

Notice of Meeting

Planning Control Committee

Date: Tuesday, 08 April 2014

Time: 17:30

Venue: Crosfield Hall (Romsey), Broadwater Road, Romsey, Hampshire,
SO51 8GL

For further information or enquiries please contact:

Caroline Lovelock - **01264 368014**
email clovelock@testvalley.gov.uk

Legal and Democratic Service

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

www.testvalley.gov.uk

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

PUBLIC PARTICIPATION SCHEME

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

Membership of Planning Control Committee

MEMBER

Councillor C Collier

Councillor I Hibberd

Councillor G Bailey

Councillor P Boulton

Councillor Z Brooks

Councillor P Bundy

Councillor A Dowden

Councillor M Flood

Councillor M Hatley

Councillor A Hope

Councillor P Hurst

Councillor N Long

Councillor J Lovell

Councillor C Lynn

Councillor J Neal

Councillor A Tupper

Councillor A Ward

Chairman

Vice Chairman

WARD

Abbey

Romsey Extra

Blackwater

Broughton & Stockbridge

Millway

Chilworth, Nursling &

Rownhams

Valley Park

Anna

Ampfield and Braishfield

Over Wallop

Tadburn

St.Mary's

Winton

Winton

Harewood

North Baddesley

Kings Somborne,
Michelmersh & Timsbury

Planning Control Committee

Tuesday, 08 April 2014

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: 17 December 2013**
- 6 Information Notes**
- 7 14/00063/FULLS - 13.01.2014 **11 - 37****

**(RECOMMENDATION OF SOUTHERN AREA
PLANNING COMMITTEE: REFUSE)**

**(RECOMMENDATION OF HEAD OF PLANNING &
BUILDING SERVICE: PERMISSION)**

**SITE: 5 Hadrian Way, Chilworth, Southampton, SO16
7JA, CHILWORTH**

CASE OFFICER: Mr Paul Goodman

8 14/00099/FULLN - 15.01.2014

38 - 50

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

SITE: 36 Sarson Close, Ampport, Andover, SP11
8AB, **AMPORT**

CASE OFFICER: Mr Martin McNamara

THIS PAGE IS INTENTIONALLY LEFT BLANK

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

APPLICATION NO.	14/00063/FULLS
APPLICATION TYPE REGISTERED	FULL APPLICATION - SOUTH 13.01.2014
APPLICANT SITE	Mr M Holmes 5 Hadrian Way, Chilworth, Southampton, SO16 7JA, CHILWORTH
PROPOSAL	Two-storey rear extension to allow conversion of existing 5 bedroom house into two x 4 bedroom houses with associated works
AMENDMENTS	
CASE OFFICER	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This application is referred to Planning Control Committee (PCC) because the Southern Area Planning Committee (SAPC) was minded to refuse planning permission contrary to the Officer's advice.
- 1.2 A copy of the Officer's report to the 11 March 2014 SAPC, from which the application was referred to the Planning Control Committee, is attached as **Appendix A** and its update at **Appendix B**.
- 1.3 The recommendation of the Head of Planning & Building has been amended to revise the date for completion of the s106 legal agreement should the application be permitted and to amend the suggested conditions with regard to the provision of the proposed porch and to limit permitted development rights in relation to the erection of means of enclosure.

2.0 PLANNING CONSIDERATIONS

- 2.1 Consideration was given at SAPC to the principle of development and the impact of the scheme on the character of the site and surrounding location designated as an Area of Special Residential Character, as well as the impact on neighbouring residential amenities, trees and highways.
- 2.2 Members of SAPC resolved to refuse planning permission contrary to the Officer recommendation considering that the proposed development would be detrimental to policy SET02 which seeks to protect the appearance of substantial houses set in generous plots with an abundance of mature trees that forms the Chilworth Residential Area of Special Character.
- 2.3 **Impact on the Chilworth Residential Area of Special Character**
Members of SAPC considered that the proposed development, specifically the resultant plot size and semi-detached type of dwellings, would be contrary to policy SET 02 criterion a) and c) of the adopted Borough Local Plan in that it

represents a sub-division of the plot resulting in new plot sizes significantly smaller than those in the immediate vicinity and a semi-detached type of development which is not compatible with the overall character of the area.

- 2.4 Policy SET02 seeks to protect the appearance of substantial houses set in generous plots with an abundance of mature trees that forms the Chilworth Residential Area of Special Character. Members of SAPC were advised that the proposed subdivision of the plot would not be apparent from public vantage points, but considered that the granting of the permission would cause harm to policy SET02 itself and would therefore undermine its control of the subdivision of plots and types of dwelling within the Residential Area of Special Character.
- 2.5 However the subdivision would not be apparent from public vantage points. It is therefore considered that the proposed development would retain the character of the area as described in the local plan and would not result in any significant detrimental harm to the Residential Area of Special Character of policy SET02. In this case as described in the report to SAPC it is considered that the resultant plot sizes, whilst smaller, would not be apparent from public views and a reason for refusal on the basis of criterion a) of policy SET02 could not be substantiated.

3.0 **CONCLUSION**

- 3.1 It remains the consideration of the Case Officer that the proposal, subject to the completion of the required legal agreement, is acceptable without demonstrable harm to the Residential Area of Special Character, the amenity of neighbours, protected trees or highway users.

4.0 **RECOMMENDATION OF SOUTHERN AREA PLANNING COMMITTEE**

4.1 **REFUSE for the reason:**

1. **The proposed development would be contrary to policy SET 02 criterion a) and c) of the adopted Borough Local Plan in that it represents a sub-division of the plot resulting in new plot sizes significantly smaller than those in the immediate vicinity and a semi-detached type of development which is not compatible with the overall character of the area. The development would be detrimental to policy SET02 which seeks to protect the appearance of substantial houses set in generous plots with an abundance of mature trees that forms the Chilworth Residential Area of Special Character.**

4.2 **RECOMMENDATION OF HEAD OF PLANNING & BUILDING SERVICE**

Delegate to the Head of Planning & Building for PERMISSION subject to conditions, notes and the completion of an S106 agreement to secure financial contributions towards a cycleway and public open space no later than 8 May 2014.

1. **The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**

- 2. The materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.**
Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Borough Local Plan 2006 policy DES07.
- 3. The development 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.
- 4. No development shall take place (including site clearance or any other preparatory works) until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include tree survey details, arboricultural impact assessment, full method statement detailing how proposed extension its to be built without impact upon the trees, detail of what tree protection will be installed and what mitigation measures will be provided during works. Tree protection barriers must 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.**
Note: Tree protection barriers should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012 unless otherwise agreed in writing with the Local Planning Authority.
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 policy DES08.
- 5. Tree protective measures installed (in accordance with the tree protection condition 4 above) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority Arboricultural Officer. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the fencing without the prior written agreement of the Local Planning Authority.**
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan policy DES08.
- 6. All service routes, drain runs, soakaways or excavations in connection with the same shall remain wholly outside the tree protective barriers without the prior written agreement of the Local Planning Authority.**
Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan policy Des 08.

- 7. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) no development shall be carried out which falls within Classes A & B of Part 2 of Schedule 2 to the order without the prior express consent of the Local Planning Authority.**
Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities and trees in accordance with Test Valley Borough Local Plan 2006 policy SET02 and DES08.
 - 8. The existing trees marked X - X on the approved plan shall be retained and any specimens which are removed for any reason shall be replaced, unless otherwise agreed, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**
Reason: To ensure maintenance of screening to the site and to protect the appearance and character of the area and in accordance with Test Valley Borough Local Plan 2006 policy DES08.
 - 9. The porch extension hereby permitted shall be completed prior to the first occupation of the dwellings.**
Reason: In the interest of preserving the Residential Area of Special Character in accordance with Test Valley Borough Local Plan policy SET02.
-

APPENDIX A

Officer's Report to Southern Area Planning Committee on 11 March 2014

APPLICATION NO.	14/00063/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	13.01.2014
APPLICANT	Mr M Holmes
SITE	5 Hadrian Way, Chilworth, Southampton, SO16 7JA, CHILWORTH
PROPOSAL	Two-storey rear extension to allow conversion of existing 5 bedroom house into two x 4 bedroom houses with associated works
AMENDMENTS	None
CASE OFFICER	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to SAPC at the request of the local ward member.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The site is situated to the eastern side of Hadrian Way and within the built up area of Chilworth. The area is designated as a Residential Area of Special Character with predominantly two storey dwellings built on large plots. A combination of trees, hedges, a close boarded fence and a brick wall border the site. The site is bordered to the west by the public highway, to the east and south by residential development and to the north by the M27.

3.0 PROPOSAL

3.1 The application proposes the erection of a two-storey rear extension to facilitate the conversion of the existing 5 bedroom dwelling into two x 4 bedroom dwellings and associated works.

4.0 HISTORY

4.1 TVS.3954 Two-storey side extension, front porch and double garage - Springwood, Hadrian Way, Chilworth. Permission subject to conditions - 27/04/83.

TVS.3954/1 Double garage - Springwood, Hadrians Way, Chilworth. Permission subject to conditions - 22/05/84.

5.0 CONSULTATIONS

- 5.1 Planning Policy & Transport (Policy) Comment;
- The criteria of SET02 need to be met to ensure the subdivision or redevelopment of plots protects the special character of the area.
 - Contributions required for POS.

- 5.2 Planning Policy & Transport (Trees) No objection, subject to conditions and note.
- 5.3 Planning Policy & Transport (Highways) No objection, subject to conditions and contributions.
- 6.0 **REPRESENTATIONS** Expired 14.02.2014
- 6.1 Chilworth PC Objection;
- The proposed development is contrary to policy SET02. The proposed subdivision of the plot will result in a plot size that will be significantly smaller than those in the immediate vicinity.
 - The proposed development will also result in semi-detached dwellings being formed which will not be in keeping with the residential character of the area.
- 6.2 Bentley, 7 Hadrian Way Objection;
- Overlooking leading to loss of privacy.
 - Would have a dominating impact on us and our human right to quiet enjoyment of our property.
 - Contrary to policy SET02. Does not respect the scale and proportions of surrounding buildings and would be out of character in the area.
 - Infill dwelling could impact on the special character of the neighbourhood.
 - The proposed development would alter the fabric of the area and amount to cramming in the low density road.
 - Overdevelopment and loss of valuable green space.
 - Loss of and future pressure to fell protected trees.
- 6.3 8 Hadrian Way Objection;
- Contrary to policy SET02 which prevents the subdivision of plots or extension of existing dwellings leading to higher density of dual occupancy.
 - Residents of Hadrian Way purchased single dwelling properties that exist on generous size plots.
 - Any new build on this plot would be totally inconsistent with the overall character of the area.
 - There is a need for larger homes in this area to accommodate higher end worker, at for instance the Science Park.

- Request confirmation that the trees within the boundary of this property have not been compromised prior to the application. There is already evidence of TPO's on Hadrian Way being compromised.

7.0 **POLICY**

- 7.1 NPPF 2012 National Planning Policy Framework
- 7.2 TVBLP 2006 SET01 (Housing within settlements)
SET02 (Residential Areas of Special Character)
DES02 (Settlement Character)
DES06 (Scale, Height and Massing)
DES07 (Appearance, Details and Materials)
DES08 (Trees and Hedgerows)
AME01 (Privacy and Private Open Space)
AME02 (Daylight and Sunlight)
TRA09 (Impact on the Highway Network)
TRA02 (Parking Standards)
- 7.3 TVBLP (Draft) On the 8 January the Council approved the Revised Local Plan (Regulation 19) for public consultation. It is intended to undertake the statutory 6 week period of public consultation in January and February 2014. At present the document, and its content, represents a direction of travel for the Council. The weight afforded it at this stage is limited. It is not considered that the draft Plan would have any significant bearing on the determination of this application.
- 7.4 VDS Chilworth Village Design Statement
- 7.5 SPD Infrastructure and Developer Contributions
- 7.6 SPD Cycle Strategy and Network

8.0 **PLANNING CONSIDERATIONS**

The main planning considerations are the principle of development, the impact on the appearance of the dwelling and surrounding area of special residential character and the impact on the amenities of the neighbouring properties, trees, highways and S106 contributions.

8.1 **Principle of Development**

Paragraphs 17 and 111 of the NPPF state that local planning authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. However the attached glossary clarifies that residential gardens are excluded from the definition of previously developed land.

- 8.2 Paragraph 49 states that Housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 53 has regard to development in garden areas and states that “Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”
- 8.3 Policy SET01 of the Test Valley Borough Local Plan provides for housing within settlements. The site lies within the built up area of Chilworth and therefore the principle of development and re-development for housing is accepted. Policies DES02 and DES05 indicate that development should respond positively to the character and appearance of the surrounding settlement and integrate with the form and structure of the surrounding area.
- 8.4 Policy SET02 has regard to Residential Areas of Special Character and states that in order to protect their character, the subdivision or redevelopment of plots within these areas will not be permitted unless the following criteria are met;
- a) The size of any subdivided plot is not significantly smaller than those in the immediate vicinity of the site;
 - b) The proposal does not involve the loss of, or prejudice the retention of existing healthy trees on the site;
 - c) The developments size, scale, layout, type, siting and detailed design are compatible with the overall character of the area; and
 - d) It would not be poorly screened or intrusive in views from areas of adjoining countryside.
- 8.5 The Chilworth area of special residential character is characterised by substantial houses set in generous plots with an abundance of mature trees and shrubs which provide an attractive setting for the low density housing.
- 8.6 **The design of the proposal and its impact on the character of the surrounding area**
Hadrian Way is characterised by large detached dwellings of varying age, architectural style and character. However, the common characteristic is the generous plot sizes and despite there being large houses, there is a sense of space about the properties. This is achieved by both the wide highway verge and footpath creating a very open highway corridor but also by space being retained between dwellings at first floor level.
- 8.7 The application proposes the erection of a two-storey rear extension sited centrally within the existing rear elevation. The extension projects 3.4m beyond the rear elevation and has a width of 10m. The extension is set in 3.0m from the existing side elevations. Works to the front of the property are limited to the removal of an existing glazed porch and the insertion of a new doorway at the northern end of the elevation. There is an existing single storey garage to the north of the entrance which is to be retained. The western boundary of the site is heavily screened by mature trees which are subject to a preservation order.

8.8 Plot sizes and subdivision

Criterion a) of policy SET02 is relevant specifically to proposals where the subdivision of a plot is proposed. The existing plot is approximately 1482sqm in size and the resultant division would result in two similar sized plots of approximately 741sqm. By comparison neighbouring plots on Hadrian Way vary from approximately 1295sqm to 2200sqm. Neighbouring properties to the east on Pine Walk have generally smaller plots ranging from 938sqm to 1055sqm.

8.9 Whilst the plot size would be smaller than the average on both Hadrian Way and Pine Walk no division is proposed to the front of the property, the extension will be obscured by the existing dwelling and the existing single access is to be retained. As a result the subdivision of the plot will not be apparent from the street scene and it is not considered that any harm to the character of the Residential Area of Special Character could be substantiated.

8.10 In considering an appeal at Bush House (08/01827/OUTS) within the Residential Area of Special Character, which proposed the subdivision of a plot resulting in tandem development, the Inspector concluded that even though the resultant plot size was smaller than the neighbouring properties that;

“I do not consider it appropriate to determine the appeal solely in terms of criterion a) of SET02. In my view, the proposal and the resulting sizes of the plots would not be harmful to the character and appearance of the area. The scheme would thus comply with the relevant criterion of SET01 of the Test Valley Borough Local Plan 2006 which requires housing within settlement boundaries to be in keeping with and not cause harm to the character of the area.”

8.11 Size, scale, layout, type, siting and detailed design

As previously described the proposed rear extension would be obscured from public views by the existing dwelling, garage and substantial mature tree planting which is to be retained. No side or front extension is proposed with works to the front of the property limited to the removal of an existing glazed porch and the insertion of a new doorway at the northern end of the elevation.

8.12 As a result the public views of the proposed development will remain the same as the current single dwelling. Whilst the proposed semi-detached arrangement would not be of a type typical in the vicinity of the site it would not be apparent in the street scene and the existing screening would be retained. It is not therefore considered that any harm to the character of the area could be substantiated and the development complies with criterion c) and d) of policy SET02 and policy SET01.

8.13 **Amenities of neighbouring properties**

Policies AME01, AME02 and AME04 consider the effect of development upon neighbouring residential amenities, addressing aspects of privacy and private open space, daylight/sunlight and noise respectively. An objection has been received from the neighbouring property of 7 Hadrian Way with regard to overlooking and noise disturbance.

8.14 Overlooking

The existing dwelling contains five first floor rear facing windows serving four bedrooms and a bathroom. There are no existing side facing first floor openings. The proposed extension would result in there being six rear facing first floor windows all serving bedrooms with the northern and southernmost existing windows retained. No side facing first floor openings are proposed. The new windows would be situated approximately 3.4m further east within the plot as a result of the extension.

8.15 Given the intervening distance and heavy tree cover it is considered that the proposal would not have an adverse impact on the residential amenity of the neighbouring properties to the rear (east) and side (south). The resultant arrangement would not represent any significant increase in overlooking that would be detrimental to the amenities of neighbouring properties and complies with policy AME01.

8.16 Overshadowing

The proposed extension will result in new shade being cast. However any additional shadow would be restricted to the garden area of the application site and the verge associated with the M27 to the north. It is therefore considered that the proposed development has no significant adverse impact on amenity by virtue of overshadowing and therefore complies with policy AME02 of the Local Plan.

8.17 Overbearing

As previously described the application proposes the erection of a two-storey rear extension to the existing property of 3.4m depth. The proposed extension is offset 3.0m from the side elevation of the existing dwelling. As a result the side elevation of the extension is situated approximately 11m from the boundary with the neighbouring property which is heavily screened by protected trees. The resultant arrangement is not considered to have any significant overbearing impact on the neighbouring property.

8.18 Noise

Concern has been raised by neighbouring residents with regard to noise impact as a result of the use of the proposed parking spaces to the front of the property. However no increase in the existing hardstanding for parking on the southern boundary is proposed or required to meet the relevant standard and this area is already in use for parking associated with the existing dwelling. In addition the area to the front of the neighbouring property is currently occupied by hardstanding for parking and a detached garage. Furthermore the property benefits from an extant permission (12/02160/FULLS) for the erection of a large side extension including an integral garage adjacent the boundary with the application site.

8.19 Whilst the proposed subdivision would result in some increased traffic movements, as a result of the above considerations and the presence of substantial tree cover, the proposed development is considered to result in no significant additional noise impact and to comply with policy AME04 and the guidance contained in the NPPF.

8.20 Trees

There are many trees on site important to local amenity, visually along the Hadrian Way frontage and also in terms of buffering alongside the motorway. Much of the existing tree planting is subject to a preservation order (TPO.TVBC.436). The application is supported by a tree survey (Mark Hinsley, Arboricultural Consultants, January 2014).

8.21 The Arboricultural Officer has confirmed that the footprint of the proposed extension remains clear of any of the TPO'd trees and could be achieved without arboricultural impact. Although access to either side of the existing house is restricted by the protected trees and will limit the available space to manoeuvre construction vehicles and material storage following the installation of required protection.

8.22 The submitted arboricultural survey is limited to an assessment of the existing trees. Given the comments of the Arboricultural Officer it is considered appropriate to secure the required method statement detailing how the proposed extension is to be constructed without impact upon the trees, what tree protection will be provided and what mitigation measures will be installed during works by condition. Subject to the required conditions the scheme is considered to have no adverse impact on protected trees and complies with policy DES08 and criterion b) of policy SET02.

8.23 Highways

Adequate parking area is proposed and could be secured to be retained by condition. Access to the site is taken from the existing entrance off Hadrian Way. The Highways Officer has advised that the proposals are not considered to detract from highways safety subject to conditions to ensure the retention of adequate parking space and contributions to offset the impact of the development on the highway network. The proposed development is therefore considered to comply with the relevant TRA policies of the TVBLP.

8.24 Highways Contributions

The development will generate an additional 10.2 multi-modal trips on the local highway network which is inadequate in its present state to accommodate them. In accordance with Policy TRA04 of the Test Valley Borough Local Plan, contributions from the development can be sought based on the number of multi-modal trips likely to be generated, which are fairly and reasonably related in scale and kind to the development.

8.25 A contribution towards the towards the Chilworth to Chandlers Ford Cycleway is required to be paid prior to occupation and if paid after the signing of the agreement will be subject to Retail Price Index (RPI) from 1 April 2013. The contribution is necessary to make the development acceptable in planning terms because there is currently a lack of a cycleway between Chilworth and Chandlers Ford and the occupiers of the development will directly benefit from the infrastructure improvements for employment, shopping and leisure purposes.

- 8.26 The contribution is fairly and reasonably related in scale and kind to the proposed development because it has been calculated by reference to the actual increased number of new multi-modal trips which will be generated by the development. Subject to the completion of the required agreement the proposal would comply with policy TRA04, the Infrastructure and Developer Contributions (2009) and The Community Infrastructure Levy Regulations 2010.
- 8.27 **Public Open Space Contributions**
Regulation 122 of The Community Infrastructure Levy Regulations 2010 (amended 2011) states that planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—
- (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.
- 8.28 Policy ESN 22 ‘Public Recreational Open Space’ requires all development involving a net increase in dwellings to make provision for open space (also see the Infrastructure and Developer Contributions SPD). This provision includes sports ground/formal recreation, parkland, informal recreation and children’s play space.
- 8.29 Given that the proposed development would result in a net increase of dwellings at the site the applicant is required to enter into an s106 legal agreement to secure financial contributions to address off site deficiency in public open space provision in accordance with policy ESN22. The contributions would be used to improve, enhance and provide those schemes identified by the Council or Parish Council, which include projects to support the Council’s Green Spaces Strategy in line with circular guidance and the Council’s adopted Infrastructure and Developer Contributions SPD (2009).
- 8.30 There is, as identified by the Council’s Public Open Space Audit, an existing deficit within the Parish for two forms of public open space, contributions for informal recreation would not be sought due to the existing surplus in the area and no parkland projects have been identified. The Policy Officer has advised that the remaining contributions are sought in order to provide a tennis court practice board at Fowlers Walk and provide a children’s play area within the Parish. The proposed development of a two four bedroom dwellings would result in additional pressures on the existing public open spaces which are shown to be deficient and the required contributions are proportional to the number of bedrooms proposed. As such the requirement for contributions is considered to comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 (amended 2011). Contributions are to be secured by a S106 legal agreement. Subject to the completion of the agreement the proposed development complies with policy ESN22.

9.0 CONCLUSION

- 9.1 The proposal, subject to the completion of the required legal agreement, is acceptable without demonstrable harm to the Residential Area of Special Character, the amenity of neighbours, protected trees or highway users.

10.0 RECOMMENDATION

- 10.1 **Delegate to the Head of Planning & Building for PERMISSION subject to conditions, notes and the completion of an S106 agreement to secure financial contributions towards a cycleway and public open space no later than 1 April 2014.**

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

Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.

Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Borough Local Plan 2006 policy DES07.

3. The development 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.

4. No development shall take place (including site clearance or any other preparatory works) until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include tree survey details, arboricultural impact assessment, full method statement detailing how proposed extension is to be built without impact upon the trees, detail of what tree protection will be installed and what mitigation measures will be provided during works. Tree protection barriers must 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.

Note: Tree protection barriers should be as specified at Chapter 6 and detailed in figure 2 of B.S.5837:2012 unless otherwise agreed in writing with the Local Planning Authority.

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 policy DES08.

5. Tree protective measures installed (in accordance with the tree protection condition 4 above) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority Arboricultural Officer.

No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the fencing without the prior written agreement of the Local Planning Authority.

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan policy DES08.

- 6. All service routes, drain runs, soakaways or excavations in connection with the same shall remain wholly outside the tree protective barriers without the prior written agreement of the Local Planning Authority.**

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Local Plan policy Des 08.

- 7. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) no development shall be carried out which falls within Classes A & B of Part 2 of Schedule 2 to the order without the prior express consent of the Local Planning Authority.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities and trees in accordance with Test Valley Borough Local Plan 2006 policy SET02 and DES08.

- 8. The existing trees marked X - X on the approved plan shall be retained and any specimens which are removed for any reason shall be replaced, unless otherwise agreed, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure maintenance of screening to the site and to protect the appearance and character of the area and in accordance with Test Valley Borough Local Plan 2006 policy DES08.

Notes to applicant:

- 1. 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.**
- 2. 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.**

- 3. The various mature trees standing on site are protected by Tree Preservation Order TVBC.436 Damage to the trees is an offence under the Town and Country Planning Act 1990. Failure to comply with the tree protection conditions above is likely to result in damage to the tree which may lead to prosecution.**
- 10.2 Alternative recommendation in the event that the S106 agreement is not completed by 1 April 2014:**
REFUSE for the reasons:
- 1. The proposed development is contrary to policy TRA01 and TRA04 of the Test Valley Borough Local Plan and Infrastructure and Developer Contributions SPD in that no contribution is provided in order to address existing deficiencies in non-car modes of transport provision in the parish resulting in the development having an unmitigated additional burden on existing infrastructure.**
 - 2. The proposed development is contrary to policy ESN22 of the Test Valley Borough Local Plan and Infrastructure and Developer Contributions SPD in that no contribution is provided in order to address existing deficiencies in Public Open Space provision in the parish resulting in the development having an unmitigated additional burden on existing facilities.**
-

APPENDIX B

Officer's update report to Southern Area Planning Committee on 11 March 2014

APPLICATION NO.	14/00063/FULLS
SITE	5 Hadrian Way, Chilworth, Southampton, SO16 7JA, CHILWORTH
COMMITTEE DATE	11 March 2014
ITEM NO.	8
PAGE NO.	45-64

1.0 INTRODUCTION

1.1 Following the revised response from the Planning Policy Officer the application is presented to committee as a departure from policy SET02.

2.0 CONSULTATIONS

2.1 Planning Policy & Transport (Policy)

Objection;

- The content of the original Policy response dated 17th January highlights policy SET02 and identifies criterion a) with regard to the issue of subdivision and plot size.
- Having reviewed the original Policy response and the proposal it is considered that an objection is raised, rather than a comment, on the grounds of conflict with Policy SET02 a).
- The other issues identified in the original Policy response remain valid.
- Please note the Revised Local Plan (Reg 19) and policy E4.

3.0 REPRESENTATIONS

3.1 8 Representations received from;
Bona Vista, The Ring Firlawn, Dene Close Brierway & Greystoke, Heatherlands Road Carisbrooke, Julian Close Langenfeld, Notre Maison & 24 Hadrian Way

Objection;

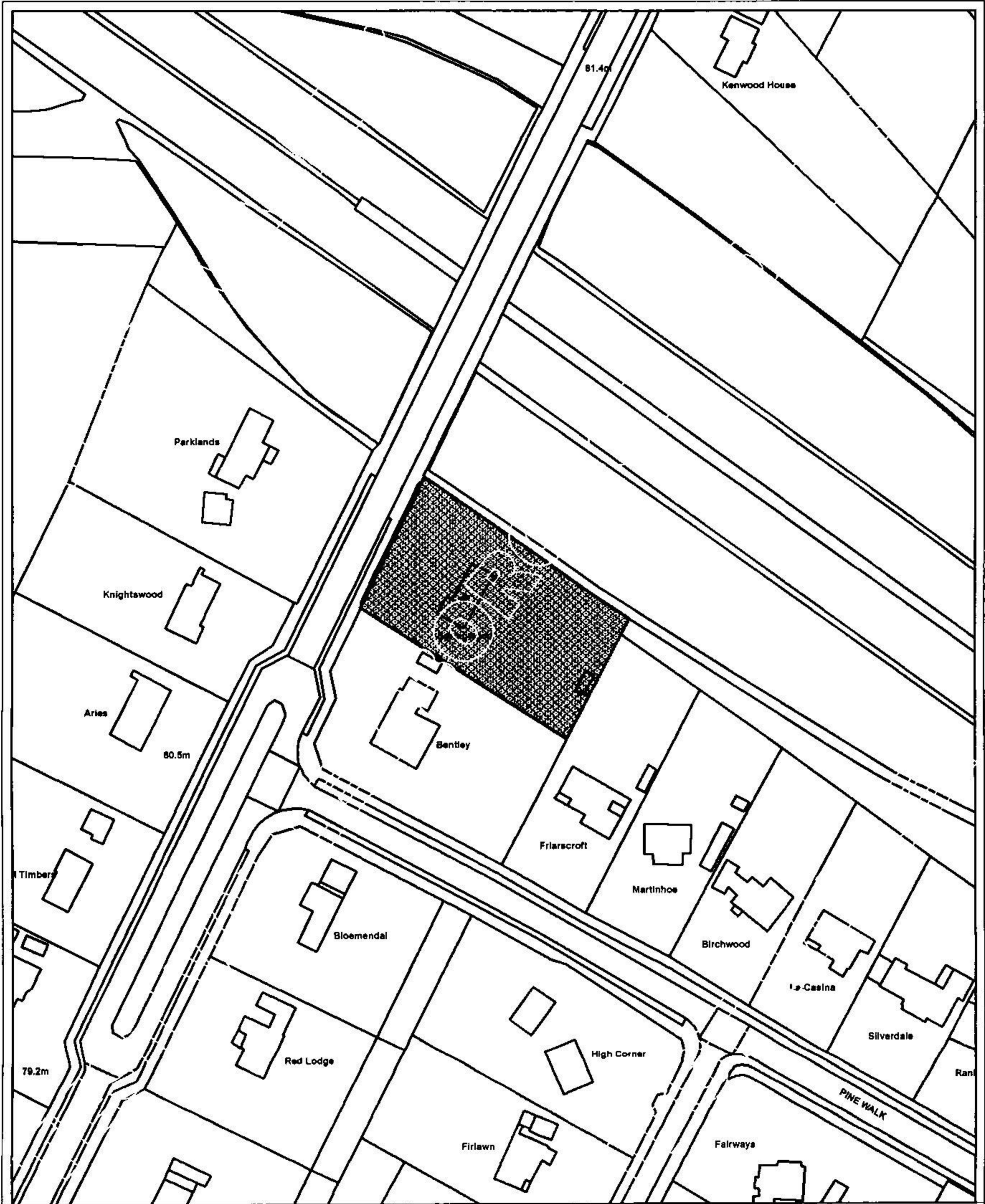
- Contrary to policy SET02.
- Increase in the density of the area.
- Subdivision of the single dwelling that would result in significantly smaller plots.
- New and different type of housing unlike anything in Hadrian Way.
- Recent developments in Hadrian Way are eroding the Residential Area of Special Character.
- The application has caused unjustified upset to neighbours.
- The proposals would undermine the reasons for buying a house in this area.

- The application proposes an ugly and unnecessary development.
- Semidetached properties are completely out of character.
- It is necessary for the Council to clarify the precisely the new legal and planning position of TVBC with regard to plots in Chilworth.
- Residents are entitled to receive a clear steer from the executors of Flemming Estates in respect of covenants covering subdivision of plots.
- Mediocrity of design for the public facing elevations which are out of character with both traditional and contemporary styles in the adjacent roads.
- Yet again developers challenging the ethos of Chilworth.
- The character of the area is large detached properties, standing in generous wooded plots.
- The proposed development would increase density, traffic generation and pressure on services.

4.0 **PLANNING CONSIDERATIONS**

- 4.1 The revised comments received from the Policy Officer have raised objection with regard to the subdivision and resultant plot size proposed contrary to criterion a) of policy SET02.
- 4.2 As is described in paragraph 8.8 of the Officers recommendation the existing plot is approximately 1482sqm in size. The subdivision would result in two similar sized plots of approximately 741sqm. Neighbouring plots on Hadrian Way vary from approximately 1295sqm to 2200sqm and properties within Pine Walk have plots ranging from 938sqm to 1055sqm. The Policy Officers revised response is that the resultant plot size would be significantly smaller than those in the vicinity and therefore contrary to criterion a) of SET02.
- 4.3 The representations received have raised further concern with regard to the impact of the proposed subdivision on the density of development in the area and the creation of significantly smaller plots. Whilst it is accepted that the proposed plot sizes will be smaller than those in the immediate vicinity of the site it remains the consideration of the Case Officer that the resultant changes will not be apparent from public vantage points and would have no detrimental impact on the Residential Area of Special Character.
- 4.4 Further description of the Chilworth Residential Area of Special Character is provided in Appendix 8 of the TVBLP. Paragraph SC6.2 describes the area as being “characterised by substantial houses set in generous plots with an abundance of mature trees and shrubs which provide an attractive setting for the low density housing.”

- 4.5 Paragraph SC6.3 describes the houses as being “individually designed but are mainly of traditional form generally two storeys high, some with detached garaging, and are constructed of a variety of good quality materials.... There are examples of later infill properties, which although not necessarily the same style as older properties, still manage to maintain the character and setting of the area due to similar sized curtilages and mature trees and shrubs.”
- 4.6 As described in the Officers recommendation (para 8.9) no division by means of enclosure is proposed to the front of the property. The rear extension will be obscured by the existing dwelling and no side extensions are proposed. Furthermore the existing single access is to be retained and the site would remain substantially screened by the mature trees to the frontage boundary which are protected by a Tree Preservation Order and their retention further secured by condition.
- 4.7 In addition amended plans have been received which propose the alteration of the internal arrangement and the addition of a central porch extension to provide a single entrance point to the proposed dwellings. As a result even from the very limited public views of the front of the property available from the site access the development would retain the low density appearance of a single large property set in a wooded plot.
- 4.8 It is considered that the proposed development would retain the character of the area as described above and would not therefore result in any significant harm to the Residential Area of Special Character. In this case it is considered that the resultant plot sizes, whilst smaller, would not be apparent from public views and a reason for refusal on the basis of criterion a) of policy SET02 could not be substantiated.
-



Siteplan Not to scale

Test Valley
Borough Council

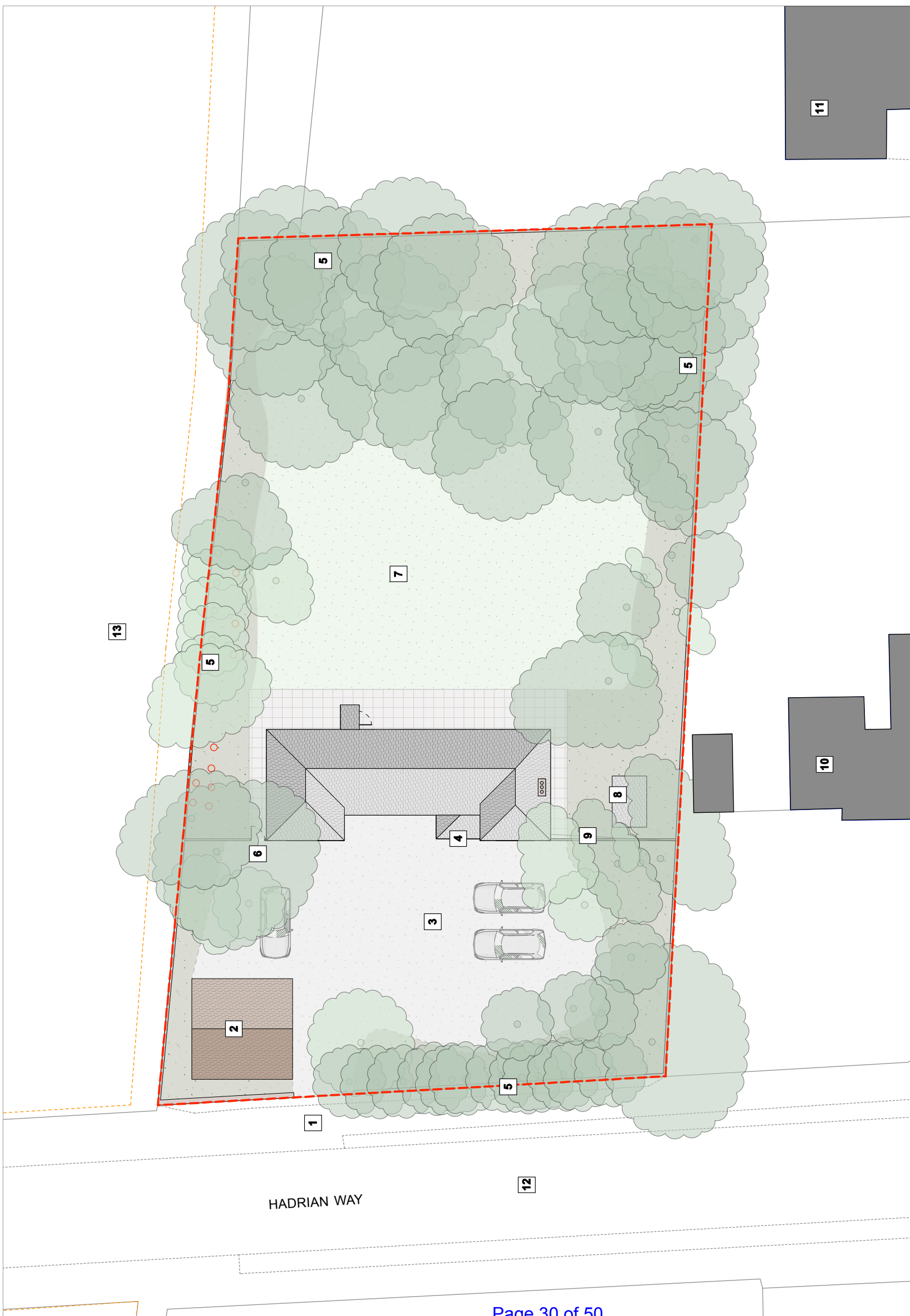
REPRODUCED FROM ORDNANCE SURVEY MAPPING
WITH THE PERMISSION OF THE CONTROLLER OF
HER MAJESTY'S STATIONERY OFFICER © CROWN COPYRIGHT.
UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT
AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS.

TEST VALLEY BOROUGH COUNCIL LICENCE No. 100024295 2013

14/00063/FULLS

Key to existing site plan:

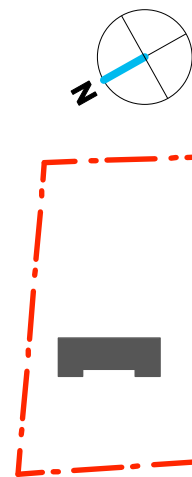
- 1 access to dwelling from Hadrian Way
- 2 Garage
- 3 Parking and turning
- 4 Entrance to dwelling
- 5 Trees and planting to boundary [refer to Arborist report]
- 6 Access to rear amenity
- 7 Rear amenity
- 8 Greenhouse
- 9 Brick wall
- 10 'Bentley', Hadrian Way
- 11 'Friarscroft', Pine Walk
- 12 Hadrian Way
- 13 Motorway embankment
- grass
- gravel driveway
- paving
- tree / planting



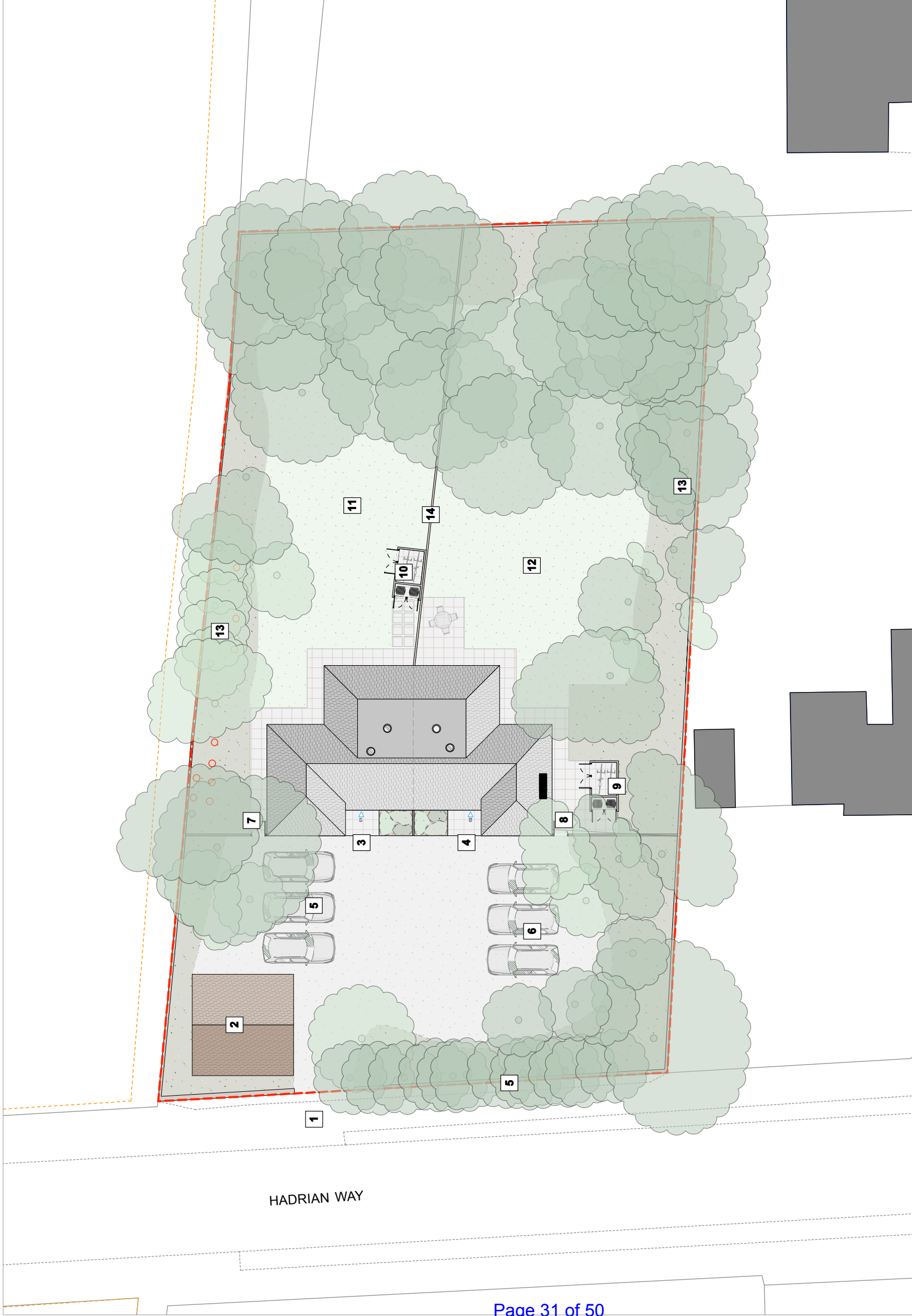
site plan [existing]

Rev:	Note:	Date:
*	Planning Application	07.01.2014

Notes:
 Do not scale from the drawing for other than planning purposes, all sizes to be confirmed on site before construction.
 The copyright of this drawing is retained by Concept Design & Planning.
 The site drawing is reproduced under the limited licence of the Ordnance Survey and cannot be reproduced.



Project:	Hadrian Way	Drawn by:	RW
Drawing:	Existing Site Plan	Checked by:	RW
Drawing No:	C-13/097.02	Revision:	*
Scale:	1:250 @ A3	Date:	Dec 2013



Key to proposed site plan:

- 1 access to dwellings from Hadrian Way
- 2 Garage retained for D1
- 3 Entrance to dwelling 1
- 4 Entrance to dwelling 2
- 5 Parking for D1
- 6 Parking for D2
- 7 Access to rear amenity
- 8 Access to rear amenity
- 9 Cycle and refuse store D2
- 10 Cycle and refuse store D1
- 11 Rear amenity D1 [c.380 sq/m]
- 12 Rear amenity D2 [c.480 sq/m]
- 13 Trees and Planting to boundary [refer to Arborist report]
- 14 1.8m close boarded fence
- grass
- gravel driveway
- paving
- tree / planting

site plan [proposed]

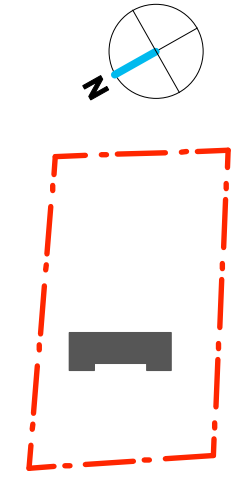
Rev:	Note:	Date:
*	Planning Application	07.01.2014

Notes:

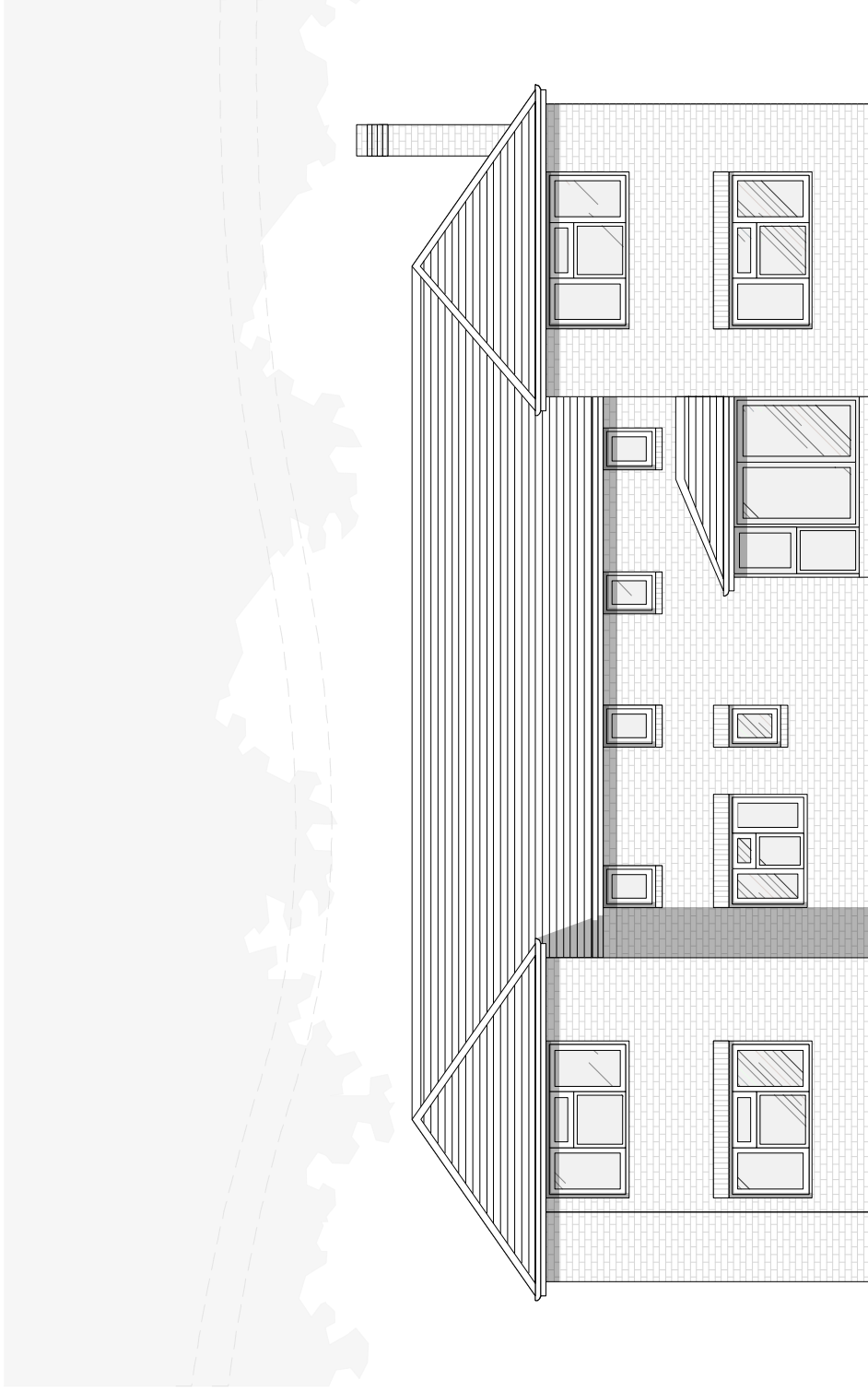
Do not scale from the drawing for other than planning purposes, all sizes to be confirmed on site before construction.

The copyright of this drawing is retained by Concept Design & Planning.

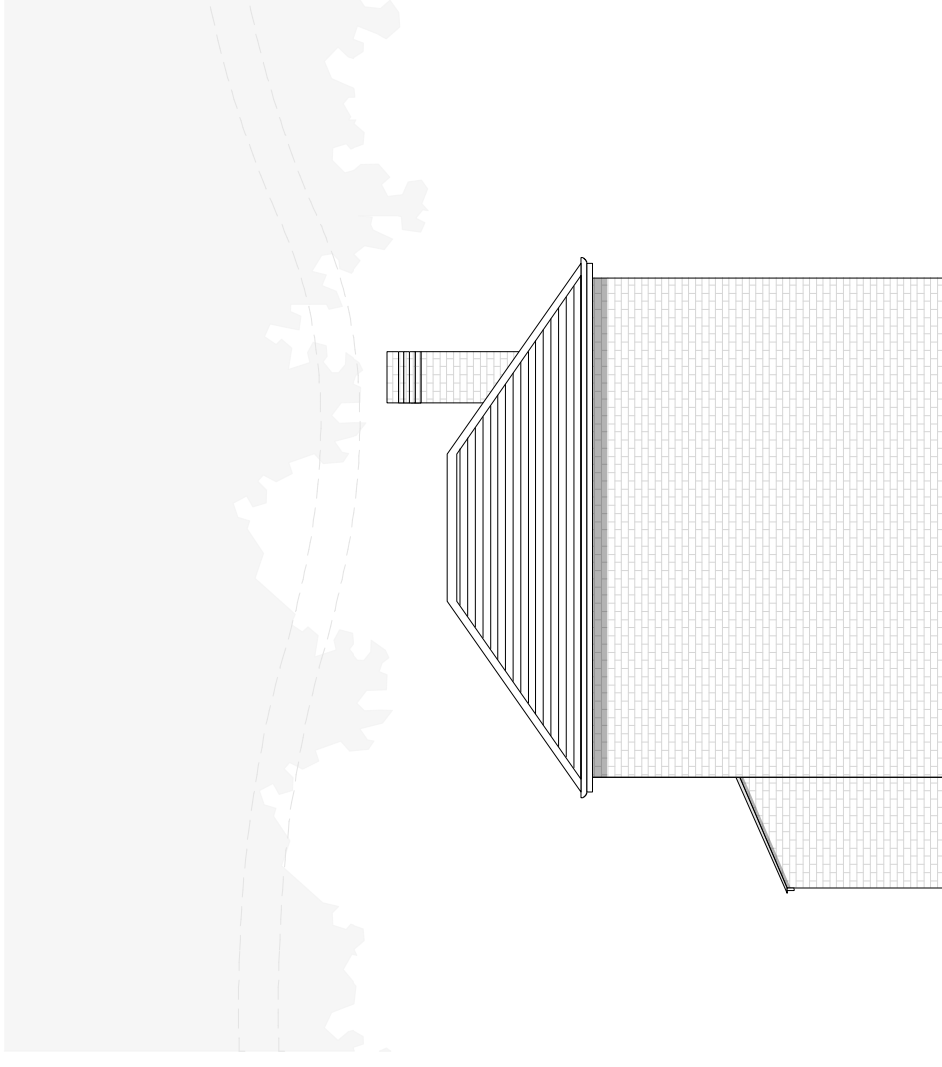
The site drawing is reproduced under the limited licence of the Ordnance Survey and cannot be reproduced.



Project:	Hadrian Way	Drawn by:	RW
Drawing:	Proposed Site Plan	Checked by:	RW
Drawing No:	C-13/097.06	Revision:	*
Scale:	1:250 @ A3	Date:	Dec 2013



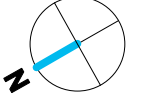
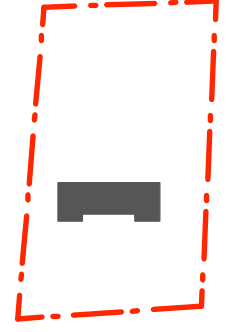
north west elevation



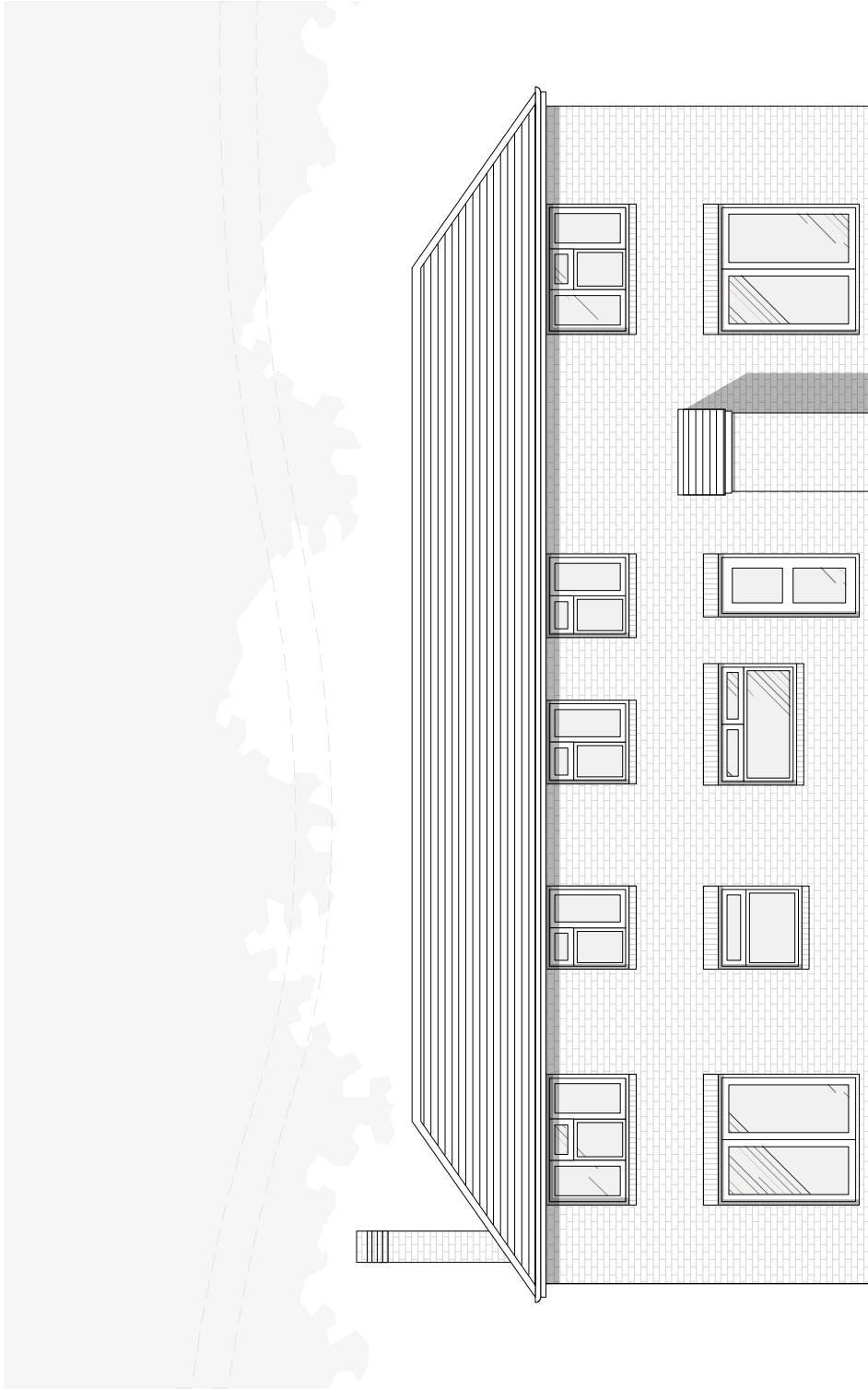
north east elevation

Rev:	Note:	Date:
*	Planning Application	07.01.2014

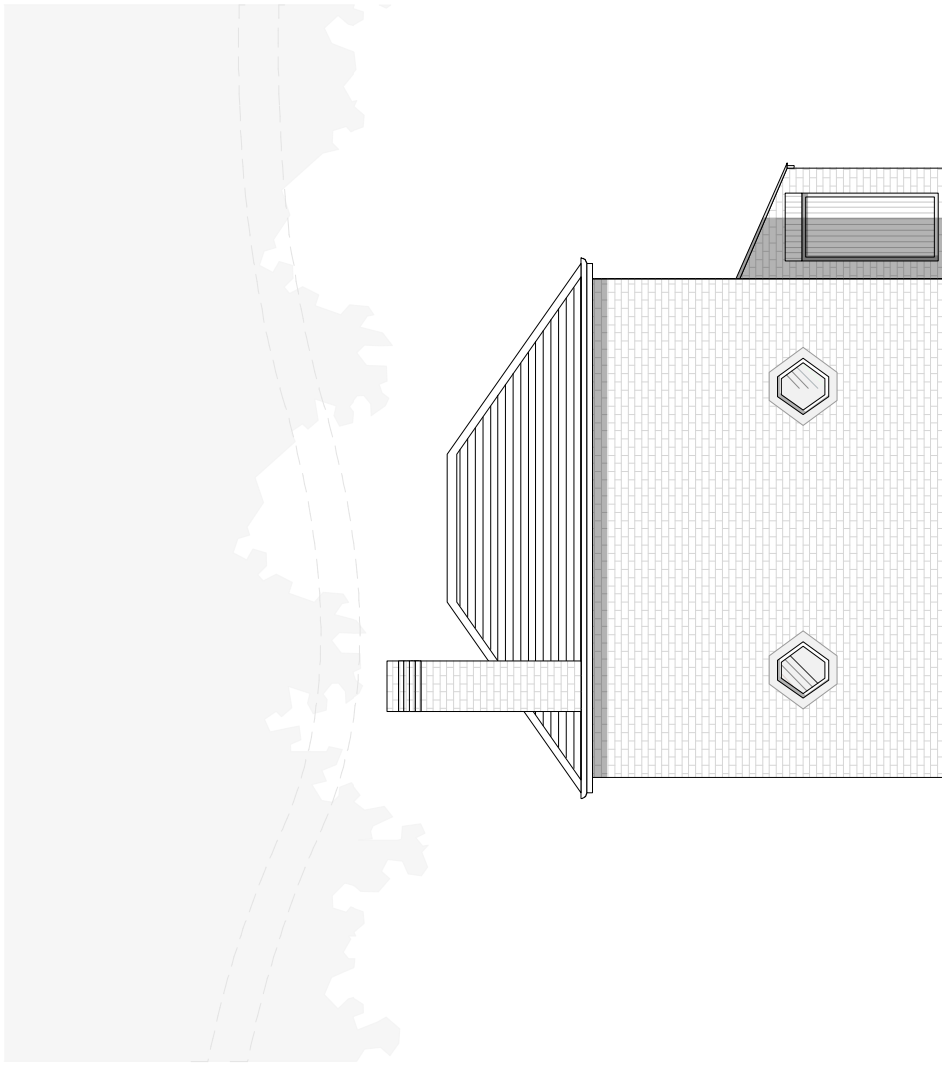
Notes:
 Do not scale from the drawing for other than planning purposes, all sizes to be confirmed on site before construction.
 The copyright of this drawing is retained by Concept Design & Planning.
 The site drawing is reproduced under the limited licence of the Ordnance Survey and cannot be reproduced.



Project:	Hadrian Way	Drawn by:	RW
Drawing:	Existing Elevations 1	Checked by:	RW
Drawing No:	C-13/097.04	Revision:	*
Scale:	1:100 @ A3	Date:	Dec 2013



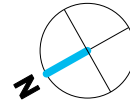
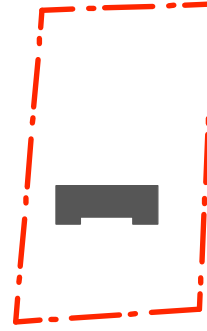
south east elevation



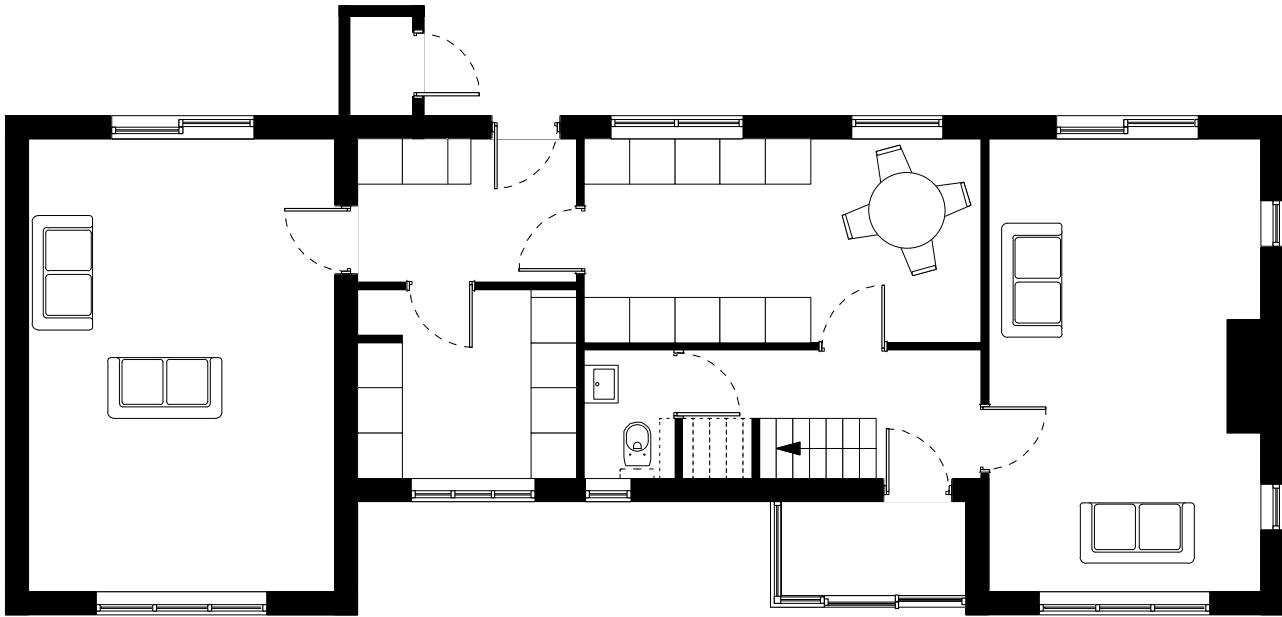
south west elevation

Rev:	Note:	Date:
*	Planning Application	07.01.2014

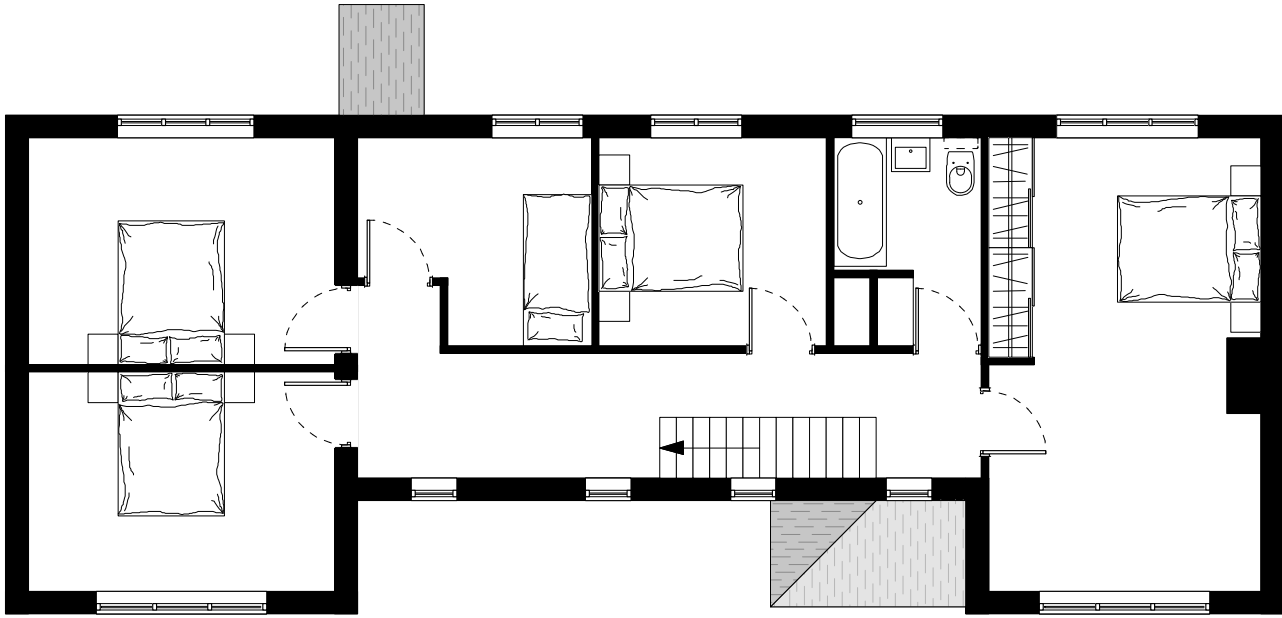
Notes:
 Do not scale from the drawing for other than planning purposes, all sizes to be confirmed on site before construction.
 The copyright of this drawing is retained by Concept Design & Planning.
 The site drawing is reproduced under the limited licence of the Ordnance Survey and cannot be reproduced.



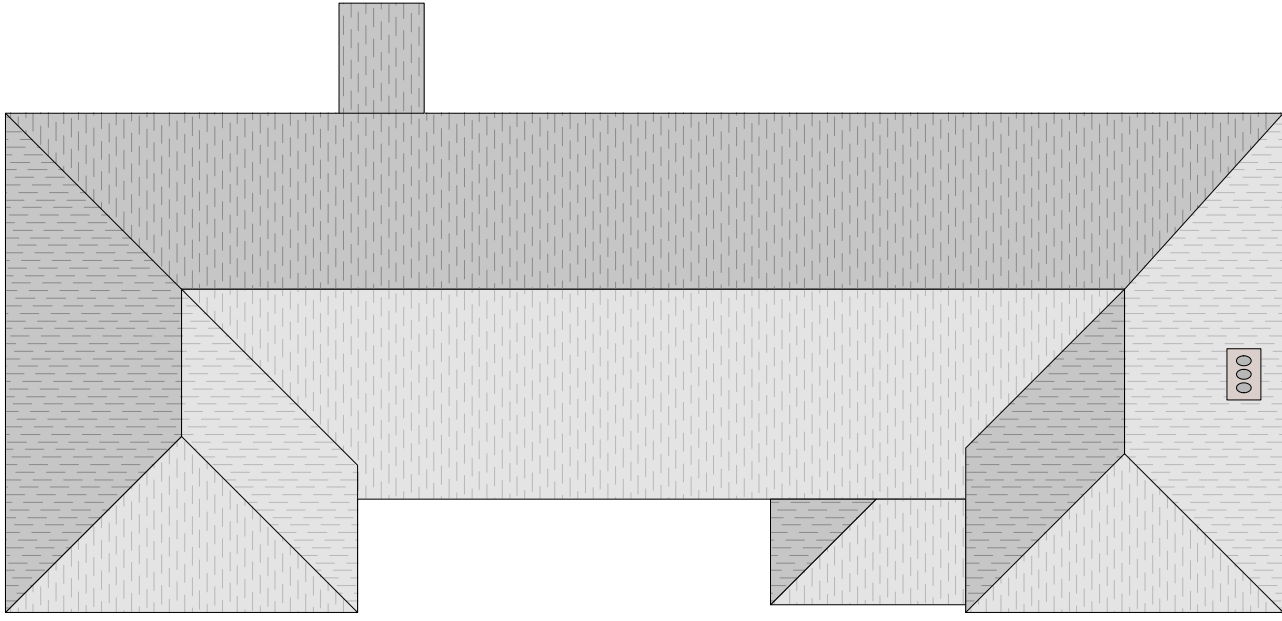
Project:	Hadrian Way	Drawn by:	RW
Drawing:	Existing Elevations 2	Checked by:	RW
Drawing No:	C-13/097.05	Revision:	*
Scale:	1:100 @ A3	Date:	Dec 2013



ground floor plan



first floor plan

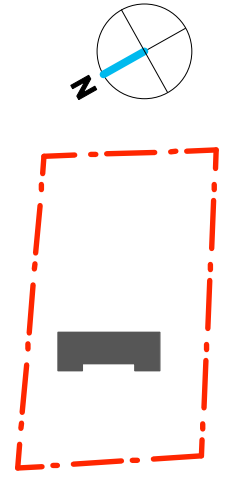


roof plan

existing accommodation schedule
D1 5 bedroom dwelling @ 173 sq/m

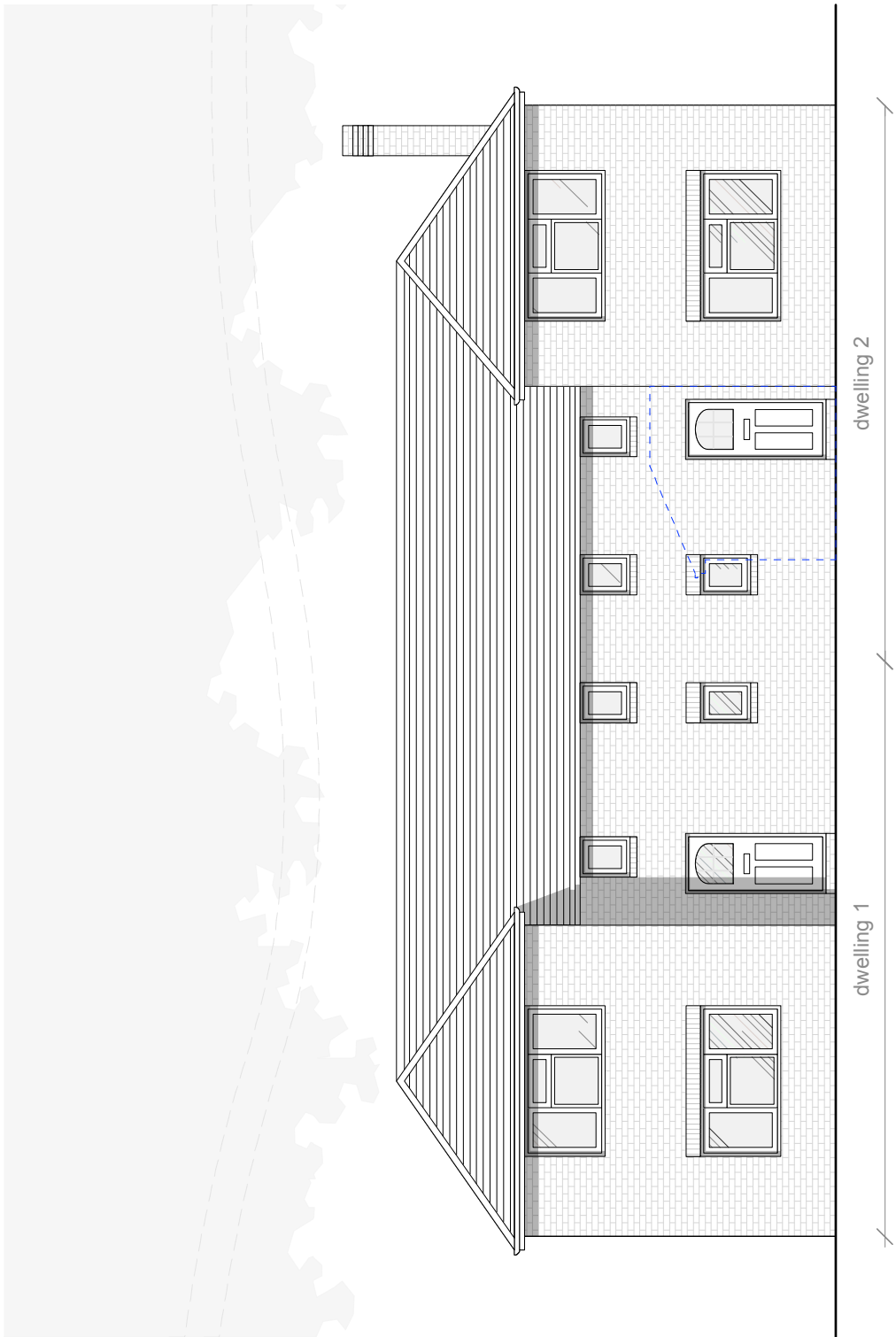
Rev:	Note:	Date:
*	Planning Application	07.01.2014

Notes:
Do not scale from the drawing for other than planning purposes, all sizes to be confirmed on site before construction.
The copyright of this drawing is retained by Concept Design & Planning.
The site drawing is reproduced under the limited licence of the Ordnance Survey and cannot be reproduced.

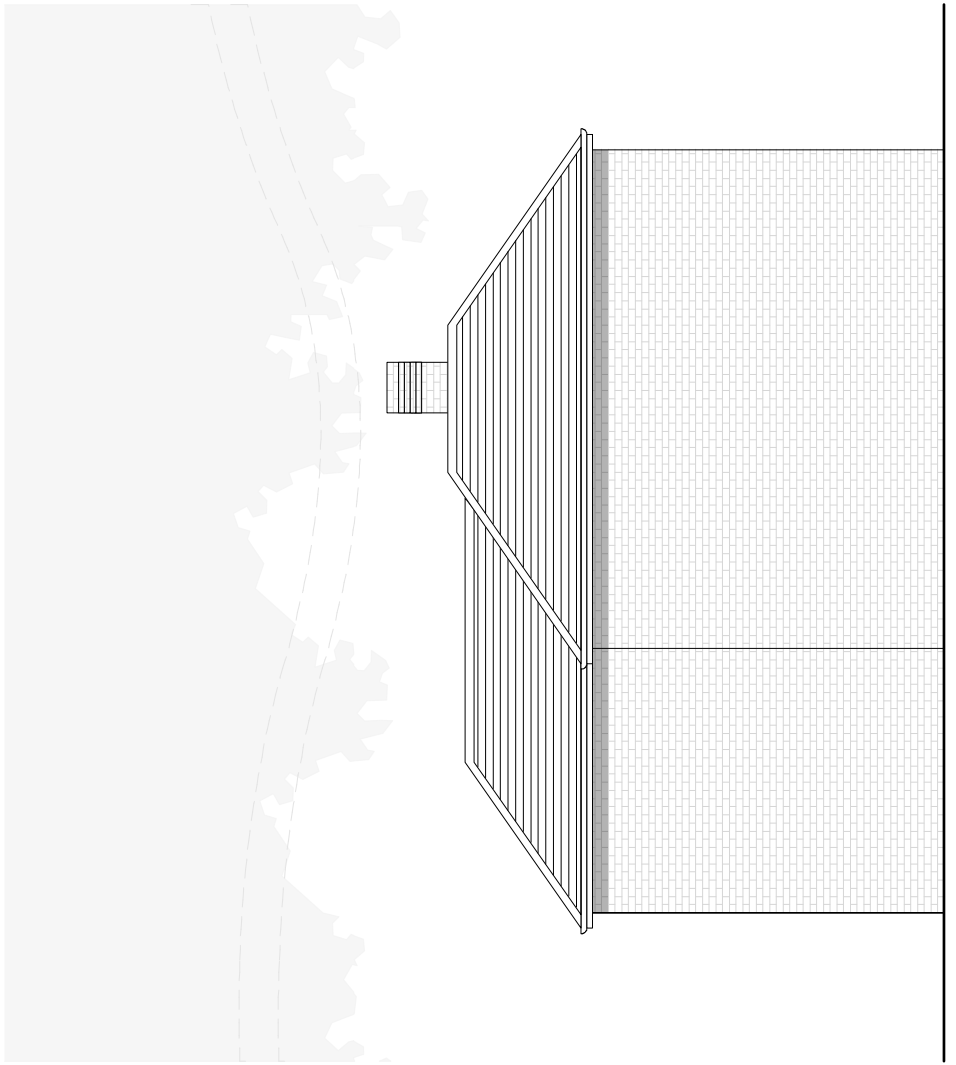


Project:	Hadrian Way	Drawn by:	RW
Drawing:	Existing Floor Plans	Checked by:	RW
Drawing No:	C-13/097.03	Revision:	*
Scale:	1:100 @ A3	Date:	Dec 2013

concept
design & planning
t. 023 8033 1010
e. studio@conceptdp.co.uk
www.conceptdp.co.uk



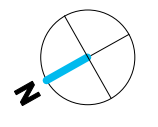
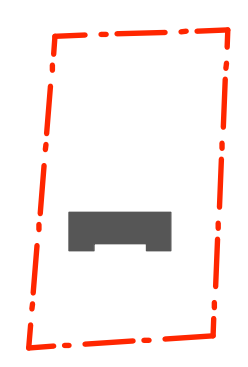
north west elevation



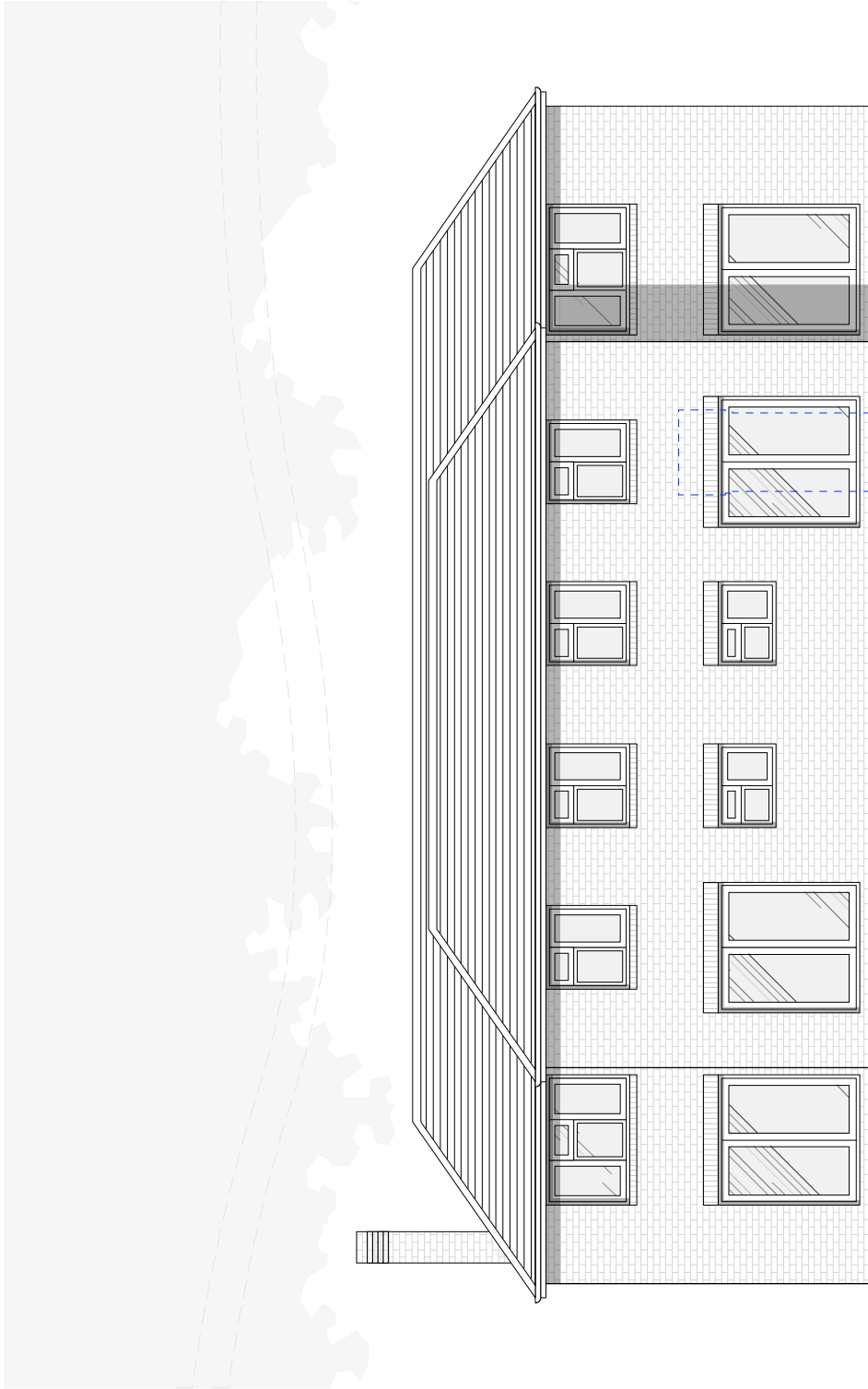
north east elevation

Rev:	Note:	Date:
•	Planning Application	07.01.2014

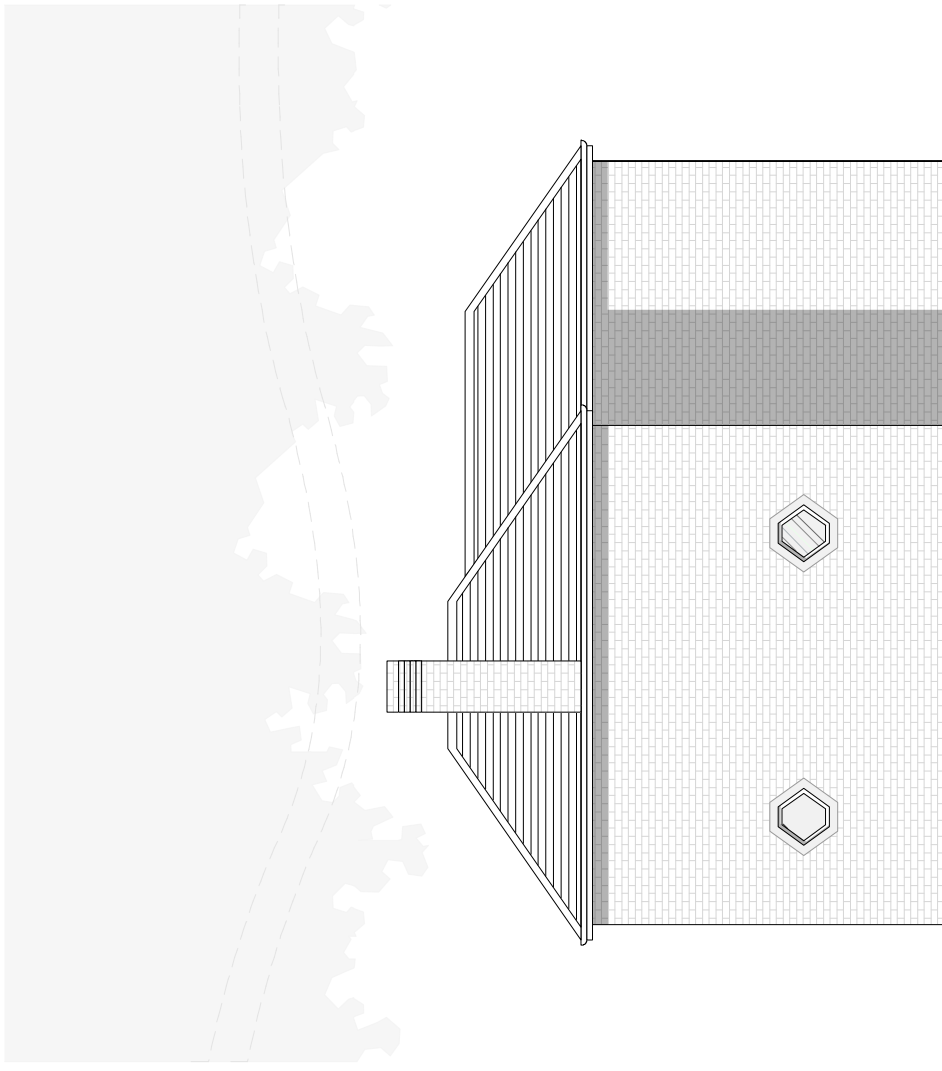
Notes:
 Do not scale from the drawing for other than planning purposes, all sizes to be confirmed on site before construction.
 The copyright of this drawing is retained by Concept Design & Planning.
 The site drawing is reproduced under the limited licence of the Ordnance Survey and cannot be reproduced.



Project:	Hadrian Way	Drawn by:	RW
Drawing:	Proposed Elevations 1	Checked by:	RW
Drawing No:	C-13/097.08	Revision:	*
Scale:	1:100 @ A3	Date:	Dec 2013



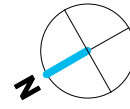
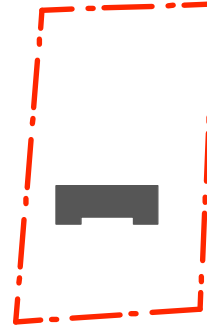
south east elevation



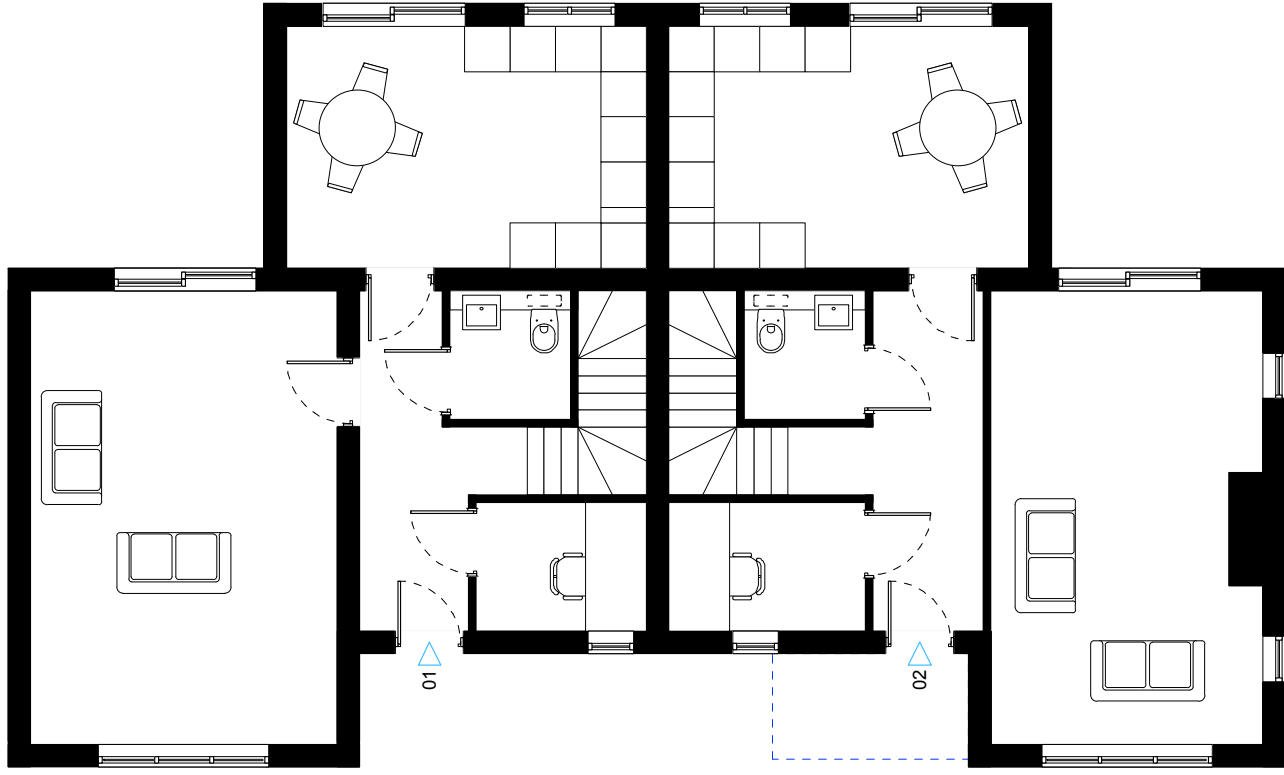
south west elevation

Rev:	Note:	Date:
*	Planning Application	07.01.2014

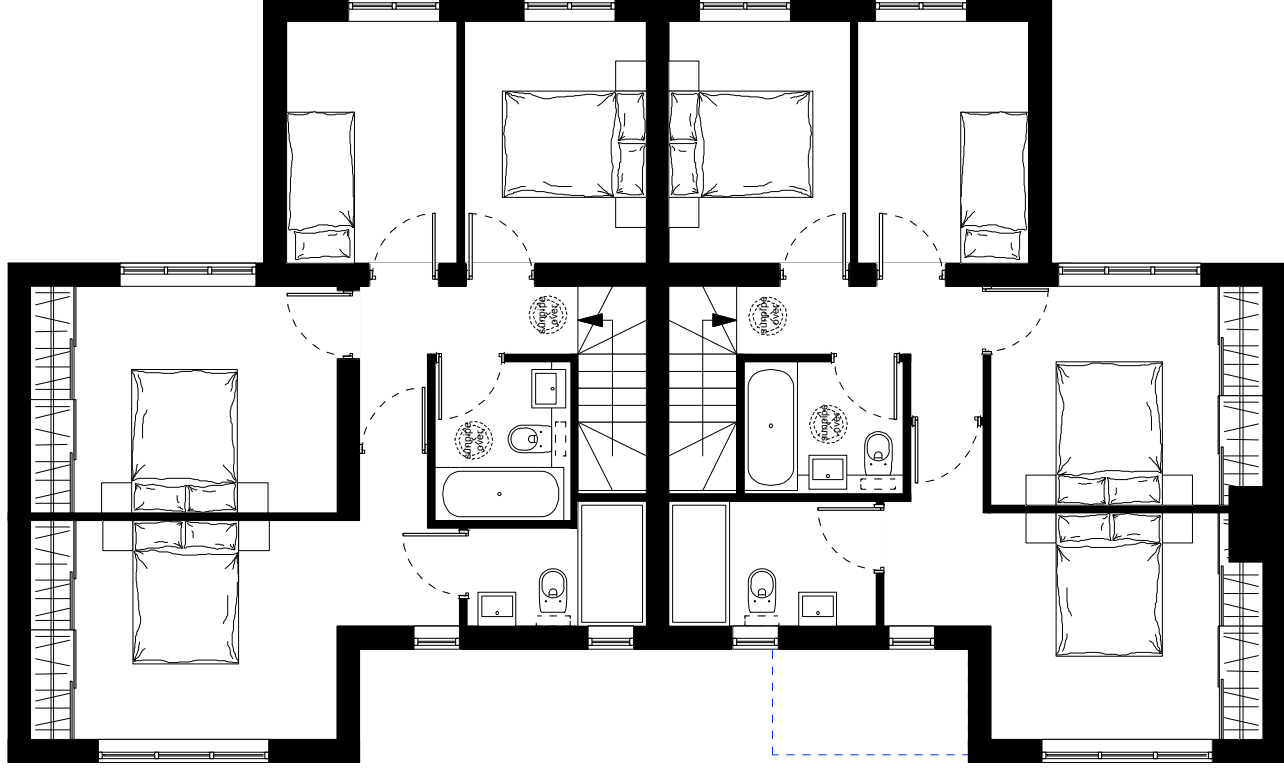
Notes:
 Do not scale from the drawing for other than planning purposes, all sizes to be confirmed on site before construction.
 The copyright of this drawing is retained by Concept Design & Planning.
 The site drawing is reproduced under the limited licence of the Ordnance Survey and cannot be reproduced.



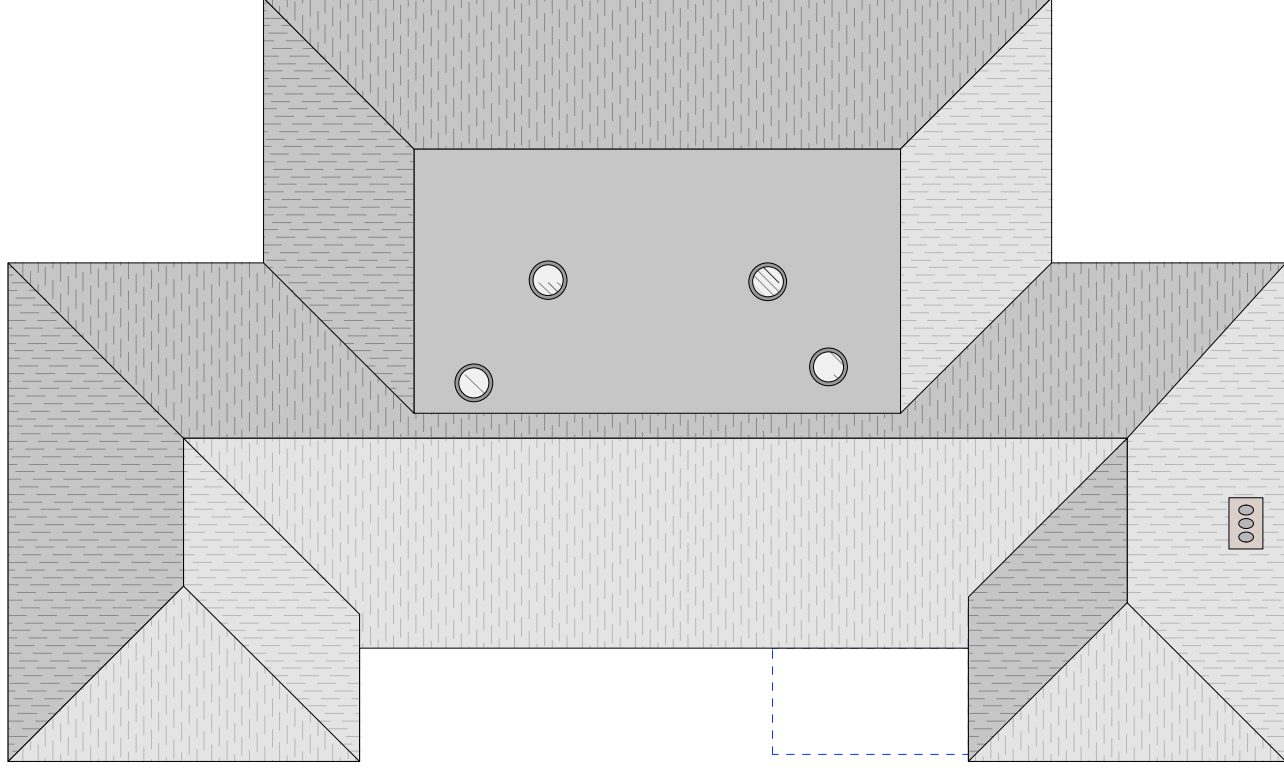
Project:	Hadrian Way	Drawn by:	RW
Drawing:	Proposed Elevations 2	Checked by:	RW
Drawing No:	C-13/097.09	Revision:	*
Scale:	1:100 @ A3	Date:	Dec 2013



ground floor plan



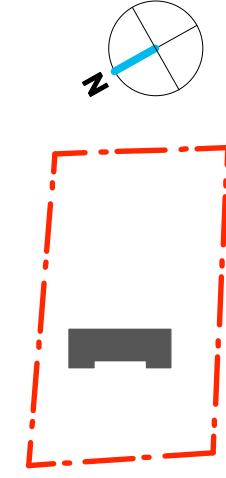
first floor plan



roof plan

Rev:	Note:	Date:
•	Planning Application	07.01.2014

Notes:
 Do not scale from the drawing for other than planning purposes, all sizes to be confirmed on site before construction.
 The copyright of this drawing is retained by Concept Design & Planning.
 The site drawing is reproduced under the limited licence of the Ordnance Survey and cannot be reproduced.



Project:	Hadrian Way	Drawn by:	RW
Drawing:	Proposed Floor Plans	Checked by:	RW
Drawing No:	C-13/097.07	Revision:	*
Scale:	1:100 @ A3	Date:	Dec 2013

proposed accommodation schedule

- D1 4 bedroom dwelling @ 118 sq/m
- D2 4 bedroom dwelling @ 115 sq/m

concept
 design & planning
 t. 023 8033 1010
 e. studio@conceptdp.co.uk
 www.conceptdp.co.uk

ITEM 8

APPLICATION NO.	14/00099/FULLN
APPLICATION TYPE REGISTERED	FULL APPLICATION - NORTH 15.01.2014
APPLICANT SITE	Mr Michael Francis Pollin 36 Sarson Close, Ampport, Andover, SP11 8AB, AMPORT
PROPOSAL	Erection of two storey side extension to provide kitchen and homework/study space on ground floor with bedroom above
AMENDMENTS CASE OFFICER	Mr Martin McNamara

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 This application is referred to Planning Control Committee (PCC) as the Northern Area Planning Committee (NAPC) concluded the application should be permitted whereas the officer recommendation was that it be refused as it was contrary to policy SET01, DES06, DES07 of the Test Valley Borough Local Plan 2006.
- 1.2 The application was considered at NAPC at its meeting on the 6 March 2014, where it resolved to grant planning permission subject to conditions to include 3 year commencement and external materials of the extension to match the existing dwelling.
- 1.3
- A copy of the NAPC agenda report is attached at **Appendix A**
 - A copy of the NAPC update paper is attached at **Appendix B**

2.0 PLANNING CONSIDERATIONS

- 2.1 As set out in paragraph 1.2, the application was resolved to grant planning permission subject to conditions set out below in paragraph 3.0.
- 2.2 Members of the Northern Area Planning Committee considered that the proposed two storey extension would be acceptable and would not impact on the character and appearance of the streetscene.
- 2.3 Officer's assessment of the relative merits of the proposed development are already set out in the attached reports.
- 2.4 **CORRECTIONS**
Paragraph 8.13 of the NAPC agenda report set out that the proposed development did not provide additional bedrooms. The proposed development would provide an additional bedroom making the property a 5 bedroom dwelling, sufficient parking already exists serving this property, in accordance with Policy TRA02 of the Test Valley Borough Local Plan 2006.

2.5 **CONCLUSION**

Notwithstanding that dormers have been added to the rear elevation on No.36, dormers are not a common design feature of dwellings within Sarson Close. The impact of the proposed dormer on the wider area would be exacerbated by the position close to the road. Consequently the proposed dormer would have a negative impact on the character and appearance of the area. The proposed extension's proximity to the southern boundary would significantly diminish the openness between the dwelling and the roadway which is an important characteristic of Sarson Close and make No. 36 discordant and unduly prominent so that there would a detrimental impact on the character and appearance of the area. The proposed development is contrary to Local Plan policies SET01, DES06 and DES07.

3.0 **RECOMMENDATION OF THE NORTHERN AREA PLANNING COMMITTEE 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. **The materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.**
Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Borough Local Plan 2006 policy DES07.

Notes to applicant:

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

4.0 **RECOMMENDATION OF HEAD OF PLANNING AND BUILDING REFUSE for the reason:**

1. **The proposed development in view of its proximity to the southern boundary and its design would make the dwelling unduly prominent within the streetscape. The proposed development would significantly and detrimentally affect the character and appearance of the area of Sarson Close and would be contrary to policies SET01, DES06 and DES07 of the Test Valley Borough Local Plan 2006.**

Notes to applicant:

1. **In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of the National Planning Policy Framework and takes a positive and proactive**

approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.

APPENDIX A

Officer's report to Northern Area Planning Committee on 6 March 2014

APPLICATION NO.	14/00099/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	15.01.2014
APPLICANT	Mr Michael Francis Pollin
SITE	36 Sarson Close, Ampport, Andover, SP11 8AB, AMPORT
PROPOSAL	Erection of two storey side extension to provide kitchen and homework/study space on ground floor with bedroom above
AMENDMENTS	Amended Planning Statement received – 31/01/13
CASE OFFICER	Mr Martin McNamara

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application is being referred to the Northern Area Planning Committee as there is a Staff interest.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 36 Sarson Close is a two storey semi-detached end plot property located within the village of Ampport, just outside the Conservation Area. Sarson Close slopes gradually from East to West.

3.0 PROPOSAL

- 3.1 Erection of two storey side extension with rear dormer to provide kitchen and homework/study space on ground floor with bedroom above.

- 3.2 The proposed side extension will have a lower ridge level than the existing dwelling with a dormer located on the back of the extension. The height of the proposed extension is 6.4 metres, width 3.15 metres and overall length 7.1 metres. The proposed side elevation facing the highway will incorporate 3 windows which is the same number present on the existing dwelling.

- 3.3 The application is a second submission following a refusal and dismissed appeal. The main changes to the current scheme in comparison to the most recently refused application (13/00278/FULLN) are:

- The length of the two storey extension is 7.1 metres, the length of the proposed extension has been reduced by approximately 1.2 metres from the refused scheme.
- The height of the proposed extension is 6.6 metres; the height of the extension been reduced by 0.8 metres from the previously refused scheme.

- The width of the proposed extension is 3.15 metres, it has been reduced by 0.35 metres from the previously refused scheme.
- The previously proposed ground floor conservatory and front dormer window are not included.
- Two dormer windows and two roof lights have been installed in existing rear roofslope under permitted development since the previously refused scheme

4.0 HISTORY

- 4.1 13/00278/FULLN - Two storey side extension to provide enlarged kitchen and study with bedroom and en-suite over, provision of dormer at rear, erection of porch and conservatory/garden room, **REFUSED**, 29.04.2013

Reason for Refusal

The proposed development would alter the appearance of the existing dwelling and would significantly detract from its character and appearance. In addition to this, in view of its proximity to the southern boundary of the site the incorporation of dormer windows to front and rear elevations and in being prominent, the proposed development would significantly and detrimentally affect the character and appearance of the area of Sarson Close and would be contrary to policies SET01, DES06 and DES07 of the Test Valley Borough Local Plan 2006.

- 4.2 **APPEAL DISMISSED** 15.10.2013. Appeal Ref: APP/C1760/D/13/2202044

Inspector comments:

“The effect of the proposed development on the character and appearance of the existing dwelling and its surroundings.”

“I do not agree that the visual impact would be screened by the opposite building (29 & 30 Sarson Close) acting as a backdrop. No 29 & 30 are not so prominent in the street scene. Furthermore the proposed development would extend 36 Sarson Close near to its southern boundary which would make No 36 discordant and unduly prominent. The proposed extension would have a detrimental impact on this feeling of openness in the streetscape and consequently would be harmful to the character and appearance of the area.”

“The impact of the dormer windows on the wider area would be exacerbated by the prominent corner plot location of the appeal site which is visible from both the top and bottom of Sarson Close. The rear dormer windows would be particularly visible when viewed from the bottom of Sarson Close to the east. Consequently I consider the dormer windows would have a negative impact on both the character and appearance of the existing dwelling and its surroundings.”

“I have considered policies SET01, DES06 and DES07 against the Framework and consider that they are consistent with Section 7 of the Framework which supports the aims of the policies. Sustainable development includes the need to protect the built environment, which is something this scheme would fail to achieve. I see no reason why the other elements of sustainable development

should outweigh this concern. I have also noted the various other paragraphs identified in the Framework by the appellants but I consider they do not justify reaching a different conclusion with regard to this appeal.”

5.0 CONSULTATIONS

None

6.0 REPRESENTATIONS Expired 08.02.2014

6.1 Amport Parish Council – Support.

6.2 14 x emails of Support from:

- 3 Sarson Close, Amport
- 8 Sarson Close, Amport
- 11 Sarson Close, Amport
- 13 Sarson Close, Amport
- 14 Sarson Close, Amport
- 15 Sarson Close, Amport
- 16 Sarson Close, Amport
- 29 Sarson Close, Amport
- 35 Sarson Close, Amport
- 254 Weyhill Road, Andover
- Fiddlestick, Stanbury Road, Thruxton
- Pearl Cottage, Sarson Close, Amport
- Woodcote, Sarson Lane, Amport
- Grove House, Amesbury Road, Weyhill

6.3 Comments

- Design of the extension is sympathetic and in keeping with the other properties on the street.
- Design and layout is in keeping with the character of the area and the street scene of which the open feeling is maintained and the small side extension would not be over-bearing.
- It represents good design (according to TVBC planning and National Planning Policy Framework) that is a wise use of space and does not encroach or impact upon neighbours in any way. It is not too big in massing or height and does not hinder or block views, or interrupt public space or overcrowd the private space. The proposed application has also taken into account Amport village design statement with look and building materials. The application represents a sustainable option that agrees with local planning policy and national guidance.
- There is evidence of precedence being set with permission and development in the immediate area.
- The proposed extension would serve to sustain family/community within the rural and village setting (very much required in this case) in line with National Planning Policy Framework.
- It can only enhance the properties by providing individuality,
- It will affect traffic.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

7.2 Test Valley Borough Local Plan (2006)(TVBLP):

- SET01(Housing within Settlements)
- DES05 (Layout and Siting)
- DES06 (Scale, Height, and Massing)
- DES07 (Appearance, Details and Materials)
- AME01(Privacy and Private Open Space)
- AME02 (Daylight and Sunlight)
- TRA02 (Parking Standards)

7.3 Draft Revised Local Plan (2014)

On the 8 January the Council approved the Revised Local Plan (Regulation 19) for public consultation. It is intended to undertake the statutory 6 week period of public consultation in January and February 2014. At present the document, and its content, represents a direction of travel for the Council. The weight afforded it at this stage is limited. It is not considered that the draft Plan would have any significant bearing on the determination of this application.

7.4 Supplementary Planning Documents (SPD)

Amport Village Statement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Impact on surrounding area
- Impact on neighbouring properties
- Impact on parking provision

8.2 **The principle of development**

36 Sarson Close is located within the 'built up' area of Amport as designated by the settlement boundary map contained within the Test Valley Borough Local Plan (2006) and policy SET01 applies to the proposed development. This proposal is in compliance with SET01 provided the proposed development is in keeping with, and does not cause harm on the character of the surrounding area. The impact of the development is discussed below.

8.3 **Impact on the character and appearance of the surrounding area**

The application site is located on a corner plot located along the highway within a residential cul-de-sac. The cul-de-sac is characterised by semi-detached dwellings, of a similar design, situated in large spacious plots and set back from the boundaries of their plots. This creates a sense of openness; there is also a significant setback from the properties to the footway/carriageway giving the feeling of low density.

- 8.4 The proposed two storey extension will site the dwelling closer to the roadway, reducing the current space that exists between the dwelling and the road. The setback nature of this space from the roadway is a significant feature of the character and appearance of the area. It is an elevated site and can be clearly seen from the top and bottom of Sarson Close and in this respect the proposal is considered unacceptable.
- 8.5 The proposed development also includes a first floor dormer window on the rear elevation of the proposed extension. It is considered that the proposed dormer will be in keeping with the two existing dormers on the roof space. However, the rear of the property is particularly prominent when entering the estate due to the topography of the site and the position of the extension close to the carriageway. The majority of dwellings in the area do not have rear facing dormers and taking into account the above information, it is considered that the proposed dormer will negatively impact on the character and appearance of the surrounding area.
- 8.6 Taking into account the above comments, the proposed development would cause unacceptable harm to the character and appearance of the existing dwelling and its surroundings. As a result there would be a conflict with saved policies SET01, DES05, DES06 and DES07 of the Test Valley Borough Local Plan (2006), which aim to ensure, amongst other things, that development does not cause harm to the character of a surrounding area, does not detract from the character or setting of the original building and is of a high standard and attractive appearance which adds visual interest
- 8.7 Appeal Decision: APP/C1760/D/13/2202044
The design and scale for the extension has been slightly altered from the scheme dismissed at appeal, (see Para. 3.3) the main issues raised in that appeal have not been overcome. With this revised scheme and the reasons stated by the planning Inspectorate are still substantially applicable and relevant to the current scheme.
- 8.8 **Impact on neighbouring properties**
The neighbours that will be affected most by the proposed works are 5, 29, 30 & 35 Sarson Close.
- 8.9 35 Sarson Close is the attached neighbour located to the North. Due to the positioning of the proposed extension on the southern elevation, it is considered that the proposed will not have an adverse impact on issues such as loss of light / overlooking / overbearing.
- 8.10 5 Sarson Close is the neighbouring property on the southern side of Sarson Close. The side elevation of No. 5 faces onto the proposed two storey side extension. The sites are separated by a roadway and footpaths. It is considered that the proposal will not affect the amenities of No. 5 as the distance between the properties is approximately 16 Metres.

8.11 29 and 30 Sarson Close semi-detached properties which face directly on to the front of the development site. They are located approximately 30 Metres away from the front façade of the development site, which is partially screen by hedges and trees. It is considered the proposed extension will not have an adverse impact with the amenities of 29 and 30 Sarson Close.

8.12 It is considered that the proposed works submitted as part of this development are considered acceptable. It is considered that the proposed would not impact in the neighbouring residential amenities and is in accordance with local plan policies AME01 and AME02.

8.13 **Impact on parking provision**

There are no additional bedrooms proposed to the existing 4 bedroom. The submitted application provides for on-site parking space that meets the adopted Parking Standards for a 4 bedroom dwelling. It is therefore considered that the proposed development is in accordance with local plan policy TRA02.

9.0 **CONCLUSION**

9.1 The proposed development is considered unacceptable and would cause unacceptable harm to the character and appearance of the existing dwelling and its surroundings. The proposed development is contrary to Local Plan policies SET01, DES05, DES06 and DES07.

10.0 **RECOMMENDATION**

REFUSE for the reason:

1. **The proposed development would alter the appearance of the existing dwelling and would significantly detract from its character and appearance. In addition to this, in view of its proximity to the southern boundary and in being prominent within the streetscape, the proposed development would significantly and detrimentally affect the character and appearance of the area of Sarson Close and would be contrary to policies SET01, DES05, DES06 and DES07 of the Test Valley Borough Local Plan 2006.**

Notes to applicant:

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

APPENDIX B

Officer's update report to Northern Area Planning Committee on 6 March 2014

APPLICATION NO.	14/00099/FULLN
SITE	36 Sarson Close, Ampport, Andover, SP11 8AB, AMPORT
COMMITTEE DATE	6 March 2014
ITEM NO.	9
PAGE NO.	39-47

1.0 CONCLUSION

The conclusion has been reassessed as follows and results in an adjustment to the wording of the reason for refusal in the recommendation. Notwithstanding that dormers have been added to the rear elevation on No.36, dormers are not a common design feature of dwellings within Sarson Close. The impact of the proposed dormer on the wider area would be exacerbated by the position close to the road. Consequently the proposed dormer would have a negative impact on the character and appearance of the area. The proposed extension's proximity to the southern boundary would significantly diminish the openness between the dwelling and the roadway which is an important characteristic of Sarson Close and make No. 36 discordant and unduly prominent so that there would a detrimental impact on the character and appearance of the area. The proposed development is contrary to Local Plan policies SET01, DES06 and DES07.

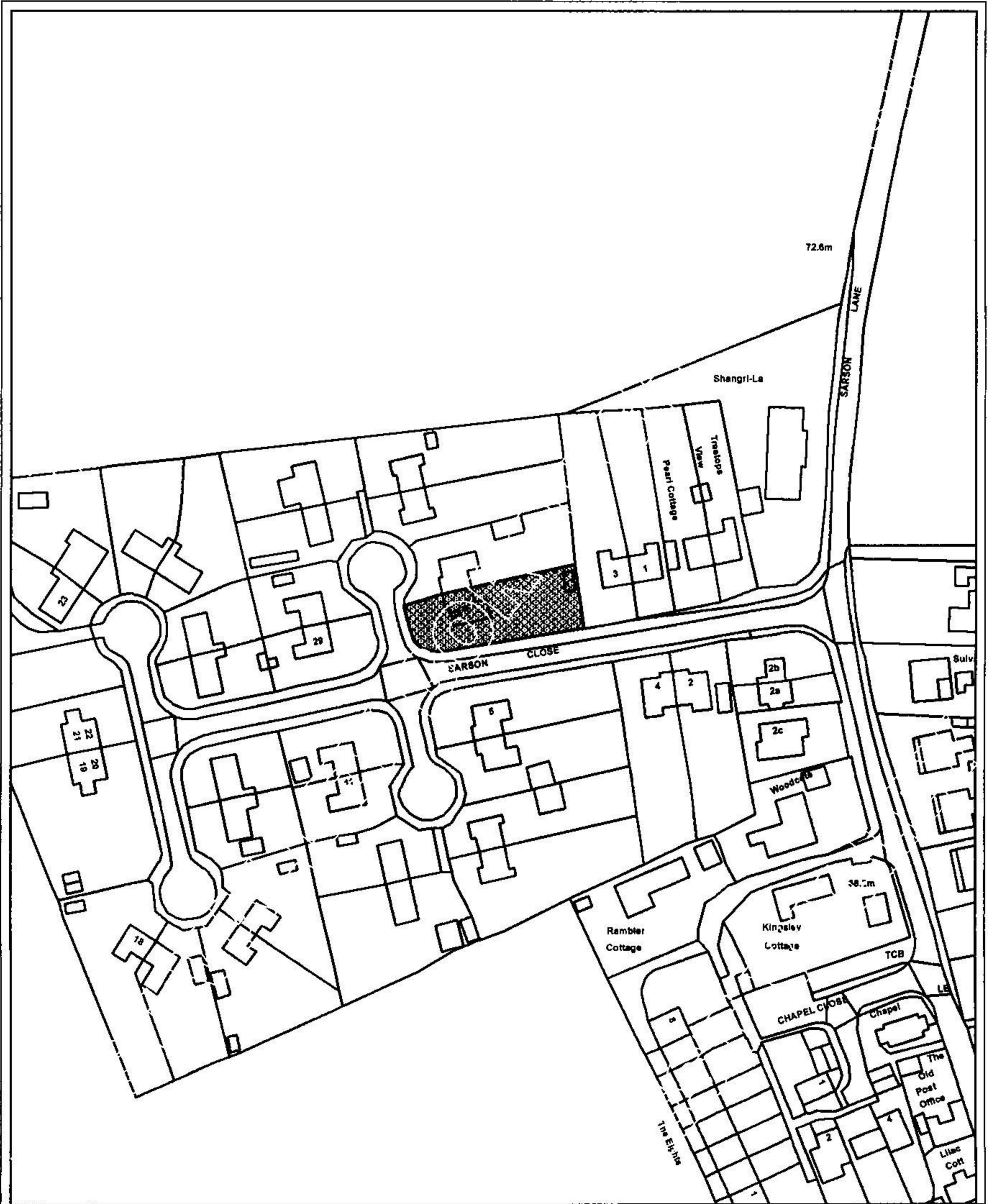
2.0 AMENDED RECOMMENDATION

REFUSE for the reason:

- 1. The proposed development in view of its proximity to the southern boundary and its design would make the dwelling unduly prominent within the streetscape. The proposed development would significantly and detrimentally affect the character and appearance of the area of Sarson Close and would be contrary to policies SET01, DES06 and DES07 of the Test Valley Borough Local Plan 2006.**

Notes to applicant:

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



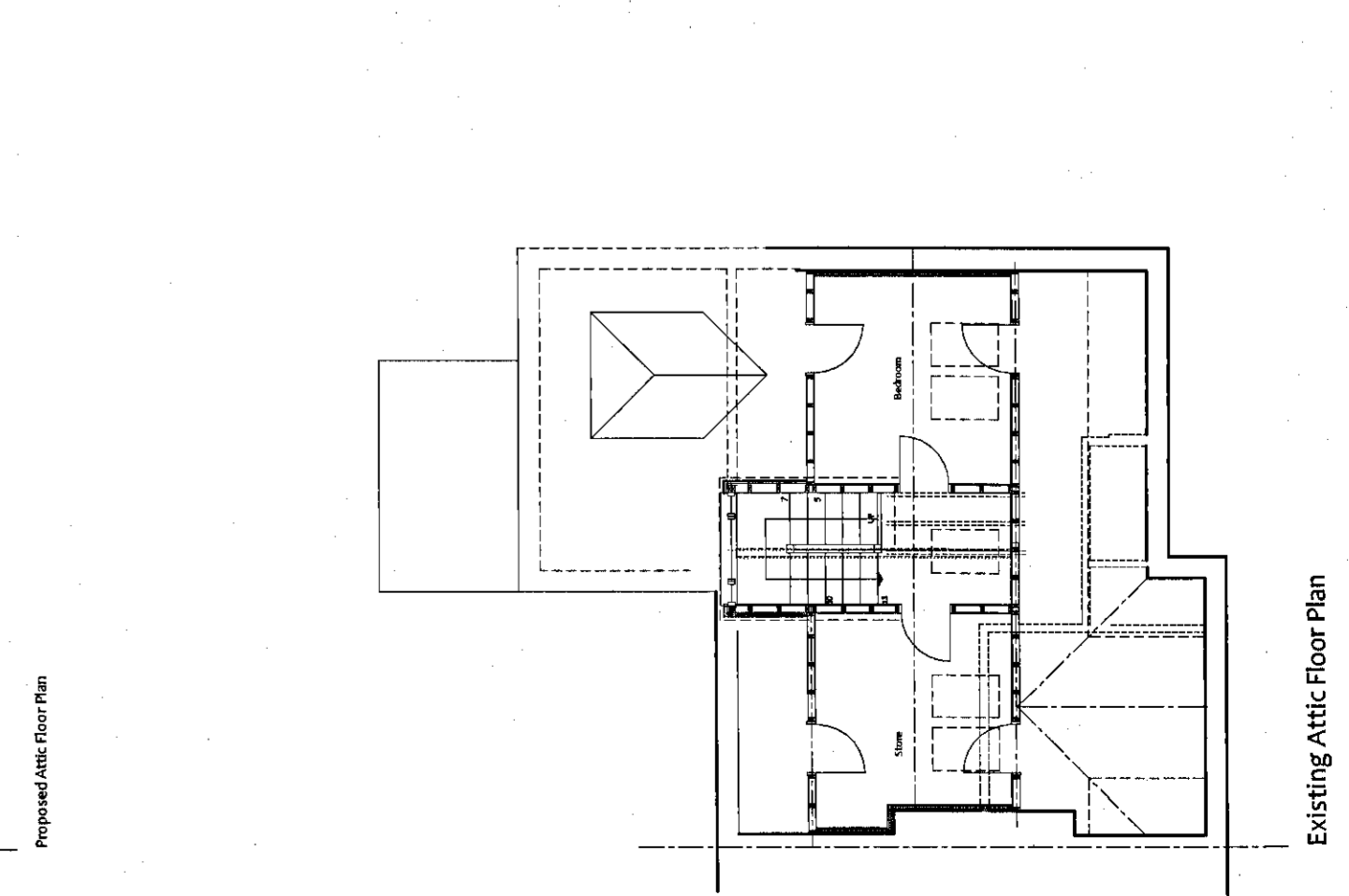
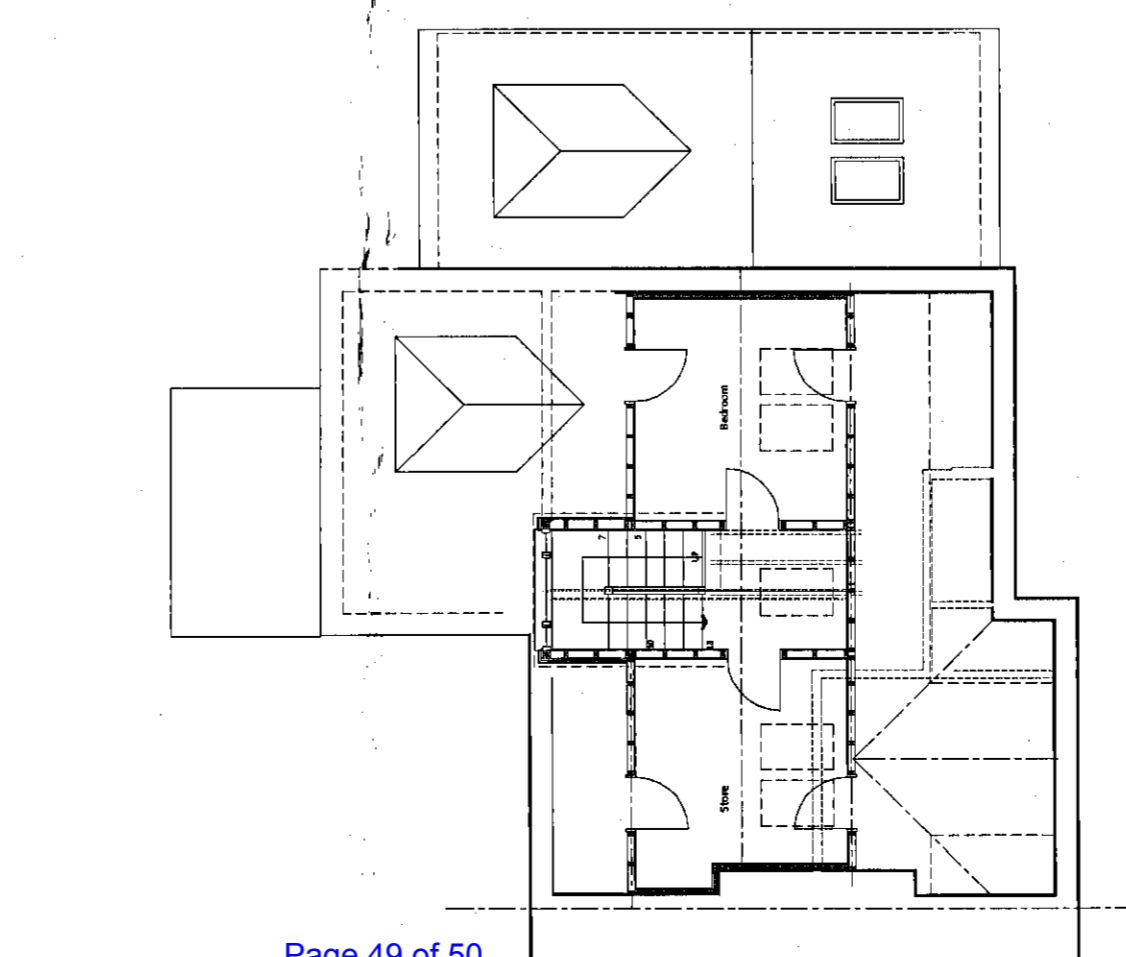
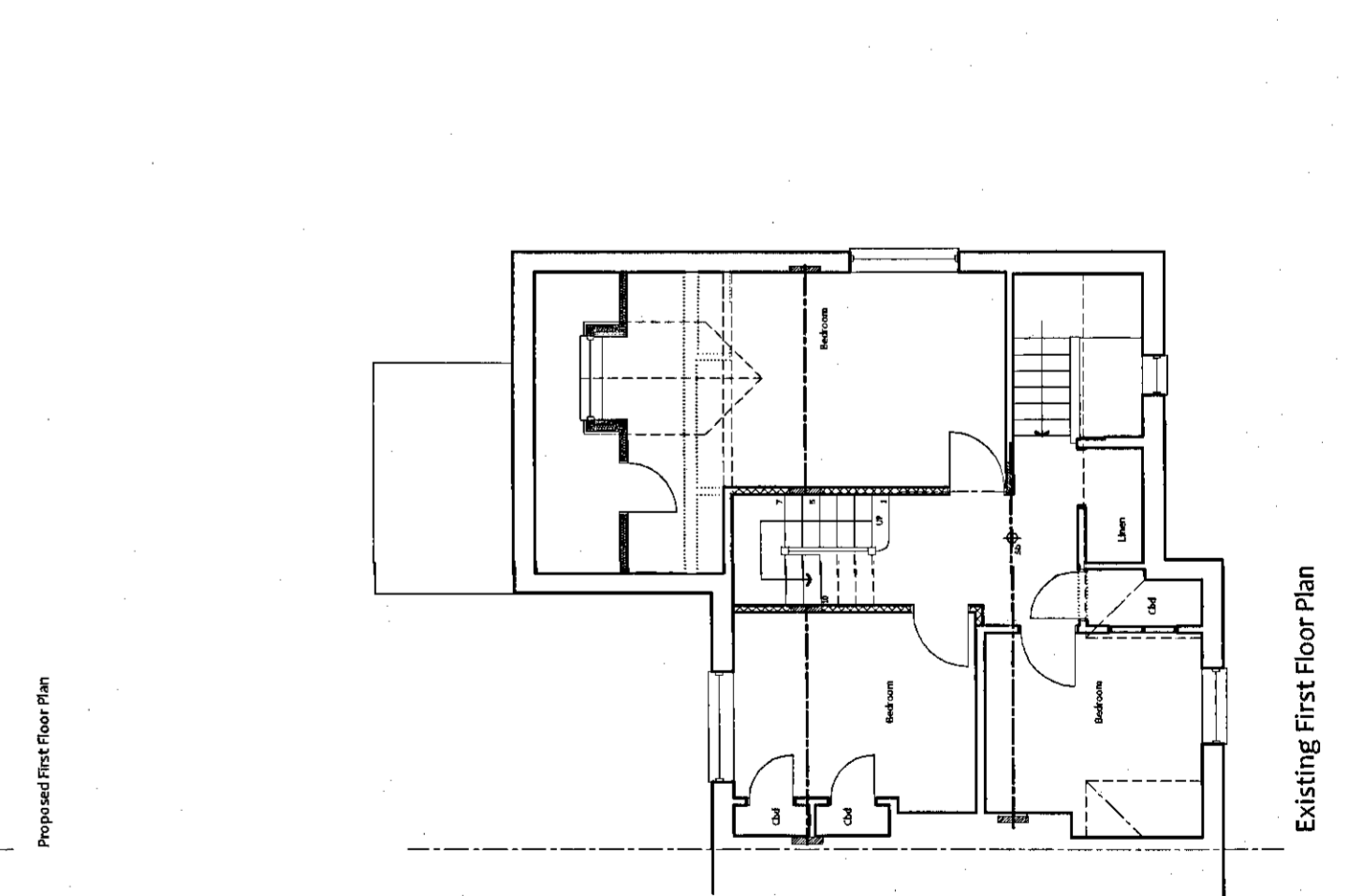
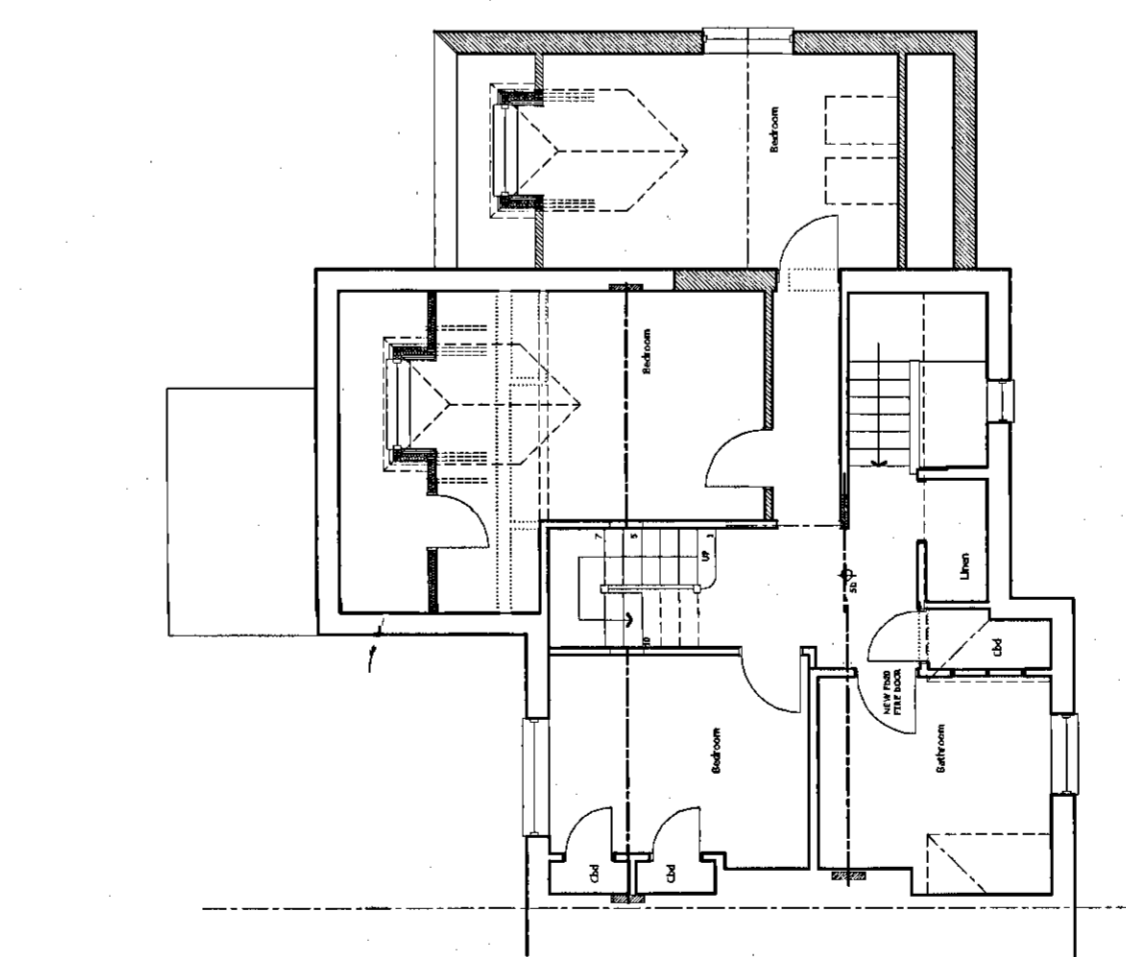
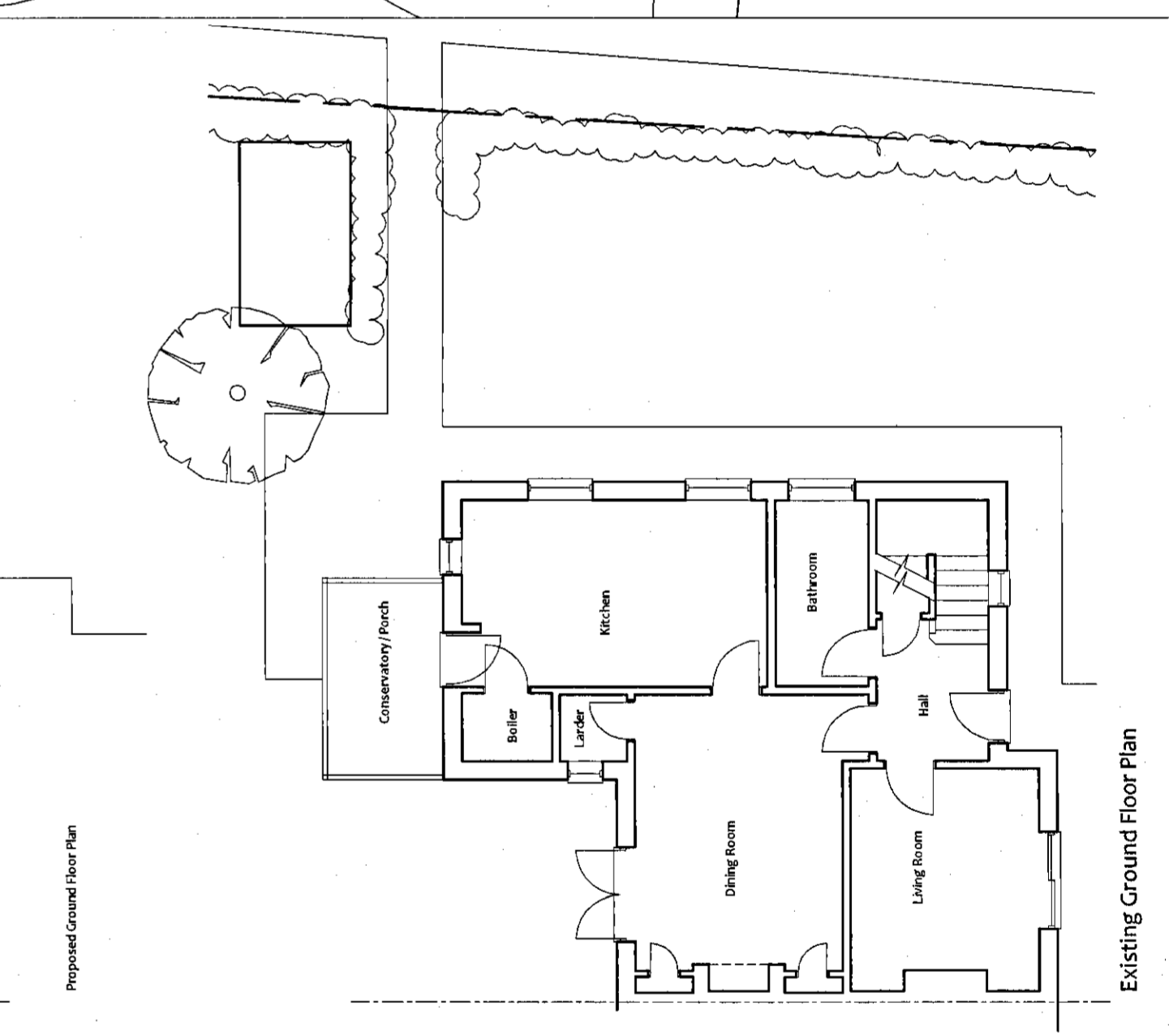
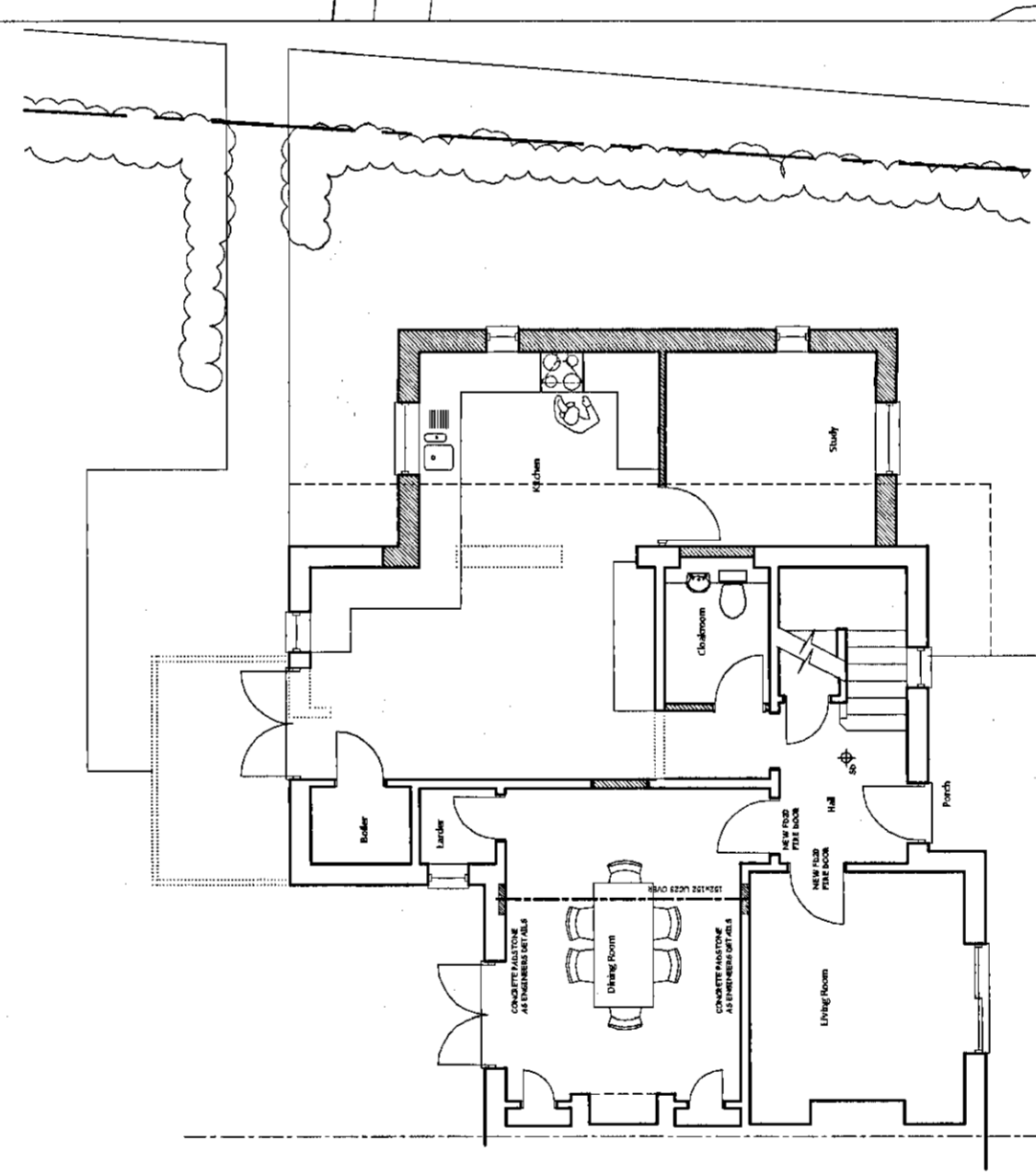
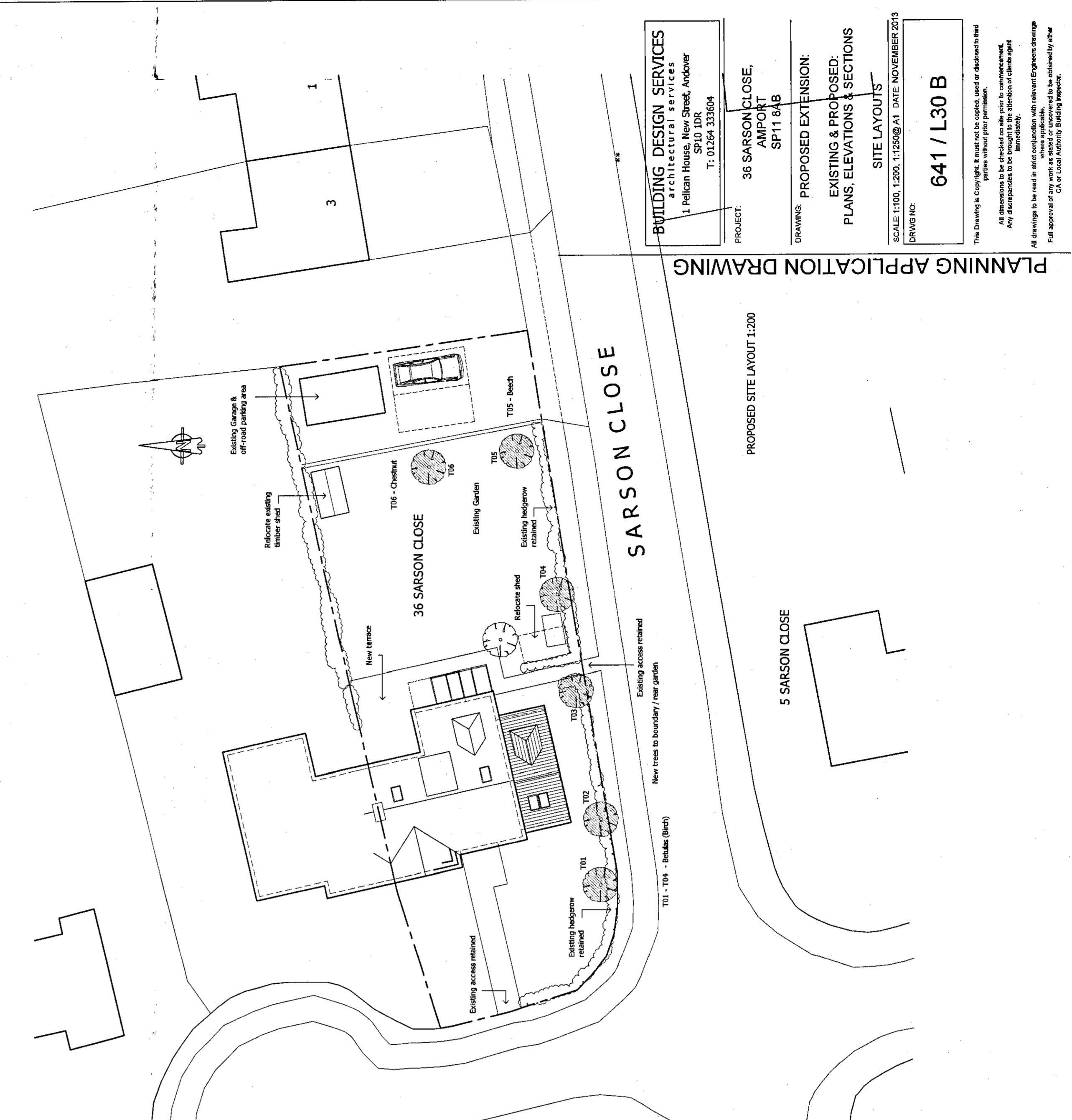
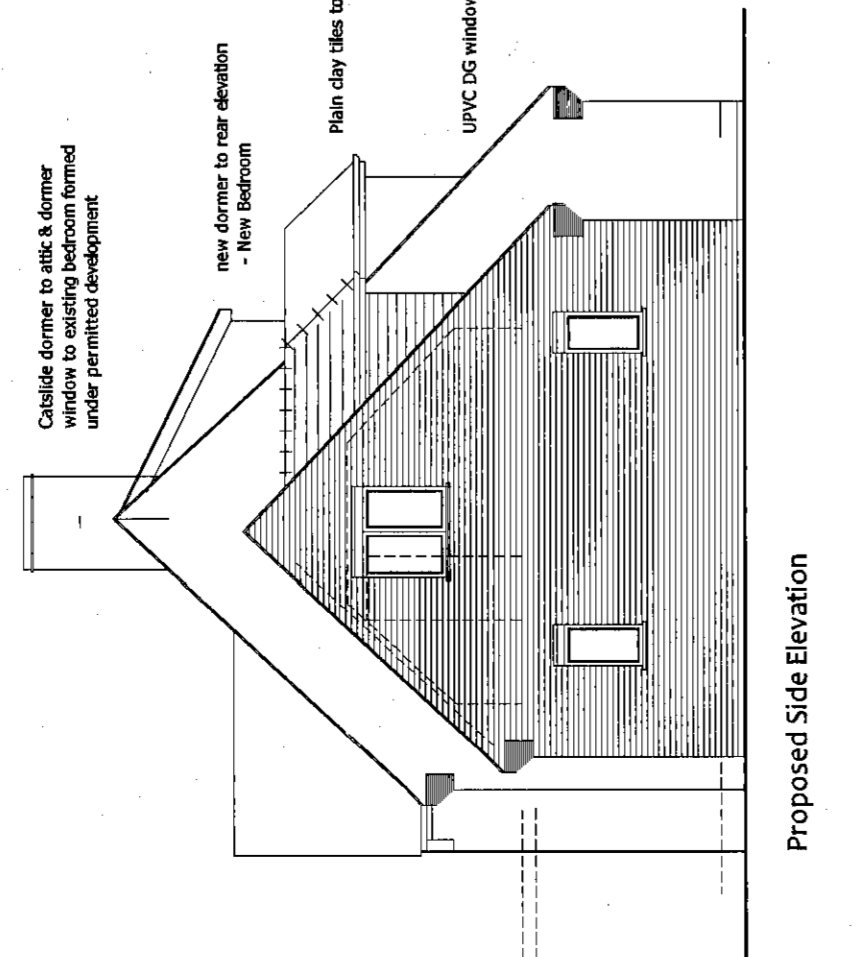
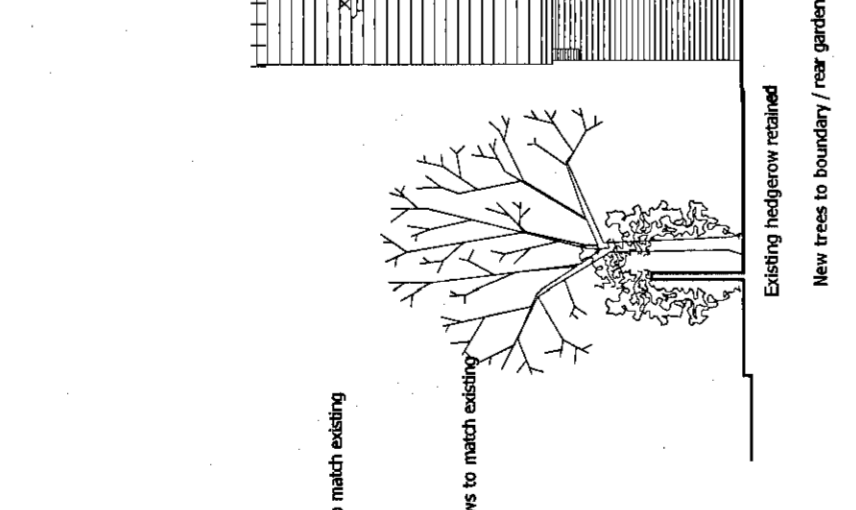
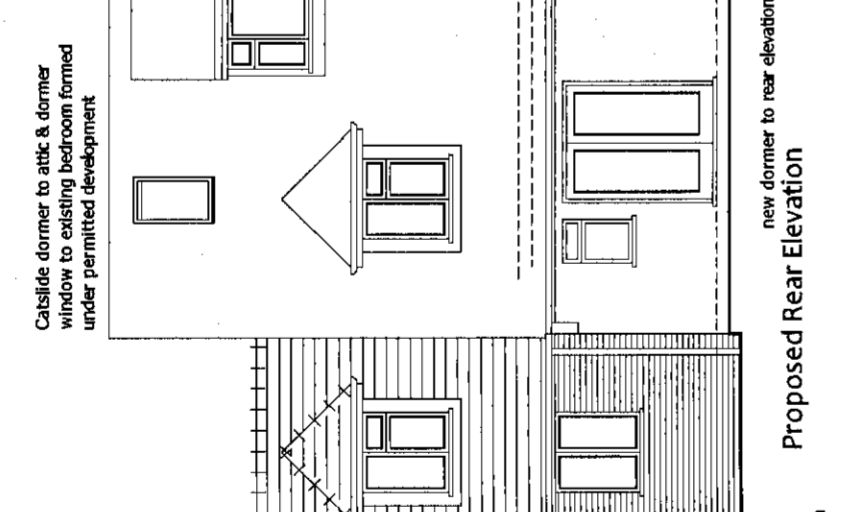
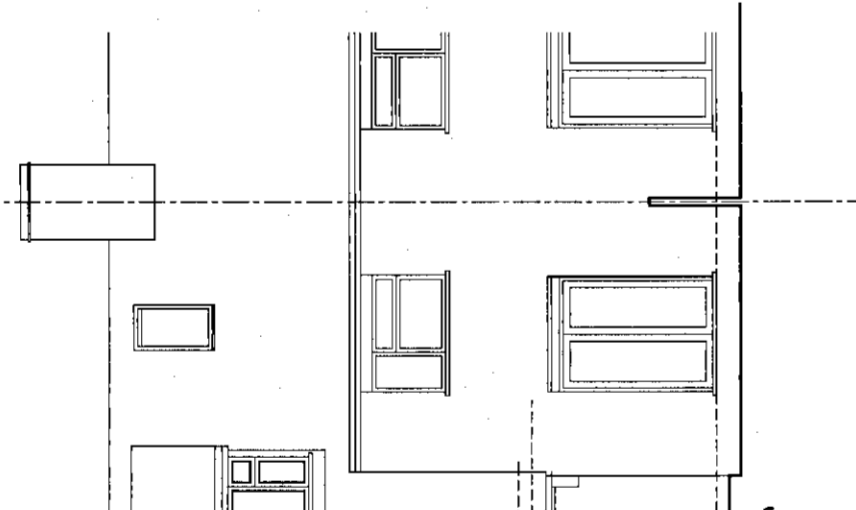
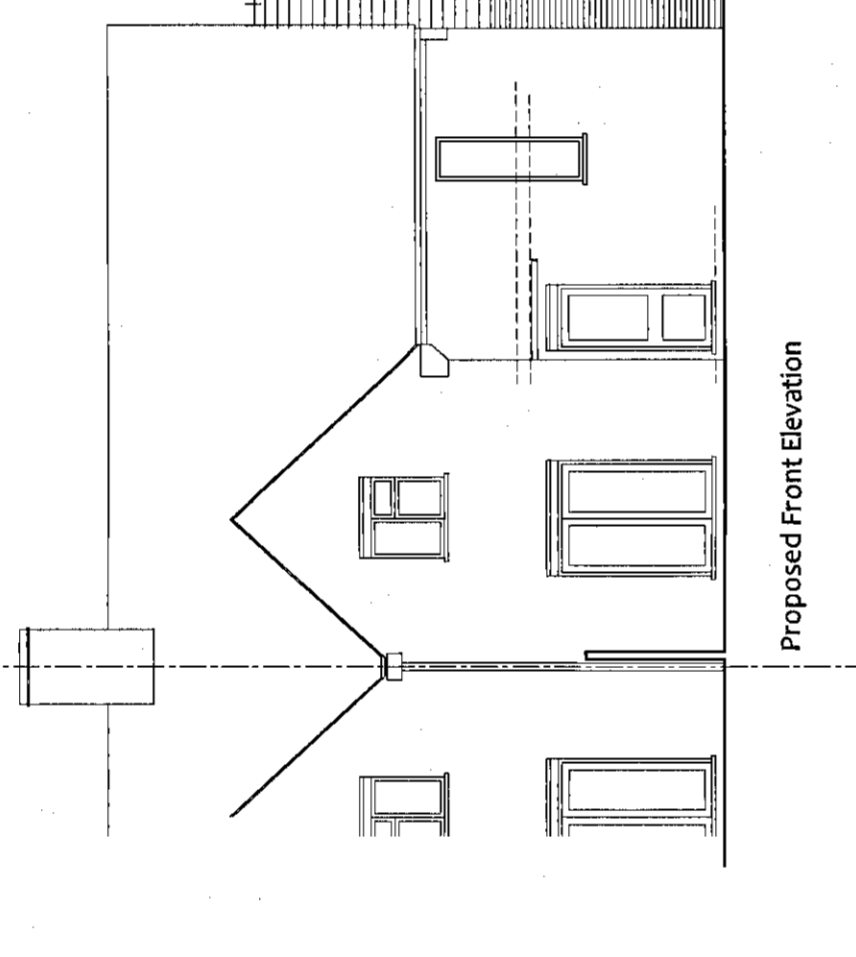
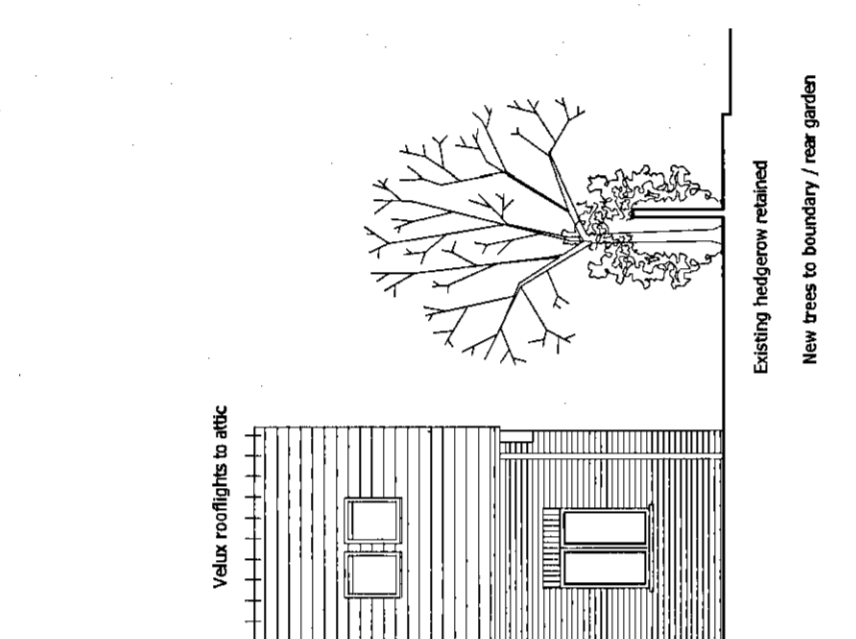
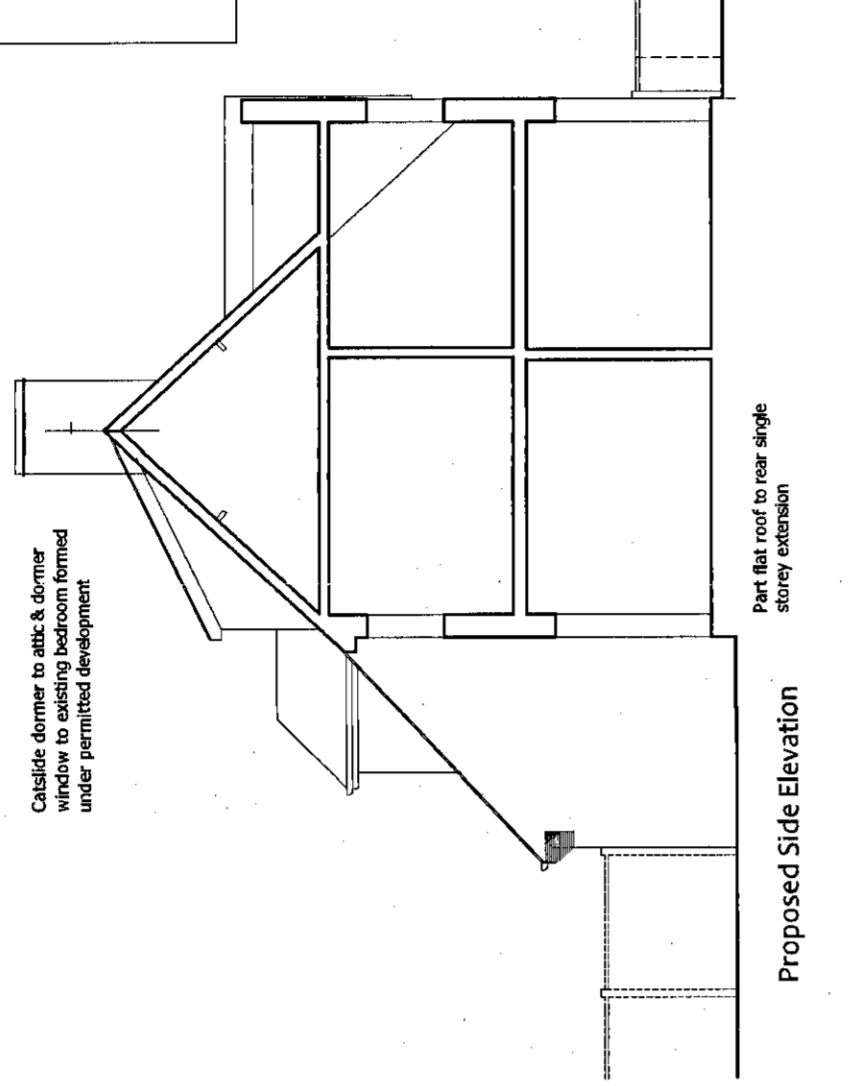
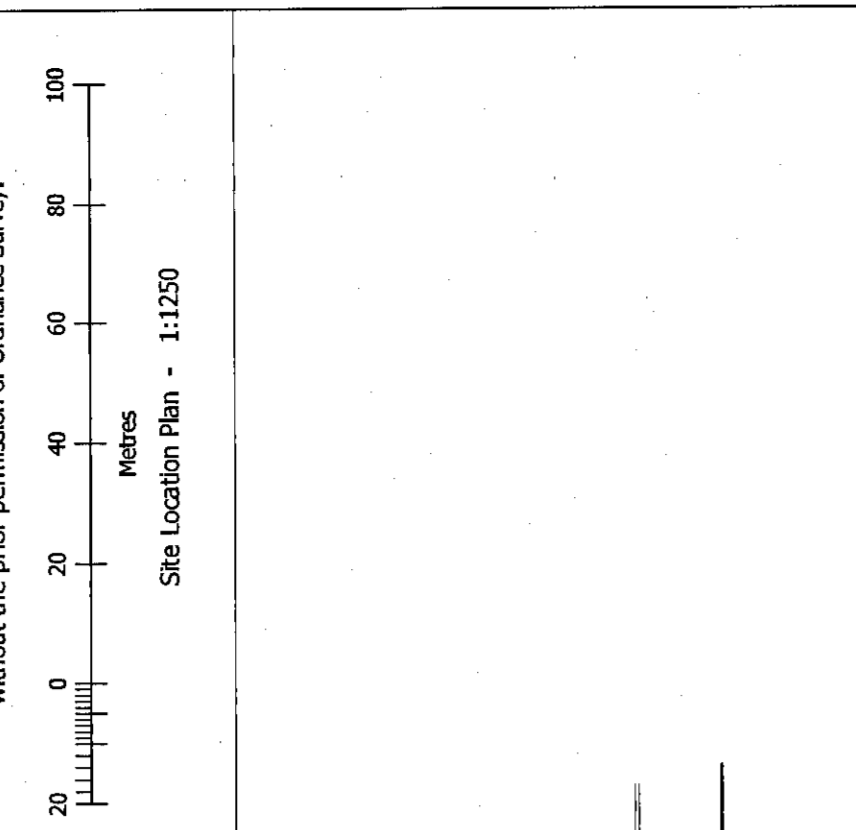
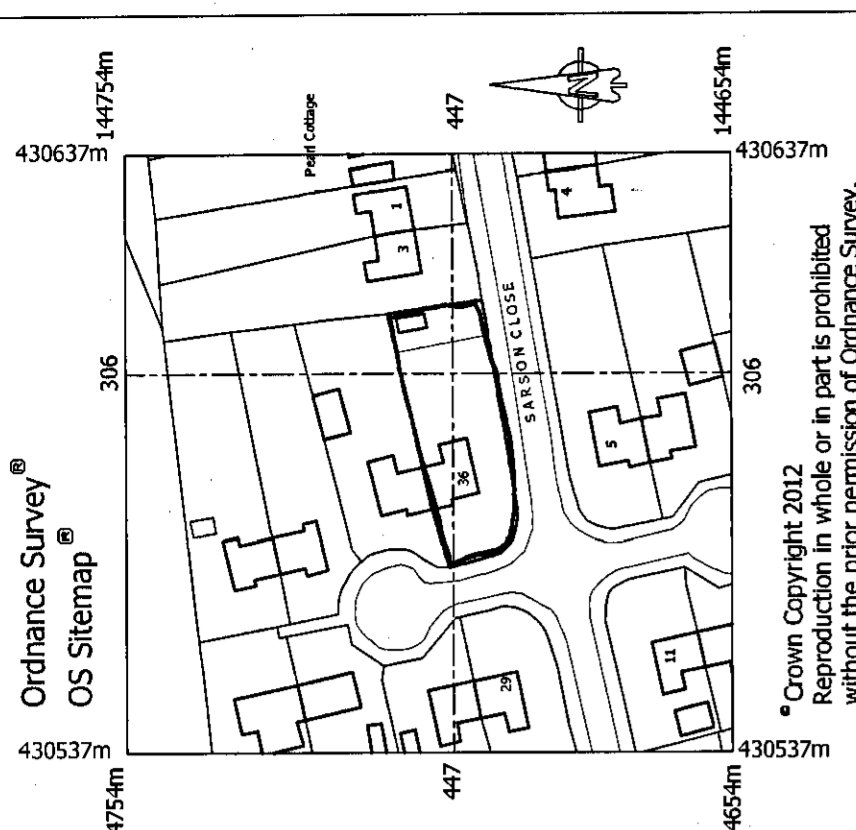
Siteplan Not to scale

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.

14/00099/FULLN

TEST VALLEY BOROUGH COUNCIL LICENCE No. 100024295 2013



BUILDING DESIGN SERVICES
Architectural Services

1 Pelican House, New Street, Andover
SP10 1DR
Tel: 01264 333604

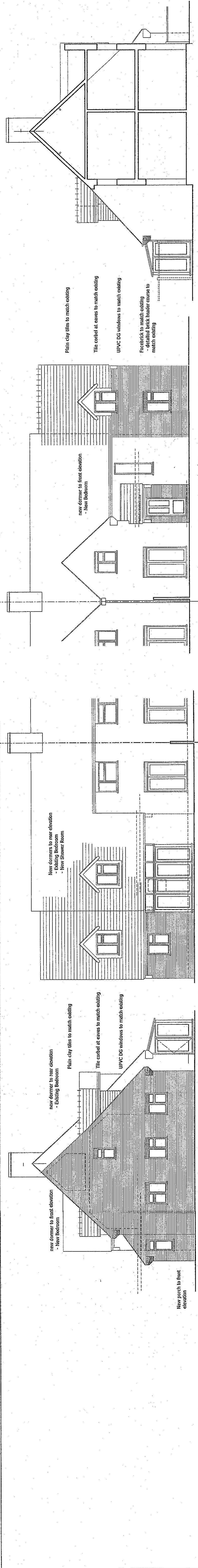
PROJECT: 36 SARSON CLOSE, AMPPOINT SP11 8AB

DRAWINGS: PROPOSED EXTENSION;
EXISTING & PROPOSED;
PLANS, ELEVATIONS & SECTIONS

SITE LAYOUTS
SCALE: 1:100, 1:200, 1:1250 @ A1 DATE: NOVEMBER 2013
DRAWN NO: 641 / L30 B

This Drawing is Copyright. It must not be copied, used or distributed in any form without the prior written consent of the Architect.
Any discrepancies to be brought to the attention of the client agent immediately.

All drawings to be read in accordance with relevant Engineers drawings. Full approval of any work as stated is not to be obtained by other Contractors without the written approval of the Architect.

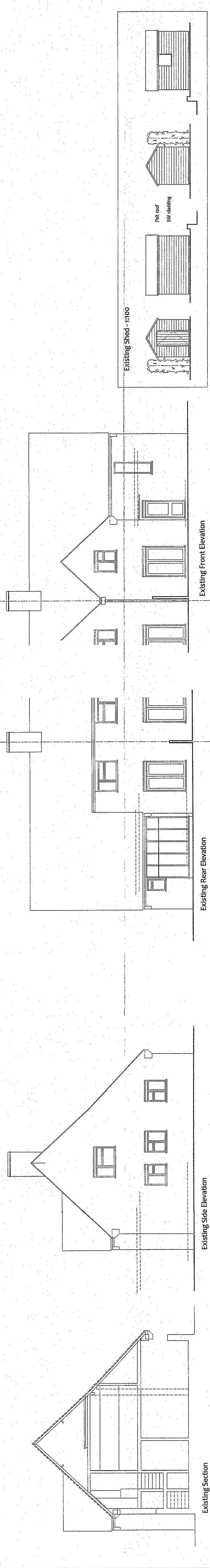


Proposed Side Elevation

Proposed Front Elevation

Proposed Rear Elevation

Proposed Side Elevation

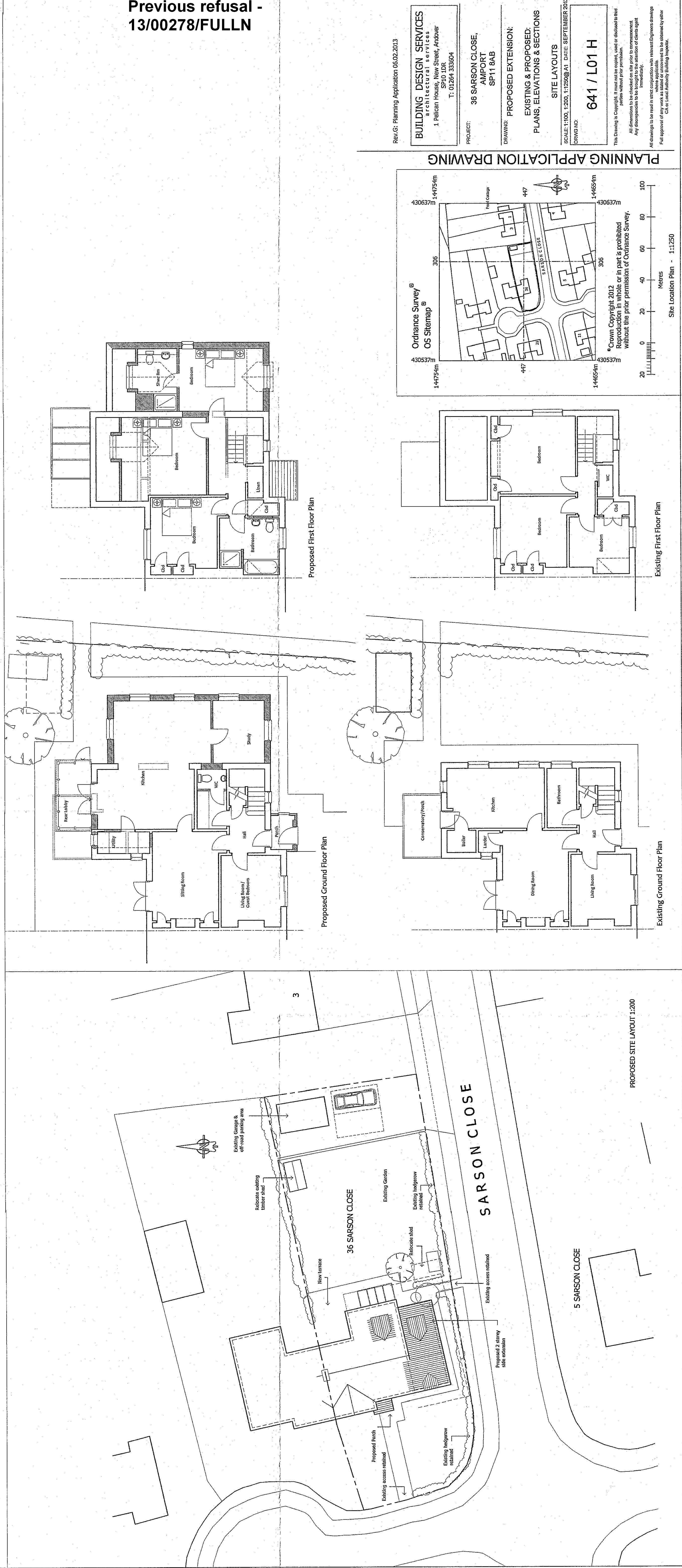


Existing Front Elevation

Existing Rear Elevation

Existing Side Elevation

Existing Shed - 1100



Proposed First Floor Plan

Proposed Ground Floor Plan

Existing First Floor Plan

Existing Ground Floor Plan

PLANNING APPLICATION DRAWING

Rev.G: Planning Application 06.02.2013

BUILDING DESIGN SERVICES
architectural services
1 Pelican House, New Street, Andover
T: 01264 336604

PROJECT: **36 SARSON CLOSE, AMPFORD SP11 8AB**

DRAWING: **PROPOSED EXTENSION; EXISTING & PROPOSED; PLANS, ELEVATIONS & SECTIONS**

SITE LAYOUTS
SCALE: 1:100, 1:200, 1:1250 @ A1 DATE: SEPTEMBER 2012
DRAWN BY: **641 / L01 H**

This Drawing is Copyright. It must not be copied, used or disclosed to third parties without prior permission.
All dimensions to be checked on site prior to commencement.
Any discrepancies to be reported to the Architect immediately.
All drawings to be read in strict conjunction with relevant Engineers drawings.
Full approval of any work as shown or otherwise to be obtained by other CA is Local Authority Building Inspector.

