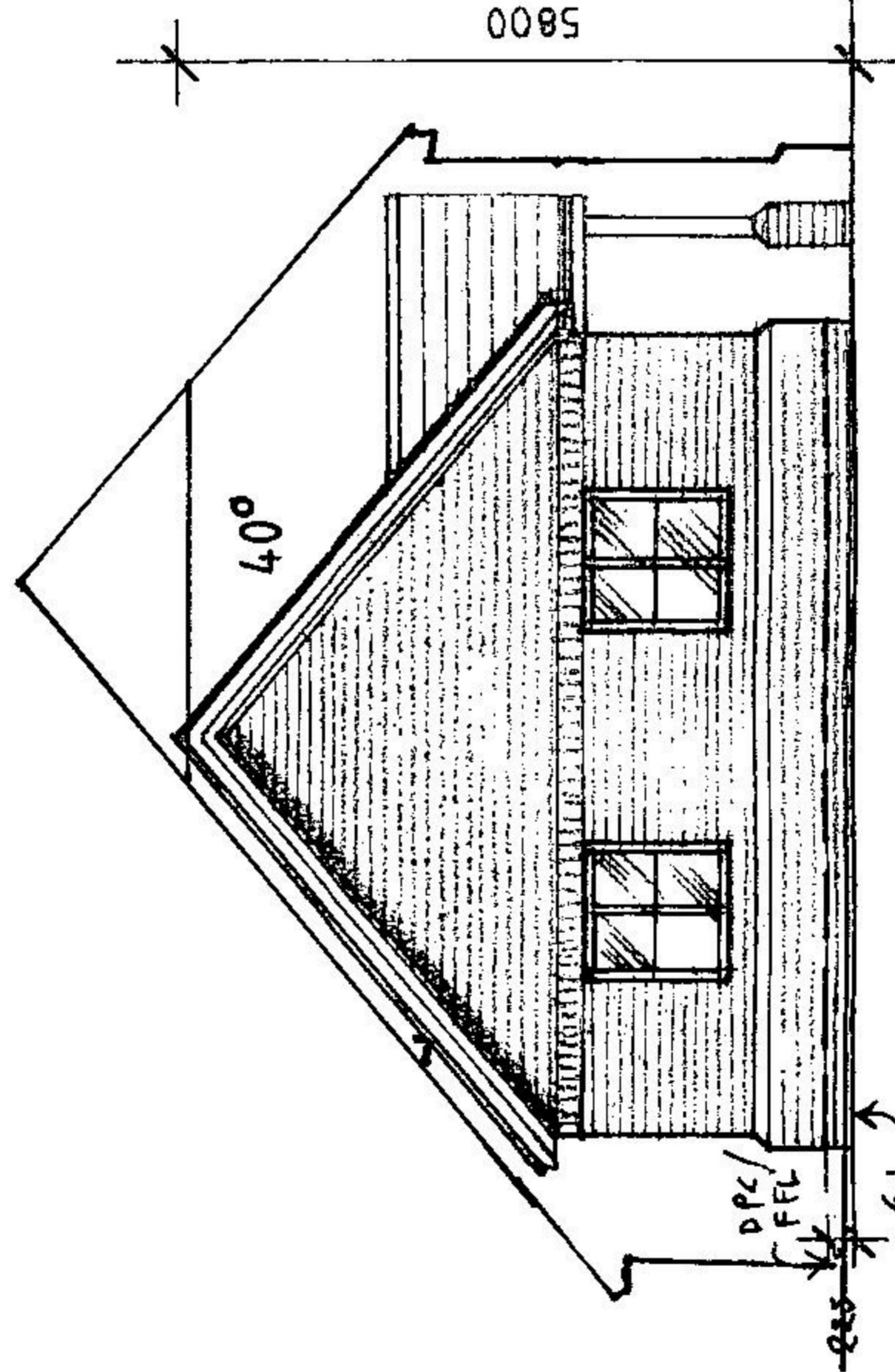
WEST

**ELEVATIONS OF CURRENT APPLICATION 12/02765/FULLN  
WITH THE OUTLINE OF PREVIOUSLY REFUSED DWELLING 11/00501/FULLN**



PLAIN CLAY TILES  
FACE BRICKWORK  
BRICK PLINTH

EAST



DASHED LINE INDICATES  
DPC / FINISHED FLOOR  
LEVEL 225mm ABOVE  
EXTERNAL GROUND LEVEL  
25mm ABOVE E.A.  
REQUIREMENTS.

TIMBER WINDOWS  
OAK PORCH

5800

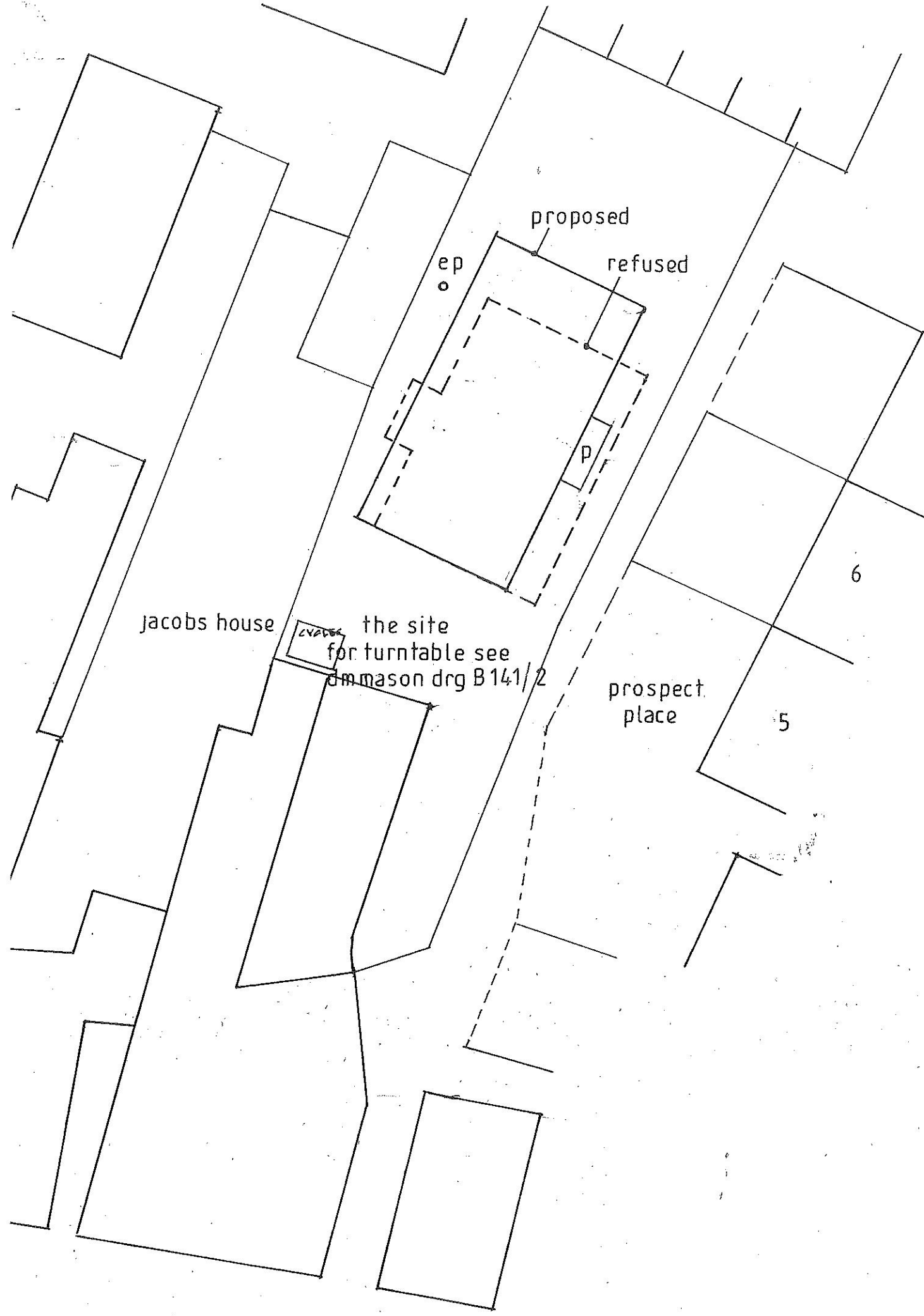
40°

DPC /  
FFL  
225  
25  
E.A.

SOUTH

WEST

NORTH



proposed

refused

ep

p

jacobs house

the site  
for turntable see  
mason drg B141/2

prospect  
place

6

5